



Gaithersburg
A CHARACTER COUNTS! CITY

City of Gaithersburg

31 South Summit Avenue, Gaithersburg, Maryland 20877

REQUEST FOR BIDS

No. 2017-008

DEMOLITION OF BUILDINGS AT 303 SOUTH FREDERICK AVENUE

Solicitation Issued: September 01, 2016

Bid Submissions Due: October 20, 2016 **Time:** 10:00 AM

Submissions Received By: Melanie Brown, Project Manager
City of Gaithersburg
Department of Public Works
800 Rabbitt Road
Gaithersburg, Maryland 20878

MAYOR
Jud Ashman

COUNCIL MEMBERS
Henry Marraffa, Jr.
Michael Sesma
Neil Harris
Robert Wu
Ryan Spiegel

CITY MANAGER
Tony Tomasello

TABLE OF CONTENTS

SECTION 1: Definitions 1

SECTION 2: Introduction and Notices to Bidders 2

 2.1. Introduction 2

 2.2. City Profile 2

 2.3. Disclaimer 2

 2.4. Authority to Distribute Solicitation Documents..... 2

 2.5. Acceptance..... 2

 2.6. Restricted Discussions..... 2

 2.7. State of Maryland Bid and Contract Requirements 3

 2.8. ADA Requirements 3

SECTION 3: Solicitation Schedule and Information..... 4

 3.1. Solicitation Schedule..... 4

 3.2. Pre-Submission Meeting and Site Visit 4

 3.3. Submission of Bidder Questions..... 4

 3.4. City’s Answers to Bidder Questions 5

SECTION 4: Bid Proposal Preparation and Submission Instructions 6

 4.1. Bid Proposal Preparation Instructions 6

 4.2. Bid Proposal Submission Instructions 8

SECTION 5: General Terms and Conditions..... 9

 5.1. Headings 9

 5.2. Acceptance and Rejection of Bid Proposals 9

 5.3. Accurate Information 9

 5.4. Addenda and Amendments..... 9

 5.5. Alternate Bid Proposals..... 9

 5.6. Binding Bid Proposal..... 9

 5.7. Confidentiality..... 10

 5.8. Contract Award..... 10

 5.9. Errors in Bid Proposals 10

 5.10. Interest in More than One Bid Proposal and Collusion 10

 5.11. Late Bid Proposals..... 11

 5.12. Modifications to Bid Proposals..... 11

 5.13. Optional Goods and/or Services 11

 5.14. Return of Bid Bonds..... 11

 5.15. Solicitation Documents..... 11

 5.16. Solicitation Protest..... 12

 5.17. Use of Broker 12

 5.18. Accounting System and Audit..... 12

 5.19. Assignment of the Contract..... 13

 5.20. Changes in Goods and/or Services 13

 5.21. Contract Disputes..... 13

 5.22. Dissemination of Data..... 13

 5.23. Employment as Independent Contractor..... 14

 5.24. Ethics Laws and Requirements..... 14

5.25. Force Majeure.....	14
5.26. Governing Law	14
5.27. Immigration Reform and Control Act.....	14
5.28. Inconsistent Provisions	14
5.29. Indemnification.....	15
5.30. Laws and Regulations	15
5.31. No Liens	15
5.32. No Waiver.....	15
5.33. Non-Discrimination Requirements	15
5.34. Nonexclusive.....	16
5.35. Ownership of Materials	16
5.36. Patents.....	16
5.37. Payment Terms, Taxes and Invoices.....	17
A. Payment	17
B. Taxes.....	17
C. Invoices	17
5.38. Records.....	17
5.39. Subcontractors.....	18
5.40. Survival	18
5.41. Termination.....	18
A. Termination for Cause	18
B. Termination for Convenience	18
C. Termination for Non-Appropriation of Funds.....	19
SECTION 6: Special Terms and Conditions	20
6.1. Bonds	20
6.2. Demolition and Stabilization Bond Waiver.....	20
6.3. Insurance.....	21
6.4. Project Conditions	21
A. Key Personnel.....	21
B. Notice to Proceed and Completion of Services	21
C. Schedule of Services.....	22
D. Liquidated Damages	22
E. Project Supervision	22
F. Site Safety and Use of Premises.....	22
G. Field Verification and Identification	23
H. Demolition Coordination	23
I. Permits and Inspection.....	24
J. Project Closeout.....	24
K. Warranties	24
L. Requisitions for Payment	24
SECTION 7: Scope of Work.....	25
7.1. Overview.....	25
7.2. Project Goals	25
7.3. Scope of Work.....	25
A. Pre-Demolition Activities	25
B. Demolition.....	26

C. Post Demolition (Project Close-Out).....	27
SECTION 8: Attachments and Appendixes	28

SECTION 1: Definitions

Bid Proposal: “Bid Proposal” means the offer submitted to the City by a Bidder in response to this Solicitation.

Bidder: “Bidder” means any Person submitting a Bid Proposal in response to this Solicitation.

City: “City” means the City of Gaithersburg, Maryland, a municipal corporation of the State of Maryland.

City Manager: “City Manager” means the City Manager of the City or his or her designee.

Contract: “Contract” means the binding agreement awarded pursuant to this Solicitation, if any.

Contractor: “Contractor” means the Bidder awarded the Contract.

Lowest Responsive Bid Proposal: “Lowest Responsive Bid Proposal” means the Bid Proposal accepted by the City, which offers the lowest total price, including alternates if awarded, and that fully conforms in all material respects to the requirements of this Solicitation, all form and substance included.

Person: “Person” means any individual, or association or business recognized by law.

Procurement Webpage: “Procurement Webpage” means the webpage on the City’s website dedicated to procurement: <http://www.gaithersburgmd.gov/government/procurement>.

Project Manager: “Project Manager” means the City employee assigned to manage the Contract and project.

Responsible Bidder: “Responsible Bidder” means a Bidder: who meets all of the minimum qualifications specified in this Solicitation; and who is fully capable to and able to evidence its ability to provide the Services under the Contract.

Services: “Services” means the goods and/or services to be provided to the City by the Contractor under the Contract as described in this Solicitation.

Solicitation: “Solicitation” means Invitation to Bid.

Solicitation Documents: “Solicitation Documents” mean this Solicitation and any and all documents issued and/or used by the City to solicit Bid Proposals, including but not limited to: addendums, amendments, forms and specifications.

Solicitation Schedule: “Solicitation Schedule” refers to the events and dates and times thereof specified in Section 3.1 of this Solicitation.

Submission Deadline: “Submission Deadline” means the date and time, specified in Section 3.1 of this Solicitation, by which all Bid Proposals shall be submitted to and received by the City.

~ END OF SECTION 1 ~

SECTION 2: Introduction and Notices to Bidders

2.1. INTRODUCTION

The City is seeking sealed Bid Proposals for the demolition of all existing buildings on the property located at 303 South Frederick Avenue, Gaithersburg, Maryland 20877. Refer to Section 7 for the actual Scope of Work.

2.2. CITY PROFILE

Gaithersburg is among the largest cities in the State of Maryland, with a population in excess of 67,000, occupying more than 10 square miles within Montgomery County. The City provides many services including police protection, licensing and permitting, building inspections, recreation and cultural activities, street maintenance, recycling collection, stormwater management, housing and community development, and snow removal.

The City operates under the council-manager form of municipal government, with the City Manager being appointed by the City Council. The Mayor and City Council are elected to staggered four-year terms; the Mayor serves as Council President. Gaithersburg became a CHARACTER COUNTS! City in 1996. This national ethics education program is based on six pillars of character that people of all cultures, races and religious affiliations can embrace. The pillars include respect, responsibility, fairness, caring, trustworthiness and citizenship.

2.3. DISCLAIMER

This is a Solicitation only, it is not a contract. The City shall assume no obligation to pay or reimburse any Person for any costs, fees or expenses incurred in preparation of a response to this Solicitation, or for any meetings and/or travel costs related to such response. All Bid Proposals submitted to and accepted by the City shall become the exclusive property of the City and shall not be returned. The City reserves the right to reject any or all Bid Proposals in full or in part and/or to waive any technicalities and/or informalities as best may serve the interests of the City. The City is under no obligation to any Bidder until a contract is executed for the Services described herein.

2.4. AUTHORITY TO DISTRIBUTE SOLICITATION DOCUMENTS

The City is the sole entity with the authority to issue and/or distribute any Solicitation Documents and/or information related thereto. Any and all Solicitation Documents obtained from any source other than the City may be incomplete or incorrect. The City assumes no responsibility for any error, omission or misinterpretation resulting from the reliance or use of any Solicitation Documents not both issued and distributed by the City. Any and all Solicitation Documents shall be posted on the Procurement Webpage.

2.5. ACCEPTANCE

The submission of a Bid Proposal shall constitute acknowledgement and acceptance by the Bidder of the requirements, specifications and terms and conditions specified herein.

2.6. RESTRICTED DISCUSSIONS

Bidders are prohibited from discussing this Solicitation or any part thereof with any employee, agent, or representative of the City except as expressly authorized herein. The City may, in its sole discretion, reject the Bid Proposal submitted by any Bidder who is in violation of this provision. Any and all verbal statements and/or answers to questions relative to this Solicitation shall not be considered binding, valid or enforceable.

2.7. STATE OF MARYLAND BID AND CONTRACT REQUIREMENTS

- A. Bidders must be qualified to bid in the State of Maryland in accordance with §16-202 and §16-203 of the State Finance and Procurement Article of the Annotated Code of Maryland.
- B. To enter into any contract with the City, Bidders must be in compliance with the State of Maryland Code of Regulations Title 21, State Procurement Regulations.

2.8. ADA REQUIREMENTS

Individuals with a disability, who would like to receive the information in this Solicitation in another form, may contact the City's Procurement Manager by phone at 301-258-6320 or by email at wrhodes@gaitthersburgmd.gov.

~ END OF SECTION 2 ~

SECTION 3: Solicitation Schedule and Information

3.1. SOLICITATION SCHEDULE

Below is the schedule of events for this Solicitation (“Solicitation Schedule”). The City reserves the right to modify the Solicitation Schedule at any time as best may serve the interests of the City; any and all modifications shall be made by addendum or amendment and posted on the Procurement Webpage. Unless otherwise specified, all references herein to times of day shall be Eastern Time (daylight or standard, as applicable).

EVENT	DATE	TIME
A. Solicitation Issued:	September 1, 2016	N/A
B. Pre-Submission Meeting and Site Visit: <i>See Subsection 3.2 for additional information</i>	September 19, 2016	at 10:00 AM
C. Bidder Questions Due in Writing: <i>See Subsection 3.3 for additional information</i>	October 4, 2016	by 3:00 PM
D. City’s Answers to Questions Issued: <i>See Subsection 3.4 for additional information</i>	October 7, 2016	by 5:00 PM
E. Submission Deadline: <i>See Subsection 4.2 for additional information</i>	October 20, 2016	by 10:00 AM
F. Opening of Bid Proposals: <i>See Subsection 4.2 for additional information</i>	October 20, 2016	at 10:05 AM

3.2. PRE-SUBMISSION MEETING AND SITE VISIT

A. There will be a pre-submission meeting and visit to the project site (“Pre-Submission Meeting and Site Visit”) at the location shown below and on the date and at the time specified in the Solicitation Schedule.

Department of Public Works
800 Rabbitt Road
Gaithersburg, Maryland 20878

B. Attendance of the Pre-Submission Meeting is mandatory; as such, Bidders that do not attend the entire Pre-Submission Meeting shall not be qualified for award of the Contract. Bidders are expected to bring a copy of all the Solicitation Documents as the City will not provide any copies of the same.

3.3. SUBMISSION OF BIDDER QUESTIONS

All questions regarding this Solicitation: (i) shall be submitted by email to Melanie Brown, Project Manager, at mbrown@gaitersburgmd.gov; and (ii) shall be received by the date and time specified in the Solicitation Schedule. Any and all questions received not in compliance with this paragraph will not be answered unless the City, at its sole discretion, deems that a response to a question is necessary to clarify anything in the Solicitation Documents.

3.4. CITY'S ANSWERS TO BIDDER QUESTIONS

The City's answers to questions submitted by Bidders will be posted by addendum on the Procurement Webpage on the date specified in the Solicitation Schedule.

~ END OF SECTION 3 ~

SECTION 4: Bid Proposal Preparation and Submission Instructions

4.1. BID PROPOSAL PREPARATION INSTRUCTIONS

In order to provide each Bidder with an equal opportunity for consideration, adherence to a standardized bid proposal format is required; any Bid Proposal submitted outside of the required format shall be cause for the Bid Proposal to be rejected as non-responsive. All Bid Proposals shall include the following material and be organized as follows:

A. Business Profile

This section of the Bid Proposal relates to the Bidder's business profile and shall include the following (not to exceed one page):

- Legal name of the business and, if applicable, the trade name of the business;
- Type of business (i.e. corporation, limited liability company, partnership, etc.);
- State where this business is domiciled (formed);
- Location of the principle office and any and all branch office(s) for the business;
- Principle nature of the business; and
- Geographical area(s) the business services.

B. Capabilities and Qualifications

This section of the Bid Proposal shall describe the capabilities and qualifications of the Bidder to provide the Services (not to exceed two pages) including but not limited to all EPA required certifications for site erosion control and hazardous material removal and disposal. The Bidder shall have a minimum of five (5) years of experience providing services that are similar in scope and size to the Services under this Solicitation.

C. Safety, Professional Development and Quality Control Programs

This section of the Bid Proposal relates to the Bidder's safety, professional development and quality control programs, and shall include and describe the following (not to exceed three pages):

- The Bidder's training programs, such as management, OSHA and technical training programs.
- Any and all of the Bidder's quality control measures.

D. Financial Wellness

This section of the Bid Proposal relates to the financial wellness of the business and shall include a letter of recommendation from a financial institution that attests to whether the Bidder is financially responsible to provide the Services.

E. References

This section of the Bid Proposal shall include the contact information for a minimum of three (3) customers that the Bidder wishes to provide as a reference. References shall be for projects completed by the Bidder within the last five (5) years that were similar in size and scope to the Services under this Solicitation. For each reference, the Bidder shall provide a company's name and address, a company representative's name, telephone number and e-mail address, and a description of the services provided, including scope and size.

F. Subcontractors

Subcontractors shall meet the same minimum qualifications as set forth in this Solicitation as Contractor.

G. Demolition Plan

This section of the Bid Proposal shall include a demolition plan, which shall include:

- A written narrative describing project execution with simplified means and methods listed.
- A CPM project schedule and phase planning, payments milestones, schedule of values and demolition progress reporting methods.
- Upon Award of Contract, the City of Gaithersburg requests the right to negotiate payment milestones with Awardee.

H. Forms and Documents

This section of the Bid Proposal shall include the forms shown below, all of which shall be completed in their entirety and, when applicable, be notarized and/or signed in ink by an authorized or duly authorized representative of the Bidder. Forms I-V are incorporated herein and attached to as Attachment A.

- I. Affidavit and Amendment Acknowledgement Form
- II. Affidavit of Qualification to Bid
- III. Bid Proposal Submission Certification
- IV. Conflict of Interest Certification
- V. Litigation and Lien Information
- VI. Executed Bid Bond

I. Bid Price

This section of the Bid Proposal shall include the below listed information:

- I. Completed Bid Proposal Price Sheet using the Bid Proposal Price Sheet provided in Attachment A of this Solicitation, which is signed by a person authorized to bind the Bidder to its Bid Proposal.
- II. Bid estimate worksheets: Bidder shall submit completed and detailed worksheets including, Construction Specifications Institute (CSI) Master Format division line item estimate sheets showing how the summary totals were developed.

Note: Bid evaluation will be based on the sum of all prices provided.

4.2. BID PROPOSAL SUBMISSION INSTRUCTIONS

The Bidder shall submit complete sets of its Bid Proposal in a sealed package (“Bid Proposal Package”) in accordance with and subject to the following instructions and conditions:

- A. The Bid Proposal Package shall contain the following:
 - I. One (1) original paper Bid Proposal. All documents and forms shall be completed in their entirety and, when applicable, be notarized and/or signed in ink by an authorized or duly authorized representative of the Bidder.
 - II. Two (2) identical paper copies of the original paper Bid Proposal.
 - III. One (1) identical digital copy of the original paper Bid Proposal on a compact disc or flash drive. The digital copy shall be a single combined file in portable document format (PDF).
- B. The following information shall be printed clearly on the outside of the Bid Proposal Package:
 - ↳ Solicitation Number;
 - ↳ Solicitation Title; and
 - ↳ Name of the Bidder submitting the Bid Proposal Package
- C. The Bid Proposal Package shall be addressed to the person and submitted to the location shown below; Bid Proposal Packages not received at the same location by the Submission Deadline shall be deemed non-responsive. Bid Proposals shall be publicly opened and read aloud immediately following the Submission Deadline.

Melanie Brown, Project Manager
City of Gaithersburg
Department of Public Works
800 Rabbitt Road
Gaithersburg, Maryland 20878
- D. The City shall assume no responsibility for delays or errors in the delivery of any Bid Proposal; postmarking by the Submission Deadline shall not substitute for actual receipt.
- E. The Bidder is strictly prohibited from submitting its Bid Proposal by facsimile or by e-mail. Any and all Bid Proposals submitted as such shall be rejected as non-responsive and be removed from consideration.
- F. No partial Bids will be accepted or reviewed.
- G. Any and all Bid Proposals submitted not in compliance with any of the provisions herein may be rejected as non-responsive and be removed from consideration.

~ END OF SECTION 4 ~

SECTION 5: General Terms and Conditions

The following terms and conditions shall apply to and survive this Solicitation and be incorporated into the Contract:

5.1. HEADINGS

Any and all of the headings contained in any of the Solicitation Documents are for reference purposes only and shall not in any way affect the meaning or interpretation of any of the same.

5.2. ACCEPTANCE AND REJECTION OF BID PROPOSALS

The City reserves the right: (i) to accept or reject any or all Bid Proposals in whole or in part; (ii) to waive any technicalities or informalities in Bid Proposals; and (iii) to cancel or postpone this Solicitation at any time if determined to serve the best interests of the City. The City may reject the Bid Proposal of any Bidder in arrears or in default to the City on any contract, debt, or other obligation.

5.3. ACCURATE INFORMATION

The Bidder certifies that all information provided or to be provided to the City is true and correct and may be relied upon by the City in awarding the Contract. Any false and/or misleading information is cause for the City to reject the Bidder's Bid Proposal or to terminate the Contract if awarded to the Bidder. Such rejection or termination shall relieve the City of any direct or consequential damages or costs incurred by the Bidder.

5.4. ADDENDA AND AMENDMENTS

In the event any addenda or amendments are issued to this Solicitation, all the terms and conditions of this Solicitation shall govern and apply unless specifically stated or modified in any such addenda or amendments. Any and all written communication not posted on the Procurement Webpage relative to this Solicitation shall not be considered binding, valid or enforceable. It is the responsibility of the Bidder to inquire about and obtain any and all addenda and/or amendments issued, all of which shall be published on the Procurement Webpage.

5.5. ALTERNATE BID PROPOSALS

The Bidder is expected to clearly respond to the requirements set forth in this Solicitation. Any and all alternate Bid Proposals for the Services shall be rejected as non-responsive and shall be removed from consideration.

5.6. BINDING BID PROPOSAL

All Bid Proposals shall remain binding for 180 calendar days following the Submission Deadline; Bid Proposals may not be withdrawn at any time within this period. In the event an award is not made during such period, all Bid Proposals shall be automatically extended and remain binding for an additional 180 calendar day period. Bid Proposals shall automatically be renewed until such time as either an award is made or proper notice is given to the City by a Bidder of its intent to withdraw its Bid Proposal. Bid Proposals may only be withdrawn by written notice to the City at least fifteen (15) calendar days prior to the expiration of the then current 180 calendar day period.

5.7. CONFIDENTIALITY

- A. The City agrees, to the extent permitted by law and in accordance with the terms set forth in this Solicitation, to hold all confidential information and material belonging to the Bidder in strictest confidence. The Bidder shall specify in writing to the City the information and/or material the Bidder deems to be a trade secret or other confidential information and/or material. Written notification shall also contain the reason such information and/or material is considered to be a trade secret and/or confidential.
- B. The Bidder agrees that all knowledge and information it may receive from the City or from its officials, employees or other sources, or by virtue of the performance of Services under and pursuant to the Contract, if awarded the Contract, which are included or referenced in Title 4 of the General Provisions Article of the Annotated Code of Maryland, shall not be directly or indirectly disclosed to any person whatsoever unless authorized to do so by the City Manager. This confidentiality provision shall also apply to any information, activity, or record designated by the City as being “confidential” or “privileged”.

5.8. CONTRACT AWARD

- A. It is the intent of the City to award the Contract to one (1) Bidder. The City reserves the right to award the Contract to multiple Bidders and/or to award the Contract in whole or in part. Award shall be to the Responsible Bidder that submits the Lowest Responsive Bid Proposal. If for any reason, through no fault of the City, the Contract is not executed within thirty (30) days of formal award, the City may withdraw the award and award to the Responsible Bidder that submitted the next Lowest Responsive Bid Proposal, or solicit new Bid Proposals.
- B. In the event the City receives only one (1) Bid Proposal in response to this Solicitation, the City reserves the right, in its sole discretion, to proceed as a negotiated procurement with the Bidder that submitted the Bid Proposal.

5.9. ERRORS IN BID PROPOSALS

Obvious error(s) in calculations in any Bid Proposal may not be corrected without the prior written consent of the City and may be cause for the Bid Proposal to be deemed non-responsive. If an error is made in an extended price, the unit price will govern.

5.10. INTEREST IN MORE THAN ONE BID PROPOSAL AND COLLUSION

Multiple Bid Proposals submitted in response to this Solicitation by any Bidder under the same or different names shall be rejected as non-responsive. Reasonable grounds for believing that any Bidder has interest in more than one (1) Bid Proposal for this Solicitation, both as the Bidder and as a subcontractor for another Bidder, shall result in the rejection of all Bid Proposals in which the Bidder has interest and disqualify the Bidder from responding to any reissuance of this Solicitation. However, a Person acting only as a subcontractor may be included as a subcontractor for multiple Bidders. The City may reject all Bid Proposals if reasonable cause exists for believing that collusion exists among Bidders.

5.11. LATE BID PROPOSALS

It is the responsibility of the Bidder to ensure the delivery of its Bid Proposal by the Submission Deadline and to the location specified in Section 4.2 of this Solicitation. Any and all Bid Proposals delivered or submitted late or to any location other than the designated location shall be rejected as non-responsive. The submission of any Bid Proposal by way of facsimile or e-mail is strictly prohibited; any and all Bid Proposals submitted as such shall be rejected as non-responsive. The City assumes no responsibility for any delays and/or errors in the delivery of a Bid Proposal; postmarking by the Submission Deadline shall not substitute for actual receipt. Any and all Bid Proposals submitted not in compliance with any of the provisions of this paragraph shall be rejected as non-responsive.

5.12. MODIFICATIONS TO BID PROPOSALS

The Bidder may only modify its Bid Proposal prior to the Submission Deadline and in accordance with and subject to the following:

- A. The City shall consider a modified Bid Proposal as an entirely new Bid Proposal and shall replace the original Bid Proposal, which shall be deemed to be withdrawn and null and void.
- B. The modified Bid Proposal shall be subject to all the requirements, specifications and terms and conditions set forth herein.
- C. Notwithstanding the provisions with respect to the submission of a Bid Proposal herein, the modified Bid Proposal shall clearly be labeled "Modified Bid Proposal".

5.13. OPTIONAL GOODS AND/OR SERVICES

The City reserves the right to request and evaluate optional goods and/or services which may be in the best interests of the City, and to negotiate the price of such goods and/or services with the successful Bidder or with another Bidder, whichever is determined to be the most advantageous to the City. While pricing for optional goods and/or services may be requested in this Solicitation, the City is under no obligation to consider such optional goods and/or services when selecting the successful Bidder unless otherwise stated.

5.14. RETURN OF BID BONDS

In the event a bid bond is required under this Solicitation, all such bonds shall be retained by the City until the Contract is executed or until such time that a Bidder requests its Bid Proposal to be withdrawn in accordance with Section 5.6 (Binding Bid Proposal) of this Solicitation. The City shall immediately return the bid bond of any Bidder whose Bid Proposal is deemed by the City to be non-responsive, or shall immediately return all bid bonds in the event the Solicitation process is canceled by the City.

5.15. SOLICITATION DOCUMENTS

The Bidder is expected to carefully and thoroughly examine all of the Solicitation Documents for accuracy and completeness, and to become familiar with the same. If doubt exists as to the meaning and/or intent in or of any of the Solicitation Documents, the Bidder shall make an inquiry as to such meaning and/or intent. The failure of the Bidder to examine and become familiar with any and all of the Solicitation Documents shall in no way relieve the Bidder of its obligations under the Contract, if awarded to the Bidder. The submission of a Bid Proposal shall be taken as prima facie evidence of compliance with this provision and that the Bidder fully understands everything in the Solicitation Documents.

5.16. SOLICITATION PROTEST

- A. Any protest of this Solicitation shall be in writing to the City Attorney. The provisions of COMAR Title 21.01.03.01A(7), State Procurement Regulations, do not apply to municipalities and are not applicable to this Solicitation. Protests of alleged improprieties in this Solicitation shall be filed prior to the Submission Deadline.
- B. Any written protest shall, at a minimum, include: (i) the name, address, telephone number, and if available, email address of the Person making the protest; (ii) the Solicitation number and a detailed statement of the legal and factual grounds for the protest, including a description of resulting harm to the Person making the protest; and (iii) any and all copies of supporting exhibits, evidence and/or documents to substantiate the claim.

5.17. USE OF BROKER

The Bidder warrants that no person or selling agency has been employed or retained to solicit or secure the Contract upon an agreement or understanding for a commission, percentage, brokerage, or contingent fee, except bona fide employees, or bona fide established commercial or selling agencies maintained by the Bidder for the purpose of securing business. For violation of this provision, the City shall have the right, in its sole discretion: (i) to terminate or suspend the Contract without liability to the City, its officials or employees; or (ii) to deduct from the Contract price or consideration, the full amount of such commission, percentage, brokerage, or contingent fee.

5.18. ACCOUNTING SYSTEM AND AUDIT

- A. The Contractor certifies its accounting system conforms to Generally Accepted Accounting Principles (GAAP) and is sufficient to comply with its budgetary and financial obligations under the Contract. In addition, the Contractor acknowledges and agrees to the following:
 - I. The Contractor: (i) shall maintain any and all necessary source documentation, accounting records and supporting documentation in such a manner that will provide for a separation between direct and indirect costs; and (ii) shall enforce sufficient internal controls as dictated by GAAP to properly account for expenses incurred under the Contract.
 - II. The Contractor: (i) shall allow the City to examine and/or obtain copies of the Contractor's records to determine and verify compliance with the terms and conditions of the Contract; (ii) shall grant the City access to such records at all reasonable times during the Contract term and for a period of five (5) years thereafter; and (iii) shall make such records available for examination and/or to obtain copies by any and all Federal, State and/or County authorities if the Contract is supported to any extent with any funds of the same.
- B. The Contractor shall include a similar provision in any and all subcontracts.

5.19. ASSIGNMENT OF THE CONTRACT

The City's rights under the Contract are personal to the Contractor. It is mutually understood and agreed that the Contractor shall not assign, convey, sublet, transfer or otherwise dispose of its Contract or its right, title or interest therein, or its power to execute the Contract, to any other person without the express written consent of the City; however, in no case shall such consent relieve the Contractor from its obligations under the Contract, or change the terms and conditions of the Contract.

5.20. CHANGES IN GOODS AND/OR SERVICES

The City, without invalidating the Contract, may order changes in the goods and/or Services within the general scope of the Contract, consisting of additions, deletions and/or other revisions, and the Contract sum and term shall be adjusted accordingly. Any cost or credit to the City from a change in Services shall be determined by mutual written agreement between the City and the Contractor. The Contractor shall provide all of the goods and services that may be required to complete the Contract at the price agreed upon. Any alterations of variables to the terms of the Contract shall not be valid or binding upon the City unless made in writing and signed by the City and the Contractor.

5.21. CONTRACT DISPUTES

Any and all disputes arising under the Contract, except under the provisions for termination, which are not disposed of by agreement between the City and the Contractor, shall be decided under procedures A-D listed below. Pending final resolution of a dispute, the Contractor shall proceed diligently with Contract performance. A claim must be in writing for a sum certain and any money requested must be fully supported by all cost and pricing information.

- A. All disputes, claims, questions of fact or interpretations of the documents of the Contract not disposed of by agreement or express provision of the Contract arising between the City and the Contractor after performance of the Contract has commenced but before final payment and termination of the Contract, are decided by the City Manager.
- B. The City Manager must give the Contractor not less than three (3) working days to submit documentation and written reasons supporting the Contractor's position in the dispute. The City Manager may consider any other information or written submissions from City employees or agents and may conduct an informal, non-record hearing for receipt of testimony, evidence and/or argument. The City Attorney may participate in the hearings to protect the City's interest.
- C. The City Manager must render a decision, in writing, stating reasons for such decision and provide copies to the Contractor and the City Attorney. If the decision is mailed to the Contractor, it must be mailed "certified" and dated the date of mailing; otherwise, it must be dated the date of delivery to the Contractor.
- D. The City Manager's decision may be submitted to Binding Arbitration by either Party under the auspices of an arbitrator appointed by the American Arbitration Association.

5.22. DISSEMINATION OF DATA

The Contractor shall not release any information related to the Services under the Contract or publish any reports or documents related to the same without the prior written approval of the City. The Contractor shall include a similar provision in all subcontracts.

5.23. EMPLOYMENT AS INDEPENDENT CONTRACTOR

The City and the Contractor recognize and agree: (i) that the Contractor shall act as an independent Contractor to the City; (ii) that the Contract does not create any actual or apparent agency, partnership, franchise, or relationship of employer and employee between the parties; (iii) that neither party shall be entitled to participate in any of the other party's benefits, including without limitation, any health or retirement plans; (iv) that the Contractor shall not be entitled to any remuneration, benefits, or expenses other than as specifically provided for in the Contract; and (v) that the City shall not be liable for any insurance, taxes, or withholding for or on behalf of the Contractor; all such insurance, taxes or withholding, and costs for same, shall be the sole responsibility of the Contractor.

5.24. ETHICS LAWS AND REQUIREMENTS

The Contractor shall comply with the financial disclosure and conflict of interest and lobbying provisions of the City's ethics laws, which may be found on the City's website at: <http://www.gaithersburgmd.gov/government/city-code>.

5.25. FORCE MAJEURE

The City and the Contractor acknowledge and agree that either party hereto will be relieved of its obligations hereunder in the event and to the extent that the performance of its obligations under the Contract is delayed or prevented by any cause beyond its control, including, without limitation, acts of God, public enemies, war, insurrection, acts or orders of governmental authorities, fire, flood, explosion, or riots ("Force Majeure"). Failure to receive necessary materials and supplies will not excuse performance hereunder unless such failure is itself due to an event of Force Majeure. A party obtaining relief under this provision shall make every reasonable effort to minimize the effects thereof and will promptly resume performance as soon as possible.

5.26. GOVERNING LAW

The Contract shall be construed in accordance with the laws and regulations of the Federal Government, State of Maryland, and the City. For purposes of litigation involving the Contract, exclusive venue and jurisdiction shall be in the Circuit Court of Maryland for Montgomery County, District Court of Maryland for Montgomery County or the United States District Court of Maryland.

5.27. IMMIGRATION REFORM AND CONTROL ACT

The Contractor shall warrant that it does not and shall not hire, recruit or refer for a fee for employment under the Contract, an alien, knowing the alien is an unauthorized alien, and hire any individual without complying with the requirements of the Immigration Reform and Control Act of 1986 ("Act"), including but not limited to any verification and record keeping requirements. The Contractor shall further assure the City that, in accordance with the Act, it does not and will not discriminate against an individual with respect to hiring, or recruitment or referral for a fee, of the individual for employment or the discharging of the individual from employment because of such individual's national origin or in the case of a citizen or intending citizen, because of such individual's citizenship status.

5.28. INCONSISTENT PROVISIONS

A. Notwithstanding any provisions to the contrary in the terms and conditions of any contract supplied by the Contractor, the conditions of this Solicitation and the Contract supersede those terms and conditions in the event of inconsistency.

- B. In the event of any inconsistency between any of the provisions of this Solicitation and any of the provisions of the Contract, the provisions of the Contract shall take precedence over and supersede those provisions in the event of any inconsistency.

5.29. INDEMNIFICATION

The Contractor shall indemnify and hold harmless the City, its officials, employees and agents from the following:

- A. Any and all direct or indirect damages, costs, claims, actions, suits, judgments or liens resulting from the negligent act or commission or omission of the Contractor, its employees, agents or subcontractors; and
- B. Any and all direct or indirect costs, claims, actions, suits, judgments or liens for damages resulting from the Contract arising from the negligence or omission of the Contractor, its employees, agents or subcontractors. The Contractor shall, upon completion of the Services, provide the City with a Release of Liens from any subcontractor, supplier, material, or other supplier of goods and services to the project.

5.30. LAWS AND REGULATIONS

The Contractor shall comply with any and all applicable federal, state and local laws, codes and regulations with respect to the Services under the Contract.

5.31. NO LIENS

- A. The Contractor shall have no title or interest in any of the goods delivered to the City under the Contract. In no event shall the Contractor encumber any such goods delivered to the City with any lien of any kind or offer such goods as collateral in any transaction whatsoever.
- B. The Contractor shall, upon completion of the Services, provide the City with a Release of Liens from any subcontractor or other supplier.

5.32. NO WAIVER

Except as otherwise specifically provided in the Contract, a waiver by either party to the Contract of any breach of any provision of the Contract, or either party's decision not to invoke or enforce any right under the Contract, shall not be deemed a waiver of any right or subsequent breach, and all provisions of the Contract shall remain in force.

5.33. NON-DISCRIMINATION REQUIREMENTS

- A. The Contractor acknowledges and agrees that during the term of the Contract it shall:
 - I. Not discriminate against any employee or applicant for employment because of gender preference, race, color, creed, religion, ancestry, sex, sexual orientation, national origin, affection preference, disability, age, marital status or status with regard to public assistance or as a disabled veteran or veteran of the Vietnam era.

- II. Take affirmative action to ensure that applicants and employees are treated without regard to their race, color, creed, religion, ancestry, sex, sexual orientation, national origin, affection preference, gender preference, disability, age, marital status or status with regard to public assistance or as a disabled veteran or veteran of the Vietnam era. Such action shall include but not be limited to the following: employment, upgrade, demotion or transfer; recruitment or recruitment advertising, layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship.
 - III. In all solicitations for employees, state that all qualified applicants will receive consideration for employment without regard to race, color, creed, religion, ancestry, sex, sexual orientation, national origin, affection preference, gender preference, disability, age, marital status or status with regard to public assistance or as a disabled veteran or veteran of the Vietnam era. The Contractor agrees to use clauses similar to those above in all contracts and subcontracts. In the event the Contractor fails to comply with the nondiscrimination clauses of the Contract, or fails to include such provisions in all contracts and subcontracts, as hereinabove provided, the Contract may at the sole discretion of the City be declared void AB INITIO, canceled, terminated or suspended in whole or in part with waiver of any recourse by the Contractor against the City or its officials or employees, and the Contractor may be declared ineligible for further contracts with the City.
- B. Any employee, applicant for employment, or prospective employee with information concerning any breach of these requirements may communicate such information to City Manager who shall commence a prompt investigation of the alleged violation. Pursuant to such investigation, the Contractor shall permit access to their books, records and accounts. In the event the City Manager concludes, on the basis of such investigation, that the Contractor has failed to comply with these nondiscrimination clauses, the City Manager may invoke the remedies hereinabove set out.

5.34. NONEXCLUSIVE

Nothing in the Contract shall be deemed to act as a bar to the City's solicitation or purchasing of equipment, goods or services from any other company or entity.

5.35. OWNERSHIP OF MATERIALS

Unless otherwise agreed in writing by the City and the Contractor, any work, specifications, information, data, drawings, software and other items produced under the Contract, other than any Contractor Tool, is to be deemed a work-for-hire to the extent permitted by law, and, to the extent not so permitted, shall be assigned to, and shall become, the exclusive property of the City.

5.36. PATENTS

- A. Whenever any article, material, appliance, process composition, means or things called for by the specifications ("Materials") under this Solicitation is covered by Letters of Patent, the Contractor shall secure, prior to using or employing such Materials, the assent in writing of the owner or licensee of such Letters of Patent and file the same with the City.

- B. The Contractor shall defend, at its own expense, and pay the cost and damages awarded in any action brought against the City based on an allegation that the Materials provided by the Contractor infringe on any patent, copyright, license or trade secret. In the event that an injunction shall be obtained against the City's use of the Materials by reason of infringement of any patent, copyright, license or trade secret, the Contractor shall, at its own expense, procure for the City the right to continue using the Materials or replace or modify the same so that it becomes non-infringing.

5.37. PAYMENT TERMS, TAXES AND INVOICES

The City shall only pay original proper invoices issued in accordance with the following:

A. Payment Terms

The City's standard terms of payment are net thirty (30) days; however, this does not preclude the Contractor from providing a prompt payment discount for the payment of invoices in less than thirty (30) days. Payments considered past-due may be subject to incurred interest not to exceed one percent (1%) per month.

B. Taxes

The City is exempt from sales and use taxes. The Contractor shall exclude such taxes from all forms of requests for payments issued to the City; the City shall not be liable for or pay or reimburse the Contractor for any such taxes. A copy of the City's Sales and Use Tax Exemption Certificate is provided below.



C. Invoices

Original invoices shall include at a minimum, the Contractor's name, address, telephone and fax numbers, and if applicable, email address and corresponding purchase order number. Invoices shall be submitted to: City of Gaithersburg, Accounts Payable Division, 31 South Summit Avenue, Gaithersburg, Maryland 20877.

5.38. RECORDS

- A. The Contractor shall retain any and all records and documents relating to the Services under the Contract for a minimum of five (5) years following payment of the Contractor's final undisputed proper invoice for the complete rendered Services. The Contractor shall make available to the City, State of Maryland and any and all appropriate Federal agencies, all records and documents with respect to any and all matters under the Contract at any time during normal business hours, as often as the City deems necessary, to audit, examine, and make copies, excerpts and/or transcripts of any and all relevant data.

B. The Contractor shall include similar provisions in all subcontracts.

5.39. SUBCONTRACTORS

The Contractor acknowledges and agrees: that if it shall be necessary to hire or subcontract with competent personnel to fulfill its obligations under the Contract, it shall do so at its own expense; and to ensure that any and all work assigned to any subcontractor shall be performed in compliance with all of the terms and conditions of the Contract. Nothing contained in the Contract shall create any contractual relation between any subcontractor and the City.

5.40. SURVIVAL

The representations, warranties and indemnities contained herein shall survive the termination of the Contract.

5.41. TERMINATION

A. Termination for Cause

- I. If through any cause, the Contractor fails to fulfill in a timely and proper manner its obligations under the Contract, or if the Contractor violates any of the provisions of the Contract, the City may upon written notice to the Contractor, terminate the right of the Contractor to proceed under the Contract or with such part or parts of the Contract to which there has been default, and may hold the Contractor liable for any damages caused the City by reason of such default and termination, if the default is not corrected within 15 days' notice to cure. In addition, the Contract may be terminated for the bankruptcy, dissolution, assignment for the benefit of creditors, or other similar action of the Contractor.
- II. In the event of termination, any completed Services performed by the Contractor under the Contract shall, at the option of the City, become its property and the Contractor shall be entitled to receive equitable compensation for any work completed to the satisfaction of the City. The Contractor, however, shall not thereby be relieved of liability to the City for damages sustained by the City by reason of any breach of the Contract by the Contractor, and the City may withhold any payments to the Contractor for the purpose of setoff until such time as the amount of damages due the City from the Contractor is determined. The Contractor shall not be responsible for damages under this article solely for reasons of delay if the delay is due to causes beyond its control and without its fault or negligence, but this shall not prevent the City from terminating the Contract for such delay.

B. Termination for Convenience

- I. The City may, upon written notice and without cause, terminate the Contract in whole or in part at any time for its convenience. In such instance, payment shall be made to the Contractor for the reasonable costs of the work performed through the date of termination. Termination costs do not include lost profits, consequential damages, delay damages, unabsorbed or under-absorbed overhead of the Contractor or its subcontractors or suppliers. Failure of the Contractor to include a termination for convenience clause into its subcontracts and material purchase orders shall not result in any liability to the City for lost profits in conjunction with a termination for convenience.

- II. The Contractor expressly waives any damages, delay damages, or indirect costs which may arise from the City's election to terminate the Contract in whole or in part for its convenience.

C. Termination for Non-Appropriation of Funds

The City shall not be obligated to the Contract for any future fiscal year until funds are appropriated for each such future fiscal year. In the event funding appropriation is not approved, the City may, upon written notice, terminate the Contract in whole or in part and without penalty or expense to the City. The effect of such action shall terminate the Contract on the last day of the fiscal year for which appropriations were made.

~ END OF SECTION 5 ~

SECTION 6: Special Terms and Conditions

6.1. BONDS

- A. The Bidder shall submit with its Bid Proposal an executed bid bond in an amount equal to three percent (3%) of the Bidder's total Bid Proposal price. The bond shall include a certified copy of the Power of Attorney of the attorney-in-fact that executed the bond.
- B. The Contractor shall, within ten (10) business days following receipt of a notice of intent to award issued by the City, furnish to the City an executed payment bond and executed performance bond, both of which shall: (i) be in an amount equal to one hundred percent (100%) of the total Contract sum; (ii) bear the same effective dates; (ii) be executed prior to the effective date of the Contract and not expire prior to the end of the term of the Contract; and (iii) include a certified copy of the Power of Attorney of the attorney-in-fact that executed the bond.
- C. Each bond shall be executed in accordance with and subject to the following:
 - I. The bonding entity shall: (i) be registered and in good standing in the State of Maryland in accordance with the State of Maryland Code of Regulations Title 21, State Procurement Regulations; (ii) maintain a rating of A-minus (A-) or better with A.M. Best; and (iii) consent to exclusive venue and jurisdiction in the Circuit Court for Montgomery County, Maryland. This provision shall apply to any and all co-sureties utilized by the bonding entity in execution of the bond.
 - II. The bond shall include provisions similar to the following:
 - **GOVERNING LAW.** *This Bond shall be governed by, and construed in accordance with the laws of the State of Maryland without regard to its conflict of laws provisions.*
 - **NO THIRD PARTY BENEFICIARIES.** *The Surety provides this Bond for the sole and exclusive benefit of the City and, if applicable, any dual obligee designated by attached rider, together with their heirs, administrators, executors, successors and assigns. No other party, person or entity shall have any rights against this Surety.*
 - **VENUE.** *In the event any legal action shall be filed upon this Bond, venue shall lie exclusively in the Circuit Court for Montgomery County, Maryland.*
 - **WAIVER OF NOTICE.** *The Surety waives notice of any modifications to the Contract, including changes in the Contract Time, the Contract Sum, the amount of liquidated damages, or the Work and/or Services performed.*

6.2. DEMOLITION AND STABILIZATION BOND WAIVER

The Contractor shall, within ten (10) business days following receipt of a notice of intent to award issued by the City, submit a request to the City's Planning and Code Department for a waiver of the Demolition and Stabilization Bond.

6.3. INSURANCE

- A. The Contractor shall at all times during the term of the Contract carry and maintain in full force and effect, at its expense, policies of insurance with minimum limits as follows:
 - I. Automobile Liability Insurance in an amount no less than One Million Dollars (\$1,000,000.00);
 - II. Comprehensive Commercial General Liability Insurance in an amount no less than One Million Dollars (\$1,000,000.00);
 - III. Workers' Compensation Insurance in an amount no less than One Million Dollars (\$1,000,000.00).
- B. The City shall be named as an additional insured under the comprehensive commercial general liability policy, and shall receive at least thirty (30) days written notice of any cancellation or adverse material change in that policy, such that any cancellation or adverse material change shall not be effective with respect to the City for thirty (30) days after such written notice is given.
- C. Prior to the execution of the Contract, the Contractor shall provide the City with a certificate of insurance, which shall: (i) evidence the above policies; (ii) name the City as additional insured with respect to the comprehensive commercial general liability insurance policy only; and (iii) contain a provision that requires the Contractor's insurers to provide the City with a written notice of any cancellation or adverse material change in the insurance and that such cancellation or adverse material change shall not be effective with respect to the City for thirty (30) days after such written notice is given.
- D. The Contractor acknowledges and agrees that its failure to provide the City with a certificate of insurance and/or the failure by the City to demand the delivery of said certificate shall not operate or be deemed to operate as a waiver of the insurance and associated endorsements required under this provision, and the Contractor shall hold the City harmless from any liability arising as a result of any such failure(s).

6.4. PROJECT CONDITIONS

A. Key Personnel

The Contractor shall utilize the personnel and subcontractors named in its Bid Proposal ("Key Personnel"); the replacement or substitution Key Personnel only be permitted with the prior written approval of the Project Manager.

B. Notice to Proceed and Completion of Services

Within ten (10) calendar days following the effective date of the Contract, the City will issue the Contractor a written notice to proceed, after which the Contractor shall reach Substantial Completion within sixty (60) calendar days (herein referred to as "Completion Date"), with an additional thirty (30) calendar days for Project Closeout.

C. Schedule of Services

The Services shall be performed: Monday through Friday between the hours of 7:00 a.m. and 9:00 p.m. ET, subject to the following:

- I. Work performed on City observed holidays shall only be permitted with the prior written approval of the City Project Manager.
- II. The Contractor may set its own schedule provided the Services are completed by the Completion Date and do not conflict with applicable laws regarding noise, including but not limited to Section 15-8 of the City Code and Chapter 31B of the Montgomery County Code, copies of which are included in Appendix B hereto.

D. Liquidated Damages

Time is of the essence with respect to the Services under the Contract. In the event the Contractor fails to complete the Services by the Completion Date, for reasons which the Contractor is solely responsible, the Contractor will be required to pay to the City, as liquidated damages and not as a penalty, the sum of Two Hundred Fifty Dollars and Zero Cents (\$250.00) per day for each working day beyond the Completion Date for which the Contractor fails to complete the Services.

E. Project Supervision

The Contractor shall have a full-time supervisor present at the Facility at all times the work is being performed. This supervisor shall have a minimum of five (5) years of experience providing services similar to the Services hereunder. Upon request, the Contractor shall submit a resume to the Project Manager for review and approval. The resume shall include the education and experience of the supervisor. The Contractor shall only assign a supervisor to the project once it receives written approval by the Project Manager.

F. Site Safety and Use of Premises

At all times while providing the Services under the Contract, the Contractor shall:

- I. All utilities at existing site have been disconnected. Contractor is responsible for any utilities needed to execute the work.
- II. At all times enforce suitable rules and provide any and all guards, signs, fences, dust barriers and/or protective devices required for the safe completion of the Services.
- III. Confine operations at the site to the areas permitted under the Contract. Any and all Portions of the site, beyond the areas on which work is indicated, shall not be disturbed.
- IV. Conform to any and all site rules and regulations affecting the work while engaged in demolition.
- V. Not unreasonably encumber the site with materials or equipment. Confine any and all storage of materials, and locations of storage sheds, to the areas within the demolition zone. If any additional storage is necessary, obtain and pay for such storage off site.

- VI. Provide temporary erosion and sedimentation control measure to prevent soil erosion and discharge of soil bearing water runoff or airborne dust to adjacent areas and walkways, verify that flows of water redirected from construction areas or generated by construction activity do not enter or cross protection zones. Inspect, maintain, and repair erosion and sedimentation control measures during construction duration. Remove erosion and sedimentation controls, and restore and stabilize area disturbed during construction. Contractor shall ensure site and/or vegetation is restored to the original condition.

G. Field Verification and Identification

The Contractor shall verify all field conditions and dimensions within five (5) days of mobilizing construction site activity. The Contractor shall report any discrepancies and/or conflicts to the City Project Manager. In the event that field conditions differ significantly from the Contract documents, a revision will be issued by the City with sketches and/or revised Contract documents. Should the Contractor require a topographic survey in order to submit bid, it shall be the responsibility of the Contractor to provide it.

H. Demolition Coordination

- I. The Contractor shall submit a project schedule, using the Critical Path Method, to the City Project Manager, in Microsoft Project (or equivalent) and in PDF formats, and get written approval, prior to starting the work. The Contractor shall prepare and submit a Daily Report to the City Project Manager, which shall include the following:
 - Name of project;
 - Project number;
 - Date of the report;
 - Weather conditions;
 - Manpower status on each type of work being performed;
 - Weekend and/or holidays worked;
 - Work progress;
 - Any and all environmental problems and/or corrections; and
 - Other information such as: special events or occurrences; accidents; recommendations; suggestions; major equipment or tests; inspections; and occupancy.
 - References to Project Specifications

- II. In addition, the Contractor shall take any and all necessary action required to alert the City Project Manager of any and all items which could result in a claim. The Contractor shall also participate in a weekly project progress meeting. The Contractor's Project Manager shall develop an agenda which shall at minimum include base original project schedule, current progress, deviations from the original schedule, submittals and payment, request for information (RFI) logs for each such meeting and the Contractor shall prepare meeting minutes for review and acceptance by the City.

I. Permits and Inspection

- I. The Contractor shall obtain any and all permits, licenses, and/or inspections and coordinate any and all inspections necessary to properly perform the work under the Contract. The City acknowledges and agrees to waive the fee for any permits that are both required and issued by the City. Boundary Survey (Appendix F) included for permit application.
- II. The Contractor shall give all notices and comply with any and all laws, ordinances, rules, and/or lawful orders. If the Contractor observes that any portion of the Contract is at variance with any applicable law, statute, and/or building code, the Contractor shall promptly notify the City in writing and necessary changes will be accomplished by modification.
- III. The List of Permits anticipated shall include, but are not limited to:
 - Approved Erosion and Sediment Control Plan
 - Demolition Permit

J. Project Closeout

The Contractor shall immediately notify the City Project Manager in writing as soon as it completes all of the work under the Contract. Following such notification, the City shall inspect all work to ensure it is completed to its satisfaction and in accordance with the Contract documents. Once the City deems all work to be satisfactorily completed and the Contract requirements are fully satisfied (i.e. warranty documents, final inspections, etc.), the City will issue the Contractor a Project Acceptance Letter (hereinafter referred to as "Project Acceptance") and process the final payment. Contractor shall submit all pre and post construction progress pictures along with closeout documents.

K. Warranties

The Contractor shall provide a written warranty for a minimum of one (1) year to cover any and all defects in the Services and/or workmanship. All warranties shall start from the date of the Project Acceptance.

L. Requisitions for Payment

Lump sum payment invoice shall follow submittal specifications found in Section 5.36 (Payment Terms, Taxes and Invoices) of this Solicitation.

~ END OF SECTION 6 ~

SECTION 7: Scope of Work

7.1. OVERVIEW

The project site is located at 303 South Frederick Avenue in Gaithersburg, Maryland 20877. The main facility was formally occupied by the 355 Grill and utilized as a restaurant.

The site is currently vacant and consists of a one-story building with a detached wood-frame garage with asphaltic shingle roof. The main facility is listed as 1,112 square feet, with the original building constructed in 1952, and renovated at an unknown date. The restaurant building is slab-on-grade construction with wood-frame walls and included drywall, ceramic flooring, and drop acoustic ceiling tile building materials. The exterior of the building was vinyl siding and the roofing was observed to be asphaltic shingle.

7.2. PROJECT GOALS

The goal of the project is to:

- Secure project site with temporary chain link fence as per attached Specifications.
- Abate and remove any hazardous materials as identified in previous Site and Environmental Assessments. See attached report.
- Demolish existing buildings on the property, including slabs and footings.
- Demolish selected existing site conditions, including (but not limited to) parking lot paving, lighting, walk ramps and railing, and HVAC unit.
- Rough grade resulting areas where existing buildings and site conditions have been affected.
- Complete all work as scheduled, and turn site over to City of Gaithersburg for future project(s).

7.3. SCOPE OF WORK

- The Services include reviewing all general conditions, reports (Appendix D: Environmental Site Assessment) and specifications for developing a comprehensive understanding of the work involved. Specifications take precedent over the general scope description; Contractor shall refer to specifications (Appendix C) for detailed work scope.

All demolition shall be completed in accordance with and as specified in the Specifications as referenced.

The work under the general scope will include, but not be limited to, the following items:

A. Pre-Demolition Activities

I. Erosion and Sediment Control Plan

II. Dust Mitigation Plan

- a. Contractor to submit a plan showing the following requirements:

- i. Dust mitigation
- ii. Truck haul routes
- iii. Identification of potential hazardous materials

III. Submit for All Applicable Permits

- a. See Appendix A for Building Demolition Procedures and Permit Application.
- b. Contractor shall schedule a pre-demolition meeting with City inspectors to discuss demolition plan.

IV. Mobilization

- a. Security Fence
- b. Staging Area

V. Project Photos – Before and After

- a. Exterior:
 - i. Gives general feel of space.
 - ii. Photos to be taken in four (4) cardinal directions.

B. Demolition

I. Hazardous Material Abatement and Removal

- a. Abate, remove and dispose all hazardous materials prior to Demolition as required and described in attached Hazardous Materials Survey (Appendix E).

II. Demolishing Existing Buildings at 303 South Frederick Avenue

- a. Submit Demolition Plan to the City Project Manager identifying all items to be removed, including buildings, paving, landscaping, and appurtenances.
- b. Building A: Approximately 1,112 square feet. Former 355 Grill utilized as a restaurant. Rooms included restrooms, dining room, kitchen, food preparation area and storage.
- c. Building B: Approximately 500 square feet. Former storage garage. Uses included storage of restaurant equipment, carpet and other miscellaneous materials.

III. Demolish Existing Site Conditions

- a. All parking areas.
- b. All drive aisles.
- c. All HVAC units.
- d. All electrical equipment.

C. Post Demolition (Project Close-Out)

- I. Clean up and disposal of all trash, furniture, equipment, etc. on property.
- II. Rough grade project site to closely follow existing grade and to direct water away from adjacent structures and to prevent ponding.
- III. Hydroseed entire property and complete three (3) grass cuttings once grass is established. Dates and times of cuttings to be agreed upon by City Project Manager or designee and Contractor.
- IV. Provide pre- and post-demolition photos of 303 South Frederick Avenue building locations on CD.
- V. Provide Disposal Diversion Report and material disposal receipts.
- VI. Review project with City of Gaithersburg officials and turn over to City upon completion.

~ END OF SECTION 7 ~

SECTION 8: Attachments and Appendixes

8.1. ATTACHMENT A

The following documents are attached together hereto as Attachment A:

- ↳ Affidavit and Amendment Acknowledgement Form
- ↳ Affidavit of Qualification to Bid
- ↳ Bid Proposal Price Sheet
- ↳ Bid Proposal Submission Certification
- ↳ Conflict of Interest Certification
- ↳ Litigation and Lien Information

8.2. APPENDICES

The following documents are incorporated herein and attached hereto as follows:

- ↳ Appendix A: Building Demolition Procedures and Permit Application
- ↳ Appendix B: City Code, Section 15-8, and Montgomery County Code, Chapter 31B
- ↳ Appendix C: Specifications
- ↳ Appendix D: Environmental Site Assessment - Phase I ESA (ECS Mid-Atlantic, LLC)
- ↳ Appendix E: Hazardous Material Survey - Phase II HMS (ECS Mid-Atlantic, LLC)
- ↳ Appendix F: Boundary Survey

~ END OF SECTION 8 ~

REQUEST FOR BIDS NO.

2017-008

DEMOLITION OF BUILDINGS AT
303 SOUTH FREDERICK AVENUE

ATTACHMENT A
FORMS AND DOCUMENTS



City of Gaithersburg

Affidavit of Qualification to Bid

Solicitation No. _____

Please complete this form in its entirety and include it with your Bid Proposal. For the purpose of completing this form, "entity" means an individual, sole proprietor, partnership, corporation, limited liability corporation (LLC), company, or association.

*Does not apply to individuals or sole proprietors - indicate with "N/A"

I HEREBY AFFIRM THAT:

1. I am the _____ and the duly authorized representative of the entity _____ and that I possess the legal authority to make this affidavit on behalf of myself and the entity for which I am acting.

*2. The entity _____ is either a Maryland corporation or is a foreign corporation properly registered with the Maryland State Department of Assessments and Taxation, in compliance with the State of Maryland Code of Regulations, Title 21, State Procurement Regulations.

3. Except as described in Paragraph five (5) below, neither I nor the above entity, nor to the best of my knowledge, any of its officers, directors, or partners, or any of its employees directly involved in obtaining contracts with the State of Maryland or any municipality, county, bi-county, or multi-county agency, or subdivision of the State of Maryland have been convicted of, or have pleaded nolo contendere to a charge of, or have, during the course of an official investigation or other proceeding, admitted in writing or under oath, acts of omissions which constitute bribery, attempted bribery, or conspiracy to bribe, whether or not in furtherance of obtaining a contract with a public body, under the provisions Md. Code Ann., State Finance and Procurement Article, §16-202 (1995 Repl. Vol.) and Article 27 of the Annotated Code of Maryland or under the laws of any local, state or the federal government (conduct prior to July 2, 1977 is not required to be reported).

4. List any conviction, plea, or admission described in paragraph three (3) above, with the date, court, official, or administrative body; the individuals involved and their position with the entity; and the sentence or disposition, if any. Otherwise, state "none" as appropriate.

5. Neither I nor the above entity, nor to the best of my knowledge an officer, partner, controlling stockholder or principal of the Bidder, or any other person substantially involved in the Bidder's contracting activities has: (1) been convicted under the laws of the State of Maryland, another state or the United States of: (i) a criminal offense incident to obtaining, attempting to obtain, or performing a public or private contract, except as provided in Section 16-202 of the State Finance and Procurement Article of the Annotated Code of Maryland; or (ii) fraud, embezzlement, theft, forgery, falsification or destruction of records, or receiving stolen property; (2) been convicted of a criminal violation of an antitrust statute of the State of Maryland, another state or the United States; (3) been convicted of a violation of the Racketeer Influenced and Corrupt Organization Act, or the Mail Fraud Act, for acts in connection with the submission of bids for public or private contracts; (4) been convicted of a violation of Section 14-308 of the State Finance and Procurement Article of the Annotated Code of Maryland; (5) been convicted of a conspiracy to private contract; (4) been convicted of a violation of

Section 14-308 of the State Finance and Procurement Article of the Annotated Code of Maryland; (5) been convicted of a conspiracy to commit any act or omission that would constitute grounds for conviction under any of the laws or statutes described herein; (6) been found civilly liable under an antitrust statute of the State of Maryland, another state or the United States for acts or omissions in connection with the submission of bids for public or private contracts.

6. Bidder hereby declares that this Bid Proposal is made without any connection or collusion with any person, entity or corporation making a Bid Proposal for the same work; that pursuant to this affidavit; that the attached specifications and any drawings referred to herein have been carefully examined and are understood; that careful examination has been made as is necessary to become informed as to the character and extent of the work required; and, that if this Bid Proposal is accepted, this Bidder will contract to do, for the price stated in the Bid Proposal, all of the work described in the specifications, drawings and contract conditions.

7. I acknowledge that this affidavit is to be furnished to the City Manager or designee for the City of Gaithersburg, Maryland. I further acknowledge that, if the representations set forth in this affidavit are not true and correct, the City of Gaithersburg may terminate any contract awarded and take any other appropriate action.

I do solemnly declare and affirm under the penalties of perjury that the contents of this affidavit are true and correct.

Signature

Witness

Date

NOTARY ATTESTATION

State of: _____

County of: _____

I hereby certify that on this _____ day of _____, 20_____, before me the subscriber, a Notary Public in and for the State of _____ and County aforesaid, personally appeared _____, known to me to be the person whose name is subscribed to this instrument and acknowledged that same was executed for the purposes contained therein.

Witness my hand and Notarial seal: _____

My Commission expires: _____

Notary Public: _____
Printed Name



City of Gaithersburg

Bid Proposal Price Sheet

Solicitation No. _____

The Bidder shall complete this form in its entirety and return it with its Bid Proposal. Bidder is expected to review the Solicitation Document in its entirety and to understand project requirements and work scope prior to submitting a Bid Proposal.

Base Bid Proposal

CSI #	Division	Division Total Cost (\$)
00 00 00	Procurement and Contracting Requirements	
01 00 00	General Requirements	
02 00 00	Existing Conditions	
02 80 00	Facility Remediation	
31 00 00	Earth Work	
32 00 00	Exterior Improvements	
	Others (Specify)	
	<i>Profit and Overhead</i>	
	TOTAL BASE BID COSTS	

The Contractor hereby declares that it has carefully examined the Solicitation (collectively the "Contract Documents"). Also, the Contractor has, to its satisfaction, examined the locality of the proposed work and agrees to furnish all labor, tools, materials, machinery, equipment, and other means of construction called for in the manner provided in the Drawings for the prices shown on the next page(s) and as evidenced by Contractor's signature on the last page thereof. The Contractor shall acknowledge, on the bid form, receipt of all addenda issued prior to bid deadline.

By my signature I hereby testify that I am a duly authorized representative of the firm and that I have fully entered, examined and reviewed the items and totals represented on this Bid Proposal Price Sheet and they are accurate and complete.

Name of the Bidder: _____

Signature: _____ Date: _____

Print Name: _____ Title: _____



City of Gaithersburg

Bid Proposal Submission Certification

Solicitation No. _____

Please complete this form in its entirety and include it with your Bid Proposal. For the purpose of completing this form, "entity" means an individual, sole proprietor, partnership, corporation, limited liability corporation (LLC), company, or association.

Name of Entity: _____

Contact Person: _____

Street Address: _____

City, State & Zip Code: _____, _____ _____

Telephone Numbers: (P) _____ (F) _____

BID PROPOSAL SUBMISSION CERTIFICATION

The response to Solicitation No. _____ as submitted includes this Bid Proposal Submission Certification Form and the Affidavit of Qualification to Bid Form, Conflict of Interest Certification Form, and Litigation and Lien Information Form. I, the undersigned, hereby attest to the truth and completeness of the information and responses provided and certify that my entity has met the minimum selection criteria as outlined in the Solicitation document.

Signature

Witness

Date

NOTARY ATTESTATION

State of: _____

County of: _____

I hereby certify that on this _____ day of _____, 20_____, before me the subscriber, a Notary Public in and for the State of _____ and County aforesaid, personally appeared _____, known to me to be the person whose name is subscribed to this instrument and acknowledged that same was executed for the purposes contained therein.

Witness my hand and Notarial seal: _____

My Commission expires: _____

Notary Public: _____
Printed Name



City of Gaithersburg

Conflict of Interest Certification

Solicitation No. _____

Please complete this form in its entirety and include it with your Bid Proposal. For the purpose of completing this form, "entity" means an individual, sole proprietor, partnership, corporation, limited liability corporation (LLC), company, or association.

*Does not apply to individuals or sole proprietors - indicate with "N/A"

Name of Entity: _____

* Federal ID No: _____

Contact Person: _____

Street Address: _____

City, State & Zip Code: _____, _____ _____

Telephone Numbers: (P) _____ (F) _____

(P) _____ (C) _____

Email Address: _____

Email Address: _____

CONFLICT OF INTEREST CERTIFICATION

I HEREBY CERTIFY, on behalf of _____ that no
Name of Entity
employee, agent or elected official of the City of Gaithersburg, or member of a commission, board or corporation controlled or appointed by the Mayor and Council of the City of Gaithersburg has received or has been promised directly or indirectly, any financial benefit by way of fee, commission, finder's fee, or in any other manner, remuneration directly or indirectly related to this contract. Upon request by the City Manager or designee, or other authorized agent, as a prerequisite to payment pursuant to the terms of a contract awarded pursuant to this Bid Proposal submission, will furnish to the City, under oath, answers to any interrogatories and comply with any request to review documents related to a possible conflict of interest as herein embodied.

I HEREBY CERTIFY, on behalf of _____ that no
Name of Entity
employee or agent of _____ is a member, employee,
Name of Entity
or elected official of the City of Gaithersburg of any agency, commission, or board of the City of Gaithersburg or is the spouse or any other relative of any of the foregoing. If unable to so certify, the details of any such relationship with the City of Gaithersburg are as follows:

Conflict of Interest Certification

I do solemnly declare and affirm under the penalties of perjury that the contents of this affidavit are true and correct.

Signature

Witness

Date

NOTARY ATTESTATION

State of: _____

County of: _____

I hereby certify that on this _____ day of _____, 20_____, before me the subscriber, a Notary Public in and for the State of _____ and County aforesaid, personally appeared _____, known to me to be the person whose name is subscribed to this instrument and acknowledged that same was executed for the purposes contained therein.

Witness my hand and Notarial seal: _____

My Commission expires: _____

Notary Public: _____
Printed Name



City of Gaithersburg

Litigation and Lien Information

Solicitation No. _____

Please complete this form in its entirety and include it with your Bid Proposal. For the purpose of completing this form, "entity" means an individual, sole proprietor, partnership, corporation, limited liability corporation (LLC), company, or association.

Name of Entity: _____

Street Address: _____

City, State & Zip Code: _____, _____ _____

Telephone Numbers: (P) _____ (F) _____

LITIGATION INFORMATION

Is your entity currently involved in any litigation or had a litigation claim(s) within the previous twenty-four (24) month period?

Yes / No

If yes, please provide a detailed list including case number, jurisdiction, status and brief summary of such litigation.

<u>Case Number</u>	<u>Jurisdiction</u>	<u>Status</u>	<u>Summary</u>
_____	_____	_____	_____
_____	_____	_____	_____

LIENS

Does your entity have any outstanding mechanics liens?

Yes / No

If yes, please explain: _____

Does your entity have any outstanding tax liens?

Yes / No:

If yes, please explain: _____

Signature Title Date

Printed Name

REQUEST FOR BIDS NO.

2017-008

DEMOLITION OF BUILDINGS AT
303 SOUTH FREDERICK AVENUE

APPENDIX A

**BUILDING DEMOLITION PROCEDURES
AND PERMIT APPLICATION**

BUILDING DEMOLITION PROCEDURES

GENERAL REQUIREMENTS:

1. Permits are required to construct, enlarge, alter, or demolish a building within the City of Gaithersburg per Chapter 5 of *The City Code*.
2. The applicant is required to submit the following documents prior to the issuance of each demolition permit by the City of Gaithersburg:
 - a. A demolition permit application, including permit fee payment. Refer to current fee schedule.
 - b. A site plan showing location of the building to be demolished.
 - c. Submit disconnect letters from all applicable utility companies certifying that their services have been disconnected from the subject building, i.e. electricity (PEPCO), gas (Washington Gas), water & sewer (WSSC), telephone (Verizon), and cable (multiple providers), in advance of the proposed work.
 - d. Post a bond for the total cost of demolition of the building and stabilization of the site.
 - e. Submit a digital photographic record of the building (building elevations to include all four (4) sides) and premises prior to proposed demolition.
 - f. Obtain and submit a hazardous materials survey and statement of remediation (if found by the survey) from the building and site. (e.g. asbestos, lead, mercury, PCB's)
 - Provide written verification by a licensed HVACR mechanic/contractor (in the State of Maryland) that all fluids and refrigerants have been lawfully processed, disposed of, and/or removed from the building and site.
 - Provide verification that all pressurized cylinders (existing fire suppression equipment, oxygen, carbon dioxide, etc.) must be properly removed by professional service personnel before demolition begins.
3. Provide documentation from a licensed pest removal company that property has been inspected for rodents and other pests, and that remediation, if needed, has been performed.
4. All City sediment control requirements and codes must be met and will be discussed with the contractors at the required pre-construction meeting prior to commencement of work.
 - State of Maryland regulations require a sediment control plan for disturbances of 5,000 square feet or more.
5. In addition to these requirements, buildings over 50-years-old must complete the requirements specified on page 2 of the *Building Demolition Procedures* (next page).

BUILDING DEMOLITION PROCEDURES

FOR BUILDINGS OVER 50-YEARS-OLD:

1. Prior to the issuance of each Demolition Permit by the City of Gaithersburg, structures or buildings over 50-years-old will be reviewed by the Historic District Commission for potential historic or architectural significance. The criteria utilized by the Historic District Commission to determine potential historic or architectural significance are specified in §24-226 of *The City Code*:
 - (1) *Historical and cultural significance*. The historic resource:
 - a. Has character, interest or value as part of the development, heritage or cultural characteristics of the city, county, state or nation;
 - b. Is the site of a significant historic event;
 - c. Is identified with a person or a group of persons who influenced society; or
 - d. Exemplifies the cultural, economic, social, political or historic heritage of the city and its communities.
 - (2) *Architectural and design significance*. The historic resource:
 - a. Embodies the distinctive characteristics of a type, period or method of construction;
 - b. Represents the work of a master;
 - c. Possesses high artistic values;
 - d. Represents a significant and distinguishable entity whose components may lack individual distinction;
 - e. Represents an established and familiar visual feature of the neighborhood, community or city due to its singular physical characteristic or landscape; or
 - f. Embodies design, setting, materials, workmanship and ambience to the city's sense of time, place and historic development.
2. Where the Historic District Commission determines that any site, group of sites, structure, or object is undergoing active consideration as a historic district, historic site, or historic resource, or has the reasonable probability of being so designated or has been so designated, it may direct the City Manager to withhold issuance of any permit to demolish, grade, or substantially alter the exterior features of any such site, structure, or object. The City Manager shall withhold such permit for a maximum of six (6) months from the date of the directive of the Commission allowing the site, group of sites, structure, or object to go through the Historic Designation Application process.
3. Where the Historic District Commission determines that any structure or building over 50-years-old does not meet the criteria for historic or architectural significance, as specified in §24-226 of *The City Code*, the Historic District Commission will not direct the City Manager to withhold issuance of the demolition permit and the demolition permit will be issued without further review.



PLANNING AND CODE ADMINISTRATION

City of Gaithersburg · 31 South Summit Avenue · Gaithersburg, Maryland 20877 · Telephone: (301) 258-6330 · Fax: (301) 258-6336
plancode@gaitersburgmd.gov · www.gaithersburgmd.gov

DEMOLITION PERMIT APPLICATION

All information must be complete to initiate processing of application

SUBJECT PROPERTY

Street Address _____

APPLICANT

Business Name _____

Primary Contact _____

Street Address _____ Suite No. _____

City _____ State _____ Zip Code _____

Telephone Numbers: Work _____ Cell _____ E-mail Address _____

OWNER

Business Name _____

Primary Contact _____

Street Address _____ Suite No. _____

City _____ State _____ Zip Code _____

Telephone Numbers: Work _____ Cell _____ E-mail Address _____

DEVELOPER

Business Name _____

Primary Contact _____

Street Address _____ Suite No. _____

City _____ State _____ Zip Code _____

Telephone Numbers: Work _____ Cell _____ E-mail Address _____

CONTRACTOR

Business Name _____ License (*copy required*) _____

Primary Contact _____

Street Address _____ Suite No. _____

City _____ State _____ Zip Code _____

Telephone Numbers: Work _____ Cell _____ E-mail Address _____

ELECTRICAL CONTRACTOR

Business Name _____ City License No. _____

Primary Contact _____

Street Address _____ Suite No. _____

City _____ State _____ Zip Code _____

Telephone Numbers: Work _____ Cell _____ E-mail Address _____

WORK DESCRIPTION

PERMIT TYPE (check one only)

Commercial Entire Building Stories Above Grade _____ Stories Below Grade _____
 This Building is Over 50 years Old *(See Demolition Procedures Document on City Web Site)*

Commercial Partial Building Stories Above Grade _____ Stories Below Grade _____ Building Height _____
Use Group _____ Number of Impacted Stories _____

Residential Entire Building Stories Above Grade _____ Stories Below Grade _____
 This Building is Over 50 years Old *(See Demolition Procedures Document on City Web Site)*

SQUARE FOOTAGE and COST

Building and/or Space _____

Cost of Demolition *(do not leave blank)* _____

Applicant's Signature _____ **Date** _____

REQUEST FOR BIDS NO.

2017-008

DEMOLITION OF BUILDINGS AT
303 SOUTH FREDERICK AVENUE

APPENDIX B

**CITY AND MONTGOMERY COUNTY
NOISE LAWS**

GAITHERSBURG CITY CODE

Sec. 15-8. - Disturbing the peace.

It shall be unlawful for any person or business entity to operate or permit the operation of noise producing instruments, devices, or equipment in such a manner or at such times that the peace and quiet of the residents of the city is disturbed. The following actions or conduct shall constitute public nuisances which disturb the peace, and are prohibited:

- (a) Except in the case of emergency repairs and other unique circumstances specifically approved by the city manager. The operation of lawnmowers, power tools, bulldozers, construction or building equipment, or other power driven labor-saving devices between the hours of 9:00 p.m. and 7:00 a.m. on weekdays, or between the hours of 9:00 p.m. and 9:00 a.m. on weekends and federal holidays, which are audible beyond the nearest common property line.
- (b) The playing or operation of radios, stereos, television sets or similar devices between the hours of 10:00 p.m. and 8:00 a.m. which are audible beyond the confines of the dwelling unit within which such sound is played or relayed; or if such devices are placed or operated in an outdoor area, which are audible beyond the nearest common property line at the hours specified herein.
- (c) Noise discharged from any motor vehicle or motorcycle, or the operation of the same in such a manner as to disturb the peace and quiet of residents of the city. This prohibition shall include engine, exhaust, or tire noise, music and improper use of the horn.

(Ord. No. O-5-95, 6-5-95)

Chapter 31B – Noise Control

- § 31B-2. Definitions.
- § 31B-3. Regulations.
- § 31B-4. Noise control advisory board.
- § 31B-5. Noise level and noise disturbance violations.
- § 31B-6. Noise level and noise disturbance standards for construction.
- § 31B-7. Measurement of sound.
- § 31B-8. Noise sensitive areas.
- § 31B-9. Leafblowers.
- § 31B-10. Exemptions.
- § 31B-11. Waivers.
- § 31B-12. Enforcement and penalties.

Sec. 31B-1. Declaration of policy.

- (a) The County Council finds that excessive noise harms public health and welfare and impairs enjoyment of property. The intent of this Chapter is to control noise sources to protect public health and welfare and to allow the peaceful enjoyment of property. This Chapter must be liberally construed to carry out this intent.
- (b) The Department of Environmental Protection administers this Chapter.
 - (1) The Department must coordinate noise abatement programs of all County agencies, municipalities, and regional agencies.
 - (2) A County agency, municipality in which this Chapter applies, or regional authority subject to County law must not adopt a standard or regulation that is less stringent than this Chapter or any regulation adopted under this Chapter.
 - (3) The Director may form an Interagency Coordinating Committee to assist the Director in coordinating noise control policy. If the Director forms the Committee, the Director must designate an individual to chair the Committee. The members of the Committee should be designated by County, local, and regional agencies that the Director invites to participate.
 - (4) The Department must establish procedures to identify and reduce noise sources when the County plans and issues permits, variances, exemptions, or approvals.
 - (5) The Department should make recommendations to the County Executive, County Council, and Planning Board regarding noise control policy, regulations, enforcement, and noise sensitive areas. (1996 L.M.C., ch. 32, § 1.)

Editor's note—See County Attorney Opinion dated 3/16/92 explaining that the Washington Metropolitan Area Transportation Authority (esp. Metrorail) is subject to the County's noise control law, although an exemption may be obtained if it is in the public interest.

Sec. 31B-2. Definitions.

In this Chapter, the following words and phrases have the following meanings:

- (a) *Construction* means temporary activities directly associated with site preparation, assembly, erection, repair, alteration, or demolition of structures or roadways.
- (b) *dba* means decibels of sound, as determined by the A-weighting network of a sound level meter or by calculation from octave band or one-third octave band data.
- (c) *Daytime* means the hours from 7 a.m. to 9 p.m. on weekdays and 9 a.m. to 9 p.m. on weekends and holidays.

- (d) Decibel means a unit of measure equal to 10 times the logarithm to the base 10 of the ratio of a particular sound pressure squared to the standard reference pressure squared. For this Chapter, the standard reference pressure is 20 micropascals.
- (e) *Department* means the Department of Environmental Protection.
- (f) *Director* means the Director of the Department of Environmental Protection or the Director's authorized designee.
- (g) *Enforcement officer* means:
 - (1) for a noise originating from any source:
 - (A) an employee or agent of the Department designated by the Director to enforce this Chapter;
 - (B) a police officer; or
 - (C) a person authorized under Section 31B-12(a) to enforce this Chapter;
 - (D) a person authorized by a municipality to enforce this Chapter; or
 - (2) for a noise originating from an animal source, the Director of the Animal Services Division in the Police Department or the Director's authorized designee.
- (h) *Impulsive noise* means short bursts of a acoustical energy, measured at a receiving property line, characterized by a rapid rise to a maximum pressure followed by a somewhat slower decay, having a duration not greater than one second and a field crest factor of 10 dBA or more. Impulsive noise may include, for example, noise from weapons fire, pile drivers, or punch presses.
- (i) *Leaf blower* means any portable device designed or intended to blow, vacuum, or move leaves or any other type of unattached debris or material by generating a concentrated stream of air. Leafblower includes devices or machines that accept vacuum attachments.
- (j) *Nighttime* means the hours from 9 p.m. to 7 a.m. weekdays and 9 p.m. to 9 a.m. weekends and holidays.
- (k) *Noise* means sound, created or controlled by human activity, from one or more sources, heard by an individual.
- (l) *Noise area* means a residential or non-residential noise area:
 - (1) *Residential noise area* means land in a zone established under Section 59-C-1.1, Section 59-C-2.1, Division 59-C-3, Section 59-C-6.1, Section 59-C-7.0, Section 59-C-8.1, Section 59-C-9.1 for which the owner has not transferred the development rights, or Section 59-C-10.1, or land within similar zones established in the future or by a political subdivision where Chapter 59 does not apply.
 - (2) *Non-residential noise area* means land within a zone established under Section 59-C-4.1, Section 59-C-5.1, Section 59-C-9.1 for which the owner has transferred the development rights, or Division 59-C-12, or land in similar zones established in the future or by a political subdivision where Chapter 59 does not apply.
- (m) *Noise disturbance* means any noise that is:
 - (1) unpleasant, annoying, offensive, loud, or obnoxious;
 - (2) unusual for the time of day or location where it is produced or heard; or
 - (3) detrimental to the health, comfort, or safety of any individual or to the reasonable enjoyment of property or the lawful conduct of business because of the loudness, duration, or character of the noise.
- (n) *Noise sensitive area* means land designated by the County Executive as a noise sensitive area under Section 31B-8.

- (o) *Noise-suppression plan* means a written plan to use the most effective noise-suppression equipment, materials, and methods appropriate and reasonably available for a particular type of construction.
- (p) *Person* means an individual, group of individuals, corporation, firm, partnership, or voluntary association; or a department, bureau, agency, or instrument of the County or any municipality, or of any other government to the extent allowed by law.
- (q) *Prominent discrete tone* means a sound, often perceived as a whine or hum, that can be heard distinctly as a single pitch or a set of pitches. A prominent discrete tone exists if the one-third octave band sound pressure level in the band with the tone exceeds the arithmetic average of the sound pressure levels of the 2 contiguous one-third octave bands by:
 - (1) 5 dB for center frequencies of 500 Hz and above;
 - (2) 8 dB for center frequencies between 160 and 400 Hz; or
 - (3) 15 dB for center frequencies less than or equal to 125 Hz.
- (r) *Qualifying performing arts facility* means the outdoor area of a building, outdoor seasonal, temporary, or permanent stage, or other clearly defined outdoor area or space, which is:
 - (1) used for an outdoor arts and entertainment activity; and
 - (2) owned or operated by the County; and
 - (3) so designated by the County Executive in an Executive Order published in the County Register. The Executive may revoke a designation at any time by publishing an Executive Order revoking the designation in the County Register.
- (s) *Receiving property* means any real property where people live or work and where noise is heard, including an apartment, condominium unit, or cooperative building unit.
- (t) *Sound* means an auditory sensation evoked by the oscillation of air pressure.
- (u) *Source* means any person, installation, device, or animal causing or contributing to noise. (1996 L.M.C., ch. 32, § 1; 2001 L.M.C., ch. 2, § 1.)

Editor's note—See County Attorney Opinion dated 10/6/00 indicating that long-term parking on public streets is prohibited in certain circumstances, but not based on the size of the vehicle. See County Attorney Opinion dated 3/16/92 explaining that the Washington Metropolitan Area Transportation Authority (esp. Metrorail) is subject to the County's noise control law, although an exemption may be obtained if it is in the public interest.

Sec. 31B-3. Regulations.

The County Executive may establish noise control regulations and standards as necessary to accomplish the purposes and intent of this Chapter. Any regulation must be at least as stringent as this Chapter. The Executive by regulation may set fees that are sufficient to offset the costs of Department reviews or other actions required or authorized by this Chapter. (1996 L.M.C., ch. 32, § 1.)

Sec. 31B-4. Noise control advisory board.

- (a) A Noise Control Advisory Board must advise the County Executive, Director, County Council, and Planning Board on noise control issues, including administration and enforcement of this Chapter.
- (b) The Board consists of 11 members appointed by the Executive and confirmed by the Council.
- (c) The Board must elect one member as Chair and another member as Vice-Chair to serve at the pleasure of the Board. The Board must meet at the call of the chairperson as required to perform its duties, but not less than once each quarter. A majority of the members of the

Board constitutes a quorum for transacting business. The Board may act by a majority vote of those present.

- (d) At least every third year, the Board must evaluate the effectiveness of the County's noise control program and recommend any improvements to the Director, County Executive, County Council, and Planning Board.
- (e) No later than March 1 each year, the Chair of the Board must report to the Director, County Executive, County Council, and Planning Board on activities and actions the Noise Control Advisory Board took during the previous calendar year. (1996 L.M.C., ch. 32, § 1; 1999 L.M.C., ch. 2, § 1.)

Editor's note-1999 L.M.C., ch. 2, § 1, increased the number of Board members from 7 to 11. 1999 L.M.C., ch. 2, § 2, states:

Sec. 2. Transition.

- (a) The terms of the 4 members of the Noise Control Advisory Board added by this Act end:
 - (1) for 1 member, on September 30, 1999, and every third year thereafter;
 - (2) for 2 members, on September 30, 2000, and every third year thereafter; and
 - (3) for 1 member, on September 30, 2001, and every third year thereafter.
- (b) When appointing the first individual to serve in one of the 4 new positions, the County Executive must designate the term in subsection (a) for which the Executive is appointing the individual.
- (c) This Act does not affect the term of any current member of the Board.
Cross reference-Boards and commissions generally, § 2-141 et seq.

Sec. 31B-5. Noise level and noise disturbance violations.

- (a) *Maximum allowable noise levels.*
 - (1) Except as otherwise provided in Sections 31B-6(a) and 31B-8, a person must not cause or permit noise levels that exceed the following levels:

<i>Maximum Allowable Noise Levels (dBA) for Receiving Noise Areas</i>		
	<i>Daytime</i>	<i>Nighttime</i>
Non-residential noise area	67	62
Residential noise area	65	55

- (2) A person must not cause or permit the emission of a prominent discrete tone or impulsive noise that exceeds a level, at the location on a receiving property where noise from the source is greatest, that is 5 dBA lower than the level set in paragraph (1) for the applicable noise area and time.
 - (3) Sound that crosses between residential and non-residential noise areas must not exceed the levels set in paragraph (1) for residential noise areas.
- (b) *Noise disturbance.* A person must not cause or permit noise that creates a noise disturbance.
- (c) *Examples.* The following examples illustrate common noise-producing acts that violate this section if they exceed the noise level standards set in subsection (a) or create a noise

disturbance. The examples are illustrative only and do not limit or expand the noise level or noise disturbance standards of this section:

- (1) Sounding a horn or other signaling device on any motor vehicle on private property except:
 - (A) in an emergency; or
 - (B) as a danger warning signal during daytime hours if the device complies with noise level limits.
- (2) Operating a sound-producing device on public streets for commercial advertising or to attract public attention.
- (3) Selling anything by outcry.
- (4) Loading, unloading, opening, closing or otherwise handling containers, building materials, construction equipment, or similar objects.
- (5) Operating a device that produces, reproduces, or amplifies sound.
- (6) Allowing an animal to create a noise disturbance.
- (7) Operating power equipment mounted on a motor vehicle or operating other devices powered by a generator or a motor vehicle. (1996 L.M.C., ch. 32, § 1.)

Editor's note—See County Attorney Opinion dated 10/6/00 indicating that long-term parking on public streets is prohibited in certain circumstances, but not based on the size of the vehicle. See County Attorney Opinion dated 3/16/92 explaining that the Washington Metropolitan Area Transportation Authority (esp. Metrorail) is subject to the County's noise control law, although an exemption may be obtained if it is in the public interest.

Sec. 31B-6. Noise level and noise disturbance standards for construction.

- (a) *Maximum allowable noise levels for construction.*
 - (1) A person must not cause or permit noise levels from construction activity that exceed the following levels:
 - (A) From 7 a.m. to 5 p.m. weekdays:
 - (i) 75 dBA if the Department has not approved a noise-suppression plan for the activity; or
 - (ii) 85 dBA if the Department has approved a noise-suppression plan for the activity.
 - (B) The level specified in Section 31B-5 at all other times.
 - (2) Construction noise levels must be measured at the location, at least 50 feet from the source, on a receiving property where noise from the source is greatest.
 - (3) The Department must by regulation establish requirements for noise-suppression plans and adopt procedures for evaluating and approving plans. The regulations must provide that, at least 10 days before approving a noise-suppression plan, the Director must provide public notice reasonably calculated to reach at least a majority of households that might be affected by the construction activity noise levels above 75 dBA.
- (b) *Construction noise disturbance.* The prohibition on noise disturbance in Section 31B- 5(b) applies to construction activities, notwithstanding subsection (a).
- (c) *Examples.* The following examples illustrate common construction noise-producing acts that violate this section if they exceed the noise level standards set in subsection (a) or create a noise disturbance. The examples are illustrative only and do not limit or expand the construction noise level or noise disturbance standards of this section:
 - (1) Delivering materials or equipment, or loading or unloading during nighttime hours in a residential noise area.
 - (2) Operating construction equipment with audible back-up warning devices during nighttime hours. (1996 L.M.C., ch. 32, § 1.)

Sec. 31B-6A. Seasonal noise level standard for qualifying outdoor arts and entertainment activities.

- (a) Each outdoor arts and entertainment activity held at a qualifying performing arts facility must not exceed the following noise decibel limits:
 - (1) from 11 a.m. to 11 p.m. during April 1 through October 31, 75 dBA, as measured on the receiving property; and
 - (2) at all other times, the maximum allowable noise level set in Section 31B-5.
- (b) A qualifying performing arts facility which has complied with this Section must not cause or permit noise levels from an outdoor arts and entertainment activity to exceed the standards in subsection (a).
- (c) Any outdoor arts and entertainment activity conducted at a qualifying performing arts facility which has complied with this Section must not be cited as causing a noise disturbance.
- (d) The Department must annually advise the Executive and Council, and the operator of each qualifying performing arts facility, whether the noise levels specified in this Section remain appropriate for that facility and the extent of compliance with those levels. (2011 L.M.C., ch. 7, § 1)

Sec. 31B-7. Measurement of sound.

- (a) The Department must issue regulations establishing the equipment and techniques it will use to measure sound levels. The Department may rely on currently accepted standards of recognized organizations, including the American National Standards Institute (ANSI), American Society for Testing and Materials (ASTM), and the United States Environmental Protection Agency.
- (b) For multiple sources of sound, the Department may measure sound levels at any point to determine the source of a noise. (1996 L.M.C., ch. 32, § 1.)

Sec. 31B-8. Noise sensitive areas.

- (a) The County Executive may designate by regulation land within any geographical area as a noise sensitive area to protect public health, safety, and welfare. The regulation may prohibit certain noise producing activities in the noise sensitive area.
- (b) A regulation under subsection (a) must:
 - (1) describe the area by reference to named streets or other geographic features;
 - (2) explain the reasons for the designation;
 - (3) establish specific noise limits or requirements that apply in the noise sensitive area; and
 - (4) describe by example or enumeration activities or sources that violate the limits or requirements.
- (c) A regulation under subsection (a) may establish limits or requirements for a noise sensitive area that are more stringent than those that otherwise would apply to the area under this Chapter. (1996 L.M.C., ch. 32, § 1.)

Sec. 31B-9. Leafblowers.

- (a) Except as provided in this section, a person must not sell, buy, offer for sale, or use a leafblower at any time that has an average sound level exceeding 70 dBA at a distance of 50

feet. This requirement is in addition to any other noise level or noise disturbance standard that applies under this Chapter.

- (b) An individual who owns or occupies a residence in a residential noise area may use at the individual's residence a leafblower bought or manufactured before July 1, 1990, until July 1, 1998, even if it exceeds the standard in subsection (a). After July 1, 1998, a person must not use any leafblower that violates the standard in subsection (a).
- (c) The Department must apply the standard in subsection (a) in accordance with the most current leaf-blower testing standard of the American National Standards Institute (ANSI).
- (d) The Department may inspect, and on its request a person must produce, any leafblower that is sold, offered for sale, or used in the County, to determine whether the leafblower complies with this section. A person who relies in good faith on a manufacturer's written representation of the sound level of a leafblower that has not been modified is not subject to a penalty for violating this section. (1996 L.M.C., ch. 32, § 1.)

Sec. 31B-10. Exemptions.

- (a) This Chapter does not apply to:
 - (1) agricultural field machinery used and maintained in accordance with the manufacturer's specifications;
 - (2) emergency operations by fire and rescue services, police agencies, or public utilities and their contractors;
 - (3) a source or condition expressly subject to any State or federal noise-control law or regulation that is more stringent than this Chapter;
 - (4) sound, not electronically amplified, created between 7 a.m. and 11 p.m. by sports, amusements, or entertainment events or other public gatherings operating according to the requirements of the appropriate permit or licensing authority. This includes athletic contests, carnivals, fairgrounds, parades, band and orchestra activities, and public celebrations.
- (b) The County Executive may issue regulations exempting from Section 31B-5 sources associated with routine residential living during daytime hours, such as home workshops, power tools, and power lawn and garden equipment, when used in accordance with manufacturer specifications. This exception does not apply to repairs or maintenance on a motor vehicle that is not registered for use on public roads. (1996 L.M.C., ch. 32, § 1.)

Sec. 31B-11. Waivers.

- (a) *Temporary waiver.*
 - (1) The Director may waive any part of this Chapter for a temporary event if the noise the event will create or cause in excess of the limits established under this Chapter is offset by the benefits of the event to the public.
 - (2) When the Director receives an application under this subsection, the Director must provide public notice of the application reasonably calculated to reach at least a majority of households that might be affected by noise levels anticipated for the event. The Director must not approve an application under this subsection less than 10 days after the public notice.
- (b) *General waiver.*
 - (1) The Director may waive any part of this Chapter if the Director determines that compliance in a particular case is not practical and would impose undue hardship.
 - (2) When the Director receives an application under this subsection, the Director must schedule a hearing on the application within 60 days.
 - (3) At least 30 days before the hearing, the applicant must advertise the hearing by:

- (A) placing a display advertisement in a newspaper of general circulation in the community where the source that is the subject of the application is located; and
 - (B) posting a sign at the location of the source.
 - (4) Based on evidence presented at the hearing, the Director may grant a waiver for up to 3 years, under terms and conditions appropriate to reduce the impact of the exception.
 - (5) The Director may renew a waiver granted under this subsection if the applicant shows that the circumstances supporting the original waiver have not changed.
- (c) *Violation of waiver.* The Director may suspend, modify, or revoke a waiver granted under this section if a person violates the terms or conditions of the waiver.
- (d) *Regulations and fees.* The County Executive must issue regulations implementing this section that:
- (1) set the procedures and fees to apply for a waiver under subsections (a) or (b);
 - (2) require the applicant to use the best technology and strategy reasonably available to mitigate noise, as determined by the Director;
 - (3) allow temporary waivers under subsection (a) of no more than 30 days, renewable at the discretion of the Director no more than twice; and
 - (4) specify the requirements for the hearing advertisement and sign required under subsection (b)(3). (1996 L.M.C., ch. 32, § 1.)

Sec. 31B-12. Enforcement and penalties.

- (a) The Department must enforce this Chapter. The County Executive may delegate in writing the authority to enforce parts of this Chapter to the Police Department or any other Executive agency.
- (b) A violation of this Chapter is a Class A violation. Each day a violation continues is a separate offense. A violation of Section 31B-6 is a separate offense in addition to any other violation of this Chapter arising from the same act or occurrence.
- (c) The Department may seek injunctive or other appropriate judicial relief to stop or prevent continuing violations of this Chapter.
- (d) If the Director finds that a person has violated this Chapter, the Director may issue a notice of violation and corrective order to the person. The notice must contain the following information:
 - (1) the section of this Chapter that the person violated;
 - (2) the date, nature, and extent of the violation;
 - (3) the action required to correct the violation;
 - (4) if the Director requires a compliance plan, the deadline for submitting the plan to the Director; and
 - (5) the deadline for compliance.
- (e) The compliance plan referred to in subsection (d)(4) must establish a schedule for achieving compliance with this Chapter, as specified in the corrective order. A compliance plan, and amendments to a plan, are not effective until the Director approves the plan or amendment. An action allowed under an approved compliance plan does not violate this Chapter.
- (f) An enforcement officer may issue a civil citation for any violation of this Chapter if the enforcement officer:
 - (1) witnesses the violation; or

- (2) receives complaints from at least 2 witnesses of a noise disturbance. Complaints by 2 witnesses are required to issue a citation under paragraph (2), but are not required to prove that a person violated this Chapter.
- (g) The Director of the Animal Services Division may initiate administrative action before the Animal Matters Hearing Board instead of an enforcement officer issuing a citation under subsection (f) for a violation of this Chapter originating from an animal source.
- (h) A person aggrieved by any action or order of the Director under Sections 31B-9 and 31B-11 may seek reconsideration within 10 days after the date of the action or order. A request for reconsideration must be in writing to the Director, and must specify the date and nature of the action or order, the injury sustained, the remedy requested, and the legal basis for the remedy. If the Director finds that there are material facts in dispute, the Director may refer the matter to a hearing officer under the procedures specified in Chapter 2A. If the Director finds that there are no material facts in dispute, the Director must make a final decision on the request for reconsideration in writing within 45 days after receiving the request. The aggrieved person may appeal from the Director's final decision within 30 days after the Director issues the decision, as provided in Section 2A-11.
- (i) (1) A person responsible for a violation of Section 31B-6 and the person responsible for the management or supervision of the construction site where the source of the violation is located are jointly and severally liable for the violation.
 (2) For recurring violations of Section 31B-6 on the same construction site, in addition to any other penalty under this Chapter, the Director may issue a stop work order, as provided in Section 8-20, for up to:
 (A) 3 consecutive working days for a second violation within 30 days after the first violation;
 (B) 5 consecutive working days for a third violation within 60 days after the first violation; and
 (C) 7 working days per offense for the fourth and subsequent violations within a 120-day period.
 (3) This Chapter does not limit the Director's authority under Chapter 8 to revoke a permit or approval issued under that Chapter.
- (j) Any person aggrieved by a violation of this Chapter may file a civil action in any court with jurisdiction against a person responsible for the alleged violation. The aggrieved person must notify the alleged violator and the Director of the alleged violation at least 60 days before filing the action. A person must not file an action under this subsection if the County Attorney has filed a civil action against the same alleged violator regarding the same violation. (1996 L.M.C., ch. 32, § 1; 2001 L.M.C., ch. 2, § 1.)

Endnotes

Editor's note—In *Burrows v. United States*, 2004 U.S. Dist. LEXIS 1104 (2004), the Court interpreted Montgomery County Code Chapter 31B neither to permit a private cause of action for noise control, nor to permit suit against the federal government. Chapter 31B is discussed in *Miller v. Maloney Concrete Company*, 63 Md.App. 38, 491 A.2d 1218 (1985). *Cross references-Noise from quarries, § 38-14; radio, etc., without earphones prohibited in public transit facilities, § 54A-2; industrial area noise regulations, § 59-A-5.7.

[Note]

REQUEST FOR BIDS NO.

2017-008

DEMOLITION OF BUILDINGS AT
303 SOUTH FREDERICK AVENUE

APPENDIX C
SPECIFICATIONS

**303 South Frederick Ave Demolition
Project Specifications**

Table of Contents

DIVISION 01 – GENERAL REQUIREMENTS

- A. 01 1000 – Summary
- B. 01 3000 – Administrative Requirements
- C. 01 3553 – Security Procedures
- D. 01 4216 – Definitions
- E. 01 5000 – Temporary Facilities and Controls
- F. 01 7300 – Execution
- G. 01 7419 – Demolition and Disposal
- H. 01 7800 – Closeout Submittals

DIVISION 02 – EXISTING CONDITIONS

- A. 02 4116 – Structure Demolition

DIVISION 31 – EARTHWORK

- A. 31 1000 – Site Clearing
- B. 31 2000 – Earth Moving

**SECTION 01 1000
SUMMARY**

PART 1 GENERAL

1.01 PROJECT

- A. Project Name: City of Gaithersburg Demolition of 303 South Frederick Avenue Site.
- B. Owner's Name: City of Gaithersburg
- C. The Project Scope of Work consists of the demolition and hazardous material abatement of two (2) existing buildings – A and B. The project also includes the removal of existing parking lot paving, lighting, walk ramps, railing and HVAC unit. Contractor to review and coordinate actual scope of work with Invitation for Bid requirements.

1.02 CONTRACT DESCRIPTION

- A. Contract Type: A single prime contract based on a Stipulated Price.

1.03 OWNER OCCUPANCY

- A. Owner intends to utilize the site upon Substantial Completion.
- B. Cooperate with Owner to minimize conflict and to facilitate Owner's operations.

1.04 CONTRACTOR USE OF SITE

- A. Provide access to and from site as required by law and by Owner:
 - 1. Do not obstruct roadways, sidewalks, or other public ways without permit.
- B. Time Restrictions:
 - 1. Limit conduct of especially noisy exterior work to the hours of 7:00 a.m. to 7:00 p.m. Monday through Friday, and from 8:00 a.m. to 6:00 p.m. on Weekends and Holidays. Scheduled work hours shall start at 12:00 noon on Sunday. Contractor shall also comply with any other City noise ordinances that may apply.
- C. Utility Outages and Shutdown:
 - 1. Prevent accidental disruption of utility services to other facilities.

END OF SECTION 01 1000

**SECTION 01 3000
ADMINISTRATIVE REQUIREMENTS**

PART 1 GENERAL

1.01 SITE MOBILIZATION MEETING

- A. Owner will schedule a meeting at the Project site prior to Contractor occupancy.
 - 1. Attendance Required: Contractor, Owner, Contractor's Superintendent, Major Subcontractors
- B. Agenda:
 - 1. Use of premises by Owner and Contractor.
 - 2. Owner's requirements.
 - 3. Security and housekeeping procedures.
 - 4. Schedules.
 - 5. Application for payment procedures.
 - 6. Review of proposed submittals schedule.
 - 7. Procedures for maintaining record documents.
- C. Record minutes and distribute copies within two business days after meeting to participants, with electronic PDF (portable document format) file copies to Owner, participants, and those affected by decisions made.

1.02 PROGRESS MEETINGS

- A. Schedule and administer meetings throughout progress of the Work at maximum weekly intervals.
- B. Make arrangements for meetings, prepare agenda with electronic PDF (portable document format) file copies for participants two business days in advance of meeting, preside at meetings.
- C. Attendance Required: Contractor, Owner, Contractor's Superintendent, Major Subcontractors as appropriate to agenda topics for each meeting.
- D. Agenda:
 - 1. Review minutes of previous meetings.
 - 2. Review of Work progress.
 - 3. Field observations, problems, and decisions.
 - 4. Identification of problems that impeded, or will impede, planned progress.
 - 5. Review of submittals schedule and status of submittals.
 - 6. Maintenance of progress schedule.
 - 7. Corrective measures to regain projected schedules.
 - 8. Planned progress during succeeding work period.
 - 9. Maintenance of quality and work standards.
 - 10. Effect of proposed changes on progress schedule and coordination.
 - 11. Other business relating to Work.
- E. Record minutes and distribute copies within two days after meeting to participants, with electronic PDF file copies to Owner, participants, and those affected by decisions made.

1.03 DEMOLITION PROGRESS SCHEDULE

- A. Within ten (10) business days after date of the Agreement, submit preliminary schedule defining planned operations for the first 30 days of Work, with a general outline for remainder of Work.

- B. If preliminary schedule requires revision after review, submit revised schedule within 10 business days.
- C. Within ten (10) business days after review of preliminary schedule, submit draft of proposed complete schedule for review.
 - 1. Include written certification that major contractors have reviewed and accepted proposed schedule.
- D. Within ten (10) business days after joint review, submit complete schedule.
- E. Submit updated schedule with each Application for Payment.

1.04 PHOTOGRAPHS - BEFORE AND AFTER

- A. Submit photographs prior to demolition. Exterior photos to depict four (4) cardinal directions.
- B. Take photographs as evidence of existing project conditions at each side of each building to be demolished.
- C. Views:
 - 1. Provide non-aerial photographs from four (4) cardinal views at each specified time, until Date of Substantial Completion.
 - 2. Provide factual presentation.
 - 3. Provide correct exposure and focus, high resolution and sharpness, maximum depth of field, and minimum distortion.
- D. Digital Photographs: 24 bit color, minimum resolution of 1024 by 768, in JPG format; provide files unaltered by photo editing software.
 - 1. Delivery Medium: Via email.
 - 2. File Naming: Include project identification, date and time of view, and view identification.
 - 3. PDF File: Assemble all photos into printable pages in PDF format, with 2 to 3 photos per page, each phot labeled with file name; on PDF file per submittal.
 - 4. Photo CD(s): Provide 1 copy including all photos cumulative to date and PDF file(s), with files organized in separate folders by submittal date.
 - a. Submit as part of closeout procedures.

1.05 SUBMITTALS FOR REVIEW

- A. When the following are specified in individual sections, submit them for review:
 - 1. Erosion and Sediment Control Plan
 - 2. Dust Mitigation Plan
 - 3. Hazardous Material Removal Documentation
- B. After review, provide copies and distribute purposes described in Section 01 7800 – CLOSEOUT SUBMITTALS.

1.06 SUBMITTALS FOR PROJECT CLOSEOUT

- A. When the following are specified in individuals sections, submit them at project closeout:
 - 1. Pre- and post-demolition photos.
 - 2. Disposal Diversion Report.
 - 3. Material disposal receipts.

1.07 NUMBER OF COPIES OF SUBMITTALS

- A. Documents: Submit one electric copy in PDF format; an electronically-marked up file will be returned. Create PDF's at native size and right-side up; illegible files will be rejected.
 - 1. After review, produce duplicates.

1.08 SUBMITTAL PROCEDURES

- A. Transmittal Form: AIA G810.
- B. Sequentially number the transmittal form. Revise submittals with original number and a sequential alphabetic suffix.
- C. Identify Project, Contractor, Subcontractor; pertinent drawing and detail number, and specification section number, as appropriate on each copy.
- D. Apply Contractor's stamp, signed or initialed certifying that review, approval, verification of Products required, field dimensions, adjacent construction Work, and coordination of information is in accordance with the requirements of the Work and Contract Documents.
- E. Schedule submittals to expedite the Project, and coordinate submission of related items.
- F. For each submittal for review, allow 5 business days excluding delivery time to and from the Contractor.
- G. Identify variations from Contract Documents and Product or system limitations that may be detrimental to successful performance of the completed Work.
- H. Provide space for Contractor review stamps.
- I. When revised for resubmission, identify all changes made since previous submission.
- J. Distribute submittals as appropriate. Instruct parties to promptly report any inability to comply with requirements.
- K. Submittals not requested will not be recognized or processed.

END OF SECTION 01 3000

**SECTION 01 3553
SECURITY PROCEDURES**

PART 1 - GENERAL

1.01 SECURITY PROGRAM

- A. Protect Work, existing premises and Owner's operations from theft, vandalism, and unauthorized entry.
- B. Maintain program throughout demolition period until Owner acceptance precludes the need for Contractor security.

1.02 ENTRY CONTROL

- A. Restrict entrance of persons and vehicles into Project site and existing facilities.
- B. Allow entrance only to authorized persons with proper identification.
- C. Contractor shall control entrance of persons and vehicles related to Owner's operations.

1.03 RESTRICTIONS

- A. Do not work on days as specified by Owner.

END OF SECTION 01 3553

**SECTION 01 4216
DEFINITIONS**

PART 1 - GENERAL

1.01 RELATED DOCUMENTS

- A. Drawings and general provisions of the Contract, including General and Supplementary Conditions and other Division 01 Specifications Sections, apply to this Section.

1.02 SUMMARY

- A. The following terms shall have the meanings ascribed to them in this Section, wherever they appear in the Contract Documents.
- B. Related Sections include the following:
 - 1. Divisions 02 through 48 Sections for specific requirements for demonstration and training for products in those Sections.

1.03 DEFINITIONS

- A. General: Basic Contract definitions are included in the Conditions of the Contract.
- B. Activity: A discrete of a project that can be identified for planning, scheduling, monitoring, and controlling the demolition project. Activities included in a demolition schedule consume time and resources.
 - 1. Critical Activity: An activity on the critical path that must start and finish on the planned early start to finish times.
 - 2. Predecessor Activity: An activity that precedes another activity in the network.
 - 3. Successor Activity: An activity that follows another activity in the network.
- C. CADD: Computer-Aided Design and Drafting, the use of computer systems to assist in the creation, modification, analysis, or optimization of a design and the drawings that document said design.
- D. Critical Path: The longest connected chain of interdependent activities through the network schedule that establishes the minimum overall Project duration and contains no float.
- E. Demolition Waste: Building and site improvement materials resulting from demolition or selective demolition operations.
- F. Disposal: Removal off-site of demolition waste and subsequent sale, recycling, reuse, or deposit in landfill or incinerator acceptable to authorities having jurisdiction.
- G. Event: The starting or ending point of an activity.
- H. Experienced: When used with an entity or individual, "experienced" means having successfully completed a minimum of five (5) previous projects similar in nature, size, and extent to this Project; being familiar with special requirements indicated; and having complied with requirements of authorities having jurisdiction.
- I. Indicated: Requirements expressed by graphic representations or in written form on Drawings, in Specifications, and in other Contract Documents. Other terms including "shown", "noted", "scheduled", and "specified" have the same meaning as "indicated".
- J. Informational Submittals: Submittals may be rejected for not complying with requirements. Informational submittals are those submittals indicated in individual Specification Sections as "informational submittals".
- K. Use of trade-specific terminology in referring to a trade or entity does not require that certain construction activities be performed by accredited or unionized individuals, or that requirements specified apply exclusively to specific trade(s).

- L. PDF: Portable Document Format, an open standard file format licensed by Adobe Systems used for representing documents in a device-independent and display resolution-independent fixed-layout document format.
- M. Quality-Assurance Services: Activities, actions, and procedures performed before and during execution of the Work to guard against defects and deficiencies and substantiate that proposed construction will comply with requirements.
- N. Quality-Control Services: Tests, inspections, procedures, and related actions during and after execution of the Work to evaluate that actual products incorporated into the Work and completed construction comply with requirements. Services do not include contract enforcement activities performed by Architect.
- O. Regulations: Laws, ordinances, statutes, and lawful orders issued by authorities having jurisdiction, and rules, conventions, and agreements within the construction industry that control performance of the Work.
- P. Testing Agency: An entity engages to perform specific tests, inspections, or both. Testing laboratory shall mean the same as testing agency.
- Q. RFI: Request(s) For Interpretation from Owner or Contractor seeking information required by or clarifications of the Contract Documents.

END OF SECTION 01 4216

**SECTION 01 5000
TEMPORARY FACILITIES AND CONTROLS**

PART 1 - GENERAL

1.01 USE CHARGES

- A. General: Installation and removal of and use charges for temporary facilities shall be included in the Construction Sum unless otherwise indicated. Allow other entities to use temporary services and facilities without cost, including, but not limited to, Owner's construction forces, occupants of Project, testing agencies, and authorities having jurisdiction.

1.02 INFORMATIONAL SUBMITTALS

- A. Site Plan: Show temporary facilities, utility hookups, staging areas, and parking areas for construction personnel.
- B. Erosion- and Sedimentation-Control Plan: Show compliance with requirements of the City of Gaithersburg Department of Planning and Code Administration.

PART 2 - PRODUCTS

2.01 SECURITY FENCE

- A. Chain-Link Fencing: Minimum 2 inch, 0.148 inch thick, galvanized-steel, chain-link fencing; minimum 6 feet high with galvanized-steel pipe posts; minimum 2 3/8 inch OD line post and 2 7/8 inch OD corner and pull post with galvanized barbed-wire top strand.
- B. Portable Chain-Link Fencing: Minimum 2 inch, 0.148 inch thick, galvanized-steel, chain-link fabric fencing; minimum 6 feet high with galvanized barbed-wire top strand. Provide galvanized-steel bases for supporting posts.

2.02 EQUIPMENT

- A. Fire Extinguishers: Portable, UL rated; with class and extinguishing agent as required by locations and classes of fire exposures.

PART 3 - EXECUTION

3.01 PROJECT SUPPORT REQUIREMENTS

- A. Temporary Roads and Paved Areas:
 - 1. If needed, construct and maintain temporary roads and paved areas adequate for construction operations.
 - 2. Provide dust-control treatment that is nonpolluting and nontracking. Reapply treatment as required to minimize dust.
- B. Traffic Controls: Comply with requirements of authorities having jurisdiction.
 - 1. Protect existing site improvements to remain including curbs, pavement, and utilities.
 - 2. Maintain access for fire-fighting equipment and access to fire hydrants.
- C. Parking: Provide temporary parking areas for construction personnel.
- D. Project Signs: Provide Project signs as indicated. Unauthorized signs are not permitted.
 - 1. Identification Signs: Provide Project identification signs as necessary.
 - 2. Temporary Signs: Provide other signs as indicated and as required to inform public and individuals seeking entrance to Project.
 - a. Provide temporary, direction signs for construction personnel and visitors.
 - 3. Maintain and touchup signs so they are legible at all times.

- E. Waste Disposal Facilities: Provide waste-collection containers in sizes adequate to handle waste from construction operations. Comply with requirements of authorities having jurisdiction.

3.03 SECURITY AND PROTECTION

- A. Environmental Protection: Provide protection, operate temporary facilities, and conduct construction as required to comply with environmental regulations and that minimize possible air, waterway, and subsoil contamination or pollution or other undesirable effects.
- B. Temporary Erosion and Sedimentation Control: Comply with requirements of the City of Gaithersburg Department of Planning and Code Administration.
- C. Stormwater Control: Comply with requirements of authorities having jurisdiction. Provide barriers in and around excavations and subgrade construction to prevent flooding by runoff of stormwater from heavy rains.
- D. Tree and Plant Protection: Install temporary fencing located as indicated or outside the drip line of trees to protect vegetation from damage from construction operations. Protect tree root systems from damage, flooding and erosion.
- E. Temporary Protection: Erect temporary protection, such as walks, fences, railings, canopies, and covered passageways, where required by authorities having jurisdiction and as indicated.
 - 1. Protect adjacent building and facilities from damage due to demolition activities.
 - 2. Protect existing site improvements, appurtenances, and landscaping to remain.
 - 3. Erect a plainly visible fence around drip line of individual trees or around perimeter drip line of groups of trees to remain.
 - 4. Provide temporary barricades and other protection required to prevent injury to people and damage to adjacent buildings and facilities to remain.
 - 5. Provide protection to ensure safe passage of people around building demolition area and to and from occupied portions of adjacent buildings and structures.
 - 6. Protect walls, windows, roofs, and other adjacent exterior construction that are to remain and that are exposed to building demolition operations.
 - 7. Erect and maintain dustproof partitions and temporary enclosures to limit dust, noise, and dirt migration to occupied portions of adjacent buildings.
- F. Remove temporary barriers and protections where hazards no longer exist. Where open excavations or other hazardous conditions remain, leave temporary barriers and protections in place.

END OF SECTION 01 5000

**SECTION 01 7300
EXECUTION**

PART 1 - GENERAL

1.01 INFORMATIONAL SUBMITTALS

- A. Landfill Receipts: Submit copy of receipts issued by a landfill facility, licensed to accept hazardous materials, for hazardous waste disposal.

PART 2 - EXECUTION

2.01 EXAMINATION

- A. Existing Conditions: The existence and location of underground and other utilities and construction indicated as existing are not guaranteed. Before beginning sitework, investigate and verify the existence and location of underground utilities and other construction affecting the Work.

2.02 PREPARATION

- A. Existing Utility Information: Furnish information to Owner that is necessary to adjust, move, or relocate existing utility structures, utility poles, lines, services, or other utility appurtenances located in or affected by demolition. Coordinate with authorities having jurisdiction.

2.03 PROGRESS CLEANING

- A. General: Clean Project site and work areas daily, including common areas. Enforce requirements strictly. Dispose of materials lawfully.
 - 1. Comply with requirements in NFPA 241 for removal of combustible waste materials and debris.
 - 2. Do not hold waste materials more than seven days during normal weather or three days if the temperature is expected to rise above 80 deg F.
 - 3. Containerize hazardous and unsanitary waste materials separately from other waste. Mark containers appropriately and dispose of legally, according to regulations.
- B. Site: Maintain Project site free of waste materials and debris.
- C. Work Areas: Clean areas where work is in progress to the level of cleanliness necessary for proper execution of the Work.
- D. Waste Disposal: Do not bury or burn waste materials on-site. Do not waste materials down sewers or into waterways.
- E. Limiting Exposures: Supervise demolition operations to assure that no part of the demolition completed or in progress, is subject to harmful, dangerous, damaging, or otherwise deleterious exposure during the demolition period.

END OF SECTION 01 7300

**SECTION 01 7419
DEMOLITION DISPOSAL**

PART 1 - GENERAL

1.01 DISPOSAL OF WASTE

- A. General: Remove waste materials from Project site and legally dispose of them as required by authorities having jurisdiction.
 - 1. Except as otherwise specified, do not allow waste materials that are to be disposed of accumulate on-site.
 - 2. Remove and transport debris in a manner that will prevent spillage on adjacent surfaces and areas.

END OF SECTION 01 7419

**SECTION 01 7800
CLOSEOUT SUBMITTALS**

PART 1 - GENERAL

1.01 SUBMITTALS

- A. Project Record Documents: Submit documents to Project Manager with claim for final Application for Payment.

PART 2 - EXECUTION

2.01 PROJECT RECORD DOCUMENTS

- A. Maintain on site one set of the following record documents; record actual revisions to the Work:
 - 1. Addenda.
 - 2. Change Orders and other modifications to the Contract.
- B. Ensure entries are complete and accurate, enabling future reference by Owner.
- C. Store record documents separate from documents used for construction.
- D. Record information concurrent with demolition progress.

END OF SECTION 01 7800

**SECTION 02 4116
STRUCTURE DEMOLITION**

PART 1 - GENERAL

1.01 MATERIALS OWNERSHIP

- A. Unless otherwise indicated, demolition waste becomes property of Contractor.
- B. Historic items, relics, antiques, and similar objects including, but not limited to, cornerstones and their contents, commemorative plaques and tablets, and other items of interested or value to Owner that may be uncovered during demolition remain the property of Owner.
 - 1. Carefully salvage in a manner to prevent damage and promptly return to Owner.

1.02 PREINSTALLATION MEETINGS

- A. Predemolition Conference: Conduct conference at Project site.

1.03 INFORMATIONAL SUBMITTALS

- A. Proposed Protection Measurers: Submit report, including Drawings, that indicated the measures proposed for protecting individuals and property, environmental protection, dust control and, for noise control. Indicate proposed locations and construction of barriers.
- B. Schedule of building demolition activities with starting and ending dates for each activity.
- C. Predemolition photographs.

1.04 CLOSEOUT SUBMITTALS

- A. Inventory of items that have been removed and salvaged.

1.05 QUALITY ASSURANCE

- A. Refrigerant Recovery Technician Qualifications: Certified by EPA-approved certification program.

1.06 FIELD CONDITIONS

- A. Buildings to be demolished will be vacated and their use discontinued before start of the Work.
- B. Buildings immediately adjacent to demolition area will be occupied. Conduct building demolition so operations of occupied buildings will not be disrupted.
 - 1. Provide not less than 72 hours' notice of activities that will affect operations of adjacent occupied buildings.
 - 2. Maintain access to existing walkways, exits, or other facilities used by occupants of adjacent buildings.
 - a. Do not close or obstruct walkways, exits, or other facilities used by occupants of adjacent building without written permission from authorities having jurisdiction.
- C. Conditions existing at time of inspection for bidding purpose will be maintained by Owner as far as practical.
- D. Hazardous Materials are to be encountered in the Work. See report by ECS Mid-Atlantic, LLC dated 3/11/16 on Lead Paint Inspection Report and the Asbestos Report for proper removal during demolition.

PART 2 - PRODUCTS

2.01 PERFORMANCE REQUIREMENTS

- A. Regulatory Requirements: Comply with governing EPA notification regulations before beginning demolition. Comply with hauling and disposal regulations of authorities having jurisdiction.
- B. Standards: Comply with ASSE A10.6 and NFPA 241.

2.02 SOIL MATERIALS

- A. Satisfactory Soils: Comply with requirements in Section 312000 "Earth Moving".

PART 3 - EXECUTION

3.01 EXAMINATION

- A. Verify that utilities have been disconnected and capped 10' from the face of the building before starting demolition operations.

3.02 PREPERATION

- A. Refrigerant: Before starting demolition, remove refrigerant from mechanical equipment according to 40 CFR 82 and regulations of authorities having jurisdiction.

3.03 UTILITY SERVICES AND MECHANICAL/ELECTRICAL SYSTEMS

- 1. Do not start demolition work until utility disconnecting and sealing have been completed and verified in writing.

3.04 DEMOLITION

- A. General: Demolish indicated buildings and site improvements completely. Use methods required to complete the Work within limitations of governing regulations and as follows:
 - 1. Do not use cutting torches until work area is cleared of flammable materials. Maintain portable fire-suppression devices during flame-cutting operations.
 - 2. Maintain adequate ventilation when using cutting torches.
 - 3. Location building demolition equipment and remove debris and materials so as not to impose excessive loads on supporting walls, floors, or framing.
- B. Site Access and Temporary Controls: Conduct building demolition and debris-removal operations to ensure minimum interference with roads, streets, walks, walkways, and other adjacent occupied and used facilities.
 - 1. Do not close or obstruct streets, walks, walkways, or other adjacent occupied or used facilities without permission from Owner and authorities having jurisdiction. Provide alternate routes around closed or obstructed traffic ways if required by authorities having jurisdiction.
 - 2. Use water mist and other suitable methods to limit spread of dust and dirt. Comply with governing environmental-protection regulations.
- C. Explosives: Use of explosives is not permitted.
- D. Proceed with demolition of structural framing members systematically, from higher to lower level. Complete building demolition operations above each floor or tier before disturbing supporting members on the next lower level.
- E. Demolish foundation walls and ensure complete removal of all foundation structures for the proposed building to be demolished.
 - 1. Remove below-grade construction, including basements, foundation walls, and footings, completely.
- F. Below-Grade Areas: Completely fill below-grade areas and voids resulting from building demolition operation with satisfactory soil according to backfill requirements in Section 312000 "Earth Moving".

G. Site Grading: Uniformly rough grade area of demolished construction to a smooth surface, free from irregular surface changes. Provide a smooth transition between adjacent existing grades and new grades.

H. Promptly repair damage to adjacent buildings caused by demolition operations.

3.04 CLEANING

A. Remove demolition waste materials from Project site and dispose of them in an EPA-approved construction and demolition waste landfill acceptable to authorities having jurisdiction.

B. Clean adjacent structures and improvements of dust, dirt, and debris caused by building demolition operations. Return adjacent areas to condition existing before building demolition operations began.

END OF SECTION 02 4116

**SECTION 31 1000
SITE CLEARING**

PART 1 - GENERAL

1.01 PREINSTALLATION MEETINGS

- A. Preinstallation Conference: Conduct conference at Project site

1.02 MATERIAL OWNERSHIP

- A. Except for materials indicated to be stockpiled or otherwise remain Owner's property, cleared materials shall become Contractor's property and shall be removed from Project site.

1.03 FIELD CONDITIONS

- A. Traffic: Minimize interference with adjoining roads, streets, walks, and other adjacent occupied or used facilities during site-clearing operations.
 - 1. Do not close or obstruct streets, walks, or other adjacent occupied or used facilities without permission from Owner and authorities having jurisdiction.
 - 2. Provide alternate routes around closed or obstructed trafficways if required by Owner or authorities having jurisdiction.
- B. Utility Locator Service: Notify utility locator service for area where Project is located before site clearing.
- C. Do not commence site clearing operations until temporary erosion- and sedimentation-control and plant-protection measures are in place.

PART 2 - PRODUCTS

2.01 MATERIALS

- A. Satisfactory Soil Material: Requirements for satisfactory soil material are specified in Section 312000 "Earth Moving".
 - 1. Obtain approved borrow soil material off-site when satisfactory soil material is not available on-site.

PART 3 - EXECUTION

3.01 PREPARATION

- A. Protect and maintain benchmarks and survey control points from disturbance during demolition.

3.02 TEMPORARY EROSION AND SEDIMENTATION CONTROL

- A. Provide temporary erosion- and sedimentation-control measures to prevent soil erosion and discharge of soil-bearing water runoff or airborne dust to adjacent properties and walkways, according to erosion- and sedimentation-control Drawings and requirements of authorities having jurisdiction.
- B. Verify that flows of water redirected from construction areas or generated by construction activity do not enter or cross protection zones.
- C. Inspect, maintain, and repair erosion- and sedimentation-control measures during construction until permanent vegetation has been established.
- D. Remove erosion and sedimentation controls, and restore and stabilize areas disturbed during removal.

3.03 TREE AND PLANT PROTECTION

- A. General: Protect trees and plants remaining on-site that are not part of the overall demolition.

3.04 CLEARING AND GRUBBING

- A. Fill depressions caused by clearing and grubbing operations with satisfactory soil material unless further excavation or earthwork is indicated.
 - 1. Place fill material in horizontal layers not exceeding a loose depth of 8 inch, and compact each layer to a density equal to adjacent original ground.

3.05 DISPOSAL OF SURPLUS AND WASTE MATERIALS

- A. Remove surplus soil material, unsuitable topsoil, obstructions, demolished materials, and waste materials including trash and debris, and legally dispose of them off Owner's property.

3.06 MAINTENANCE

- A. Contractor shall apply hydroseed and maintain new grass growth through three mowing cycles. There shall be 95% grass coverage/growth over all disturbed grass. Reseed and water until growth is established to 95% grass coverage.

END OF SECTION 31 1000

**SECTION 31 2000
EARTH MOVING**

PART 1 - GENERAL

1.01 DEFINITIONS

- A. Backfill: Soil material used to fill an excavation.
 - 1. Initial Backfill: Backfill placed beside and over pipe in a trench, including haunches to support sides of pipe.
 - 2. Final Backfill: Backfill placed over initial backfill to fill a trench.
- B. Base Course: Aggregate layer placed between the subbase course and hot-mixed asphalt paving.
- C. Bedding Course: Aggregate layer placed over the excavated subgrade in a trench before laying pipe.
- D. Borrow Soil: Satisfactory soil imported from off-site for use as fill or backfill.
- E. Drainage Course: Aggregate layer supporting the slab-on-grade that also minimized upward capillary flow or pore water.
- F. Excavation: Removal of material encountered above subgrade elevations and to lines and dimensions indicated.
 - 1. Authorized Additional Excavation: Excavation below subgrade elevations or beyond indicated lines and dimensions as directed by Architect. Authorized additional excavation and replacement material will be paid for according to Contract provisions for changes in the Work.
 - 2. Unauthorized Excavation: Excavation below subgrade elevations or beyond indicated lines and dimensions without direction by Architect. Unauthorized excavation, as well as remedial work directed by Architect, shall be without additional compensation.
- G. Fill: Soil materials used to raise existing grades.
- H. Structures: Buildings, footings, foundations, retaining walls, slabs, tanks, curbs, mechanical and electrical appurtenances, or other man-made stationary features constructed above or below the ground surface.
- I. Subbase Course: Aggregate layer placed between the subgrade and base course for hot-mix asphalt pavement, or aggregate layer placed between the subgrade and a cement concrete pavement or a cement concrete or hot-mix asphalt walk.
- J. Subgrade: Uppermost surface of an excavation or the top surface of a fill or backfill immediately below subbase, drainage fill, drainage course, or topsoil materials.
- K. Utilities: On-site underground pipes, conduits, ducts, and cables as well as underground services within buildings.

1.02 PRE-INSTALLATION MEETINGS

- A. Pre-installation Conference: Conduct pre-excavation conference at Project site.

1.03 FIELD CONDITIONS

- A. Utility Locator Service: Notify utility locator service for areas where Project is located before beginning earth-moving operations.

PART 2 - PRODUCTS

2.01 SOIL MATERIALS

Where applicable, use the below specifications.

- A. General: Provide borrow soil materials when sufficient satisfactory soil materials are not available from excavations.

- B. Satisfactory Soils: Soil Classification Groups GW, GP, GM, SW, SP, and SM according to ASTM D, or a combination of these groups; free of rock or gravel larger than 3 inches in any dimension, debris, waste, frozen materials, vegetation, and other deleterious matter.
 - 1. Liquid Limit: Less than 40.
 - 2. Plasticity Index: Less than 10.
- C. Unsatisfactory Soils: Soil Classification Groups GC, SC, CL, ML, OL, CH, MH, OH, and PT according to ASTM D 2487, or a combination of these groups.
 - 1. Unsatisfactory soils also include satisfactory soils not maintained within 2 percent of optimum moisture content at time of compaction.
- D. Subbase Material: Naturally or artificially graded mixture of natural or crushed gravel, crushed stone, and natural or crushed sand; ASTM D 2940/D 2940M; with a least 90 percent passing a 1-1/2 inch sieve and not more than 12 percent passing a No. 200 sieve.
- E. Base Course: Naturally or artificially graded mixture of natural or crushed gravel, crushed stone, and natural or crushed sand; ASTM D 294/D 2940M 0; with at least 95 percent passing a 1-1/2 inch sieve and not more than 8 percent passing a No. 200 sieve.
- F. Engineered Fill: Naturally or artificially graded mixture of natural or crushed gravel, crushed stone, and natural or crushed sand; ASTM D 2940/D 2940M; with at least 90 percent passing a 1-1/2 inch sieve and not more than 12 percent passing a No. 200 sieve.
- G. Bedding Course: Naturally or artificially graded mixture of natural or crushed gravel, crushed stone, and natural or crushed sand; ASTM D 2940/D 2940M; except with 100 percent passing a 1-inch sieve and not more than 8 percent passing a No. 200 sieve.
- H. Drainage Course: Narrowly graded mixture of [washed]crushed stone, or crushed or uncrushed gravel; ASTM D 448; coarse-aggregate grading Size 57; with 100 percent passing a 1-1/2-inch sieve and zero to 5 percent passing a No. 8 sieve.

2.02 ACCESSORIES

- A. Warning Tape: Acid and alkali-resistant, polyethylene film warning tape manufactured for marking and identifying underground utilities, 6 inches wide and 4 mils thick, continuously inscribed with a description of the utility; colored to comply with local practice or requirements of authorities having jurisdiction.
- B. Detectable Warning Tape: Acid- and alkali-resistant, polyethylene film warning tape manufactured for marking and identifying underground utilities, a minimum of 6 inches wide and 4 mils thick, continuously inscribed with a description of the utility, with metallic core encased in a protective jacket for corrosion protection, detectable by metal detector when tape is buried up to 30 inches deep; colored to comply with local practice or requirements of authorities having jurisdiction.

PART 3 - EXECUTION

3.01 PREPARATION

- A. Protect structures, utilities, sidewalks, pavements, and other facilities from damage caused by settlement, lateral movement, undermining, washout, and other hazards created by earthmoving operations.
- B. Protect and maintain erosion and sedimentation controls during earth-moving operations.
- C. Protect subgrades and foundation soils from freezing temperatures and frost. Remove temporary protection before placing subsequent materials.

3.02 EXCAVATION, GENERAL

- A. Unclassified Excavation: Excavate to subgrade elevations regardless of the character of surface and subsurface conditions encountered. Unclassified excavated materials may include rock, soil materials, and obstruction. No changes in the Contract Sum or the Contract Time will be authorized for rock excavation or removal of obstructions.
 - 1. If excavated materials intended for fill and backfill include unsatisfactory soil materials and rock, replace with satisfactory soil materials.
 - 2. Excavation for Underground Tanks, Basins, and Mechanical or Electrical Utility Structures: Excavate to elevations and dimensions indicated within a tolerance of plus or minus 1 inch. Do not disturb bottom of excavations intended as bearing surfaces.
 - 3. Excavate all foundation walls and structures for the pre designated buildings that are to be demolished. Use mechanical equipment as necessary to safely and properly remove the limits and bounds of the structure.
 - 4. Excavate all utility services and mechanical/electrical systems 10 feet from the perimeter of the building that is to be demolished. Locate, identify, disconnect, and seal or cap off utilities serving buildings and structures to be demolished. Cut off pipe or conduit a minimum of 24 inches below grade. Cap, valve, or plug and seal remaining portion of pipe or conduit 10 feet from perimeter of the building.

3.03 UNAUTHORIZED EXCAVATION

- A. Fill unauthorized excavation under foundations or wall footings by extending bottom elevation of concrete foundation or footing to excavation bottom, without altering top elevation.
 - 1. Fill unauthorized excavations under other construction pipe, or conduit as directed by the City.

3.04 STORAGE OF SOIL MATERIALS

- A. Stockpile borrow soil materials and excavated satisfactory soil materials without intermixing. Place, grade, and shape stockpiles to drain surface water. Cover to prevent windblown dust.
 - 1. Stockpile soil materials away from edge of excavations. Do not store within drip line of remaining trees.

3.05 UTILITY TRENCH BACKFILL

- A. Place backfill on subgrades free of mud, frost, snow or ice.
- B. Place and compact bedding course on trench bottoms and where indicated. Shape bedding course to provide continuous support for bells, joints, and barrels of pipe and for joints, fittings, and bodies of conduits.
- C. Trenches under Footings: Backfill trenches excavated under footings and within 18 inches or bottom of footings with satisfactory soil; fill with concrete to elevation of bottom of footings.
- D. Initial Backfill: Place and compact initial backfill of subbase material, free or particles larger than 1 inch in any dimension, to a height of 12 inches over the pipe or conduit.
 - 1. Carefully compact initial backfill under pipe haunches and compact evenly up on both sides and along the full length of piping or conduit to avoid damage or displacement of piping or conduit. Coordinate backfilling with utilities testing.
- E. Final Backfill: Place and compact final backfill or satisfactory soil to final subgrade elevation.
- F. Warning Tape: Install warning tape directly above utilities, 12 inches below finished grade, except 6 inches below subgrade under pavements and slabs.

3.06 SOIL FILL

- A. Plow, scarify, bench, or break up sloped surfaces steeper than 1 vertical to 4 horizontal so fill material will bond with existing material.
- B. Place and compact fill material in layers to required elevations as follows:
 - 1. Under grass and planted areas, use satisfactory soil material.
 - 2. Under walks and pavements, use satisfactory soil material.
 - 3. Under steps and ramps, use engineered fill.
 - 4. Under building slabs, use engineered fill.
 - 5. Under footings and foundations, use engineered fill.

3.07 SOIL MOISTURE CONTROL

- A. Uniformly moisten or aerate subgrade and each subsequent fill or backfill soil layer before compaction to within 2 percent of optimum moisture content.
 - 1. Do not place backfill or fill soil material on surfaces that are muddy, frozen or contain frost or ice.
 - 2. Remove and replace, or scarify and air dry, otherwise satisfactory soil material that exceeds optimum moisture content by 2 percent and is too wet to compact to specified dry unit weight.

3.08 COMPACTION OF SOIL BACKFILLS AND FILLS

- A. Place backfill and fill soil materials in layers not more than 8 inches in loose depth for material compacted by heavy compaction equipment and not more than 4 inches in loose depth for material compacted by hand-operated tampers.
- B. Place backfill and fill soil materials evenly on all sides of structures to required elevation and uniformly along the full length of each structure.
- C. Compact soil materials to not less than the following percentages of maximum dry unit weight according to ASTM D 698:
 - 1. Under structures, building slabs, steps, and pavements, scarify and recompact top 12 inches of existing subgrade and each layer of backfill or fill soil material at 95 percent.
 - 2. Under walkways, scarify and recompact top 6 inches below subgrade and compact each later or backfill or fill soil material at 92 percent.
 - 3. Under turf or unpaved areas, scarify and recompact top 6 inches below subgrade and compact each layer of backfill or fill soil material at 85 percent.
 - 4. For utility trenches, compact each layer of initial and final backfill soil material at 85 percent.

3.09 GRADING

- A. General: Uniformly grade areas to a smooth surface, free of irregular surface changes.
- B. Site Rough Grading: Slope grades to direct water away from adjacent structures and to prevent ponding.

3.10 FIELD QUALITY CONTROL

- A. Special Inspections: Owner will engage a qualified special inspector to perform inspections.
- B. Allowing testing agency to inspect and test subgrades and each fill or backfill layer. Proceed with subsequent earth moving only after test results for previously completed work comply with requirements.
- C. When testing agency reports that subgrades, fills, or backfills have not achieved degree of compaction specified, scarify and moisten or aerate, or remove and replace soil materials to depth required; recompact and retest until specified compaction is obtained.

3.11 PROTECTION

- A. Protecting Graded Areas: Protect newly graded areas from traffic, freezing, and erosion. Keep free of trash and debris.
- B. Repair and reestablish grades to specified tolerances where completed or partially completed surfaces become eroded, rutted, settled, or where they lose compaction due to subsequent construction operations or weather conditions.
- C. Where settling occurs before Project correction period elapses, remove finished surfacing, backfill with additional soil material, compact, and reconstruct surfacing.
 - 1. Restore appearance, quality, and condition of finished surfacing to match adjacent work, and eliminate evidence of restoration to greatest extent possible.

3.12 DISPOSAL OF SURPLUS AND WASTE MATERIALS

- A. Remove surplus satisfactory soil and waste materials, including unsatisfactory soil, trash, and debris, and legally dispose of them off Owner's property.

END OF SECTION 31 2000

REQUEST FOR BIDS NO.

2017-008

DEMOLITION OF BUILDINGS AT
303 SOUTH FREDERICK AVENUE

APPENDIX D

**ENVIRONMENTAL SITE ASSESSMENT
PHASE I ESA (ECS MID-ATLANTIC, LLC.)**

PHASE I ENVIRONMENTAL SITE ASSESSMENT



FORMER RESTAURANT

303 SOUTH FREDERICK AVENUE
GAITHERSBURG, MONTGOMERY COUNTY, MARYLAND
ECS PROJECT NO. 47:1465

FOR

CITY OF GAITHERSBURG

MARCH 11, 2016





March 11, 2016

Ms. Sharon Disque
City of Gaithersburg
31 South Summit Avenue
Gaithersburg, Maryland 20877

ECS Project No.47:1465

Reference: Phase I Environmental Site Assessment Report, Former Restaurant, 303 South Frederick Avenue, Gaithersburg, Montgomery County, Maryland

Dear Ms. Sharon Disque:

ECS Mid-Atlantic, LLC (ECS) is pleased to provide you with the results of our Phase I Environmental Site Assessment (ESA) for the referenced site. ECS services were provided in general accordance with ECS Proposal No. 13-8514 authorized on February 18, 2016 and generally meet the requirements of ASTM E1527-13, Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process and EPA Standards and Practices for All Appropriate Inquiry contained in 40 CFR Part 312.

If there are questions regarding this report, or a need for further information, please contact the undersigned.

ECS Mid-Atlantic, LLC

Erik Schaberl
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301.668.4303

Garnett Williams
Principal Geologist
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301.668.4303

Project Summary

Former Restaurant
 303 South Frederick Avenue
 Gaithersburg, Maryland 20877

Report Section		No Further Action	REC	CREC	HREC	Other Environmental Considerations	Recommended Action
4.0	User Provided Information	✓					
5.1	Federal ASTM Databases	✓					
5.2	State ASTM Databases	✓					
5.3	Additional Environmental Record Sources	✓					
6.0	Historical Use Information	✓					
7.0	Site and Area Reconnaissance	✓					
8.1	Non-Scope Issues					✓	Hazmat Survey reported under separate cover
9.0	Interviews	✓					

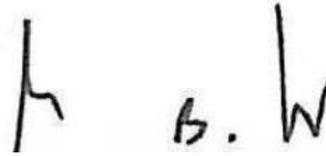


ENVIRONMENTAL PROFESSIONAL STATEMENT

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 all appropriate inquiries in conformance with the standards and practices set forth in 40 CFR Part 312.



Erik Schaberl
Project Manager
March 11, 2016



Garnett Williams
Principal Geologist
March 11, 2016

TABLE OF CONTENTS		PAGE
1.0	EXECUTIVE SUMMARY	1
2.0	INTRODUCTION	3
2.1	Purpose and Reason for Performing Phase I ESA	3
2.2	Scope of Services	3
2.3	Definitions	3
2.4	Limitations	4
2.5	Data Gaps	5
2.6	Limiting Conditions/Deviations	5
3.0	SUBJECT PROPERTY DESCRIPTION	6
3.1	Subject Property Location and Legal Description	6
3.2	Physical Setting and Hydrogeology	6
3.3	Current Use and Description of the Site	7
4.0	USER PROVIDED INFORMATION	8
4.1	Title Information	8
4.2	Environmental Liens or Activity and Use Limitations	8
4.3	Specialized Knowledge	8
4.4	Commonly Known or Reasonably Ascertainable Information	8
4.5	Valuation Reduction for Environmental Issues	8
4.6	Owner, Property Manager, and Occupant Information	8
4.7	Degree of Obviousness	8
5.0	RECORDS REVIEW	9
5.1	Federal ASTM Databases	10
5.1.1	Federal RCRIS - Generators	10
5.2	State ASTM Databases	10
5.2.1	State Hazardous Waste Sites (SHWS) Inventory	10
5.2.2	Leaking Underground Storage Tank (LUST) List	11
5.2.3	Registered Underground Storage Tank (UST) List	11
5.2.4	State Responsible Party Voluntary Action (VCP) Sites	12
5.3	Additional Environmental Record Sources	12
5.3.1	Additional Non-ASTM Federal Databases	12
5.3.2	Additional Non-ASTM State Databases	12
5.3.3	Other Proprietary Databases	12



5.3.4 Unmapped (Orphan) Facilities and Sites 12

6.0 HISTORICAL USE INFORMATION 13

6.1 Aerial Photograph Review 13

6.2 Sanborn Fire Insurance Map Review 13

6.3 Property Tax Files 14

6.4 Recorded Land Title Records 14

6.5 Historical USGS Topographic Maps 14

6.6 City Directory Review 14

6.7 Building Department Records 15

6.8 Other Historical Sources 15

6.9 Previous Reports 16

6.10 Historical Use Summary 16

7.0 SITE AND AREA RECONNAISSANCE 17

7.1 Methodology 17

7.2 On-Site Features 17

7.2.1 Drums or containers of petroleum or hazardous substances less than or equal to five-gallons 18

7.2.2 Stains or corrosion to floors, walls or ceilings 18

7.2.3 Grease traps 18

7.3 Adjoining and Nearby Properties 19

7.4 Site and Area Reconnaissance Summary 19

8.0 ADDITIONAL SERVICES 20

8.1 Non-Scope Issues 20

9.0 INTERVIEWS 21

10.0 FINDINGS AND CONCLUSIONS 22

11.0 REFERENCES 24



TABLE OF APPENDICES

Appendix I: Figures

Appendix II: Correspondence and User Questionnaire

Appendix III: Regulatory Records Documentation

Appendix IV: Historical Research Documentation

Appendix V: Site Photographs

Appendix VI: Statement of Qualifications

1.0 EXECUTIVE SUMMARY

ECS Mid-Atlantic, LLC (ECS) was contracted by the City of Gaithersburg to perform an ASTM E1527-13, Phase I Environmental Site Assessment (ESA) of the Former Restaurant located at 303 South Frederick Avenue in Gaithersburg, Montgomery County, Maryland (i.e. subject property). This Executive Summary is an integral part of the Phase I ESA report. ECS recommends that the report be read in its entirety.

The subject property is identified by the Maryland Department of Assessment and Taxation (MDAT) on Montgomery County Tax Map FT51, Parcel P417 and owned by Paradise Point, LLC. The approximately 0.29-acre subject property is occupied by a 1,112 square foot building last used as a restaurant. The subject property is serviced by municipal water and sanitary sewer. The building is heated with natural gas.

The subject property is located in a residential and commercial area of Gaithersburg. The subject property is bound on the north by a law office; to the east and south by residential homes; and to the southwest by South Frederick Avenue (MD-355) followed by a church. We did not identify adjoining or nearby properties that are considered a Recognized Environmental Condition (REC) of the subject property.

According to historical research, the subject property was developed with the current structure in 1952. It appears that the structure was originally utilized as a residence and later converted to a restaurant. Our review of historical information for adjoining or nearby properties identified the area as originally residential that transitioned to partially commercial. No obvious indications of RECs were identified in the historical data review.

A regulatory database search report was provided by EDR. The database search involves researching a series of Federal, State, Local, and other databases for facilities and properties that are located within specified minimum search distances from the subject property. The report did not identify the subject property on the databases researched. The EDR report identified several off-site properties within the minimum ASTM search distances. Based on our review of available public records, none of the listings are believed to represent a REC for the subject property.

ASTM E1527-13 defines a "data gap" as: "a lack of or inability to obtain information required by this practice despite good faith efforts by the environmental professional to gather such information". Data gaps which would be expected to impact our ability to render a professional opinion concerning the subject property were not identified.

We have performed a Phase I Environmental Site Assessment in general conformance with the scope and limitations of ASTM E1527-13 of the Former Restaurant located at 303 South Frederick Avenue in Gaithersburg, Montgomery County, Maryland. Exceptions to, or deletions from, this practice are described in Section 2.6 of this report.

- This assessment has revealed no evidence of recognized environmental conditions in connection with the property.

We note the following Business Environmental Risk (BER):



- A hazardous materials survey was conducted concurrently with this Phase I ESA and is reported under separate cover. Asbestos Containing Materials (ACM) in the form of roof caulking and Lead Based Paint (ceramic floor tile glazing) were identified. Recommendations pertaining to the abatement of these materials during demolition are provided in the report.

2.0 INTRODUCTION

2.1 Purpose and Reason for Performing Phase I ESA

The purpose of the ESA was to:

- evaluate the probability of impact to the surface water, groundwater and/or soils within the property boundaries through a review of regulatory information and a reconnaissance of the subject property and vicinity;
- evaluate historical land usage to identify previous conditions that could potentially impact the environmental condition of the subject property;
- conduct all appropriate inquiry as defined by ASTM E1527-13 and 40 CFR Part 312;
- evaluate the potential for on-site and off-site contamination; and,
- provide a professional opinion regarding the potential for environmental impact at the site and a list of Recognized Environmental Conditions (RECs).

The ESA should allow the Users the opportunity to qualify for landowner liability protection under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) provided certain stipulations are met. The landowner liability protections are: an innocent landowner, a contiguous property owner, or a bona fide prospective purchaser. The User must meet the protection stipulations detailed in CERCLA to qualify as well as meet the User Obligations contained within ASTM E1527- 13 standard.

The reason for conducting this ESA is to conduct all appropriate inquiries into the uses and prior ownership of the subject property for potential acquisition of the site.

2.2 Scope of Services

The environmental assessment was conducted in general accordance with ASTM E1527-13 and EPA Standards and Practices for All Appropriate Inquiry (40 CFR §312.10). The environmental assessment was conducted under the supervision or responsible charge of an individual that qualifies as an environmental professional, as defined in 40 CFR §312.10.

A Hazmat survey consisting of asbestos and lead-based paint (LBP) surveys was performed concurrently and is reported under separate cover.

2.3 Definitions

ASTM E1527-13 defines a "recognized environmental condition (REC)" as "the presence or likely presence of any hazardous substances or petroleum products in, on or at a property: 1) due to release to the environment, 2) under conditions indicative of a release to the environment; or 3) under conditions that pose a material threat of a future release to the environment." For the purposes of this practice, "migrate" and "migration" refer to the movement of hazardous substances or petroleum products in any form including solid and liquid at the surface or subsurface and vapor in the subsurface.



ASTM E1527-13 defines a "business environmental risk" (BER) as "a risk which can have a material environmental or environmentally-driven impact on the business associated with the current or planned use of a parcel of commercial real estate, not necessarily limited to those environmental issues required to be investigated in this practice". ECS also uses the term "Other Environmental Considerations" to discuss BERs and environmental concerns outside of the ASTM E1527-13 requirements (radon, asbestos, lead, wetlands, etc.) Client-imposed limitations and site condition limitations, if encountered, are detailed in Section 7.1 Methodology and Limiting Conditions.

ASTM E1527-13 defines a "de minimis condition" as a condition that generally does not represent a threat to human health or the environment and that generally would not be the subject of an enforcement action if brought to the attention of appropriate governmental agencies. De minimis conditions are not recognized environmental conditions nor controlled recognized environmental conditions.

ASTM E1527-13 defines a "controlled recognized environmental condition (CREC)" as a recognized environmental condition resulting from a past release of hazardous substances or petroleum products that has been addressed to the satisfaction of the applicable regulatory authority (for example, as evidenced by the issuance of a no further action letter or equivalent, or meeting risk-based criteria established by regulatory authority), with hazardous substances or petroleum products allowed to remain in place subject to the implementation of required controls (for example property use restrictions, activity and use limitations, institutional controls, or engineering controls). A condition identified as a controlled recognized environmental condition does not imply that the Environmental Professional has evaluated or confirmed the adequacy, implementation or continued effectiveness of the required control that has been, or is intended to be, implemented.

ASTM E1527-13 defines a "historical recognized environmental condition (HREC)" as a past release of any hazardous substances or petroleum products that has occurred in connection with the property and has been addressed to the satisfaction of the applicable regulatory authority or meeting unrestricted residential use criteria established by a regulatory authority, without subjecting the property to any required controls (for example property use restrictions, activity and use limitations, institutional controls, or engineering controls). Before calling the past release a historical recognized environmental condition, the Environmental Professional must determine whether the past release is a recognized environmental condition at the time the Phase I Environmental Site Assessment is conducted (for example, if there has been a change in the regulatory criteria).

2.4 Limitations

The ESA involved a reconnaissance of the subject property and contiguous properties and a review of regulatory and historical information in general accordance with the ASTM standard and EPA regulation referenced herein. No non-scope considerations or additional issues such as asbestos, radon, wetlands or mold were investigated, unless otherwise described in Section 8.0 of this report.

Note: vapor migration in the subsurface is described in Guide E2600 published by ASTM. ECS has not conducted a Vapor Encroachment Screen in accordance with the E2600 guide.

The conclusions and/or recommendations presented within this report are based upon a level of investigation consistent with the standard of care and skill exercised by members of the same



profession currently practicing in the same locality under similar conditions. The intent of this assessment is to identify the potential for recognized environmental conditions in connection with the subject property; however, no environmental site assessment can completely eliminate uncertainty regarding the potential for recognized environmental conditions in connection with the subject property. The findings of this ESA are not intended to serve as an audit for health and safety compliance issues pertaining to improvements or activities at the subject property. ECS is not liable for the discovery or elimination of hazards that may potentially cause damage, accidents or injury.

Observations, conclusions and/or recommendations pertaining to environmental conditions at the subject property are necessarily limited to conditions observed, and or materials reviewed at the time this study was undertaken. It was not the purpose of this study to determine the actual presence, degree or extent of contamination, if any, at this subject property. This could require additional exploratory work, including sampling and laboratory analysis. No warranty, expressed or implied, is made with regard to the conclusions and/or recommendations presented within this report.

This report is provided for the exclusive use of the City of Gaithersburg. This report is not intended to be used or relied upon in connection with other projects or by other unidentified third parties. The use of this report by any undesignated third party or parties will be at such party's sole risk and ECS disclaims liability for any such third party use or reliance.

2.5 Data Gaps

Data failures (historical data gaps) were identified during the historical research of this subject property. Use of the subject property was generally documented back to 1950. Historical information was missing for various periods. However, due to the other information that was obtained about the subject property, the historical data gaps are not expected to impact our ability to render a professional opinion regarding the subject property.

2.6 Limiting Conditions/Deviations

ASTM E1527-13 requires that the Environmental Professional identify limiting conditions, deletions, and deviations from the ASTM E1527-13 standard, if any, including client-imposed constraints. Limiting conditions and/or deviations from the standard practice which would be expected to impact our ability to provide a professional opinion concerning the subject property were not encountered during the performance of this Phase I ESA.



3.0 SUBJECT PROPERTY DESCRIPTION

The subject property contains the former 355-Grill. The subject property is presently improved by a one-story restaurant building, storage shed, paved and landscaped areas. The building was reportedly constructed in 1952 and contains approximately 1,112 square feet. The building contains a dining area, a kitchen with food preparation and storage areas and restrooms. Sink drains located in the kitchen reportedly discharge into an on-site grease trap prior to discharge to the sanitary sewer system. Municipal water and sewer are provided to the subject property. The building is heated with natural gas.

3.1 Subject Property Location and Legal Description

Site Name	Former Restaurant
Property Address	303 South Frederick Avenue
Property City, State	Gaithersburg, Maryland
Property County	Montgomery County
Number of Parcels	One
Property ID Number(s)	Parcel P417
Property Size	0.29 acres
Property Owner of Record	Paradise Point, LLC
Property Legal Description	Deer Park 9679/787

3.2 Physical Setting and Hydrogeology

USGS Topographic Map	
Quad Designation	Gaithersburg
Date	1979
Area Topography	
Average Subject Property Elevation (in ft or meters)	513 feet
General Sloping Direction	southeast
Bodies of Water	not present
General Directions of Surface Flow	southeast



Presumed Direction of Groundwater Flow	southeast
Geologic Province	Piedmont
Upgradient Property Direction	northwest
Nearby Properties	
General Sloping Direction	southeast
Bodies of Water	pond 0.24 miles southeast.
General Directions of Surface Flow	southeast
Presumed Direction of Groundwater Flow	southeast

Regional influences may have an impact on groundwater flow. The actual groundwater flow direction cannot be determined without site-specific information obtained through the installation of groundwater monitoring wells.

3.3 Current Use and Description of the Site

The subject property consists of an approximately 0.29-acre parcel of land that is currently improved by a vacant restaurant with a detached shed. The subject property is located in an area that can generally be described as residential and light commercial.



4.0 USER PROVIDED INFORMATION

The ASTM standard includes disclosure and obligations of the User to help the Environmental Professional identify the potential for Recognized Environmental Conditions associated with the site. The ASTM E 1527-13 User Questionnaire was submitted to and completed by Ms. Sharon Disque, representing City of Gaithersburg (User of the report). Section 4.0 is based on the completed User Questionnaire. A copy of the completed User Questionnaire is included in Appendix II.

4.1 Title Information

ECS was provided with a title abstract that indicated the property was recently foreclosed due to tax penalties.

4.2 Environmental Liens or Activity and Use Limitations

ECS was contracted by the User to obtain environmental liens or activity and use limitations information. According to the information provided by NETR, no environmental liens or AULs were identified in the deed information for the subject property. A copy of the NETR report is included in Appendix II of this report.

4.3 Specialized Knowledge

The User indicated that they did not possess specialized knowledge of the subject property.

4.4 Commonly Known or Reasonably Ascertainable Information

The User indicated that the site was a restaurant.

4.5 Valuation Reduction for Environmental Issues

The User indicated that the site was acquired through a tax sale/foreclosure.

4.6 Owner, Property Manager, and Occupant Information

The User indicated that the site is owned by Robert Haddad of Paradise Point, LLC.

4.7 Degree of Obviousness

The User stated that they were not aware of obvious indicators that point to the presence or likely presence of contamination at the subject property.



5.0 RECORDS REVIEW

A regulatory records search of ASTM standard and supplemental databases was conducted for the subject property and is included in Appendix III. The regulatory search report in the appendix includes additional details about the regulatory databases that were reviewed. The regulatory records search involves searching a series of databases for facilities that are located within a specified distance from the subject property. The ASTM standard specifies an approximate minimum search distance from the subject property for each database. Pursuant to ASTM, the approximate minimum search distance may be reduced for each standard environmental record except for Federal NPL site list, and Federal RCRA TSD list. According to ASTM, government information obtained from nongovernmental sources may be considered current if the source updates the information at least every 90 days or, for information that is updated less frequently than quarterly by the government agency, within 90 days of the date the government agency makes the information available to the public. The following table indicates the standard environmental record sources and the approximate minimum search distances for each record.

Standard Environmental Record Sources	Approximate Minimum Search Distance Per ASTM (miles)	Target Property	Off-Site Properties
Federal NPL	1.0	No	0
Federal Delisted NPL	0.5	No	0
Federal CERCLIS	0.5	No	0
Federal CERCLIS NFRAP	0.5	No	0
Federal RCRA CORRACTS	1.0	No	0
Federal RCRA non-CORRACTS TSD	0.5	No	0
Federal RCRA Generators	0.25	No	4
Federal IC/EC	Subject Site Only	No	0
Federal ERNS	Subject Site Only	No	0
State and Tribal Hazardous Waste Sites (NPL Equivalent)	1.0	No	1
State and Tribal Hazardous Waste Sites (CERCLIS Equivalent)	0.5	No	0
State and Tribal Landfill and/or solid waste disposal sites	0.5	No	0
State and Tribal Leaking Tanks	0.5	No	39



Standard Environmental Record Sources	Approximate Minimum Search Distance Per ASTM (miles)	Target Property	Off-Site Properties
State and Tribal Registered UST and AST	Subject Site and Adjoining Properties	No	7
State and Tribal IC/EC	Subject Site Only	No	0
State and Tribal Voluntary Cleanup (VCP)	0.5	No	0
State and Tribal Brownfield Sites	0.5	No	1

Based on our knowledge of the subject property and the surrounding area, ECS attempts to verify and interpret this data. While this attempt at verification is made with due diligence, ECS cannot guarantee the accuracy of the record(s) search beyond that of information provided by the regulatory report(s). ECS makes no warranty regarding the accuracy of the database report information included within the regulatory report(s). The regulatory record search was performed by EDR. ECS did not reduce the minimum ASTM search distances stipulated in the standard. The regulatory databases reviewed by ECS included supplemental databases researched by EDR.

5.1 Federal ASTM Databases

5.1.1 Federal RCRIS - Generators

RCRIS identifies facilities that generate hazardous wastes as defined by the RCRA. Conditionally exempt small quantity generators (CESQGs) generate less than 100 kilograms of hazardous waste, or less than 1 kilogram of acutely hazardous waste, per month. Small quantity generators (SQGs) generate between 100 and 1,000 kilograms of hazardous waste per month. Large quantity generators (LQGs) generate more than 1,000 kilograms of hazardous waste or more than 1 kilogram of acutely hazardous waste per month. A total of 4 properties were identified within the search distance, the closest of these being:

- Gaithersburg Police Station at 7 E. Cedar Avenue is located approximately 0.21 miles northwest and topographically downgradient from the subject. Based on distance and topography relative to the site, this listing is not considered a REC.

Based on distance and topographic position relative to the site, the remaining RCRA listings are not considered a REC to the subject.

5.2 State ASTM Databases

5.2.1 State Hazardous Waste Sites (SHWS) Inventory

State hazardous waste site records are the states' equivalent to CERCLIS. These sites may or may not be already listed on the federal CERCLIS database.



One SWHS site was plotted within the search radius:

- Rockville Launch addressed as Muddy Branch Road is located approximately 0.87 miles southwest and topographically downgradient from the subject. Based on distance and topographic position, this listing is not considered to be a REC to the site.

5.2.2 Leaking Underground Storage Tank (LUST) List

The LUST list is a record of reported leaking underground storage tank incidents. The LUST list may also identify properties that have had soil and/or groundwater contamination associated with documented releases from aboveground storage tanks, surface spills, and other sources. The OCP Cases database is an inventory of cases monitored by the MDE OCP. These cases can be leaking underground storage tanks and other belowground releases, leaking aboveground storage tanks, spills, inspections, or other compliance actions.

A total of 39 LUST/OCP cases were identified within the specified search radius. Two LUST facilities were identified in close proximity to the subject site:

- Gaithersburg High School at 314 S. Frederick Avenue is located approximately 0.02 miles southwest and topographically downgradient from the subject. According to the report, the case is listed as "closed" with no release reported. It should also be noted the school site has since been redeveloped with a new school, replacing the old school. Based on the lack of reported release and case closure, this listing is not considered to be a REC to the site.
- DR Wilson Rental Property at 208 S. Frederick Ave is located approximately 0.11 miles northwest and topographically downgradient from the subject. According to the report, one case is associated with an AST leak. Based on distance, topography, and case closure, this listing is not considered to be a REC to the site.

Based on distance, topography, and/or case closure the remaining OCP listings are not considered to be a REC to the site.

5.2.3 Registered Underground Storage Tank (UST) List

The Registered UST List inventories underground storage tanks registered with the state. This list does not identify USTs that have not been registered or are exempt, such as home heating oil tanks and other unregulated tanks.

Seven registered UST/AST facilities were identified within the search radius; the closest of these are discussed as follows:

- Gaithersburg High School at 314 S. Frederick Avenue is located approximately 0.02 miles southwest and topographically downgradient from the subject. According to the report, two 20,000-gallon heating oil USTs, one 275-gallon waste oil UST, and one 1,000-gallon gasoline UST are listed as permanently out of use. This facility was also listed on the OCP database and previously discussed.
- St. Martin's Church at 201 S. Frederick Avenue is located approximately 0.12 miles northwest and topographically downgradient from the subject. According to the report, one 500-gallon



heating oil UST is listed as permanently out of use. Based on distance and topographic position relative to the site this listing is not considered to be a REC to the site.

Based on distance and/or topography, the remaining UST listings are not considered to be a REC to the site.

5.2.4 State Responsible Party Voluntary Action (VCP) Sites

The VCP database is a listing of sites for which the responsible parties wish to remediate voluntarily.

One VCP site is plotted within the search radius:

- Gaithersburg Y Site at 200 Olde Town Avenue is located approximately 0.22 miles northwest and topographically downgradient from the subject. This site is currently implementing a Response Action Plan (RAP) including soil removal and an engineered cap due to soil and groundwater contamination from the historic railroad use of the property. Based on distance, MDE involvement, and topographic position relative to the site, this listing is not considered a REC to the subject.

5.3 Additional Environmental Record Sources

5.3.1 Additional Non-ASTM Federal Databases

5.3.2 Additional Non-ASTM State Databases

5.3.3 Other Proprietary Databases

5.3.4 Unmapped (Orphan) Facilities and Sites

Several properties were identified on the Orphan Summary List. These facilities are considered as unmappable because the facility information in the database is insufficient and does not report accurate facility location. Five properties were identified, but are not considered RECs to the site based on distance, topographic position to the site, and/or regulatory status.

6.0 HISTORICAL USE INFORMATION

6.1 Aerial Photograph Review

ECS reviewed aerial photographs of the subject property and immediately surrounding properties for evidence of former usage which may indicate potential environmental issues. The aerial photographs were obtained from www.historicaerials.com. The aerial photographs reviewed are dated 1957, 1963, 1970, 1993, 2005, 2006, 2007, 2009, 2011, and 2013. Aerial photographs dated prior to 1957 were not available for review from this source. The ECS review is dependent on the quality and scale of the photographs.

Year(s)	Subject Property	Adjoining Properties	REC? (yes or no)
1957-1970	One residence is apparent on the site, fronting S. Frederick Avenue.	Residences are located to the northwest, east, and southeast. A road is located to the southwest, followed by a house or church.	No
1993-2013	One residence remains onsite. The driveway has been expanded to accommodate a parking lot, with a shed on the northern portion of the property.	Adjoining properties appear relatively unchanged with exception to the widening of MD-355 and expansion of the church to the southwest.	No

6.2 Sanborn Fire Insurance Map Review

In an effort to identify past uses, ECS reviewed EDR for information regarding the subject property and surrounding area. Historic SanbornTM Fire Insurance Maps (Sanborns) dated 1930 and 1949 provided coverage of the subject property area. A copy of the EDR Sanborn report is included in Appendix IV. The following is a description of relevant information from the Sanborns:

Year(s)	Subject Property	Adjoining Properties	REC? (yes or no)
1930	Site not illustrated (partial map)	Property further to the northwest is shown to be a school; however, no other properties are illustrated.	No
1949	The site is illustrated as a vacant lot.	Surrounding properties are either vacant lots or residential lots. A church is shown to the southwest.	No

6.3 Property Tax Files

Property tax files may include records of past ownership, appraisals, maps, sketches, photos or other information kept by the local jurisdiction for property tax assessment purposes. According to the Montgomery County tax assessor on-line information, the subject property is owned by Paradise Point, LLC. The subject property is listed as a 0.29-acre parcel with an identification number of Parcel P417. Additionally, the on-site building is reported as being constructed in 1952 and contains 1,112 square feet of space.

6.4 Recorded Land Title Records

Recorded land title records may include leases, land contracts, and AULs recorded by the local jurisdiction. Land title records may provide only a list of the names of previous owners and may be of limited use; however, they may provide useful information about uses or occupancy of the property when employed in combination with other sources.

ECS was provided with a title abstract indicating the property was recently foreclosed upon.

6.5 Historical USGS Topographic Maps

Topographic maps are produced by the United States Geological Survey (USGS) for various time periods. ECS reviewed Historical Topographic Maps depicting the subject property covering the following years: 1950, 1955, 1960, 1965, 1972, and 1979.

Year(s)	Subject Property	Adjoining Properties	REC? (yes or no)
1950-1955	The site is illustrated as wooded land.	The immediate surrounding area to the northwest and east is wooded with residential properties to the northeast and a church to the southwest.	No
1960-1979	The site is illustrated as pink with no specific features or buildings plotted, indicating the residential/urban nature of the area.	The surrounding area is illustrated as pink, indicating the residential/urban nature of the area.	No

6.6 City Directory Review

One of the ASTM standard historic sources to be reviewed for previous subject property uses are local street directories, commonly known as City Directories. The purpose of the directory review is to identify past occupants of the subject property, adjoining properties, or nearby properties. In some rural areas, street directories information is limited.

ECS reviewed city directories obtained from EDR. The directories reviewed are dated 1976, 1981, 1986, 1992, 1995, 1999, 2003, 2008, and 2013. Directories dated prior to 1976 were not available for review from this source. The directories reviewed prior to 1986 did not provide listings for the subject property.

Year(s)	Subject Property	Adjoining Properties	REC? (yes or no)
1976-1981	"xxxx" (unlisted)	301, 305- residential owners	No
1986	Kieth Sakelhide	residential owners	No
1992	Massad Heidary	residential owners	No
1999	"Occupant Unknown"	residential owners	No
2003	Mats Zonozi Newton Design Center	residential 309-Rauls Tailoring Shop	No
2008	Mike Heidary Perfect Setting Design, Inc.	305- Irani Yellowpages.com 301-Law offices	No
2013	Mike Heidary	301-Law offices 305-Deryoush Tehrani, FARRCO	No

6.7 Building Department Records

The term building department records means those records of the local government indicating permissions of the local government to construct, alter or demolish improvements on the property.

ECS reviewed Building Department Records from EDR. Records were not indicated for the subject site, with the closest permits found for 301 S. Frederick Avenue associated with tree removal permits.

6.8 Other Historical Sources

Other credible historical sources may be reviewed to identify past uses of the subject property. These sources may include websites, county or state road maps, historical society documents, or local library information.

ECS sent letters to the Montgomery County Department of Environmental Protection (DEP) and Office of Emergency Management and Homeland Security (OEMHS) relative to environmental concerns with the subject. The DEP and OEMHS indicated they did not have files responsive to our request. The agency response letters are included in Appendix II.



6.9 Previous Reports

We have not been provided with environmental or engineering assessment reports for the subject property completed by others, nor has ECS completed similar studies or prior assessments of the subject property.

6.10 Historical Use Summary

According to historical research, the subject property was developed with the current structure in 1952. It appears that the structure was originally utilized as a residence and later converted to a restaurant. A design center was also present between 2003 and 2008. Neighboring property was likewise predominantly residential with a tailor shop and law offices in recent years.

No obvious indications of RECs were identified in the historical data review.

7.0 SITE AND AREA RECONNAISSANCE

7.1 Methodology

Erik Schaberl of ECS conducted the field reconnaissance on February 25, 2016. The weather at the time of the reconnaissance was clear and cool. Observations were made from a walking reconnaissance around the perimeter, around the buildings, through the buildings and along several transects across the subject property. Access or visibility limitations, if any, are discussed in Section 2.6. Subject property photographs are included in Appendix V.

7.2 On-Site Features

The subject property contains the former 355-Grill. The subject property consists of a one-story restaurant building, storage shed, paved and landscaped areas. The building was reportedly constructed in 1952 and contains approximately 1,112 square feet. The building contains a dining area, a kitchen with food preparation areas, food storage areas and restrooms. Sink drains located in the kitchen reportedly discharge into an on-site grease trap prior to discharge to the sanitary sewer system. Municipal water and sewer are provided to the subject property. The building is heated with natural gas.

The table below lists pertinent features of interest that were identified on the subject property. Relevant information regarding these pertinent features is discussed further in this section.

Feature	Yes	No
Underground or aboveground storage tanks		✓
Strong, pungent or noxious odors		✓
Surface waters		✓
Standing pools of liquid likely containing petroleum or hazardous substances		✓
Drums or containers of petroleum or hazardous substances greater than five-gallons		✓
Drums or containers of petroleum or hazardous substances less than or equal to five-gallons	✓	
Unidentified opened or damaged containers of hazardous substances or petroleum products		✓
Known or suspect PCB-containing equipment (excluding light ballasts)		✓
Stains or corrosion to floors, walls or ceilings	✓	
Floor drains and sump pumps		✓
Pits, ponds or lagoons		✓

Feature	Yes	No
Stained soil or pavement		✓
Stressed vegetation		✓
Solid waste mounds or non-natural fill materials		✓
Wastewater discharges into drains, ditches or streams		✓
Groundwater wells including potable, monitoring, dry, irrigation, injections and/or abandoned		✓
Septic systems or cesspools		✓
Elevators		✓
Dry cleaning		✓
Onsite emergency electrical generators		✓
Specialized industrial equipment (paint booths, bag houses, etc.,) on-site		✓
Hydraulic lifts		✓
Oil-water separators		✓
Compressors on-site		✓
Grease traps	✓	

7.2.1 Drums or containers of petroleum or hazardous substances less than or equal to five-gallons

Several containers of grease, cooking oil, cleaners, and other chemicals typical to restaurants was observed in the kitchen area. Although grease was observed on the kitchen flooring, it did not appear to extend outside the structure and is not considered a REC.

In addition, several cans of kerosene were observed in the out-building. We did not observe stains or evidence of release from the containers.

7.2.2 Stains or corrosion to floors, walls or ceilings

Staining was observed on the floors and walls of the kitchen, and appeared to be grease. The staining appeared de minimis and is not considered to be a REC to the site.

7.2.3 Grease traps

The restaurant has a kitchen for preparing food. Sink drains associated with the kitchen appear to be connected to a grease trap prior to discharge to the sanitary sewer system.

7.3 Adjoining and Nearby Properties

Contiguous and nearby properties were observed during a walking and vehicular reconnaissance of the subject property boundary and public places. The subject property is located in a residential and light commercial area of Gaithersburg, Montgomery County, Maryland.

Direction	Description	REC?
North	Law Offices of Stephen Allen	No
East	Residential homes	No
South	Residential homes	No
West	MD-355 followed by a church	No

7.4 Site and Area Reconnaissance Summary

According to our site observations and a review of adjoining and nearby properties, the subject property was last used as a restaurant and the neighboring community is largely residential. Details pertaining to our on-site and off-site observations are referenced previously. We did not identify on-site or off-site RECs associated with the subject property or neighboring properties and businesses during the reconnaissance.

8.0 ADDITIONAL SERVICES

8.1 Non-Scope Issues

ASTM guidelines identify non-scope issues, which are beyond the scope of this practice. Non-scope issues have the potential to be business environmental risks. Some of these non-scope issues include; asbestos-containing building materials, radon, lead-based paint, lead in drinking water, wetlands and mold.

We were authorized to conduct a hazmat survey consisting of an asbestos and lead-based paint (LBP) survey; the findings are reported under separate cover. Asbestos was detected in the roofing caulk. In addition, lead was detected in the ceramic floor tile glazing.

9.0 INTERVIEWS

ECS interviewed, Mr. Robert Haddad, representative for the current owner of the site. Reportedly, Mr. Haddad recently acquired the site from a foreclosure sale and has not been to the property nor is he aware of any environmental issues with the subject site.

ECS interviewed Ms. Sharon Disque with the City of Gaithersburg. Ms. Disque indicated the site was formerly a restaurant that was foreclosed upon and is not aware of environmental concerns with the site. It is the City's intention to demolish the structure.

10.0 FINDINGS AND CONCLUSIONS

ECS Mid-Atlantic, LLC (ECS) was contracted by the City of Gaithersburg to perform an ASTM E1527-13, Phase I Environmental Site Assessment (ESA) of the Former Restaurant located at 303 South Frederick Avenue in Gaithersburg, Montgomery County, Maryland (i.e. subject property). This Executive Summary is an integral part of the Phase I ESA report. ECS recommends that the report be read in its entirety.

The subject property is identified by the Maryland Department of Assessment and Taxation (MDAT) on Montgomery County Tax Map FT51, Parcel P417 and owned by Paradise Point, LLC. The approximately 0.29-acre subject property is occupied by a 1,112 square foot building last used as a restaurant. The subject property is serviced by municipal water and sanitary sewer. The building is heated with natural gas.

The subject property is located in a residential and commercial area of Gaithersburg. The subject property is bound on the north by a law office; to the east and south by residential homes; and to the southwest by South Frederick Avenue (MD-355) followed by a church. We did not identify adjoining or nearby properties that are considered a Recognized Environmental Condition (REC) of the subject property.

According to historical research, the subject property was developed with the current structure in 1952. It appears that the structure was originally utilized as a residence and later converted to a restaurant. Our review of historical information for adjoining or nearby properties identified the area as originally residential that transitioned to partially commercial. No obvious indications of RECs were identified in the historical data review.

A regulatory database search report was provided by EDR. The database search involves researching a series of Federal, State, Local, and other databases for facilities and properties that are located within specified minimum search distances from the subject property. The report did not identify the subject property on the databases researched. The EDR report identified several off-site properties within the minimum ASTM search distances. Based on our review of available public records, none of the listings are believed to represent a REC for the subject property.

ASTM E1527-13 defines a "data gap" as: "a lack of or inability to obtain information required by this practice despite good faith efforts by the environmental professional to gather such information". Data gaps which would be expected to impact our ability to render a professional opinion concerning the subject property were not identified.

We have performed a Phase I Environmental Site Assessment in general conformance with the scope and limitations of ASTM E1527-13 of the Former Restaurant located at 303 South Frederick Avenue in Gaithersburg, Montgomery County, Maryland. Exceptions to, or deletions from, this practice are described in Section 2.6 of this report.

- This assessment has revealed no evidence of recognized environmental conditions in connection with the property.

We note the following Business Environmental Risk (BER):



- A hazardous materials survey was conducted concurrently with this Phase I ESA and is reported under separate cover. Asbestos Containing Materials (ACM) in the form of roof caulking and Lead Based Paint (ceramic floor tile glazing) were identified. Recommendations pertaining to the abatement of these materials during demolition are provided in the report.

11.0 REFERENCES

ASTM E1527-13. Standard Practice for Environmental Site Assessment, Phase I Environmental Site Assessment Process;

Environmental Data Resources, Inc., The EDR Radius Map Report, dated February 18, 2016;

Environmental Data Resources, Inc., Certified Sanborn Map Report (years 1930 and 1949), dated February 18, 2016;

USGS Topographic Map, Gaithersburg, Maryland Quadrangle, dated 1979;

www.historicaerials.com.

Appendix I: Figures



Figure 1: Site Location Map

Former Restaurant
303 S. Frederick Avenue
Gaithersburg, MD 20877
ECS Project No. 47:1465



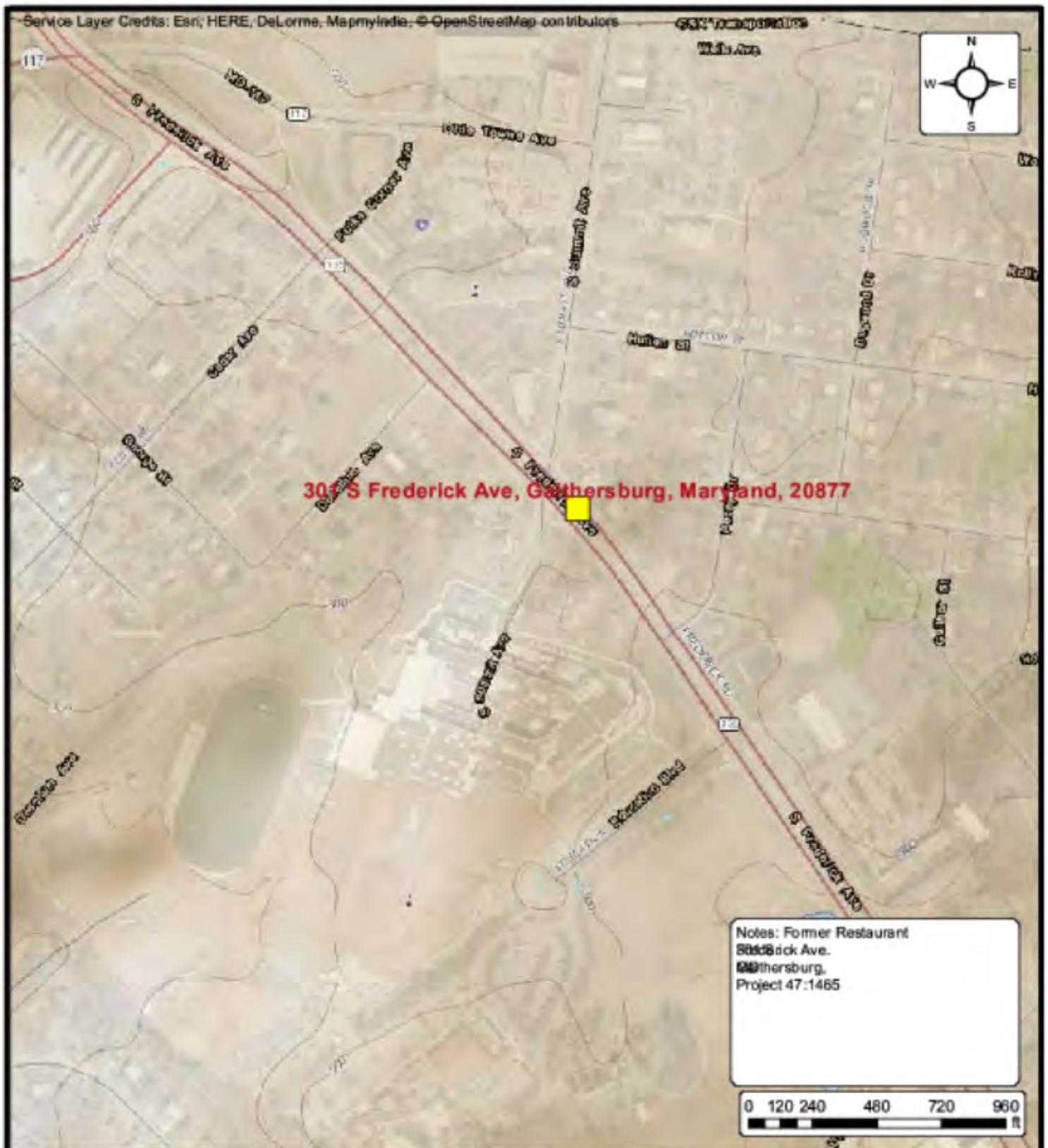


Figure 2:Topo Excerpt



ENGINEER	
SCALE	1" = 500'
PROJECT NO.	
SHEET	1 OF 1
DATE	3/9/2016

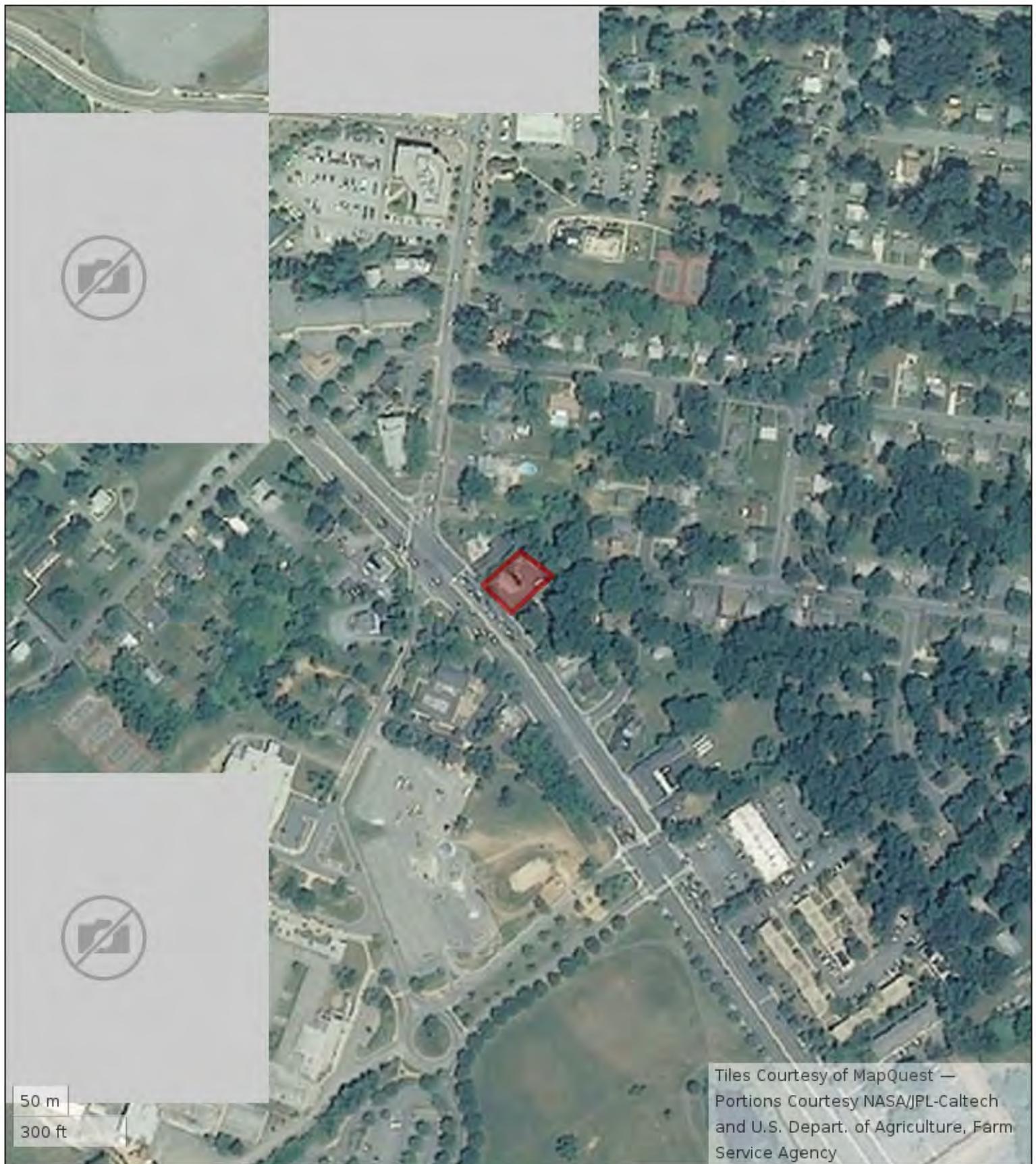


Figure 3: Aerial Photograph Excerpt
Former Restaurant
303 S. Frederick Avenue
Gaithersburg, MD 20877
ECS Project No. 47:1465



Appendix II: Correspondence and User Questionnaire



Environmental Questionnaire for User

Completion required for conformance with ASTM E 1527-13. Failure to provide this information may preclude CERCLA liability protections for the property purchaser. Please return answered form to ECS.

Site Name: 303 South Frederick Avenue, Gaithersburg, MD 20877

Name and Title of Person Completing Questionnaire (Please Print):

Sharon Disque, Business Services Coordinator

Signature of Person Completing Questionnaire:

Date: _____

Name of Your Company and Your Contact Number (Please Print):

City of Gaithersburg, 301-258-6310 ext. 2128

ASTM E 1527-13 indicates that, "Either the user shall make known to the environmental professional the reason why the user wants to have the Phase I Environmental Site Assessment performed or, if the user does not identify the purpose of the Phase I Environmental Site Assessment, the environmental professional shall assume the purpose is to qualify for an LLP to CERCLA liability and state this in the report." As the user of this ESA, what is the reason for conducting the Phase I ESA? If this question is unanswered, ECS will assume that the user's reason for the ESA is to qualify for landowner liability protections to CERCLA liability.

Please state reason for having ESA performed: Due diligence prior to acquisition of property

Will you provide Property Title Records and a Legal Description to ECS?

Please select one: NO YES

Will you provide a 50-year chain of title abstract to ECS?

Please select one: NO YES

Please Send Information Promptly

(1a.) **Environmental liens that are filed or recorded against the site (40 CFR 312.25).** ASTM E 1527-13 states that the user should perform a review of recorded land title records and judicial records for environmental liens or activity and use limitations for the site. Please forward the results of the land title record and judicial record review. If you would prefer, ECS can obtain this information from a third party provider for **an additional fee**. Please let ECS know if you would like to contract ECS for this service.

Please select one: Client to Provide ECS to Provide for Additional Fee

(1b.) 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 activity use limitations (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?

Please select one: **NO** **YES**

If yes, please explain: _____

(2.) Specialized knowledge - 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?

Please select one: **NO** **YES**

If yes, please explain: _____

(3.) Commonly known or reasonably ascertainable information about the property (40 CFR 312.30). Are you aware of commonly known or reasonably ascertainable information about the property that would help the environmental professional to identify conditions indicative of releases or threatened releases? For example:

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

Please select one: **NO** **YES**

If yes, please state uses: Restaurant

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

Please select one: **NO** **YES**

If yes, please explain: _____

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

Please select one: **NO** **YES**

If yes, please explain: _____

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

Please select one: **NO** **YES**

If yes, please explain: _____

(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?

Please select one: NO YES

If no, please explain: Seller acquired property via tax sale / foreclosure.

If you are aware that there is a difference, is the lower purchase price because contamination is known or believed to be present at the property?

Please select one: NO YES

If yes, please explain: _____

(5.) Parcel Property Owner(s) & Contact Number(s):

A. Robert Haddad, Paradise Point, LLC; 301-383-8000; rhaddad@paradisepoint.biz

B. _____

C. _____

D. _____

Property Manager and Occupant(s) & Contact Number(s)

Property Manager: none

Occupant/Tenant: none

Occupant/Tenant: _____

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

Please select one: NO YES

If yes, please explain: Prior owner had multiple code violations. Trespassing activity since foreclosure.

ECS MID-ATLANTIC, LLC TERMS AND CONDITIONS OF SERVICE

The professional services (the "Services") to be provided by ECS MID-ATLANTIC, LLC ["ECS"] pursuant to the Proposal shall be provided in accordance with these Terms and Conditions of Service ("Terms"), including any addenda as may be incorporated or referenced in writing shall form the Agreement between ECS and Client.

1.0 INDEPENDENT CONSULTANT STATUS - ECS shall serve as an independent professional consultant to CLIENT for Service on the Project, identified above, and shall have control over, and responsibility for, the means and methods for providing the Services identified in the Proposal, including the retention of Subcontractors and Subconsultants

2.0 SCOPE OF SERVICES - It is understood that the fees, reimbursable expenses and time schedule defined in the Proposal are based on information provided by CLIENT and/or CLIENT'S contractors and consultants. CLIENT acknowledges that if this information is not current, is incomplete or inaccurate, if conditions are discovered that could not be reasonably foreseen, or if CLIENT orders additional services, the scope of services will change, even while the Services are in progress.

3.0 STANDARD OF CARE

3.1 In fulfilling its obligations and responsibilities enumerated in the Proposal, ECS shall be expected to comply with and its performance evaluated in light of the standard of care expected of professionals in the industry performing similar services on projects of like size and complexity at that time in the region (the "Standard of Care"). Nothing contained in the Proposal, the agreed-upon scope of Services, these Terms and Conditions of Service or any ECS report, opinion, plan or other document prepared by ECS shall constitute a warranty or guaranty of any nature whatsoever.

3.2 CLIENT understands and agrees that ECS will rely on the facts learned from data gathered during performance of Services as well as those facts provided by the CLIENT. CLIENT acknowledges that such data collection is limited to specific areas that are sampled, bored, tested, observed and/or evaluated. Consequently, CLIENT waives any and all claims based upon erroneous facts provided by the CLIENT, facts subsequently learned or regarding conditions in areas not specifically sampled, bored, tested, observed or evaluated by ECS.

3.3 If a situation arises that causes ECS to believe compliance with CLIENT'S directives would be contrary to sound engineering practices, would violate applicable laws, regulations or codes, or will expose ECS to legal claims or charges, ECS shall so advise CLIENT. If ECS' professional judgment is rejected, ECS shall have the right to terminate its Services in accordance with the provisions of Section 25.0, below.

3.4 If CLIENT decides to disregard ECS' recommendations with respect to complying with applicable Laws or Regulations, ECS shall determine if applicable law requires ECS to notify the appropriate public officials. CLIENT agrees that such determinations are ECS' sole right to make.

4.0 CLIENT DISCLOSURES

4.1 Where the Scope of Services requires ECS to penetrate a Site surface, CLIENT shall furnish and/or shall direct CLIENT'S consultant(s) or agent(s) to furnish ECS information identifying the type and location of utility lines and other man-made objects known, suspected, or assumed to be located beneath or behind the Site's surface. ECS shall be entitled to rely on such information for completeness and accuracy without further investigation, analysis, or evaluation.

4.2 "Hazardous Materials" shall include but not be limited to any substance that poses or may pose a present or potential hazard to human health or the environment whether contained in a product, material, by-product, waste, or sample, and whether it exists in a solid, liquid, semi-solid or gaseous form. CLIENT shall notify ECS of any known, assumed, or suspected regulated, contaminated, or other similar Hazardous Materials that may exist at the Site prior to ECS mobilizing to the Site.

4.3 If any Hazardous Materials are discovered, or are reasonably suspected by ECS after its Services begin, ECS shall be entitled to amend the scope of Services and adjust its fees to reflect the additional work or personal protective equipment and/or safety precautions required by the existence of such Hazardous Materials.

5.0 INFORMATION PROVIDED BY OTHERS - CLIENT waives, releases and discharges ECS from and against any claim for damage, injury or loss allegedly arising out of or in connection with errors, omissions, or inaccuracies in documents and other information in any form provided to ECS by CLIENT or CLIENT'S agents, contractors, or consultants, including such information that becomes incorporated into ECS documents.

6.0 CONCEALED RISKS - CLIENT acknowledges that special risks are inherent in sampling, testing and/or evaluating concealed conditions that are hidden from view and/or neither readily apparent nor easily accessible, e.g., subsurface conditions, conditions behind a wall, beneath a floor, or above a ceiling. Such circumstances require that certain assumptions be made regarding existing conditions, which may not be verifiable without expending additional sums of money or destroying otherwise adequate or serviceable portions of a building or component thereof. Accordingly, ECS shall not be responsible for the verification of such conditions unless verification can be made by simple visual observation. Client agrees to bear any and all costs, losses, damages and expenses (including, but not limited to, the cost of ECS' Additional Services) in any way arising from or in connection with the existence or discovery of such concealed or unknown conditions.

7.0 RIGHT OF ENTRY/DAMAGE RESULTING FROM SERVICES

7.1 CLIENT warrants that it possesses the authority to grant ECS right of entry to the Site for the performance of Services. CLIENT hereby grants ECS and its subcontractors and/or agents, the right to enter from time to time onto the property

in order for ECS to perform its Services. CLIENT agrees to indemnify and hold ECS harmless from any claims arising from allegations that ECS trespassed or lacked authority to access the Site.

7.2 CLIENT warrants that it possesses all necessary permits, licenses and/or utility clearances for the Services to be provided by ECS except where ECS' Proposal explicitly states that ECS will obtain such permits, licenses, and/or utility clearances.

7.3 ECS will take reasonable precautions to limit damage to the Site and its improvements during the performance of its Services. CLIENT understands that the use of exploration, boring, sampling, or testing equipment may cause minor, but common, damage to the Site. The correction and restoration of such common damage is CLIENT'S responsibility unless specifically included in ECS' Proposal.

7.4 CLIENT agrees that it will not bring any claims for liability or for injury or loss against ECS arising from (i) procedures associated with the exploration, sampling or testing activities at the Site, (ii) discovery of Hazardous Materials or suspected Hazardous Materials, or (iii) ECS' findings, conclusions, opinions, recommendations, plans, and/or specifications related to discovery of contamination.

8.0 UNDERGROUND UTILITIES

8.1 ECS shall exercise the Standard of Care in evaluating client-furnished information as well as information readily and customarily available from public utility locating services (the "Underground Utility Information") in its effort to identify underground utilities. The extent of such evaluations shall be at ECS' sole discretion.

8.2 CLIENT recognizes that the Underground Utility Information provided to or obtained by ECS may contain errors or be incomplete. CLIENT understands that ECS may be unable to identify the locations of all subsurface utility lines and man-made features.

8.3 CLIENT waives, releases, and discharges ECS from and against any claim for damage, injury or loss allegedly arising from or related to subterranean structures (pipes, tanks, cables, or other utilities, etc.) which are not called to ECS' attention in writing by CLIENT, not correctly shown on the Underground Utility Information and/or not properly marked or located by the utility owners, governmental or quasi-governmental locators, or private utility locating services as a result of ECS' or ECS' subcontractor's request for utility marking services made in accordance with local industry standards.

9.0 SAMPLES

9.1 Soil, rock, water, building materials and/or other samples and sampling by-products obtained from the Site are and remain the property of CLIENT. Unless other arrangements are requested by CLIENT and mutually agreed upon by ECS in writing, ECS will retain samples not consumed in laboratory testing for up to sixty (60) calendar days after the issuance of any document containing data obtained from such samples. Samples consumed by laboratory testing procedures will not be stored.

9.2 Unless CLIENT directs otherwise, and excluding those issues covered in Section 10.0, CLIENT authorizes ECS to dispose of CLIENT'S non-hazardous samples and sampling or testing process by-products in accordance with applicable laws and regulations.

10.0 ENVIRONMENTAL RISKS

10.1 When Hazardous Materials are known, assumed, suspected to exist, or discovered at the Site, ECS will endeavor to protect its employees and address public health, safety, and environmental issues in accordance with the Standard of Care. CLIENT agrees to compensate ECS for such efforts.

10.2 When Hazardous Materials are known, assumed, or suspected to exist, or discovered at the Site, ECS and/or ECS' subcontractors will exercise the Standard of Care in containerizing and labeling such Hazardous Materials in accordance with applicable laws and regulations, and will leave the containers on Site. CLIENT is responsible for the retrieval, removal, transport and disposal of such contaminated samples, and sampling process byproducts in accordance with applicable law and regulation.

10.3 Unless explicitly stated in the Scope of Services, ECS will neither subcontract for nor arrange for the transport, disposal, or treatment of Hazardous Materials. At CLIENT'S written request, ECS may assist CLIENT in identifying appropriate alternatives for transport, off-site treatment, storage, or disposal of such substances, but CLIENT shall be solely responsible for the final selection of methods and firms to provide such services. CLIENT shall sign all manifests for the disposal of substances affected by contaminants and shall otherwise exercise prudence in arranging for lawful disposal.

10.4 In those instances where ECS is expressly retained by CLIENT to assist CLIENT in the disposal of Hazardous Materials, samples, or wastes as part of the Proposal, ECS shall do so only as CLIENT'S agent (notwithstanding any other provision of this AGREEMENT to the contrary). ECS will not assume the role of, nor be considered a generator, storer, transporter, or disposer of Hazardous Materials.

10.5 Subsurface sampling may result in unavoidable cross-contamination of certain subsurface areas, as when a probe or excavation/boring device moves through a contaminated zone and links it to an aquifer, underground stream, pervious soil stratum, or other hydrous body not previously contaminated, or connects an uncontaminated zone with a contaminated zone. Because sampling is an essential element of the Services indicated herein, CLIENT agrees this risk cannot be eliminated. Provided such services were performed in accordance with the Standard of Care, CLIENT waives, releases and discharges ECS from and against



DEPARTMENT OF ENVIRONMENTAL PROTECTION

Isiah Leggett
County Executive

Lisa Feldt
Director

February 25, 2016

ECS Mid-Atlantic, LLC.
Eric J. Schaberl
5112 Pegasus Court Suite S
Frederick, Maryland 21704

Records requested: 303 South Frederick Ave Gaithersburg, Maryland

Dear Mr. Schaberl:

Thank you for contacting the Department of Environmental Protection (DEP) regarding your request for public records. Your request was received on February 23, 2016.

In response to your request, we conducted a search of the records for which DEP is the custodian. No records responsive to your request were found.

The DEP does not issue well permits, underground storage tank permits or other permits associated with the storage, treatment or discharge of wastewater or hazardous materials. While we are sometimes notified of problems associated with these incidents, actual permit activities are within the jurisdiction of the Maryland Department of the Environment (MDE). You may contact MDE at 1-800-633-6101 or 410-537-3000 to obtain more information. DEP records indicate several Brownfields sites are located in Montgomery County. Since the Brownfields program is administered by MDE, please contact them at the numbers referenced above for further information. In addition, you may contact the Montgomery County Office of Emergency Management and Homeland Security at 240-777-2300 for information on the storage of hazardous materials and aboveground storage tanks.

If you have any questions concerning the information contained in this letter, please feel free to contact me at 240-777-7746 or by email at steve.martin@montgomerycountymd.gov.

Sincerely,

A handwritten signature in black ink that reads "Steven C. Martin".

Steve Martin, MPIA Liaison
Montgomery County DEP

#1465

255 Rockville Pike, Suite 120 • Rockville, Maryland 20850 • 240-777-0311
www.montgomerycountymd.gov/dep



OFFICE OF EMERGENCY MANAGEMENT
AND HOMELAND SECURITY

Isiah Leggett
County Executive

Earl Stoddard, Ph.D., M.P.H.
Director

March 3, 2016

Erik J. Schaberl
ECS Mid-Atlantic, LLC
5112 Pegasus Court
Suite S
Frederick, MD 21704

Dear Mr. Schaberl:

In response to your inquiry, the Office of Emergency Management and Homeland Security is the administrative office for the Local Emergency Planning Council (LEPC) for Hazardous Materials regulation. In accordance with the Emergency Planning and Community Right-to-Know Act of 1986 (Title III of the Superfund Amendments and Reauthorization Act of 1986), the Montgomery County LEPC was appointed in 1986 and complies with the reporting requirements of that federal law.

A review of our records for the following property address reveals that our records for:

10401 Motor City Drive, Bethesda, MD
18200 and 18250 Flower Hill Way, Gaithersburg, MD

Have a current Hazardous Materials Use Permit.

- Do indicate that the facility has provided notification information under Section 302 of SARA Title III.
- Do indicate the use, handling, manufacturing, processing, or storage of hazardous materials as defined by Montgomery County Executive Regulation 3-12, which amends Chapter 22, Fire Safety Code. This regulation requires that facilities possessing hazardous materials obtain an annual Hazardous Materials Use Certificate.

15204 Omega Drive, Rockville, MD
4901 Brookeville Road, Brookeville, MD
Former Garden Restaurant, 303 South Frederick Avenue, Gaithersburg, MD

- Do not indicate that the facility has provided notification information under Section 302 of SARA Title III.
- Do not indicate the use, handling, manufacturing, processing, or storage of hazardous materials as defined by Montgomery County Executive Regulation 17-03, which amends Chapter 22, Fire Safety Code. This regulation requires that facilities possessing hazardous materials obtain an annual Hazardous Materials Use Certificate.

Information regarding underground storage tanks or accidental releases may be obtained from the Montgomery County Department of Environmental Protection at (240) 777-2380, or the State of Maryland Department of the Environment, 1800 Washington Blvd., Suite 540, Baltimore, Maryland 21230-1719.

To receive information concerning any response by the Montgomery County Fire & Rescue Service, please contact Debi Messett at (240) 777-2418.

#1524

If we may be of further assistance you may contact our office at (240) 777-0311. In the future, please send all correspondence to the Office of Emergency Management and Homeland Security, Attn: Hazmat Permitting, 100 Edison Park Drive, Suite 1S31, Gaithersburg, MD 20878.

Sincerely,

A handwritten signature in blue ink that reads "Barbara Moore". The signature is fluid and cursive, with a large initial "B" and "M".

Barbara Moore
Hazmat Permitting Program Specialist

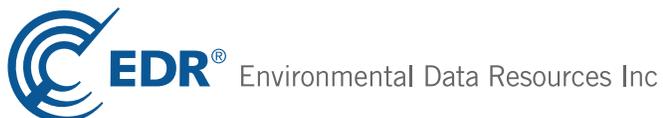
cc: file

Appendix III: Regulatory Records Documentation

Former Garden Restaurant
303 South Frederick Ave
GAITHERSBURG, MD 20877

Inquiry Number: 4541796.2s
February 18, 2016

FirstSearch Report



6 Armstrong Road, 4th floor
Shelton, CT 06484
Toll Free: 800.352.0050
www.edrnet.com

Search Summary Report

**TARGET SITE 303 SOUTH FREDERICK AVE
GAITHERSBURG, MD 20877**

Category	Sel	Site	1/8	1/4	1/2	> 1/2	ZIP	TOTALS
<i>NPL</i>	Y	0	0	0	0	0	0	0
<i>NPL Delisted</i>	Y	0	0	0	0	0	0	0
<i>CERCLIS</i>	Y	0	0	0	0	-	0	0
<i>NFRAP</i>	Y	0	0	0	0	-	0	0
<i>RCRA COR ACT</i>	Y	0	0	0	0	0	0	0
<i>RCRA TSD</i>	Y	0	0	0	0	-	0	0
<i>RCRA GEN</i>	Y	0	1	3	-	-	0	4
<i>Federal IC / EC</i>	Y	0	0	0	0	-	0	0
<i>ERNS</i>	Y	0	-	-	-	-	0	0
<i>State/Tribal CERCLIS</i>	Y	0	0	0	0	1	0	1
<i>State/Tribal SWL</i>	Y	0	0	0	0	-	0	0
<i>State/Tribal LTANKS</i>	Y	0	4	5	30	-	5	44
<i>State/Tribal Tanks</i>	Y	0	3	4	-	-	0	7
<i>State/Tribal VCP</i>	Y	0	0	1	0	-	0	1
<i>ST/Tribal Brownfields</i>	Y	0	0	0	0	-	0	0
<i>US Brownfields</i>	Y	0	0	0	0	-	0	0
<i>Other Haz Sites</i>	Y	0	-	-	-	-	0	0
<i>Spills</i>	Y	0	-	-	-	-	0	0
<i>Other</i>	Y	0	0	0	-	-	0	0
- Totals --		0	8	13	30	1	5	57

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Search Summary Report

**TARGET SITE: 303 SOUTH FREDERICK AVE
GAITHERSBURG, MD 20877**

Category	Database	Update	Radius	Site	1/8	1/4	1/2	> 1/2	ZIP	TOTALS
NPL	NPL	10/30/2015	1.000	0	0	0	0	0	0	0
	Proposed NPL	10/30/2015	1.000	0	0	0	0	0	0	0
NPL Delisted	Delisted NPL	10/30/2015	1.000	0	0	0	0	0	0	0
CERCLIS	CERCLIS	10/25/2013	0.500	0	0	0	0	-	0	0
NFRAP	CERCLIS-NFRAP	10/25/2013	0.500	0	0	0	0	-	0	0
RCRA COR ACT	CORRACTS	06/09/2015	1.000	0	0	0	0	0	0	0
RCRA TSD	RCRA-TSDF	06/09/2015	0.500	0	0	0	0	-	0	0
RCRA GEN	RCRA-LQG	06/09/2015	0.250	0	0	0	-	-	0	0
	RCRA-SQG	06/09/2015	0.250	0	0	2	-	-	0	2
	RCRA-CESQG	06/09/2015	0.250	0	1	1	-	-	0	2
Federal IC / EC	US ENG CONTROLS	09/10/2015	0.500	0	0	0	0	-	0	0
	US INST CONTROL	09/10/2015	0.500	0	0	0	0	-	0	0
ERNS	ERNS	06/22/2015	TP	0	-	-	-	-	0	0
State/Tribal CERCLIS	SHWS	10/01/2009	1.000	0	0	0	0	1	0	1
State/Tribal SWL	SWF/LF	11/24/2015	0.500	0	0	0	0	-	0	0
State/Tribal LTANKS	INDIAN LUST	10/27/2015	0.500	0	0	0	0	-	0	0
	OCPCASES	06/03/2015	0.500	0	4	5	30	-	5	44
State/Tribal Tanks	UST	06/03/2015	0.250	0	3	4	-	-	0	7
	AST	12/31/2014	0.250	0	0	0	-	-	0	0
	INDIAN UST	10/20/2015	0.250	0	0	0	-	-	0	0
State/Tribal VCP	VCP	12/16/2015	0.500	0	0	1	0	-	0	1
ST/Tribal Brownfields	BROWNFIELDS	10/01/2015	0.500	0	0	0	0	-	0	0
US Brownfields	US BROWNFIELDS	09/21/2015	0.500	0	0	0	0	-	0	0
Other Haz Sites	US CDL	08/12/2015	TP	0	-	-	-	-	0	0

Search Summary Report

**TARGET SITE: 303 SOUTH FREDERICK AVE
GAITHERSBURG, MD 20877**

Category	Database	Update	Radius	Site	1/8	1/4	1/2	> 1/2	ZIP	TOTALS
Spills	HMIRS	06/24/2015	TP	0	-	-	-	-	0	0
	SPILLS 90	07/15/2012	TP	0	-	-	-	-	0	0
Other	RCRA NonGen / NLR	06/09/2015	0.250	0	0	0	-	-	0	0
	TSCA	12/31/2012	TP	0	-	-	-	-	0	0
	TRIS	12/31/2013	TP	0	-	-	-	-	0	0
	SSTS	12/31/2009	TP	0	-	-	-	-	0	0
	RAATS	04/17/1995	TP	0	-	-	-	-	0	0
	PRP	10/25/2013	TP	0	-	-	-	-	0	0
	PADS	07/01/2014	TP	0	-	-	-	-	0	0
	ICIS	01/23/2015	TP	0	-	-	-	-	0	0
	FTTS	04/09/2009	TP	0	-	-	-	-	0	0
	MLTS	06/26/2015	TP	0	-	-	-	-	0	0
	RADINFO	07/07/2015	TP	0	-	-	-	-	0	0
	INDIAN RESERV	12/31/2005	1.000	0	0	0	0	0	0	0
	US AIRS	10/20/2015	TP	0	-	-	-	-	0	0
	FINDS	07/20/2015	TP	0	-	-	-	-	0	0
	- Totals --				0	8	13	30	1	5

Target Site Summary Report

Target Property: 303 SOUTH FREDERICK AVE
GAITHERSBURG, MD 20877

JOB: 47 1465

TOTAL: 59

GEOCODED: 54

NON GEOCODED: 5

Map ID	DB Type --ID/Status	Site Name	Address	Dist/Dir	ElevDiff	Page No.
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No sites found for target address

Sites Summary Report

Target Property: 303 SOUTH FREDERICK AVE
GAITHERSBURG, MD 20877

JOB: 47 1465

TOTAL: 59

GEOCODED: 54

NON GEOCODED: 5

Map ID	DB Type --ID/Status	Site Name	Address	Dist/Dir	ElevDiff	Page No.
A1	OCPCASES --CLOSED --99-0683MO2 --07/27/1999	GAITHERSBURG HIGH SCHOOL	314 S FREDERICK AVE GAITHERSBURG, MD 20877	0.02 WSW	- 2	1
A2	UST --10280 --Permanently Out of Use	GAITHERSBURG HIGH SCHOOL	314 SOUTH FREDERICK AVENU GAITHERSBURG, MD 20877	0.02 WSW	- 2	2
A3	MANIFEST --MD0000194217	GAITHERSBURG HIGH SCHOOL	314 S FREDERICK AVENUE GAITHERSBURG, MD 20877	0.02 WSW	- 2	4
A3	RCRA-CESQG --MD0000194217	GAITHERSBURG HIGH SCHOOL	314 S FREDERICK AVENUE GAITHERSBURG, MD 20877	0.02 WSW	- 2	5
B4	OCPCASES --CLOSED --01-1639MO2 --12/17/2004	DR WILSON RENTAL PROPERTY	208 S FREDERICK AVE GAITHERSBURG, MD 20877	0.11 WNW	- 6	7
B5	UST --17456 --Permanently Out of Use	ST. MARTINS CHURCH	201 SOUTH FREDERICK AVENU GAITHERSBURG, MD 20877	0.12 NW	- 6	8
B6	OCPCASES --CLOSED --95-0690MO1 --02/28/1995	ST MARTINS CHURCH	201 S FREDERICK AVE GAITHERSBURG, MD 20877	0.12 NW	- 6	9
C7	OCPCASES --CLOSED --11-0471MO --04/26/2011	CITY OF GAITHERSBURG - CITY HA	31 S SUMMIT AVE GAITHERSBURG, MD 20878	0.12 North	- 9	10
C8	UST --768 --Permanently Out Of Use	CITY HALL	31 S. SUMMIT AVENUE GAITHERSBURG, MD 20878	0.12 North	- 9	11
D9	UST --17446 --Permanently Out of Use	MONTGOMERY CO. OUTHOUSE RENTAL	P. O. BOX 126 GAITHERSBURG, MD 20877	0.18 North	- 7	12

Sites Summary Report

Target Property: 303 SOUTH FREDERICK AVE
GAITHERSBURG, MD 20877

JOB: 47 1465

TOTAL: 59

GEOCODED: 54

NON GEOCODED: 5

Map ID	DB Type --ID/Status	Site Name	Address	Dist/Dir	ElevDiff	Page No.
D10	OCPCASES --CLOSED --99-2834MO2 --10/28/1999	SEASON'S POP SHOPPE	12 S SUMMIT AVE GAITHERSBURG, MD 20877	0.20 North	- 6	13
D11	UST --10216 --Permanently Out of Use	SEASONS POP SHOPPE	12 S. SUMMITT AVE. GAITHERSBURG, MD 20884	0.20 North	- 7	14
D12	OCPCASES --CLOSED --92-0996MO1 --06/11/1993	SEASONS INC	12 S SUMMIT AVE GAITHERSBURG, MD 20877	0.20 North	- 7	15
E13	RCRA-SQG --MDR000520692	GAITHERSBURG POLICE STATION	7 E CEDAR AVE GAITHERSBURG, MD 20877	0.21 WNW	- 20	16
D14	OCPCASES --CLOSED --04-0020MO2 --09-0490MO --91-1585MO --05/03/2005 --02/17/2010 *Additional key fields are available in the Map Findings section	SHELL	15 S SUMMIT AVE GAITHERSBURG, MD 20877	0.21 North	- 3	18
D15	UST --4617 --Currently In Use	PEH, LLC #836	15 SOUTH SUMMIT AVENUE GAITHERSBURG, MD 20877	0.21 North	- 3	19
D16	OCPCASES --CLOSED --97-1672MO2 --04/02/1997	SHELL	15 S SUMMITT AVE GAITHERSBURG, MD 20760	0.21 North	- 3	21
D17	RCRA-SQG --MDR000012682	SHELL OIL COMPANY	15 S SUMMIT AVE GAITHERSBURG, MD 20877	0.21 North	- 3	22
E18	MANIFEST --MDD981113160	AMATUCCI AUTO BODY INC	4 E CEDAR AVE GAITHERSBURG, MD 20877	0.21 NW	- 22	24
E18	RCRA-CESQG --MDD981113160	AMATUCCI AUTO BODY INC	4 E CEDAR AVE GAITHERSBURG, MD 20877	0.21 NW	- 22	32

Sites Summary Report

Target Property: 303 SOUTH FREDERICK AVE
GAITHERSBURG, MD 20877

JOB: 47 1465

TOTAL: 59

GEOCODED: 54

NON GEOCODED: 5

Map ID	DB Type --ID/Status	Site Name	Address	Dist/Dir	ElevDiff	Page No.
D19	UST --9265 --Permanently Out of Use	SOUTHERN STATES FREDERICK PETR	8 S. SUMMITT AVE. GAITHERSBURG, MD 20877	0.21 North	- 6	35
20	VCP	GAITHERSBURG Y SITE	200 OLDE TOWNE AVENUE GAITHERSBURG, MD 20877	0.22 NNW	- 9	39
21	OCPCASES --CLOSED --96-0263MO2 --9-0527MO2 --05/04/2000	SOUTHERN STATES	8 S SUMMIT AVE GAITHERSBURG, MD 20877	0.23 North	- 1	40
22	OCPCASES --CLOSED --11-0598MO --12-0322MO --07/26/2011 --01/18/2012	ARCHSTONE APARTMENTS	307 E DIAMOND AVE GAITHERSBURG, MD 20879	0.29 North	+ 3	41
23	OCPCASES --CLOSED --95-0688MO1 --11/16/1994	THE GRAINERY	317 E DIAMOND AVE GAITHERSBURG, MD 20877	0.30 NNE	+ 11	42
F24	OCPCASES --CLOSED --01-0470MO2 --91-0072MO1 --07/27/2006 --05/06/1993	SUMMIT FARM PARK	502 S FREDERICK AVE GAITHERSBURG, MD 20877	0.31 SSE	- 53	43
F25	OCPCASES --CANCELLED --01-0426MO2	HOSPICE	502 S FREDERICK AVE GAITHERSBURG, MD 20877	0.31 SSE	- 53	44
26	OCPCASES --CLOSED --99-2167MO2 --02/12/2002	AUTO SHOP	110 E DIAMOND AVE GAITHERSBURG, MD 20877	0.32 NNW	- 5	45
27	OCPCASES --CLOSED --94-1489MO --02/15/1995	NATIONS BANK	22 N SUMMITT AVE GAITHERSBURG, MD 20877	0.34 North	+ 3	46

Sites Summary Report

Target Property: 303 SOUTH FREDERICK AVE
GAITHERSBURG, MD 20877

JOB: 47 1465

TOTAL: 59

GEOCODED: 54

NON GEOCODED: 5

Map ID	DB Type --ID/Status	Site Name	Address	Dist/Dir	ElevDiff	Page No.
G28	OCPCASES --CLOSED --10-0021MO --08/30/2010	HAPIS INC. TVA GAITHERS. CITGO	409 E DIAMOND AVE GAITHERSBURG, MD 20760	0.34 NE	+ 14	47
G29	OCPCASES --CLOSED --90-1648MO --05/16/1990	WINKLER AUTO	413 E DIAMOND AVE GAITHERSBURG, MD 20877	0.36 NE	+ 14	48
H30	OCPCASES --CLOSED --04-2039MO2 --08/30/2004	OFFENBACHER PROPERTY	433-C E DIAMOND AVE GAITHERSBURG, MD 20877	0.42 NE	+ 13	49
H31	OCPCASES --CLOSED --04-2040MO2 --08/30/2004	OFFENBACHER PROPERTY	433-D E DIAMOND AVE GAITHERSBURG, MD 20877	0.42 NE	+ 13	50
H32	OCPCASES --CLOSED --04-2042MO2 --08/30/2004	OFFENBACHER PROPERTY	433-F E DIAMOND AVE GAITHERSBURG, MD 20877	0.42 NE	+ 13	51
H33	OCPCASES --CLOSED --04-2041MO2 --08/30/2004	OFFENBACHER PROPERTY	433-E E DIAMOND AVE GAITHERSBURG, MD 20877	0.42 NE	+ 13	52
H34	OCPCASES --CLOSED --04-2038MO2 --08/30/2004	OFFENBACHER PROPERTY	433-B E DIAMOND AVE GAITHERSBURG, MD 20877	0.42 NE	+ 13	53
H35	OCPCASES --CLOSED --04-2037MO2 --08/30/2004	OFFENBACHER PROPERTY	433-A E DIAMOND AVE GAITHERSBURG, MD 20877	0.42 NE	+ 13	54
H36	OCPCASES --CLOSED --04-2043MO2 --08/30/2004	OFFENBACHER PROPERTY	433-G E DIAMOND AVE GAITHERSBURG, MD 20877	0.42 NE	+ 13	55

Sites Summary Report

Target Property: 303 SOUTH FREDERICK AVE
GAITHERSBURG, MD 20877

JOB: 47 1465

TOTAL: 59

GEOCODED: 54

NON GEOCODED: 5

Map ID	DB Type --ID/Status	Site Name	Address	Dist/Dir	ElevDiff	Page No.
I37	OCPCASES --CLOSED --94-2090MO1 --09-0739MO --10-0244MO --7-0581MO2 --92-1118MO *Additional key fields are available in the Map Findings section	C & P TELEPHONE	5 N FREDERICK AVE GAITHERSBURG, MD 20877	0.43 NW	- 12	56
I38	OCPCASES --CLOSED --7-1892MO2 --02/13/1992	GAITHERSBURG C. O. GLC 07740	5 N FREDERICK AVE GAITHERSBURG, MD 20877	0.43 NW	- 12	58
H39	OCPCASES --CLOSED --04-2022MO2 --08/24/2004	OFFENBACHER PROPERTY	435-A E DIAMOND AVE GAITHERSBURG, MD 20877	0.43 NE	+ 13	59
H40	OCPCASES --CLOSED --04-1120MO2 --08/29/2004	OFFEMBACHER PROPERTIES	435-D E DIAMOND AVE GAITHERSBURG, MD 20877	0.43 NE	+ 13	60
H41	OCPCASES --CLOSED --04-2026MO2 --08/30/2004	OFFENBACHER PROPERTY	435-K E DIAMOND AVE GAITHERSBURG, MD 20877	0.43 NE	+ 13	61
H42	OCPCASES --CLOSED --04-2036MO2 --08/30/2004	OFFENBACHER PROPERTY	435-G E DIAMOND AVE GAITHERSBURG, MD 20877	0.43 NE	+ 13	62
H43	OCPCASES --CLOSED --04-2029MO2 --08/30/2004	OFFENBACHER PROPERTY	435-H E DIAMOND AVE GAITHERSBURG, MD 20877	0.43 NE	+ 13	63
H44	OCPCASES --CLOSED --04-2024MO2 --08/30/2004	OFFENBACHER PROPERTY	435-C E DIAMOND AVE GAITHERSBURG, MD 20877	0.43 NE	+ 13	64

Sites Summary Report

Target Property: 303 SOUTH FREDERICK AVE
GAITHERSBURG, MD 20877

JOB: 47 1465

TOTAL: 59

GEOCODED: 54

NON GEOCODED: 5

Map ID	DB Type --ID/Status	Site Name	Address	Dist/Dir	ElevDiff	Page No.
H45	OCPCASES --CLOSED --04-2027MO2 --08/30/2004	OFFENBACHER PROPERTY	435-L E DIAMOND AVE GAITHERSBURG, MD 20877	0.43 NE	+ 13	65
H46	OCPCASES --CLOSED --04-2023MO2 --08/30/2004	OFFENBACHER PROPERTY	435-B E DIAMOND AVE GAITHERSBURG, MD 20877	0.43 NE	+ 13	66
H47	OCPCASES --CLOSED --04-2092MO2 --08/30/2004	OFFENBACHER PROPERTIES	435-E E DIAMOND AVE GAITHERSBURG, MD 20377	0.43 NE	+ 13	67
J48	OCPCASES --CLOSED --9-0846MO2 --12/14/1988	EDGE DEVELOPMENT/MASTER PLUMBI	26 W DIAMOND AVE GAITHERSBURG, MD 20877	0.46 WNW	- 36	68
J49	OCPCASES --CLOSED --08-0398MO2 --05/22/2008	DIAMOND ACRES APTS	49 W DIAMOND AVE GAITHERSBURG, MD 20877	0.47 WNW	- 43	69
K50	OCPCASES --CLOSED --90-0652MO1 --91-2082MO2 --10/04/1989 --09/17/2001	AMOCO	100 N FREDERICK AVE GAITHERSBURG, MD 20877	0.49 NW	- 17	70
K51	OCPCASES --CLOSED --01-1165MO2 --06/13/2001	CHEVRON STATION	100 N FREDERICK AVE GAITHERSBURG, MD 20877	0.49 NW	- 17	71
52	SHWS --No Further Remedial Action --(MD-226)	ROCKVILLE - LAUNCH	MUDDY BRANCH RD GAITHERSBURG, MD 20878	0.87 SW	- 76	72

Sites Summary Report

Target Property: 303 SOUTH FREDERICK AVE
GAITHERSBURG, MD 20877

JOB: 47 1465

TOTAL: 59

GEOCODED: 54

NON GEOCODED: 5

Map ID	DB Type --ID/Status	Site Name	Address	Dist/Dir	ElevDiff	Page No.
	OCPCASES --CLOSED --04-2028MO2 --08/30/2004	OFFENBACHER PROPERTY	435-N E DIAMOND AVE GAITHERSBURG, MD 20877	NON GC	N/A	N/A
	OCPCASES --CLOSED --90-1325MO2 --05/16/1990	UNKNOWN	END OF WATERS RD & FREDER GAITHERSBURG, MD 20877	NON GC	N/A	N/A
	OCPCASES --CLOSED --04-0024MO2 --02/21/2008	SHELL	455 FREDERICK RD GAITHERSBURG, MD 20877	NON GC	N/A	N/A
	OCPCASES --CLOSED --09-0624MO --06/09/2009	CSX RAILWAY	SUMMIT AVE & RAILROAD CRO GAITHERSBURG, MD 20877	NON GC	N/A	N/A
	OCPCASES --CLOSED --93-0853MO1 --12/28/1992	ROBERT C KEEDY, DRIVER	CORNER FREDERICK RD MONTGOMERY COUNTY, MD	NON GC	N/A	N/A

Site Detail Report

Target Property: 303 SOUTH FREDERICK AVE
GAITHERSBURG, MD 20877

JOB: 47 1465

OCPCASES

EDR ID: S113769690 **DIST/DIR:** 0.019 WSW **ELEVATION:** 511 **MAP ID:** A1

NAME: GAITHERSBURG HIGH SCHOOL

Rev: 06/03/2015

ADDRESS: 314 S FREDERICK AVE
GAITHERSBURG, MD 20877
MONTGOMERY

ID/Status: CLOSED
ID/Status: 99-0683MO2
ID/Status: 07/27/1999

SOURCE: MD Department of Environment

OCPCASES:

Facility ID: 99-0683MO2
Facility Status/Code: CLOSED/B-9
Date Open: 09/14/1998
Date Closed: 07/27/1999
Release: NO
Cleanup: NO
Registration Number: 10280

Site Detail Report

Target Property: 303 SOUTH FREDERICK AVE
GAITHERSBURG, MD 20877

JOB: 47 1465

UST

EDR ID: U004010896 **DIST/DIR:** 0.019 WSW **ELEVATION:** 511 **MAP ID:** A2

NAME: GAITHERSBURG HIGH SCHOOL
ADDRESS: 314 SOUTH FREDERICK AVENUE
GAITHERSBURG, MD 20877
MONTGOMERY
SOURCE: MD Department of the Environment

Rev: 06/03/2015
ID/Status: 10280
ID/Status: Permanently Out of Use

UST:

Facility Id: 10280
Oper Name: Not reported
Form Name: Bill McGiffin
Form Title: Contractor Assistant II
Form Date: 06/23/1999
Owner Id: 1590

Owner:

Owner Name: Montgomery County Public Schools
Owner Address: 16651 Crabbs Branch Way
Owner City: Rockville
Owner State: MD
Owner Zip: 20855
Owner Phone: (301) 670-8238
Owner Contact: Nathaniel Brown, Jr.

Tanks:

Tank ID: 1
Tank Status: Permanently Out of Use
Tank Capacity: 20000
Substance Description: Heating Oil
Tank Compartment: False
Compartment Compartment: A
Date Installed: 01/01/1970
Tank Material Desc: Asphalt Coated or Bare Steel
Pipe Material Desc: Bare or Galvanized Steel

Tank ID: 2
Tank Status: Permanently Out of Use
Tank Capacity: 275
Substance Description: Used Oil
Tank Compartment: False
Compartment Compartment: A
Date Installed: Not reported
Tank Material Desc: Asphalt Coated or Bare Steel
Pipe Material Desc: Bare or Galvanized Steel

Tank ID: 3
Tank Status: Permanently Out of Use
Tank Capacity: 20000
Substance Description: Heating Oil
Tank Compartment: False
Compartment Compartment: A

- Continued on next page -

Site Detail Report

Target Property: 303 SOUTH FREDERICK AVE
GAITHERSBURG, MD 20877

JOB: 47 1465

UST

EDR ID: U004010896 **DIST/DIR:** 0.019 WSW **ELEVATION:** 511 **MAP ID:** A2

NAME: GAITHERSBURG HIGH SCHOOL
ADDRESS: 314 SOUTH FREDERICK AVENUE
GAITHERSBURG, MD 20877
MONTGOMERY
SOURCE: MD Department of the Environment

Rev: 06/03/2015
ID/Status: 10280
ID/Status: Permanently Out of Use

Date Installed: 01/01/1977
Tank Material Desc: Asphalt Coated or Bare Steel
Pipe Material Desc: Bare or Galvanized Steel

Tank ID: 4
Tank Status: Permanently Out of Use
Tank Capacity: 1000
Substance Description: Gasoline
Tank Compartment: False
Compartment: A
Date Installed: Not reported
Tank Material Desc: Unknown
Pipe Material Desc: Unknown

Site Detail Report

Target Property: 303 SOUTH FREDERICK AVE
GAITHERSBURG, MD 20877

JOB: 47 1465

MANIFEST

EDR ID: 1004519825 **DIST/DIR:** 0.022 WSW **ELEVATION:** 511 **MAP ID:** A3

NAME: GAITHERSBURG HIGH SCHOOL

Rev: 12/31/2014

ADDRESS: 314 S FREDERICK AVENUE
GAITHERSBURG, MD 20877
MONTGOMERY

ID/Status: MD0000194217

SOURCE: PA Department of Environmental Protection

Manifest Details:

Year: 2006

Manifest Number: 000250523FLE

Manifest Type: TSD Copy

Generator EPA Id: MD0000194217

Generator Date: 12/04/2006

Mailing Address: Not reported

Mailing City,St,Zip: Not reported

Contact Name: Not reported

Contact Phone: Not reported

TSD EPA Id: PAD067098822

TSD Date: Not reported

TSD Facility Name: CYCLE CHEM INC

TSD Facility Address: 550 INDUSTRIAL DRIVE

TSD Facility City: LEWISBERRY

TSD Facility State: PA

Facility Telephone: 301-840-4735

Page Number: 1

Line Number: 1

Waste Number: D001

Container Number: 3

Container Type: Metal drums, barrels, kegs

Waste Quantity: 150

Unit: Gallons (liquids only)

Handling Code: Not reported

TSP EPA Id: Not reported

Date TSP Sig: Not reported

Site Detail Report

Target Property: 303 SOUTH FREDERICK AVE
GAITHERSBURG, MD 20877

JOB: 47 1465

RCRA-CESQG

EDR ID: 1004519825 **DIST/DIR:** 0.022 WSW **ELEVATION:** 511 **MAP ID:** A3

NAME: GAITHERSBURG HIGH SCHOOL

Rev: 06/09/2015

ADDRESS: 314 S FREDERICK AVENUE
GAITHERSBURG, MD 20877
MONTGOMERY

ID/Status: MD0000194217

SOURCE: US Environmental Protection Agency

RCRA-CESQG:

Date form received by agency: 03/23/1994

Facility name: GAITHERSBURG HIGH SCHOOL

Facility address: 314 S FREDERICK AVENUE
GAITHERSBURG, MD 20877

EPA ID: MD0000194217

Mailing address: 314 S FREDERICK AVE
GAITHERSBURG, MD 20877

Contact: WAYNE A MOYER

Contact address: 850 HUNGERFORD DR
ROCKVILLE, MD 20850

Contact country: US

Contact telephone: (301) 279-3421

Contact email: Not reported

EPA Region: 03

Classification: Conditionally Exempt Small Quantity Generator

Description: Handler: generates 100 kg or less of hazardous waste per calendar month, and accumulates 1000 kg or less of hazardous waste at any time; or generates 1 kg or less of acutely hazardous waste per calendar month, and accumulates at any time: 1 kg or less of acutely hazardous waste; or 100 kg or less of any residue or contaminated soil, waste or other debris resulting from the cleanup of a spill, into or on any land or water, of acutely hazardous waste; or generates 100 kg or less of any residue or contaminated soil, waste or other debris resulting from the cleanup of a spill, into or on any land or water, of acutely hazardous waste during any calendar month, and accumulates at any time: 1 kg or less of acutely hazardous waste; or 100 kg or less of any residue or contaminated soil, waste or other debris resulting from the cleanup of a spill, into or on any land or water, of acutely hazardous waste

Owner/Operator Summary:

Owner/operator name: MONTGOMERY COUNTY PUBLIC SCHOOL

Owner/operator address: 850 HUNGERFORD DR
ROCKVILLE, MD 20850

Owner/operator country: Not reported

Owner/operator telephone: (301) 279-3381

Legal status: County

Owner/Operator Type: Owner

Owner/Op start date: Not reported

Owner/Op end date: Not reported

Handler Activities Summary:

- Continued on next page -

Site Detail Report

Target Property: 303 SOUTH FREDERICK AVE
GAITHERSBURG, MD 20877

JOB: 47 1465

RCRA-CESQG

EDR ID: 1004519825 **DIST/DIR:** 0.022 WSW **ELEVATION:** 511 **MAP ID:** A3

NAME: GAITHERSBURG HIGH SCHOOL

Rev: 06/09/2015

ADDRESS: 314 S FREDERICK AVENUE
GAITHERSBURG, MD 20877
MONTGOMERY

ID/Status: MD0000194217

SOURCE: US Environmental Protection Agency

U.S. importer of hazardous waste: No
Mixed waste (haz. and radioactive): No
Recycler of hazardous waste: No
Transporter of hazardous waste: No
Treater, storer or disposer of HW: No
Underground injection activity: No
On-site burner exemption: No
Furnace exemption: No
Used oil fuel burner: No
Used oil processor: No
User oil refiner: No
Used oil fuel marketer to burner: No
Used oil Specification marketer: No
Used oil transfer facility: No
Used oil transporter: No

- . Waste code: D001
- . Waste name: IGNITABLE WASTE

- . Waste code: D002
- . Waste name: CORROSIVE WASTE

- . Waste code: D003
- . Waste name: REACTIVE WASTE

Violation Status: No violations found

Site Detail Report

Target Property: 303 SOUTH FREDERICK AVE
GAITHERSBURG, MD 20877

JOB: 47 1465

OCPCASES

EDR ID: S113766927 **DIST/DIR:** 0.110 WNW **ELEVATION:** 507 **MAP ID:** B4

NAME: DR WILSON RENTAL PROPERTY

Rev: 06/03/2015

ADDRESS: 208 S FREDERICK AVE
GAITHERSBURG, MD 20877
MONTGOMERY

ID/Status: CLOSED
ID/Status: 01-1639MO2
ID/Status: 12/17/2004

SOURCE: MD Department of Environment

OCPCASES:

Facility ID: 01-1639MO2

Facility Status/Code: CLOSED/Aboveground Tank - Residential Heating Oil

Date Open: 05/21/2001

Date Closed: 12/17/2004

Release: YES

Cleanup: YES

Registration Number: Not reported

Site Detail Report

Target Property: 303 SOUTH FREDERICK AVE
GAITHERSBURG, MD 20877

JOB: 47 1465

UST

EDR ID: U004068813 **DIST/DIR:** 0.115 NW **ELEVATION:** 507 **MAP ID:** B5

NAME: ST. MARTINS CHURCH
ADDRESS: 201 SOUTH FREDERICK AVENUE
GAITHERSBURG, MD 20877
MONTGOMERY
SOURCE: MD Department of the Environment

Rev: 06/03/2015
ID/Status: 17456
ID/Status: Permanently Out of Use

UST:

Facility Id: 17456
Oper Name: Michael Mallone
Form Name: Rev. Michael Mallone
Form Title: Pastor
Form Date: 11/10/1994
Owner Id: 11749

Owner:
Owner Name: St. Martins Church
Owner Address: 201 South Frederick Avenue
Owner City: Gaithersburg
Owner State: MD
Owner Zip: 20877
Owner Phone: (301) 840-1830
Owner Contact: Rev. Michael Mallone

Tanks:
Tank ID: 1
Tank Status: Permanently Out of Use
Tank Capacity: 500
Substance Description: Heating Oil
Tank Compartment: False
Compartment Compartment: A
Date Intalled: 11/01/1974
Tank Material Desc: Asphalt Coated or Bare Steel
Pipe Material Desc: Bare or Galvanized Steel

Site Detail Report

Target Property: 303 SOUTH FREDERICK AVE
GAITHERSBURG, MD 20877

JOB: 47 1465

OCPCASES

EDR ID: S104605575 **DIST/DIR:** 0.115 NW **ELEVATION:** 507 **MAP ID:** B6

NAME: ST MARTINS CHURCH

Rev: 06/03/2015

ADDRESS: 201 S FREDERICK AVE
GAITHERSBURG, MD 20877
MONTGOMERY

ID/Status: CLOSED
ID/Status: 95-0690MO1
ID/Status: 02/28/1995

SOURCE: MD Department of Environment

OCPCASES:

Facility ID: 95-0690MO1

Facility Status/Code: CLOSED/Tank Closure - Commercial Heating Oil

Date Open: 09/13/1994

Date Closed: 02/28/1995

Release: Not reported

Cleanup: Not reported

Registration Number: 17456

Site Detail Report

Target Property: 303 SOUTH FREDERICK AVE
GAITHERSBURG, MD 20877

JOB: 47 1465

OCPCASES

EDR ID: S104638932 **DIST/DIR:** 0.121 North **ELEVATION:** 504 **MAP ID:** C7

NAME: CITY OF GAITHERSBURG - CITY HALL

Rev: 06/03/2015

ADDRESS: 31 S SUMMIT AVE
GAITHERSBURG, MD 20878
MONTGOMERY

ID/Status: CLOSED
ID/Status: 11-0471MO
ID/Status: 04/26/2011

SOURCE: MD Department of Environment

OCPCASES:

Facility ID: 11-0471MO
Facility Status/Code: CLOSED/Tank Closure - Motor/Lube Oil
Date Open: 02/18/2011
Date Closed: 04/26/2011
Release: NO
Cleanup: NO
Registration Number: 768

Site Detail Report

Target Property: 303 SOUTH FREDERICK AVE
GAITHERSBURG, MD 20877

JOB: 47 1465

UST

EDR ID: U004013435 **DIST/DIR:** 0.121 North **ELEVATION:** 504 **MAP ID:** C8

NAME: CITY HALL

Rev: 06/03/2015

ADDRESS: 31 S. SUMMIT AVENUE
GAITHERSBURG, MD 20878
MONTGOMERY

ID/Status: 768

ID/Status: Permanently Out Of Use

SOURCE: MD Department of the Environment

UST:

Facility Id: 768

Oper Name: Sunil Prithviraj

Form Name: Sunil Prithviraj

Form Title: Facilities Manager

Form Date: 10/18/2010

Owner Id: 581

Owner:

Owner Name: City of Gaithersburg

Owner Address: 800 Rabbit Road

Owner City: Gaithersburg

Owner State: MD

Owner Zip: 20878

Owner Phone: (301) 258-6325

Owner Contact: Robert Peeler

Tanks:

Tank ID: 1

Tank Status: Permanently Out Of Use

Tank Capacity: 550

Substance Description: Diesel

Tank Compartment: False

Compartment Compartment: A

Date Installed: 01/01/1988

Tank Material Desc: Asphalt Coated or Bare Steel

Pipe Material Desc: Copper sleeved in plastic

Site Detail Report

Target Property: 303 SOUTH FREDERICK AVE
GAITHERSBURG, MD 20877

JOB: 47 1465

UST

EDR ID: U004068803 **DIST/DIR:** 0.182 North **ELEVATION:** 506 **MAP ID:** D9

NAME: MONTGOMERY CO. OUTHOUSE RENTAL

Rev: 06/03/2015

ADDRESS: P. O. BOX 126
GAITHERSBURG, MD 20877
MONTGOMERY

ID/Status: 17446

ID/Status: Permanently Out of Use

SOURCE: MD Department of the Environment

UST:

Facility Id: 17446
Oper Name: Thomas Cawood
Form Name: Howard Bowen
Form Title: Vice President
Form Date: 04/24/1986
Owner Id: 8515

Owner:

Owner Name: Ewing Oil Co.
Owner Address: 1101 Jefferson Blvd
Owner City: Hagerstown
Owner State: MD
Owner Zip: 21740
Owner Phone: (301) 790-2070
Owner Contact: Not reported

Tanks:

Tank ID: 1
Tank Status: Permanently Out of Use
Tank Capacity: 1000
Substance Description: Gasoline
Tank Compartment: False
Compartment Compartment: A
Date Installed: 06/01/1976
Tank Material Desc: Asphalt Coated or Bare Steel
Pipe Material Desc: Bare or Galvanized Steel

Site Detail Report

Target Property: 303 SOUTH FREDERICK AVE
GAITHERSBURG, MD 20877

JOB: 47 1465

OCPCASES

EDR ID: S113770179 **DIST/DIR:** 0.202 North **ELEVATION:** 507 **MAP ID:** D10

NAME: SEASON'S POP SHOPPE

Rev: 06/03/2015

ADDRESS: 12 S SUMMIT AVE
GAITHERSBURG, MD 20877
MONTGOMERY

ID/Status: CLOSED
ID/Status: 99-2834MO2
ID/Status: 10/28/1999

SOURCE: MD Department of Environment

OCPCASES:

Facility ID: 99-2834MO2
Facility Status/Code: CLOSED/Tank Closure - Motor/Lube Oil
Date Open: 05/25/1999
Date Closed: 10/28/1999
Release: NO
Cleanup: NO
Registration Number: 10216

Site Detail Report

Target Property: 303 SOUTH FREDERICK AVE
GAITHERSBURG, MD 20877

JOB: 47 1465

UST

EDR ID: U003733328 **DIST/DIR:** 0.204 North **ELEVATION:** 506 **MAP ID:** D11

NAME: SEASONS POP SHOPPE

Rev: 06/03/2015

ADDRESS: 12 S. SUMMITT AVE.
GAITHERSBURG, MD 20884
MONTGOMERY

ID/Status: 10216
ID/Status: Permanently Out of Use

SOURCE: MD Department of the Environment

UST:

Facility Id: 10216
Oper Name: Steve Virostek
Form Name: Salvatore Fiorentino
Form Title: Associate
Form Date: 10/20/1999
Owner Id: 6510

Owner:

Owner Name: DANAC Corporation
Owner Address: 7200 Wisconsin Avenue Suite 901
Owner City: Bethesda
Owner State: MD
Owner Zip: 20817
Owner Phone: (301) 657-2800
Owner Contact: Steve Virostek

Tanks:

Tank ID: 1
Tank Status: Permanently Out of Use
Tank Capacity: 1000
Substance Description: Kerosene
Tank Compartment: False
Compartment Compartment: A
Date Installed: 06/01/1991
Tank Material Desc: Cathodically Protected Steel (Coating w/CP - Galvanic)
Pipe Material Desc: Bare or Galvanized Steel

Site Detail Report

Target Property: 303 SOUTH FREDERICK AVE
GAITHERSBURG, MD 20877

JOB: 47 1465

OCPCASES

EDR ID: S104608151 **DIST/DIR:** 0.204 North **ELEVATION:** 506 **MAP ID:** D12

NAME: SEASONS INC

Rev: 06/03/2015

ADDRESS: 12 S SUMMIT AVE
GAITHERSBURG, MD 20877
MONTGOMERY

ID/Status: CLOSED
ID/Status: 92-0996MO1
ID/Status: 06/11/1993

SOURCE: MD Department of Environment

OCPCASES:

Facility ID: 92-0996MO1
Facility Status/Code: CLOSED/
Date Open: 10/18/1991
Date Closed: 06/11/1993
Release: Not reported
Cleanup: Not reported
Registration Number: 10216

Site Detail Report

Target Property: 303 SOUTH FREDERICK AVE
GAITHERSBURG, MD 20877

JOB: 47 1465

RCRA-SQG

EDR ID: 1001228549 **DIST/DIR:** 0.209 WNW **ELEVATION:** 493 **MAP ID:** E13

NAME: GAITHERSBURG POLICE STATION
ADDRESS: 7 E CEDAR AVE
GAITHERSBURG, MD 20877
MONTGOMERY
SOURCE: US Environmental Protection Agency

Rev: 06/09/2015
ID/Status: MDR000520692

RCRA-SQG:

Date form received by agency: 08/28/1998
Facility name: GAITHERSBURG POLICE STATION
Facility address: 7 E CEDAR AVE
GAITHERSBURG, MD 20877
EPA ID: MDR000520692
Mailing address: 31 S SUMMIT AVE
GAITHERSBURG, MD 20877
Contact: BOB PEELER
Contact address: 800 RABBITT RD
GAITHERSBURG, MD 20878
Contact country: US
Contact telephone: (301) 258-6370
Contact email: Not reported
EPA Region: 03
Classification: Small Small Quantity Generator
Description: Handler: generates more than 100 and less than 1000 kg of hazardous waste during any calendar month and accumulates less than 6000 kg of hazardous waste at any time; or generates 100 kg or less of hazardous waste during any calendar month, and accumulates more than 1000 kg of hazardous waste at any time

Owner/Operator Summary:

Owner/operator name: CITY OF GAITHERSBURG
Owner/operator address: 31 S SUMMIT AVE
GAITHERSBURG, MD 20878
Owner/operator country: Not reported
Owner/operator telephone: (301) 258-6310
Legal status: Municipal
Owner/Operator Type: Owner
Owner/Op start date: Not reported
Owner/Op end date: Not reported

Handler Activities Summary:

U.S. importer of hazardous waste: No
Mixed waste (haz. and radioactive): No
Recycler of hazardous waste: No
Transporter of hazardous waste: No
Treater, storer or disposer of HW: No
Underground injection activity: No
On-site burner exemption: No
Furnace exemption: No
Used oil fuel burner: No

- Continued on next page -

Site Detail Report

Target Property: 303 SOUTH FREDERICK AVE
GAITHERSBURG, MD 20877

JOB: 47 1465

RCRA-SQG

EDR ID: 1001228549 **DIST/DIR:** 0.209 WNW **ELEVATION:** 493 **MAP ID:** E13

NAME: GAITHERSBURG POLICE STATION

Rev: 06/09/2015

ADDRESS: 7 E CEDAR AVE
GAITHERSBURG, MD 20877
MONTGOMERY

ID/Status: MDR000520692

SOURCE: US Environmental Protection Agency

Used oil processor: No
User oil refiner: No
Used oil fuel marketer to burner: No
Used oil Specification marketer: No
Used oil transfer facility: No
Used oil transporter: No

. Waste code: D008
. Waste name: LEAD

. Waste code: D009
. Waste name: MERCURY

Violation Status: No violations found

Site Detail Report

Target Property: 303 SOUTH FREDERICK AVE
GAITHERSBURG, MD 20877

JOB: 47 1465

OCPCASES

EDR ID: S109534790 **DIST/DIR:** 0.210 North **ELEVATION:** 510 **MAP ID:** D14

NAME: SHELL **Rev:** 06/03/2015
ADDRESS: 15 S SUMMIT AVE ID/Status: CLOSED
GAITHERSBURG, MD 20877 ID/Status: 04-0020MO2
MONTGOMERY ID/Status: 09-0490MO
SOURCE: MD Department of Environment ID/Status: 91-1585MO
ID/Status: 05/03/2005

OCPCASES:

Facility ID: 04-0020MO2
Facility Status/Code: CLOSED/Well/GW Contamination - Motor/Lube Oil
Date Open: 07/02/2003
Date Closed: 05/03/2005
Release: YES
Cleanup: YES
Registration Number: 4617

Facility ID: 09-0490MO
Facility Status/Code: CLOSED/Other - Motor/Lube Oil
Date Open: 02/12/2009
Date Closed: 02/17/2010
Release: YES
Cleanup: YES
Registration Number: 4617

Facility ID: 91-1585MO
Facility Status/Code: CLOSED/
Date Open: 02/13/1991
Date Closed: 08/26/1994
Release: Not reported
Cleanup: Not reported
Registration Number: 4617

Site Detail Report

Target Property: 303 SOUTH FREDERICK AVE
GAITHERSBURG, MD 20877

JOB: 47 1465

UST

EDR ID: U003736246 **DIST/DIR:** 0.210 North **ELEVATION:** 510 **MAP ID:** D15

NAME: PEH, LLC #836 **Rev:** 06/03/2015
ADDRESS: 15 SOUTH SUMMIT AVENUE ID/Status: 4617
GAITHERSBURG, MD 20877 ID/Status: Currently In Use
MONTGOMERY
SOURCE: MD Department of the Environment

UST:

Facility Id: 4617
Oper Name: Not reported
Form Name: Kyle Frederickson
Form Title: M & C Coordinator
Form Date: 02/28/2013
Owner Id: 13638

Owner:
Owner Name: Potomac Energy Holdings, LLC
Owner Address: 6355 Crain Highway P.O. Box 2810
Owner City: La Plata
Owner State: MD
Owner Zip: 20646
Owner Phone: (301) 932-3600
Owner Contact: Kyle Frederickson

Tanks:

Tank ID: 1
Tank Status: Currently In Use
Tank Capacity: 10000
Substance Description: Gasohol
Tank Compartment: False
Compartment Compartment: A
Date Installed: 01/01/1980
Tank Material Desc: Fiberglass Reinforced Plastic
Pipe Material Desc: Fiberglass Reinforced Plastic

Tank ID: 2
Tank Status: Currently In Use
Tank Capacity: 10000
Substance Description: Gasohol
Tank Compartment: False
Compartment Compartment: A
Date Installed: 01/01/1980
Tank Material Desc: Fiberglass Reinforced Plastic
Pipe Material Desc: Fiberglass Reinforced Plastic

Tank ID: 3
Tank Status: Currently In Use
Tank Capacity: 10000
Substance Description: Gasohol
Tank Compartment: False
Compartment Compartment: A

- Continued on next page -

Site Detail Report

Target Property: 303 SOUTH FREDERICK AVE
GAITHERSBURG, MD 20877

JOB: 47 1465

UST

EDR ID: U003736246 **DIST/DIR:** 0.210 North **ELEVATION:** 510 **MAP ID:** D15

NAME: PEH, LLC #836

Rev: 06/03/2015

ADDRESS: 15 SOUTH SUMMIT AVENUE
GAITHERSBURG, MD 20877
MONTGOMERY

ID/Status: 4617

ID/Status: Currently In Use

SOURCE: MD Department of the Environment

Date Intalled: 01/01/1980

Tank Material Desc: Fiberglass Reinforced Plastic

Pipe Material Desc: Fiberglass Reinforced Plastic

Site Detail Report

Target Property: 303 SOUTH FREDERICK AVE
GAITHERSBURG, MD 20877

JOB: 47 1465

OCPCASES

EDR ID: S104601308 **DIST/DIR:** 0.210 North **ELEVATION:** 510 **MAP ID:** D16

NAME: SHELL **Rev:** 06/03/2015
ADDRESS: 15 S SUMMITT AVE ID/Status: CLOSED
GAITHERSBURG, MD 20760 ID/Status: 97-1672MO2
MONTGOMERY ID/Status: 04/02/1997
SOURCE: MD Department of Environment

OCPCASES:
Facility ID: 97-1672MO2
Facility Status/Code: CLOSED/Retrofit/Repair - Motor/Lube Oil
Date Open: 03/19/1997
Date Closed: 04/02/1997
Release: NO
Cleanup: NO
Registration Number: 4617

Site Detail Report

Target Property: 303 SOUTH FREDERICK AVE
GAITHERSBURG, MD 20877

JOB: 47 1465

RCRA-SQG

EDR ID: 1001196459 **DIST/DIR:** 0.210 North **ELEVATION:** 510 **MAP ID:** D17

NAME: SHELL OIL COMPANY

Rev: 06/09/2015

ADDRESS: 15 S SUMMIT AVE
GAITHERSBURG, MD 20877
MONTGOMERY

ID/Status: MDR000012682

SOURCE: US Environmental Protection Agency

RCRA-SQG:

Date form received by agency: 11/16/1998

Facility name: SHELL OIL COMPANY

Facility address: 15 S SUMMIT AVE
GAITHERSBURG, MD 20877

EPA ID: MDR000012682

Mailing address: PO BOX 2099

HOUSTON, TX 77252

Contact: SONDR A BIENVENU

Contact address: PO BOX 2099

HOUSTON, TX 77252

Contact country: US

Contact telephone: (713) 241-2258

Contact email: Not reported

EPA Region: 03

Classification: Small Small Quantity Generator

Description: Handler: generates more than 100 and less than 1000 kg of hazardous waste during any calendar month and accumulates less than 6000 kg of hazardous waste at any time; or generates 100 kg or less of hazardous waste during any calendar month, and accumulates more than 1000 kg of hazardous waste at any time

Owner/Operator Summary:

Owner/operator name: MOTIVA ENTERPRISES LLC

Owner/operator address: PO BOX 4540
HOUSTON, TX 77210

Owner/operator country: Not reported

Owner/operator telephone: (713) 241-2258

Legal status: Private

Owner/Operator Type: Owner

Owner/Op start date: 10/01/1998

Owner/Op end date: Not reported

Handler Activities Summary:

U.S. importer of hazardous waste: No

Mixed waste (haz. and radioactive): No

Recycler of hazardous waste: No

Transporter of hazardous waste: No

Treater, storer or disposer of HW: No

Underground injection activity: No

On-site burner exemption: No

Furnace exemption: No

Used oil fuel burner: No

- Continued on next page -

Site Detail Report

Target Property: 303 SOUTH FREDERICK AVE
GAITHERSBURG, MD 20877

JOB: 47 1465

RCRA-SQG

EDR ID: 1001196459 **DIST/DIR:** 0.210 North **ELEVATION:** 510 **MAP ID:** D17

NAME: SHELL OIL COMPANY

Rev: 06/09/2015

ADDRESS: 15 S SUMMIT AVE
GAITHERSBURG, MD 20877
MONTGOMERY

ID/Status: MDR000012682

SOURCE: US Environmental Protection Agency

Used oil processor: No
User oil refiner: No
Used oil fuel marketer to burner: No
Used oil Specification marketer: No
Used oil transfer facility: No
Used oil transporter: No

- . Waste code: D000
- . Waste name: Not Defined

- . Waste code: D001
- . Waste name: IGNITABLE WASTE

- . Waste code: D007
- . Waste name: CHROMIUM

- . Waste code: D008
- . Waste name: LEAD

- . Waste code: D018
- . Waste name: BENZENE

- . Waste code: D039
- . Waste name: TETRACHLOROETHYLENE

Historical Generators:
Date form received by agency: 03/05/1997
Site name: SHELL OIL COMPANY
Classification: Small Quantity Generator

Violation Status: No violations found

Site Detail Report

Target Property: 303 SOUTH FREDERICK AVE
GAITHERSBURG, MD 20877

JOB: 47 1465

MANIFEST

EDR ID: 1004527795 **DIST/DIR:** 0.213 NW **ELEVATION:** 491 **MAP ID:** E18

NAME: AMATUCCI AUTO BODY INC
ADDRESS: 4 E CEDAR AVE
GAITHERSBURG, MD 20877
MONTGOMERY

Rev: 11/02/2015
ID/Status: MDD981113160

SOURCE: NY Department of Environmental Conservation

NY MANIFEST:

EPA ID: MDD981113160
Country: USA
Location Address 1: 4 EASTCEDAR AVENUE
Location Address 2: Not reported
Location City: GAITHERSBURG
Location State: MD
Location Zip Code: 20877
Location Zip Code 4: Not reported

Mailing Info:

Name: AMATUCCI BROTHERS AUTO BODY
Contact: AMATUCCI BROTHERS AUTO BODY
Address: 4 EAST CEDAR AVENUE
City/State/Zip: GAITHERSBURG, MD 20877
Country: USA
Phone: 301-670-1220

Manifest:

Document ID: NYA9600625
Manifest Status: Completed copy
Trans1 State ID: 000000000
Trans2 State ID: 000000000
Generator Ship Date: 08/10/1989
Trans1 Recv Date: 08/10/1989
Trans2 Recv Date: / /
TSD Site Recv Date: 08/15/1989
Part A Recv Date: 08/14/1989
Part B Recv Date: 08/23/1989
Generator EPA ID: MDD981113160
Trans1 EPA ID: ILD051060408
Trans2 EPA ID: Not reported
TSD ID: NYD980753784
Waste Code: F003 - UNKNOWN
Quantity: 00192
Units: P - Pounds
Number of Containers: 002
Container Type: DM - Metal drums, barrels
Handling Method: R Material recovery of more than 75 percent of the total material.
Specific Gravity: 100
Year: 1989

- Continued on next page -

Site Detail Report

Target Property: 303 SOUTH FREDERICK AVE
GAITHERSBURG, MD 20877

JOB: 47 1465

MANIFEST

EDR ID: 1004527795 **DIST/DIR:** 0.213 NW **ELEVATION:** 491 **MAP ID:** E18

NAME: AMATUCCI AUTO BODY INC
ADDRESS: 4 E CEDAR AVE
GAITHERSBURG, MD 20877
MONTGOMERY

Rev: 11/02/2015
ID/Status: MDD981113160

SOURCE: NY Department of Environmental Conservation

Document ID: NYA9700266
Manifest Status: Completed copy
Trans1 State ID: 4289A2977
Trans2 State ID: Not reported
Generator Ship Date: 09/18/1989
Trans1 Recv Date: 09/18/1989
Trans2 Recv Date: / /
TSD Site Recv Date: 09/25/1989
Part A Recv Date: 09/22/1989
Part B Recv Date: 10/10/1989
Generator EPA ID: MDD981113160
Trans1 EPA ID: ILD051060408
Trans2 EPA ID: Not reported
TSD ID: NYD980753784
Waste Code: F003 - UNKNOWN
Quantity: 00192
Units: P - Pounds
Number of Containers: 002
Container Type: DM - Metal drums, barrels
Handling Method: R Material recovery of more than 75 percent of the total material.
Specific Gravity: 100
Year: 1989

Document ID: NYA9448931
Manifest Status: Completed copy
Trans1 State ID: 42789A297
Trans2 State ID: Not reported
Generator Ship Date: 05/15/1989
Trans1 Recv Date: 05/15/1989
Trans2 Recv Date: / /
TSD Site Recv Date: 05/23/1989
Part A Recv Date: 05/22/1989
Part B Recv Date: 06/02/1989
Generator EPA ID: MDD981113160
Trans1 EPA ID: ILD051060408
Trans2 EPA ID: Not reported
TSD ID: NYD980753784
Waste Code: F003 - UNKNOWN
Quantity: 00192
Units: P - Pounds
Number of Containers: 002
Container Type: DM - Metal drums, barrels
Handling Method: R Material recovery of more than 75 percent of the total material.
Specific Gravity: 100

- Continued on next page -

Site Detail Report

Target Property: 303 SOUTH FREDERICK AVE
GAITHERSBURG, MD 20877

JOB: 47 1465

MANIFEST

EDR ID: 1004527795 **DIST/DIR:** 0.213 NW **ELEVATION:** 491 **MAP ID:** E18

NAME: AMATUCCI AUTO BODY INC
ADDRESS: 4 E CEDAR AVE
GAITHERSBURG, MD 20877
MONTGOMERY

Rev: 11/02/2015
ID/Status: MDD981113160

SOURCE: NY Department of Environmental Conservation

Year: 1989

Document ID: NYA9375851
Manifest Status: Completed copy
Trans1 State ID: 000000000
Trans2 State ID: 000000000
Generator Ship Date: 06/13/1989
Trans1 Recv Date: 06/13/1989
Trans2 Recv Date: / /
TSD Site Recv Date: 06/20/1989
Part A Recv Date: 06/19/1989
Part B Recv Date: 06/28/1989
Generator EPA ID: MDD981113160
Trans1 EPA ID: ILD051060408
Trans2 EPA ID: Not reported
TSD ID: NYD980753784
Waste Code: F003 - UNKNOWN
Quantity: 00192
Units: P - Pounds
Number of Containers: 002
Container Type: DM - Metal drums, barrels
Handling Method: R Material recovery of more than 75 percent of the total material.
Specific Gravity: 100
Year: 1989

Document ID: NYA9375625
Manifest Status: Completed copy
Trans1 State ID: 000000000
Trans2 State ID: 000000000
Generator Ship Date: 07/13/1989
Trans1 Recv Date: 07/13/1989
Trans2 Recv Date: / /
TSD Site Recv Date: 07/18/1989
Part A Recv Date: 07/20/1989
Part B Recv Date: 07/25/1989
Generator EPA ID: MDD981113160
Trans1 EPA ID: ILD051060408
Trans2 EPA ID: Not reported
TSD ID: NYD980753784
Waste Code: F003 - UNKNOWN
Quantity: 00192
Units: P - Pounds
Number of Containers: 002

- Continued on next page -

Site Detail Report

Target Property: 303 SOUTH FREDERICK AVE
GAITHERSBURG, MD 20877

JOB: 47 1465

MANIFEST

EDR ID: 1004527795 **DIST/DIR:** 0.213 NW **ELEVATION:** 491 **MAP ID:** E18

NAME: AMATUCCI AUTO BODY INC
ADDRESS: 4 E CEDAR AVE
GAITHERSBURG, MD 20877
MONTGOMERY

Rev: 11/02/2015
ID/Status: MDD981113160

SOURCE: NY Department of Environmental Conservation

Container Type: DM - Metal drums, barrels
Handling Method: R Material recovery of more than 75 percent of the total material.
Specific Gravity: 100
Year: 1989

Document ID: NYA9333876
Manifest Status: Completed copy
Trans1 State ID: 42789A045
Trans2 State ID: Not reported
Generator Ship Date: 02/23/1989
Trans1 Recv Date: 02/23/1989
Trans2 Recv Date: / /
TSD Site Recv Date: 02/28/1989
Part A Recv Date: 02/28/1989
Part B Recv Date: 03/07/1989
Generator EPA ID: MDD981113160
Trans1 EPA ID: ILD051060408
Trans2 EPA ID: Not reported
TSD ID: NYD980753784
Waste Code: F003 - UNKNOWN
Quantity: 00216
Units: P - Pounds
Number of Containers: 002
Container Type: DM - Metal drums, barrels
Handling Method: B Incineration, heat recovery, burning.
Specific Gravity: 100
Year: 1989

Document ID: NYA9153156
Manifest Status: Completed copy
Trans1 State ID: 42788A034
Trans2 State ID: Not reported
Generator Ship Date: 12/01/1988
Trans1 Recv Date: 12/01/1988
Trans2 Recv Date: / /
TSD Site Recv Date: 12/08/1988
Part A Recv Date: 12/06/1988
Part B Recv Date: 12/19/1988
Generator EPA ID: MDD981113160
Trans1 EPA ID: ILD051060408
Trans2 EPA ID: Not reported
TSD ID: NYD980753784
Waste Code: F003 - UNKNOWN

- Continued on next page -

Site Detail Report

Target Property: 303 SOUTH FREDERICK AVE
GAITHERSBURG, MD 20877

JOB: 47 1465

MANIFEST

EDR ID: 1004527795 **DIST/DIR:** 0.213 NW **ELEVATION:** 491 **MAP ID:** E18

NAME: AMATUCCI AUTO BODY INC
ADDRESS: 4 E CEDAR AVE
GAITHERSBURG, MD 20877
MONTGOMERY

Rev: 11/02/2015
ID/Status: MDD981113160

SOURCE: NY Department of Environmental Conservation

Quantity: 00144
Units: P - Pounds
Number of Containers: 002
Container Type: DM - Metal drums, barrels
Handling Method: B Incineration, heat recovery, burning.
Specific Gravity: 100
Year: 1988

Document ID: NYA9387099
Manifest Status: Completed copy
Trans1 State ID: 42789A045
Trans2 State ID: Not reported
Generator Ship Date: 04/06/1989
Trans1 Recv Date: 04/06/1989
Trans2 Recv Date: / /
TSD Site Recv Date: 04/11/1989
Part A Recv Date: 04/11/1989
Part B Recv Date: 04/21/1989
Generator EPA ID: MDD981113160
Trans1 EPA ID: ILD051060408
Trans2 EPA ID: Not reported
TSD ID: NYD980753784
Waste Code: F003 - UNKNOWN
Quantity: 00192
Units: P - Pounds
Number of Containers: 002
Container Type: DM - Metal drums, barrels
Handling Method: B Incineration, heat recovery, burning.
Specific Gravity: 100
Year: 1989

Document ID: NYA9658653
Manifest Status: Completed copy
Trans1 State ID: 4289A2977
Trans2 State ID: Not reported
Generator Ship Date: 10/23/1989
Trans1 Recv Date: 10/23/1989
Trans2 Recv Date: / /
TSD Site Recv Date: 10/31/1989
Part A Recv Date: 10/27/1989
Part B Recv Date: 11/10/1989
Generator EPA ID: MDD981113160
Trans1 EPA ID: ILD051060408

- Continued on next page -

Site Detail Report

Target Property: 303 SOUTH FREDERICK AVE
GAITHERSBURG, MD 20877

JOB: 47 1465

MANIFEST

EDR ID: 1004527795 **DIST/DIR:** 0.213 NW **ELEVATION:** 491 **MAP ID:** E18

NAME: AMATUCCI AUTO BODY INC
ADDRESS: 4 E CEDAR AVE
GAITHERSBURG, MD 20877
MONTGOMERY

Rev: 11/02/2015
ID/Status: MDD981113160

SOURCE: NY Department of Environmental Conservation

Trans2 EPA ID: Not reported
TSD ID: NYD980753784
Waste Code: F003 - UNKNOWN
Quantity: 00288
Units: P - Pounds
Number of Containers: 003
Container Type: DM - Metal drums, barrels
Handling Method: R Material recovery of more than 75 percent of the total material.
Specific Gravity: 100
Year: 1989

Document ID: NYA9275016
Manifest Status: Completed copy
Trans1 State ID: 42788A034
Trans2 State ID: Not reported
Generator Ship Date: 01/05/1989
Trans1 Recv Date: 01/05/1989
Trans2 Recv Date: / /
TSD Site Recv Date: 01/11/1989
Part A Recv Date: 01/11/1989
Part B Recv Date: 01/17/1989
Generator EPA ID: MDD981113160
Trans1 EPA ID: ILD051060408
Trans2 EPA ID: Not reported
TSD ID: NYD980753784
Waste Code: F003 - UNKNOWN
Quantity: 00144
Units: P - Pounds
Number of Containers: 002
Container Type: DM - Metal drums, barrels
Handling Method: B Incineration, heat recovery, burning.
Specific Gravity: 100
Year: 1989

Document ID: NYA9116785
Manifest Status: Completed copy
Trans1 State ID: 42788A034
Trans2 State ID: Not reported
Generator Ship Date: 11/01/1988
Trans1 Recv Date: 11/01/1988
Trans2 Recv Date: / /
TSD Site Recv Date: 11/07/1988
Part A Recv Date: 11/07/1988

- Continued on next page -

Site Detail Report

Target Property: 303 SOUTH FREDERICK AVE
GAITHERSBURG, MD 20877

JOB: 47 1465

MANIFEST

EDR ID: 1004527795 **DIST/DIR:** 0.213 NW **ELEVATION:** 491 **MAP ID:** E18

NAME: AMATUCCI AUTO BODY INC
ADDRESS: 4 E CEDAR AVE
GAITHERSBURG, MD 20877
MONTGOMERY

Rev: 11/02/2015
ID/Status: MDD981113160

SOURCE: NY Department of Environmental Conservation

Part B Recv Date: 11/16/1988
Generator EPA ID: MDD981113160
Trans1 EPA ID: ILD051060408
Trans2 EPA ID: Not reported
TSD ID: NYD980753784
Waste Code: F003 - UNKNOWN
Quantity: 00216
Units: P - Pounds
Number of Containers: 002
Container Type: DM - Metal drums, barrels
Handling Method: B Incineration, heat recovery, burning.
Specific Gravity: 100
Year: 1988

Document ID: NYA9127991
Manifest Status: Completed after the designated time period for a TSD to get a copy to the DEC
Trans1 State ID: 42788A034
Trans2 State ID: PAAH0177A
Generator Ship Date: 10/06/1988
Trans1 Recv Date: 10/06/1988
Trans2 Recv Date: 10/07/1988
TSD Site Recv Date: 10/11/1988
Part A Recv Date: 11/22/1988
Part B Recv Date: 10/20/1988
Generator EPA ID: MDD981113160
Trans1 EPA ID: ILD051060408
Trans2 EPA ID: ILD051060408
TSD ID: NYD980753784
Waste Code: F003 - UNKNOWN
Quantity: 00144
Units: P - Pounds
Number of Containers: 002
Container Type: DM - Metal drums, barrels
Handling Method: R Material recovery of more than 75 percent of the total material.
Specific Gravity: 100
Year: 1988

Document ID: NYA9269278
Manifest Status: Completed copy
Trans1 State ID: 42789A034
Trans2 State ID: Not reported
Generator Ship Date: 01/23/1989
Trans1 Recv Date: 01/23/1989

- Continued on next page -

Site Detail Report

Target Property: 303 SOUTH FREDERICK AVE
GAITHERSBURG, MD 20877

JOB: 47 1465

MANIFEST

EDR ID: 1004527795 **DIST/DIR:** 0.213 NW **ELEVATION:** 491 **MAP ID:** E18

NAME: AMATUCCI AUTO BODY INC
ADDRESS: 4 E CEDAR AVE
GAITHERSBURG, MD 20877
MONTGOMERY

Rev: 11/02/2015
ID/Status: MDD981113160

SOURCE: NY Department of Environmental Conservation

Trans2 Recv Date: / /
TSD Site Recv Date: 01/31/1989
Part A Recv Date: 01/27/1989
Part B Recv Date: 02/06/1989
Generator EPA ID: MDD981113160
Trans1 EPA ID: ILD051060408
Trans2 EPA ID: Not reported
TSD ID: NYD980753784
Waste Code: F003 - UNKNOWN
Quantity: 00108
Units: P - Pounds
Number of Containers: 001
Container Type: DM - Metal drums, barrels
Handling Method: B Incineration, heat recovery, burning.
Specific Gravity: 100
Year: 1989

Site Detail Report

Target Property: 303 SOUTH FREDERICK AVE
GAITHERSBURG, MD 20877

JOB: 47 1465

RCRA-CESQG

EDR ID: 1004527795 **DIST/DIR:** 0.213 NW **ELEVATION:** 491 **MAP ID:** E18

NAME: AMATUCCI AUTO BODY INC
ADDRESS: 4 E CEDAR AVE
GAITHERSBURG, MD 20877
MONTGOMERY

Rev: 06/09/2015
ID/Status: MDD981113160

SOURCE: US Environmental Protection Agency

RCRA-CESQG:

Date form received by agency: 07/09/1986
Facility name: AMATUCCI AUTO BODY INC
Facility address: 4 E CEDAR AVE
GAITHERSBURG, MD 20877
EPA ID: MDD981113160
Contact: CARMINE AMATUCCI
Contact address: 7909 BRIARHEATH CT
GAITHERSBURG, MD 20882
Contact country: US
Contact telephone: (301) 253-9161
Contact email: Not reported
EPA Region: 03

Classification: Conditionally Exempt Small Quantity Generator

Description: Handler: generates 100 kg or less of hazardous waste per calendar month, and accumulates 1000 kg or less of hazardous waste at any time; or generates 1 kg or less of acutely hazardous waste per calendar month, and accumulates at any time: 1 kg or less of acutely hazardous waste; or 100 kg or less of any residue or contaminated soil, waste or other debris resulting from the cleanup of a spill, into or on any land or water, of acutely hazardous waste; or generates 100 kg or less of any residue or contaminated soil, waste or other debris resulting from the cleanup of a spill, into or on any land or water, of acutely hazardous waste during any calendar month, and accumulates at any time: 1 kg or less of acutely hazardous waste; or 100 kg or less of any residue or contaminated soil, waste or other debris resulting from the cleanup of a spill, into or on any land or water, of acutely hazardous waste

Owner/Operator Summary:

Owner/operator name: AMATUCCI, SAM PTR
Owner/operator address: 4 E CEDAR AVE
GAITHERSBURG, MD 20877
Owner/operator country: Not reported
Owner/operator telephone: (301) 253-9161
Legal status: Private
Owner/Operator Type: Owner
Owner/Op start date: Not reported
Owner/Op end date: Not reported

Owner/operator name: OPERNAME
Owner/operator address: OPERSTREET
OPERCITY, AK 99999
Owner/operator country: Not reported

- Continued on next page -

Site Detail Report

Target Property: 303 SOUTH FREDERICK AVE
GAITHERSBURG, MD 20877

JOB: 47 1465

RCRA-CESQG

EDR ID: 1004527795 **DIST/DIR:** 0.213 NW **ELEVATION:** 491 **MAP ID:** E18

NAME: AMATUCCI AUTO BODY INC
ADDRESS: 4 E CEDAR AVE
GAITHERSBURG, MD 20877
MONTGOMERY

Rev: 06/09/2015
ID/Status: MDD981113160

SOURCE: US Environmental Protection Agency

Owner/operator telephone: (215) 555-1212
Legal status: Private
Owner/Operator Type: Operator
Owner/Op start date: Not reported
Owner/Op end date: Not reported

Handler Activities Summary:

U.S. importer of hazardous waste: No
Mixed waste (haz. and radioactive): No
Recycler of hazardous waste: No
Transporter of hazardous waste: No
Treater, storer or disposer of HW: No
Underground injection activity: No
On-site burner exemption: No
Furnace exemption: No
Used oil fuel burner: No
Used oil processor: No
User oil refiner: No
Used oil fuel marketer to burner: No
Used oil Specification marketer: No
Used oil transfer facility: No
Used oil transporter: No

- . Waste code: D001
- . Waste name: IGNITABLE WASTE

- . Waste code: D008
- . Waste name: LEAD

- . Waste code: D018
- . Waste name: BENZENE

- . Waste code: D022
- . Waste name: CHLOROFORM

- . Waste code: D028
- . Waste name: 1,2-DICHLOROETHANE

- . Waste code: D035
- . Waste name: METHYL ETHYL KETONE

- . Waste code: D039
- . Waste name: TETRACHLOROETHYLENE

- Continued on next page -

Site Detail Report

Target Property: 303 SOUTH FREDERICK AVE
GAITHERSBURG, MD 20877

JOB: 47 1465

RCRA-CESQG

EDR ID: 1004527795 **DIST/DIR:** 0.213 NW **ELEVATION:** 491 **MAP ID:** E18

NAME: AMATUCCI AUTO BODY INC
ADDRESS: 4 E CEDAR AVE
GAITHERSBURG, MD 20877
MONTGOMERY

Rev: 06/09/2015
ID/Status: MDD981113160

SOURCE: US Environmental Protection Agency

- . Waste code: D040
- . Waste name: TRICHTHORETHYLENE

Violation Status: No violations found

Site Detail Report

Target Property: 303 SOUTH FREDERICK AVE
GAITHERSBURG, MD 20877

JOB: 47 1465

UST

EDR ID: U003738660 **DIST/DIR:** 0.214 North **ELEVATION:** 507 **MAP ID:** D19

NAME: SOUTHERN STATES FREDERICK PETROLEUM

Rev: 06/03/2015

ADDRESS: 8 S. SUMMITT AVE.
GAITHERSBURG, MD 20877
MONTGOMERY

ID/Status: 9265

ID/Status: Permanently Out of Use

SOURCE: MD Department of the Environment

UST:

Facility Id: 9265

Oper Name: Robert Roberson

Form Name: Robert Roberson

Form Title: Manager

Form Date: 05/28/1997

Owner Id: 659

Owner:

Owner Name: Southern States Cooperative, Inc.

Owner Address: P. O. Box 26234

Owner City: Richmond

Owner State: VA

Owner Zip: 23260

Owner Phone: (804) 281-1000

Owner Contact: James Lillard

Tanks:

Tank ID: 1

Tank Status: Permanently Out of Use

Tank Capacity: 20000

Substance Description: Gasoline

Tank Compartment: False

Compartment Compartment: A

Date Installed: 07/01/1984

Tank Material Desc: Composite (Steel w/ FRP)

Pipe Material Desc: Flexible Plastic

Tank ID: 10

Tank Status: Permanently Out of Use

Tank Capacity: 2000

Substance Description: Gasoline

Tank Compartment: False

Compartment Compartment: A

Date Installed: 01/01/1974

Tank Material Desc: Asphalt Coated or Bare Steel

Pipe Material Desc: Bare or Galvanized Steel

Tank ID: 11

Tank Status: Permanently Out of Use

Tank Capacity: 2000

Substance Description: Gasoline

Tank Compartment: False

Compartment Compartment: A

- Continued on next page -

Site Detail Report

Target Property: 303 SOUTH FREDERICK AVE
GAITHERSBURG, MD 20877

JOB: 47 1465

UST

EDR ID: U003738660 **DIST/DIR:** 0.214 North **ELEVATION:** 507 **MAP ID:** D19

NAME: SOUTHERN STATES FREDERICK PETROLEUM

Rev: 06/03/2015

ADDRESS: 8 S. SUMMITT AVE.
GAITHERSBURG, MD 20877
MONTGOMERY

ID/Status: 9265

ID/Status: Permanently Out of Use

SOURCE: MD Department of the Environment

Date Installed: 01/01/1974
Tank Material Desc: Asphalt Coated or Bare Steel
Pipe Material Desc: Bare or Galvanized Steel

Tank ID: 12
Tank Status: Permanently Out of Use
Tank Capacity: 1000
Substance Description: Gasoline
Tank Compartment: False
Compartment Compartment: A
Date Installed: 01/01/1974
Tank Material Desc: Asphalt Coated or Bare Steel
Pipe Material Desc: Bare or Galvanized Steel

Tank ID: 13
Tank Status: Permanently Out of Use
Tank Capacity: 550
Substance Description: Kerosene
Tank Compartment: False
Compartment Compartment: A
Date Installed: 01/01/1984
Tank Material Desc: Asphalt Coated or Bare Steel
Pipe Material Desc: Bare or Galvanized Steel

Tank ID: 2
Tank Status: Permanently Out of Use
Tank Capacity: 20000
Substance Description: Gasoline
Tank Compartment: False
Compartment Compartment: A
Date Installed: 07/01/1984
Tank Material Desc: Composite (Steel w/ FRP)
Pipe Material Desc: Flexible Plastic

Tank ID: 3
Tank Status: Permanently Out of Use
Tank Capacity: 20000
Substance Description: Gasoline
Tank Compartment: False
Compartment Compartment: A
Date Installed: 07/01/1984
Tank Material Desc: Composite (Steel w/ FRP)
Pipe Material Desc: Flexible Plastic

Tank ID: 4

- Continued on next page -

Site Detail Report

Target Property: 303 SOUTH FREDERICK AVE
GAITHERSBURG, MD 20877

JOB: 47 1465

UST

EDR ID: U003738660 **DIST/DIR:** 0.214 North **ELEVATION:** 507 **MAP ID:** D19

NAME: SOUTHERN STATES FREDERICK PETROLEUM

Rev: 06/03/2015

ADDRESS: 8 S. SUMMITT AVE.
GAITHERSBURG, MD 20877
MONTGOMERY

ID/Status: 9265

ID/Status: Permanently Out of Use

SOURCE: MD Department of the Environment

Tank Status: Permanently Out of Use
Tank Capacity: 20000
Substance Description: Diesel
Tank Compartment: False
Compartment Compartment: A
Date Installed: 07/01/1984
Tank Material Desc: Composite (Steel w/ FRP)
Pipe Material Desc: Flexible Plastic

Tank ID: 5
Tank Status: Permanently Out of Use
Tank Capacity: 20000
Substance Description: Kerosene
Tank Compartment: False
Compartment Compartment: A
Date Installed: 07/01/1984
Tank Material Desc: Composite (Steel w/ FRP)
Pipe Material Desc: Flexible Plastic

Tank ID: 6
Tank Status: Permanently Out of Use
Tank Capacity: 20000
Substance Description: Heating Oil
Tank Compartment: False
Compartment Compartment: A
Date Installed: 07/01/1984
Tank Material Desc: Composite (Steel w/ FRP)
Pipe Material Desc: Flexible Plastic

Tank ID: 7
Tank Status: Permanently Out of Use
Tank Capacity: 4000
Substance Description: Other
Tank Compartment: False
Compartment Compartment: A
Date Installed: 04/01/1991
Tank Material Desc: Asphalt Coated or Bare Steel
Pipe Material Desc: Bare or Galvanized Steel

Tank ID: 8
Tank Status: Permanently Out of Use
Tank Capacity: 1000
Substance Description: Heating Oil
Tank Compartment: False
Compartment Compartment: A

- Continued on next page -

Site Detail Report

Target Property: 303 SOUTH FREDERICK AVE
GAITHERSBURG, MD 20877

JOB: 47 1465

UST

EDR ID: U003738660 **DIST/DIR:** 0.214 North **ELEVATION:** 507 **MAP ID:** D19

NAME: SOUTHERN STATES FREDERICK PETROLEUM

Rev: 06/03/2015

ADDRESS: 8 S. SUMMITT AVE.
GAITHERSBURG, MD 20877
MONTGOMERY

ID/Status: 9265
ID/Status: Permanently Out of Use

SOURCE: MD Department of the Environment

Date Installed: 06/01/1972
Tank Material Desc: Asphalt Coated or Bare Steel
Pipe Material Desc: Copper

Tank ID: 9
Tank Status: Permanently Out of Use
Tank Capacity: 2000
Substance Description: Diesel
Tank Compartment: False
Compartment: A
Date Installed: 01/01/1974
Tank Material Desc: Asphalt Coated or Bare Steel
Pipe Material Desc: Bare or Galvanized Steel

Site Detail Report

Target Property: 303 SOUTH FREDERICK AVE
GAITHERSBURG, MD 20877

JOB: 47 1465

VCP

EDR ID: S111312458 **DIST/DIR:** 0.217 NNW **ELEVATION:** 504 **MAP ID:** 20

NAME: GAITHERSBURG Y SITE **Rev:** 12/16/2015
ADDRESS: 200 OLDE TOWNE AVENUE
GAITHERSBURG, MD 20877
MONTGOMERY
SOURCE: MD Dept. of the Environment

VCP:
Acreage: 2.18
Applicants Name: Gaithersburg Y Site LLC
Applicants Address: 4401 Wilson Boulevard, Suite 600
Applicants City: Arlington
Applicants Zip: 22203
Initial RAP submitted on: Not reported
RAP accepted on: 11/08/2012
Sign posted on: Not reported
Date withdrawn: Not reported
Application submitted on: 09/20/2011
Application accepted on: 06/12/2012
Date issued: Not reported
Withdrawn: False
VCP: True
Public Meeting Date: Not reported
Site Alias: Wye Site; CSX Property; William M. Wetmore, Inc., Electrical
Contractors; Lashof Violins; Tony & Son Air Conditioning & Heating
Type Name: Not reported

Site Detail Report

Target Property: 303 SOUTH FREDERICK AVE
GAITHERSBURG, MD 20877

JOB: 47 1465

OCPCASES

EDR ID: 1000945427 **DIST/DIR:** 0.235 North **ELEVATION:** 512 **MAP ID:** 21

NAME: SOUTHERN STATES
ADDRESS: 8 S SUMMIT AVE
GAITHERSBURG, MD 20877
MONTGOMERY
SOURCE: MD Department of Environment

Rev: 06/03/2015
ID/Status: CLOSED
ID/Status: 96-0263MO2
ID/Status: 9-0527MO2
ID/Status: 05/04/2000

OCPCASES:

Facility ID: 96-0263MO2
Facility Status/Code: CLOSED/
Date Open: 08/09/1995
Date Closed: 05/04/2000
Release: Not reported
Cleanup: Not reported
Registration Number: 9265

Facility ID: 9-0527MO2
Facility Status/Code: CLOSED/Tank Closure - Motor/Lube Oil
Date Open: 10/03/1988
Date Closed: 05/04/2000
Release: YES
Cleanup: YES
Registration Number: 9265

Site Detail Report

Target Property: 303 SOUTH FREDERICK AVE
GAITHERSBURG, MD 20877

JOB: 47 1465

OCPCASES

EDR ID: S111161700 **DIST/DIR:** 0.285 North **ELEVATION:** 516 **MAP ID:** 22

NAME: ARCHSTONE APARTMENTS

ADDRESS: 307 E DIAMOND AVE
GAITHERSBURG, MD 20879
MONTGOMERY

SOURCE: MD Department of Environment

Rev: 06/03/2015

ID/Status: CLOSED
ID/Status: 11-0598MO
ID/Status: 12-0322MO
ID/Status: 07/26/2011
ID/Status: 01/18/2012

OCPCASES:

Facility ID: 11-0598MO
Facility Status/Code: CLOSED/Tank Closure - Motor/Lube Oil
Date Open: 04/21/2011
Date Closed: 07/26/2011
Release: NO
Cleanup: NO
Registration Number: 20097

Facility ID: 12-0322MO
Facility Status/Code: CLOSED/Tank Closure - Commercial Heating Oil
Date Open: 12/02/2011
Date Closed: 01/18/2012
Release: NO
Cleanup: NO
Registration Number: 20097

Site Detail Report

Target Property: 303 SOUTH FREDERICK AVE
GAITHERSBURG, MD 20877

JOB: 47 1465

OCPCASES

EDR ID: S104605573 **DIST/DIR:** 0.298 NNE **ELEVATION:** 524 **MAP ID:** 23

NAME: THE GRAINERY

Rev: 06/03/2015

ADDRESS: 317 E DIAMOND AVE
GAITHERSBURG, MD 20877
MONTGOMERY

ID/Status: CLOSED
ID/Status: 95-0688MO1
ID/Status: 11/16/1994

SOURCE: MD Department of Environment

OCPCASES:

Facility ID: 95-0688MO1
Facility Status/Code: CLOSED/Tank Closure - Motor/Lube Oil
Date Open: 09/12/1994
Date Closed: 11/16/1994
Release: Not reported
Cleanup: Not reported
Registration Number: Not reported

Site Detail Report

Target Property: 303 SOUTH FREDERICK AVE
GAITHERSBURG, MD 20877

JOB: 47 1465

OCPCASES

EDR ID: S105584133 **DIST/DIR:** 0.305 SSE **ELEVATION:** 460 **MAP ID:** F24

NAME: SUMMIT FARM PARK	Rev: 06/03/2015
ADDRESS: 502 S FREDERICK AVE	ID/Status: CLOSED
GAITHERSBURG, MD 20877	ID/Status: 01-0470MO2
MONTGOMERY	ID/Status: 91-0072MO1
SOURCE: MD Department of Environment	ID/Status: 07/27/2006
	ID/Status: 05/06/1993

OCPCASES:

Facility ID: 01-0470MO2
Facility Status/Code: CLOSED/Tank Closure - Commercial Heating Oil
Date Open: 09/29/2000
Date Closed: 07/27/2006
Release: NO
Cleanup: NO
Registration Number: 771

Facility ID: 91-0072MO1
Facility Status/Code: CLOSED/
Date Open: 07/13/1990
Date Closed: 05/06/1993
Release: Not reported
Cleanup: Not reported
Registration Number: 771

Site Detail Report

Target Property: 303 SOUTH FREDERICK AVE
GAITHERSBURG, MD 20877

JOB: 47 1465

OCPCASES

EDR ID: S113766733 **DIST/DIR:** 0.305 SSE **ELEVATION:** 460 **MAP ID:** F25

NAME: HOSPICE

Rev: 06/03/2015

ADDRESS: 502 S FREDERICK AVE
GAITHERSBURG, MD 20877
MONTGOMERY

ID/Status: CANCELLED
ID/Status: 01-0426MO2

SOURCE: MD Department of Environment

OCPCASES:

Facility ID: 01-0426MO2
Facility Status/Code: CANCELLED/Tank Closure - Commercial Heating Oil
Date Open: 09/29/2000
Date Closed: Not reported
Release: NO
Cleanup: Not reported
Registration Number: 771

Site Detail Report

Target Property: 303 SOUTH FREDERICK AVE
GAITHERSBURG, MD 20877

JOB: 47 1465

OCPCASES

EDR ID: S104603277 **DIST/DIR:** 0.336 North **ELEVATION:** 516 **MAP ID:** 27

NAME: NATIONS BANK **Rev:** 06/03/2015
ADDRESS: 22 N SUMMITT AVE ID/Status: CLOSED
GAITHERSBURG, MD 20877 ID/Status: 94-1489MO
MONTGOMERY ID/Status: 02/15/1995
SOURCE: MD Department of Environment

OCPCASES:
Facility ID: 94-1489MO
Facility Status/Code: CLOSED/
Date Open: 11/18/1993
Date Closed: 02/15/1995
Release: Not reported
Cleanup: Not reported
Registration Number: 17430

Facility ID: 94-1489MO
Facility Status/Code: CLOSED/
Date Open: 11/18/1993
Date Closed: 02/15/1995
Release: Not reported
Cleanup: Not reported
Registration Number: 17430

Site Detail Report

Target Property: 303 SOUTH FREDERICK AVE
GAITHERSBURG, MD 20877

JOB: 47 1465

OCPCASES

EDR ID: S104632376 **DIST/DIR:** 0.344 NE **ELEVATION:** 527 **MAP ID:** G28

NAME: HAPIS INC. TA GAITHERS. CITGO

Rev: 06/03/2015

ADDRESS: 409 E DIAMOND AVE
GAITHERSBURG, MD 20760
MONTGOMERY

ID/Status: CLOSED
ID/Status: 10-0021MO
ID/Status: 08/30/2010

SOURCE: MD Department of Environment

OCPCASES:

Facility ID: 10-0021MO
Facility Status/Code: CLOSED/C-16
Date Open: 07/14/2009
Date Closed: 08/30/2010
Release: NO
Cleanup: NO
Registration Number: 18637

Site Detail Report

Target Property: 303 SOUTH FREDERICK AVE
GAITHERSBURG, MD 20877

JOB: 47 1465

OCPCASES

EDR ID: S104613801 **DIST/DIR:** 0.356 NE **ELEVATION:** 527 **MAP ID:** G29

NAME: WINKLER AUTO

Rev: 06/03/2015

ADDRESS: 413 E DIAMOND AVE
GAITHERSBURG, MD 20877
MONTGOMERY

ID/Status: CLOSED
ID/Status: 90-1648MO
ID/Status: 05/16/1990

SOURCE: MD Department of Environment

OCPCASES:

Facility ID: 90-1648MO
Facility Status/Code: CLOSED/
Date Open: 02/22/1990
Date Closed: 05/16/1990
Release: Not reported
Cleanup: Not reported
Registration Number: Not reported

Site Detail Report

Target Property: 303 SOUTH FREDERICK AVE
GAITHERSBURG, MD 20877

JOB: 47 1465

OCPCASES

EDR ID: S113767970 **DIST/DIR:** 0.424 NE **ELEVATION:** 526 **MAP ID:** H30

NAME: OFFENBACHER PROPERTY

Rev: 06/03/2015

ADDRESS: 433-C E DIAMOND AVE
GAITHERSBURG, MD 20877
MONTGOMERY

ID/Status: CLOSED
ID/Status: 04-2039MO2
ID/Status: 08/30/2004

SOURCE: MD Department of Environment

OCPCASES:

Facility ID: 04-2039MO2
Facility Status/Code: CLOSED/Tank Closure - Commercial Heating Oil
Date Open: 06/09/2004
Date Closed: 08/30/2004
Release: YES
Cleanup: YES
Registration Number: 15550

Site Detail Report

Target Property: 303 SOUTH FREDERICK AVE
GAITHERSBURG, MD 20877

JOB: 47 1465

OCPCASES

EDR ID: S113767971 **DIST/DIR:** 0.424 NE **ELEVATION:** 526 **MAP ID:** H31

NAME: OFFENBACHER PROPERTY

Rev: 06/03/2015

ADDRESS: 433-D E DIAMOND AVE
GAITHERSBURG, MD 20877
MONTGOMERY

ID/Status: CLOSED
ID/Status: 04-2040MO2
ID/Status: 08/30/2004

SOURCE: MD Department of Environment

OCPCASES:

Facility ID: 04-2040MO2
Facility Status/Code: CLOSED/Tank Closure - Commercial Heating Oil
Date Open: 06/09/2004
Date Closed: 08/30/2004
Release: YES
Cleanup: YES
Registration Number: 15551

Site Detail Report

Target Property: 303 SOUTH FREDERICK AVE
GAITHERSBURG, MD 20877

JOB: 47 1465

OCPCASES

EDR ID: S113767973 **DIST/DIR:** 0.424 NE **ELEVATION:** 526 **MAP ID:** H32

NAME: OFFENBACHER PROPERTY

Rev: 06/03/2015

ADDRESS: 433-F E DIAMOND AVE
GAITHERSBURG, MD 20877
MONTGOMERY

ID/Status: CLOSED
ID/Status: 04-2042MO2
ID/Status: 08/30/2004

SOURCE: MD Department of Environment

OCPCASES:

Facility ID: 04-2042MO2

Facility Status/Code: CLOSED/Tank Closure - Commercial Heating Oil

Date Open: 06/09/2004

Date Closed: 08/30/2004

Release: YES

Cleanup: YES

Registration Number: 15553

Site Detail Report

Target Property: 303 SOUTH FREDERICK AVE
GAITHERSBURG, MD 20877

JOB: 47 1465

OCPCASES

EDR ID: S113767972 **DIST/DIR:** 0.424 NE **ELEVATION:** 526 **MAP ID:** H33

NAME: OFFENBACHER PROPERTY

Rev: 06/03/2015

ADDRESS: 433-E E DIAMOND AVE
GAITHERSBURG, MD 20877
MONTGOMERY

ID/Status: CLOSED
ID/Status: 04-2041MO2
ID/Status: 08/30/2004

SOURCE: MD Department of Environment

OCPCASES:

Facility ID: 04-2041MO2

Facility Status/Code: CLOSED/Tank Closure - Commercial Heating Oil

Date Open: 06/09/2004

Date Closed: 08/30/2004

Release: YES

Cleanup: YES

Registration Number: 15552

Site Detail Report

Target Property: 303 SOUTH FREDERICK AVE
GAITHERSBURG, MD 20877

JOB: 47 1465

OCPCASES

EDR ID: S113767969 **DIST/DIR:** 0.424 NE **ELEVATION:** 526 **MAP ID:** H34

NAME: OFFENBACHER PROPERTY

Rev: 06/03/2015

ADDRESS: 433-B E DIAMOND AVE
GAITHERSBURG, MD 20877
MONTGOMERY

ID/Status: CLOSED
ID/Status: 04-2038MO2
ID/Status: 08/30/2004

SOURCE: MD Department of Environment

OCPCASES:

Facility ID: 04-2038MO2
Facility Status/Code: CLOSED/Tank Closure - Commercial Heating Oil
Date Open: 06/09/2004
Date Closed: 08/30/2004
Release: YES
Cleanup: YES
Registration Number: 15549

Site Detail Report

Target Property: 303 SOUTH FREDERICK AVE
GAITHERSBURG, MD 20877

JOB: 47 1465

OCPCASES

EDR ID: S113767968 **DIST/DIR:** 0.424 NE **ELEVATION:** 526 **MAP ID:** H35

NAME: OFFENBACHER PROPERTY

Rev: 06/03/2015

ADDRESS: 433-A E DIAMOND AVE
GAITHERSBURG, MD 20877
MONTGOMERY

ID/Status: CLOSED
ID/Status: 04-2037MO2
ID/Status: 08/30/2004

SOURCE: MD Department of Environment

OCPCASES:

Facility ID: 04-2037MO2
Facility Status/Code: CLOSED/Tank Closure - Commercial Heating Oil
Date Open: 06/09/2004
Date Closed: 08/30/2004
Release: YES
Cleanup: YES
Registration Number: 15548

Site Detail Report

Target Property: 303 SOUTH FREDERICK AVE
GAITHERSBURG, MD 20877

JOB: 47 1465

OCPCASES

EDR ID: S113767974 **DIST/DIR:** 0.424 NE **ELEVATION:** 526 **MAP ID:** H36

NAME: OFFENBACHER PROPERTY

Rev: 06/03/2015

ADDRESS: 433-G E DIAMOND AVE
GAITHERSBURG, MD 20877
MONTGOMERY

ID/Status: CLOSED
ID/Status: 04-2043MO2
ID/Status: 08/30/2004

SOURCE: MD Department of Environment

OCPCASES:

Facility ID: 04-2043MO2
Facility Status/Code: CLOSED/Tank Closure - Commercial Heating Oil
Date Open: 06/09/2004
Date Closed: 08/30/2004
Release: YES
Cleanup: YES
Registration Number: 15554

Site Detail Report

Target Property: 303 SOUTH FREDERICK AVE
GAITHERSBURG, MD 20877

JOB: 47 1465

OCPCASES

EDR ID: S104632632 **DIST/DIR:** 0.429 NW **ELEVATION:** 501 **MAP ID:** I37

NAME: C & P TELEPHONE
ADDRESS: 5 N FREDERICK AVE
GAITHERSBURG, MD 20877
MONTGOMERY
SOURCE: MD Department of Environment

Rev: 06/03/2015
ID/Status: CLOSED
ID/Status: 94-2090MO1
ID/Status: 09-0739MO
ID/Status: 10-0244MO
ID/Status: 7-0581MO2

Date Closed: 02/13/1992
Release: Not reported
Cleanup: Not reported
Registration Number: 8539

Facility ID: 91-0962MO1
Facility Status/Code: CLOSED/
Date Open: 11/14/1990
Date Closed: 02/13/1992
Release: Not reported
Cleanup: Not reported
Registration Number: 8536

Site Detail Report

Target Property: 303 SOUTH FREDERICK AVE
GAITHERSBURG, MD 20877

JOB: 47 1465

OCPCASES

EDR ID: S104638946 **DIST/DIR:** 0.429 NW **ELEVATION:** 501 **MAP ID:** I38

NAME: GAITHERSBURG C. O. GLC 07740

Rev: 06/03/2015

ADDRESS: 5 N FREDERICK AVE
GAITHERSBURG, MD 20877
MONTGOMERY

ID/Status: CLOSED
ID/Status: 7-1892MO2
ID/Status: 02/13/1992

SOURCE: MD Department of Environment

OCPCASES:

Facility ID: 7-1892MO2
Facility Status/Code: CLOSED/
Date Open: 03/27/1987
Date Closed: 02/13/1992
Release: Not reported
Cleanup: Not reported
Registration Number: 8536

Site Detail Report

Target Property: 303 SOUTH FREDERICK AVE
GAITHERSBURG, MD 20877

JOB: 47 1465

OCPCASES

EDR ID: S113767959 **DIST/DIR:** 0.431 NE **ELEVATION:** 526 **MAP ID:** H39

NAME: OFFENBACHER PROPERTY

Rev: 06/03/2015

ADDRESS: 435-A E DIAMOND AVE
GAITHERSBURG, MD 20877
MONTGOMERY

ID/Status: CLOSED
ID/Status: 04-2022MO2
ID/Status: 08/24/2004

SOURCE: MD Department of Environment

OCPCASES:

Facility ID: 04-2022MO2

Facility Status/Code: CLOSED/Tank Closure - Commercial Heating Oil

Date Open: 06/07/2004

Date Closed: 08/24/2004

Release: YES

Cleanup: NO

Registration Number: 15555

Site Detail Report

Target Property: 303 SOUTH FREDERICK AVE
GAITHERSBURG, MD 20877

JOB: 47 1465

OCPCASES

EDR ID: S113767811 **DIST/DIR:** 0.431 NE **ELEVATION:** 526 **MAP ID:** H40

NAME: OFFEMBACHER PROPERTIES

Rev: 06/03/2015

ADDRESS: 435-D E DIAMOND AVE
GAITHERSBURG, MD 20877
MONTGOMERY

ID/Status: CLOSED
ID/Status: 04-1120MO2
ID/Status: 08/29/2004

SOURCE: MD Department of Environment

OCPCASES:

Facility ID: 04-1120MO2

Facility Status/Code: CLOSED/Tank Closure - Commercial Heating Oil

Date Open: 12/22/2003

Date Closed: 08/29/2004

Release: NO

Cleanup: NO

Registration Number: 10639

Site Detail Report

Target Property: 303 SOUTH FREDERICK AVE
GAITHERSBURG, MD 20877

JOB: 47 1465

OCPCASES

EDR ID: S113767962 **DIST/DIR:** 0.431 NE **ELEVATION:** 526 **MAP ID:** H41

NAME: OFFENBACHER PROPERTY

Rev: 06/03/2015

ADDRESS: 435-K E DIAMOND AVE
GAITHERSBURG, MD 20877
MONTGOMERY

ID/Status: CLOSED
ID/Status: 04-2026MO2
ID/Status: 08/30/2004

SOURCE: MD Department of Environment

OCPCASES:

Facility ID: 04-2026MO2

Facility Status/Code: CLOSED/Tank Closure - Commercial Heating Oil

Date Open: 06/09/2004

Date Closed: 08/30/2004

Release: YES

Cleanup: YES

Registration Number: 15561

Site Detail Report

Target Property: 303 SOUTH FREDERICK AVE
GAITHERSBURG, MD 20877

JOB: 47 1465

OCPCASES

EDR ID: S113767967 **DIST/DIR:** 0.431 NE **ELEVATION:** 526 **MAP ID:** H42

NAME: OFFENBACHER PROPERTY

Rev: 06/03/2015

ADDRESS: 435-G E DIAMOND AVE
GAITHERSBURG, MD 20877
MONTGOMERY

ID/Status: CLOSED
ID/Status: 04-2036MO2
ID/Status: 08/30/2004

SOURCE: MD Department of Environment

OCPCASES:

Facility ID: 04-2036MO2
Facility Status/Code: CLOSED/Tank Closure - Commercial Heating Oil
Date Open: 06/09/2004
Date Closed: 08/30/2004
Release: YES
Cleanup: YES
Registration Number: 15560

Site Detail Report

Target Property: 303 SOUTH FREDERICK AVE
GAITHERSBURG, MD 20877

JOB: 47 1465

OCPCASES

EDR ID: S113767965 **DIST/DIR:** 0.431 NE **ELEVATION:** 526 **MAP ID:** H43

NAME: OFFENBACHER PROPERTY

Rev: 06/03/2015

ADDRESS: 435-H E DIAMOND AVE
GAITHERSBURG, MD 20877
MONTGOMERY

ID/Status: CLOSED
ID/Status: 04-2029MO2
ID/Status: 08/30/2004

SOURCE: MD Department of Environment

OCPCASES:

Facility ID: 04-2029MO2

Facility Status/Code: CLOSED/Tank Closure - Commercial Heating Oil

Date Open: 06/09/2004

Date Closed: 08/30/2004

Release: YES

Cleanup: YES

Registration Number: 15559

Site Detail Report

Target Property: 303 SOUTH FREDERICK AVE
GAITHERSBURG, MD 20877

JOB: 47 1465

OCPCASES

EDR ID: S113767961 **DIST/DIR:** 0.431 NE **ELEVATION:** 526 **MAP ID:** H44

NAME: OFFENBACHER PROPERTY

Rev: 06/03/2015

ADDRESS: 435-C E DIAMOND AVE
GAITHERSBURG, MD 20877
MONTGOMERY

ID/Status: CLOSED
ID/Status: 04-2024MO2
ID/Status: 08/30/2004

SOURCE: MD Department of Environment

OCPCASES:

Facility ID: 04-2024MO2

Facility Status/Code: CLOSED/Tank Closure - Commercial Heating Oil

Date Open: 06/07/2004

Date Closed: 08/30/2004

Release: YES

Cleanup: YES

Registration Number: 15557

Site Detail Report

Target Property: 303 SOUTH FREDERICK AVE
GAITHERSBURG, MD 20877

JOB: 47 1465

OCPCASES

EDR ID: S113767963 **DIST/DIR:** 0.431 NE **ELEVATION:** 526 **MAP ID:** H45

NAME: OFFENBACHER PROPERTY

Rev: 06/03/2015

ADDRESS: 435-L E DIAMOND AVE
GAITHERSBURG, MD 20877
MONTGOMERY

ID/Status: CLOSED
ID/Status: 04-2027MO2
ID/Status: 08/30/2004

SOURCE: MD Department of Environment

OCPCASES:

Facility ID: 04-2027MO2

Facility Status/Code: CLOSED/Tank Closure - Commercial Heating Oil

Date Open: 06/09/2004

Date Closed: 08/30/2004

Release: YES

Cleanup: YES

Registration Number: 15562

Site Detail Report

Target Property: 303 SOUTH FREDERICK AVE
GAITHERSBURG, MD 20877

JOB: 47 1465

OCPCASES

EDR ID: S113767960 **DIST/DIR:** 0.431 NE **ELEVATION:** 526 **MAP ID:** H46

NAME: OFFENBACHER PROPERTY

Rev: 06/03/2015

ADDRESS: 435-B E DIAMOND AVE
GAITHERSBURG, MD 20877
MONTGOMERY

ID/Status: CLOSED
ID/Status: 04-2023MO2
ID/Status: 08/30/2004

SOURCE: MD Department of Environment

OCPCASES:

Facility ID: 04-2023MO2

Facility Status/Code: CLOSED/Tank Closure - Commercial Heating Oil

Date Open: 06/07/2004

Date Closed: 08/30/2004

Release: YES

Cleanup: YES

Registration Number: 15556

Site Detail Report

Target Property: 303 SOUTH FREDERICK AVE
GAITHERSBURG, MD 20877

JOB: 47 1465

OCPCASES

EDR ID: S113767981 **DIST/DIR:** 0.431 NE **ELEVATION:** 526 **MAP ID:** H47

NAME: OFFENBACHER PROPERTIES

Rev: 06/03/2015

ADDRESS: 435-E E DIAMOND AVE
GAITHERSBURG, MD 20377
MONTGOMERY

ID/Status: CLOSED
ID/Status: 04-2092MO2
ID/Status: 08/30/2004

SOURCE: MD Department of Environment

OCPCASES:

Facility ID: 04-2092MO2
Facility Status/Code: CLOSED/Tank Closure - Commercial Heating Oil
Date Open: 06/17/2004
Date Closed: 08/30/2004
Release: YES
Cleanup: YES
Registration Number: 15558

Site Detail Report

Target Property: 303 SOUTH FREDERICK AVE
GAITHERSBURG, MD 20877

JOB: 47 1465

OCPCASES

EDR ID: S108474384 **DIST/DIR:** 0.465 WNW **ELEVATION:** 477 **MAP ID:** J48

NAME: EDGE DEVELOPMENT/MASTER PLUMBING CO

Rev: 06/03/2015

ADDRESS: 26 W DIAMOND AVE
GAITHERSBURG, MD 20877
MONTGOMERY

ID/Status: CLOSED
ID/Status: 9-0846MO2
ID/Status: 12/14/1988

SOURCE: MD Department of Environment

OCPCASES:

Facility ID: 9-0846MO2
Facility Status/Code: CLOSED/
Date Open: 12/07/1988
Date Closed: 12/14/1988
Release: Not reported
Cleanup: Not reported
Registration Number: Not reported

Site Detail Report

Target Property: 303 SOUTH FREDERICK AVE
GAITHERSBURG, MD 20877

JOB: 47 1465

OCPCASES

EDR ID: S108912353 **DIST/DIR:** 0.472 WNW **ELEVATION:** 470 **MAP ID:** J49

NAME: DIAMOND ACRES APTS

Rev: 06/03/2015

ADDRESS: 49 W DIAMOND AVE
GAITHERSBURG, MD 20877
MONTGOMERY

ID/Status: CLOSED
ID/Status: 08-0398MO2
ID/Status: 05/22/2008

SOURCE: MD Department of Environment

OCPCASES:

Facility ID: 08-0398MO2
Facility Status/Code: CLOSED/Tank Closure - Commercial Heating Oil
Date Open: 12/19/2007
Date Closed: 05/22/2008
Release: YES
Cleanup: YES
Registration Number: 19392

Site Detail Report

Target Property: 303 SOUTH FREDERICK AVE
GAITHERSBURG, MD 20877

JOB: 47 1465

OCPCASES

EDR ID: S104616454 **DIST/DIR:** 0.489 NW **ELEVATION:** 496 **MAP ID:** K50

NAME: AMOCO	Rev: 06/03/2015
ADDRESS: 100 N FREDERICK AVE	ID/Status: CLOSED
GAITHERSBURG, MD 20877	ID/Status: 90-0652MO1
MONTGOMERY	ID/Status: 91-2082MO2
SOURCE: MD Department of Environment	ID/Status: 10/04/1989
	ID/Status: 09/17/2001

OCPCASES:

Facility ID: 90-0652MO1
Facility Status/Code: CLOSED/
Date Open: 10/04/1989
Date Closed: 10/04/1989
Release: Not reported
Cleanup: Not reported
Registration Number: 3678

Facility ID: 91-2082MO2
Facility Status/Code: CLOSED/Well/GW Contamination - Motor/Lube Oil
Date Open: 05/02/1991
Date Closed: 09/17/2001
Release: YES
Cleanup: YES
Registration Number: 3678

Site Detail Report

Target Property: 303 SOUTH FREDERICK AVE
GAITHERSBURG, MD 20877

JOB: 47 1465

OCPCASES

EDR ID: S113766845 **DIST/DIR:** 0.489 NW **ELEVATION:** 496 **MAP ID:** K51

NAME: CHEVRON STATION
ADDRESS: 100 N FREDERICK AVE
GAITHERSBURG, MD 20877
MONTGOMERY
SOURCE: MD Department of Environment

Rev: 06/03/2015
ID/Status: CLOSED
ID/Status: 01-1165MO2
ID/Status: 06/13/2001

OCPCASES:
Facility ID: 01-1165MO2
Facility Status/Code: CLOSED/New Installation - Motor/Lube Oil
Date Open: 02/26/2001
Date Closed: 06/13/2001
Release: NO
Cleanup: NO
Registration Number: 3678

Site Detail Report

Target Property: 303 SOUTH FREDERICK AVE
GAITHERSBURG, MD 20877

JOB: 47 1465

SHWS

EDR ID: S104228755 **DIST/DIR:** 0.867 SW **ELEVATION:** 437 **MAP ID:** 52

NAME: ROCKVILLE - LAUNCH

Rev: 10/01/2009

ADDRESS: MUDDY BRANCH RD
GAITHERSBURG, MD 20878
MONTGOMERY

ID/Status: No Further Remedial Action
ID/Status: (MD-226)

SOURCE: MD Department of the Environment

SHWS:

Facility ID: (MD-226)

Alias Name: NONE

Status: No Further Remedial Action

Facility Type: State Master List

Database Descriptions

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

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

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

NFRAP: CERCLIS-NFRAP Archived sites are sites that have been removed and archived from the inventory of CERCLIS sites. Archived status indicates that, to the best of EPA's knowledge, assessment at a site has been completed and that EPA has determined no further steps will be taken to list this site on the National Priorities List (NPL), unless information indicates this decision was not appropriate or other considerations require a recommendation for listing at a later time. This decision does not necessarily mean that there is no hazard associated with a given site; it only means that, based upon available information, the location is not judged to be a potential NPL site. CERCLIS-NFRAP - CERCLIS No Further Remedial Action Planned

RCRA COR ACT: CORRACTS CORRACTS identifies hazardous waste handlers with RCRA corrective action activity. CORRACTS - Corrective Action Report

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

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

Federal IC / EC: US ENG CONTROLS A listing of sites with engineering controls in place. Engineering controls include various forms of caps, building foundations, liners, and treatment methods to create pathway elimination for regulated substances to enter environmental media or effect human health. US ENG CONTROLS - Engineering Controls Sites List US INST CONTROL - Sites with Institutional Controls.

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

Database Descriptions

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

State/Tribal SWL: SWF/LF Solid Waste Facilities/Landfill Sites. SWF/LF type records typically contain an inventory of solid waste disposal facilities or landfills in a particular state. Depending on the state, these may be active or inactive facilities or open dumps that failed to meet RCRA Subtitle D Section 4004 criteria for solid waste landfills or disposal sites. SWF/LF - Permitted Solid Waste Disposal Facilities

State/Tribal LTANKS: INDIAN LUST R10 INDIAN LUST R1 - Leaking Underground Storage Tanks on Indian Land. INDIAN LUST R8 - Leaking Underground Storage Tanks on Indian Land. INDIAN LUST R6 - Leaking Underground Storage Tanks on Indian Land. INDIAN LUST R5 - Leaking Underground Storage Tanks on Indian Land. INDIAN LUST R4 - Leaking Underground Storage Tanks on Indian Land. INDIAN LUST R9 - Leaking Underground Storage Tanks on Indian Land. INDIAN LUST R7 - Leaking Underground Storage Tanks on Indian Land. LUSTs on Indian land in Alaska, Idaho, Oregon and Washington. INDIAN LUST R7 - Leaking Underground Storage Tanks on Indian Land OCPCASES - Oil Control Program Cases.

State/Tribal Tanks: UST Registered Underground Storage Tanks. UST's are regulated under Subtitle I of the Resource Conservation and Recovery Act (RCRA) and must be registered with the state department responsible for administering the UST program. Available information varies by state program. UST - Registered Underground Storage Tank List AST - Permitted Aboveground Storage Tanks. INDIAN UST R10 - Underground Storage Tanks on Indian Land. INDIAN UST R6 - Underground Storage Tanks on Indian Land. INDIAN UST R5 - Underground Storage Tanks on Indian Land. INDIAN UST R4 - Underground Storage Tanks on Indian Land. INDIAN UST R9 - Underground Storage Tanks on Indian Land. INDIAN UST R8 - Underground Storage Tanks on Indian Land. INDIAN UST R7 - Underground Storage Tanks on Indian Land. INDIAN UST R1 - Underground Storage Tanks on Indian Land.

State/Tribal VCP: VCP The Voluntary Cleanup Program, administrated by the Dept. of the Environment, streamlines the environmental cleanup process for sites, usually industrial or commercial properties, that are contaminated, or perceived to be contaminated, by hazardous substances. Developers and lenders are provided with certain limitations on liability and participants in the program are provided certainty in the process by knowing exactly what will be required. VCP - Voluntary Cleanup Program Applicants/Participants

ST/Tribal Brownfields: BROWNFIELDS The Site Assessment Section of the State Superfund Division is responsible for conducting federally funded assessments of eligible brownfields properties. These assessments are undertaken to determine whether there are environmental cleanup requirements at these sites. BROWNFIELDS - Eligible Brownfields Properties

US Brownfields: US BROWNFIELDS Brownfields are real property, the expansion, redevelopment, or reuse of which may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant. Cleaning up and reinvesting in these properties takes development pressures off of undeveloped, open land, and both improves and protects the environment. Assessment, Cleanup and Redevelopment Exchange System (ACRES) stores information reported by EPA Brownfields grant recipients on brownfields properties assessed or cleaned up with grant funding as well as information on Targeted Brownfields Assessments performed by EPA Regions. A listing of ACRES Brownfield sites is obtained from Cleanups in My Community. Cleanups in My Community provides information on Brownfields properties for which information is reported back to EPA, as well as areas served by Brownfields grant programs. US BROWNFIELDS - A Listing of Brownfields Sites

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

Database Descriptions

Spills: HMIRS Hazardous Materials Incident Report System. HMIRS contains hazardous material spill incidents reported to DOT. HMIRS - Hazardous Materials Information Reporting System SPILLS 90 - SPILLS90 data from FirstSearch.

Other: RCRA NonGen / NLR RCRAInfo is EPA's comprehensive information system, providing access to data supporting the Resource Conservation and Recovery Act (RCRA) of 1976 and the Hazardous and Solid Waste Amendments (HSWA) of 1984. The database includes selective information on sites which generate, transport, store, treat and/or dispose of hazardous waste as defined by the Resource Conservation and Recovery Act (RCRA). Non-Generators do not presently generate hazardous waste. RCRA NonGen / NLR - RCRA - Non Generators / No Longer Regulated FEDLAND - Federal and Indian Lands. TSCA - Toxic Substances Control Act. TRIS - Toxic Chemical Release Inventory System. SSTS - Section 7 Tracking Systems. RAATS - RCRA Administrative Action Tracking System. PRP - Potentially Responsible Parties. PADS - PCB Activity Database System. ICIS - Integrated Compliance Information System. FTTS - FIFRA/ TSCA Tracking System - FIFRA (Federal Insecticide, Fungicide, & Rodenticide Act)/TSCA (Toxic Substances Control Act). FTTS INSP - FIFRA/ TSCA Tracking System - FIFRA (Federal Insecticide, Fungicide, & Rodenticide Act)/TSCA (Toxic Substances Control Act). MLTS - Material Licensing Tracking System. RADINFO - Radiation Information Database. BRS - Biennial Reporting System. INDIAN RESERV - Indian Reservations. US AIRS (AFS) - Aerometric Information Retrieval System Facility Subsystem (AFS). US AIRS MINOR - Air Facility System Data. FINDS - Facility Index System/Facility Registry System.

Database Sources

NPL: EPA

Updated Quarterly

NPL Delisted: EPA

Updated Quarterly

CERCLIS: EPA

Updated Quarterly

NFRAP: EPA

Updated Quarterly

RCRA COR ACT: EPA

Updated Quarterly

RCRA TSD: Environmental Protection Agency

Updated Quarterly

RCRA GEN: Environmental Protection Agency

Updated Quarterly

Federal IC / EC: Environmental Protection Agency

Varies

ERNS: National Response Center, United States Coast Guard

Updated Annually

State/Tribal CERCLIS: Department of the Environment

Updated Semi-Annually

State/Tribal SWL: Department of the Environment

Updated Annually

State/Tribal LTANKS: EPA Region 4

Updated Semi-Annually

State/Tribal Tanks: Department of the Environment

Varies

Database Sources

State/Tribal VCP: Dept. of the Environment

Updated Semi-Annually

ST/Tribal Brownfields: Department of Environment

Updated Quarterly

US Brownfields: Environmental Protection Agency

Updated Semi-Annually

Other Haz Sites: Drug Enforcement Administration

Updated Quarterly

Spills: U.S. Department of Transportation

Updated Annually

Other: Environmental Protection Agency

Varies

Street Name Report for Streets near the Target Property

Target Property: 303 SOUTH FREDERICK AVE
GAITHERSBURG, MD 20877

JOB: 47 1465

Street Name	Dist/Dir	Street Name	Dist/Dir
Cedar Ave	0.22 NW		
Desellum Ave	0.13 WNW		
Dogwood Dr	0.11 East		
Education Blvd	0.13 SSE		
Fulks Corner Ave	0.22 NW		
Gaither St	0.17 East		
George St	0.21 West		
Holly Dr	0.21 ESE		
Hutton St	0.09 North		
MD-355	0.02 SW		
Olde Towne Ave	0.20 North		
Peony Dr	0.05 East		
Ramp	0.06 NW		
Rolling Rd	0.19 NE		
S Summit Ave	0.05 WNW		
Tulip Dr	0.05 East		
W Diamond Ave	0.24 NNW		
Wells Ave	0.21 North		
Woodland Rd	0.25 NE		

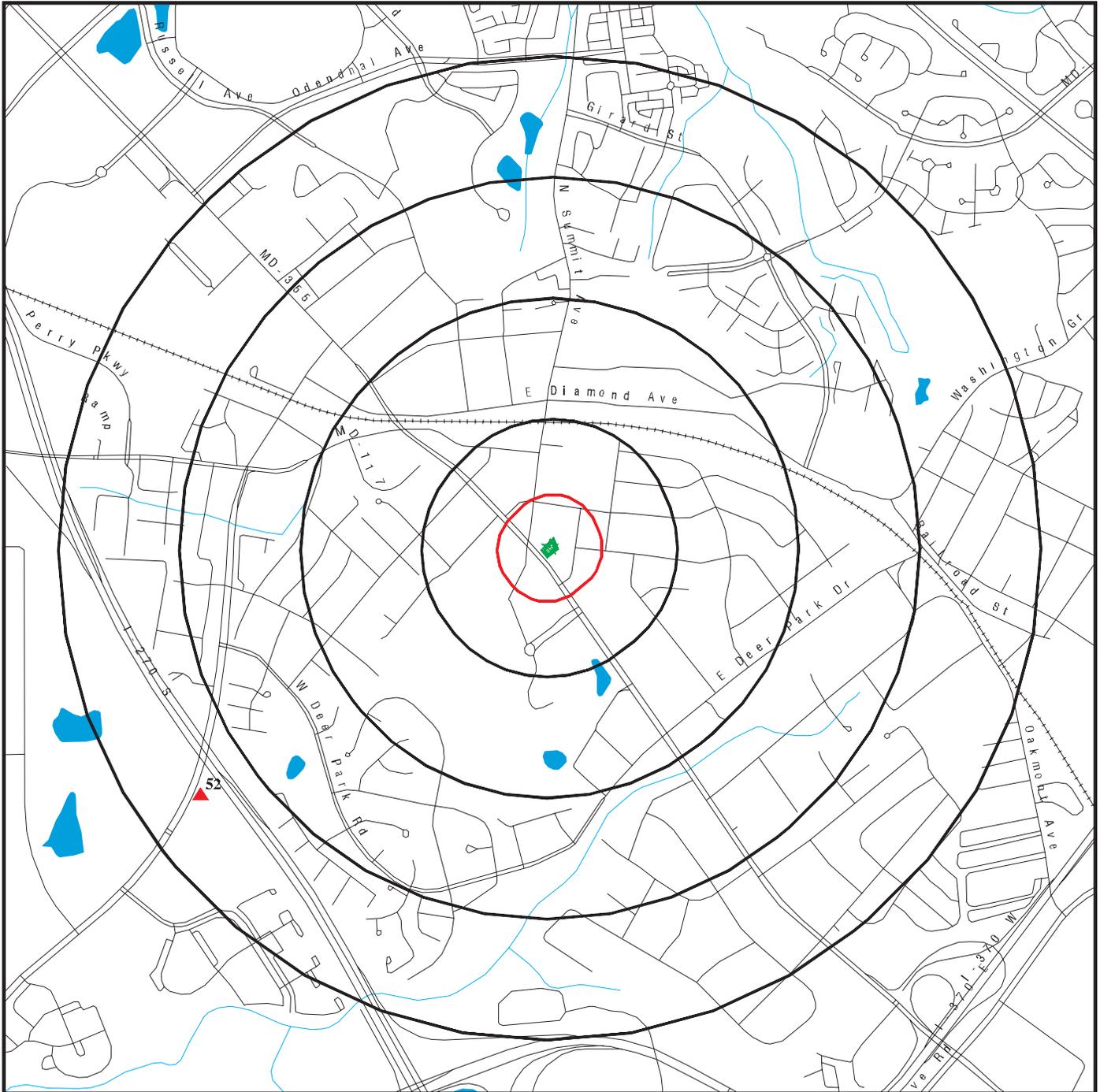
Environmental FirstSearch

1.000 Mile Radius

ASTM MAP: NPL, RCACOR, STATES Sites



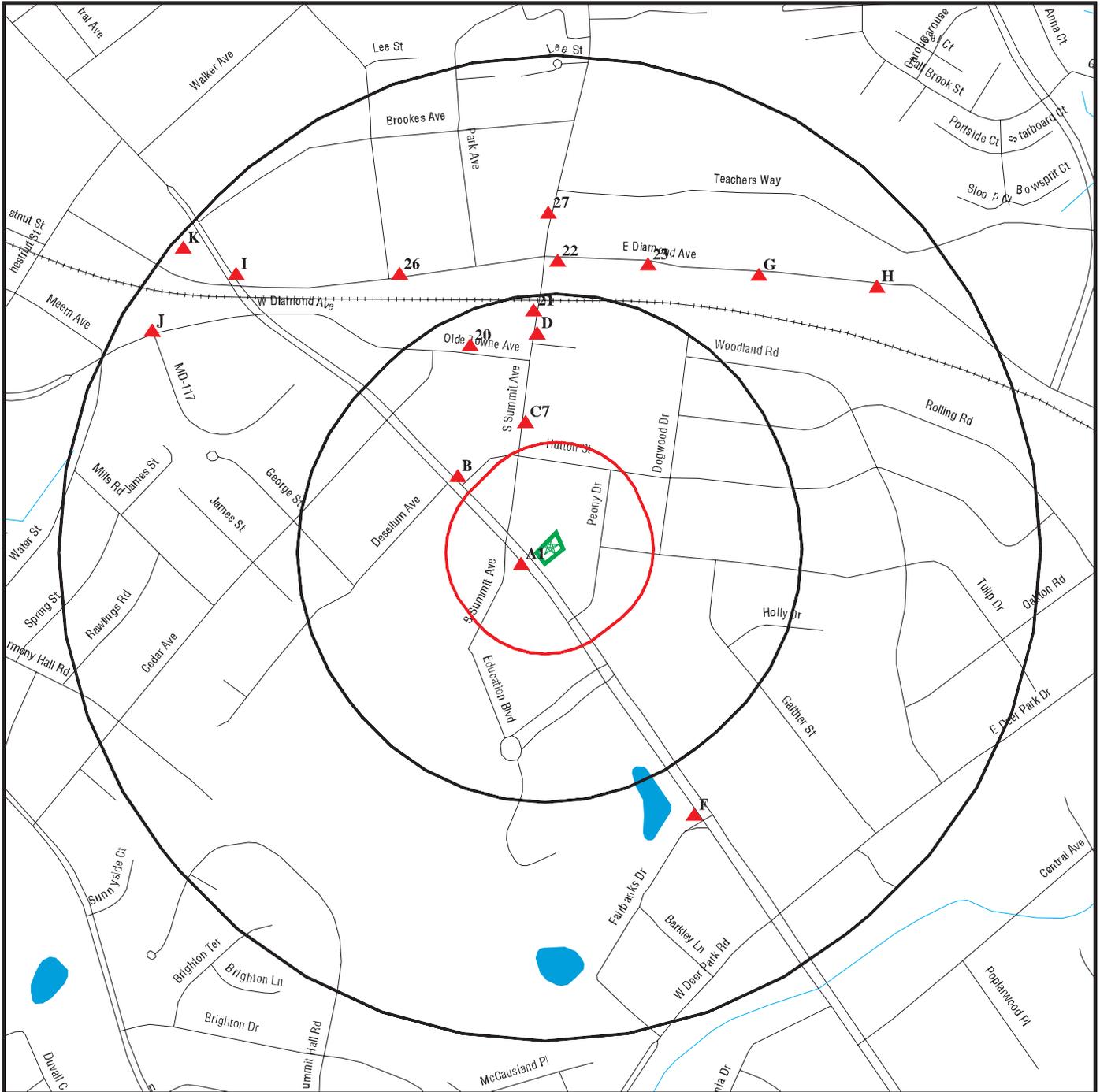
303 SOUTH FREDERICK AVE GAITHERSBURG, MD 20877



Black Rings Represent Qtr. Mile Radius; Red Ring Represents 500 ft. Radius

- ★ Target Property (Latitude: 39.137741 Longitude: 77.193287)
- ▲ Identified Sites
- ▭ Indian Reservations BIA
- ▭ National Priority List Sites

303 SOUTH FREDERICK AVE GAITHERSBURG, MD 20877



Black Rings Represent Qtr. Mile Radius; Red Ring Represents 500 ft. Radius

- ★ Target Property (Latitude: 39.137741 Longitude: 77.193287)
- ▲ Identified Sites
- Indian Reservations BIA
- National Priority List Sites

Environmental FirstSearch

0.25 Mile Radius

ASTM MAP: RCRAGEN, ERNS, UST, FED IC/EC, METH LABS



303 SOUTH FREDERICK AVE GAITHERSBURG, MD 20877



Black Rings Represent Qtr. Mile Radius; Red Ring Represents 500 ft. Radius

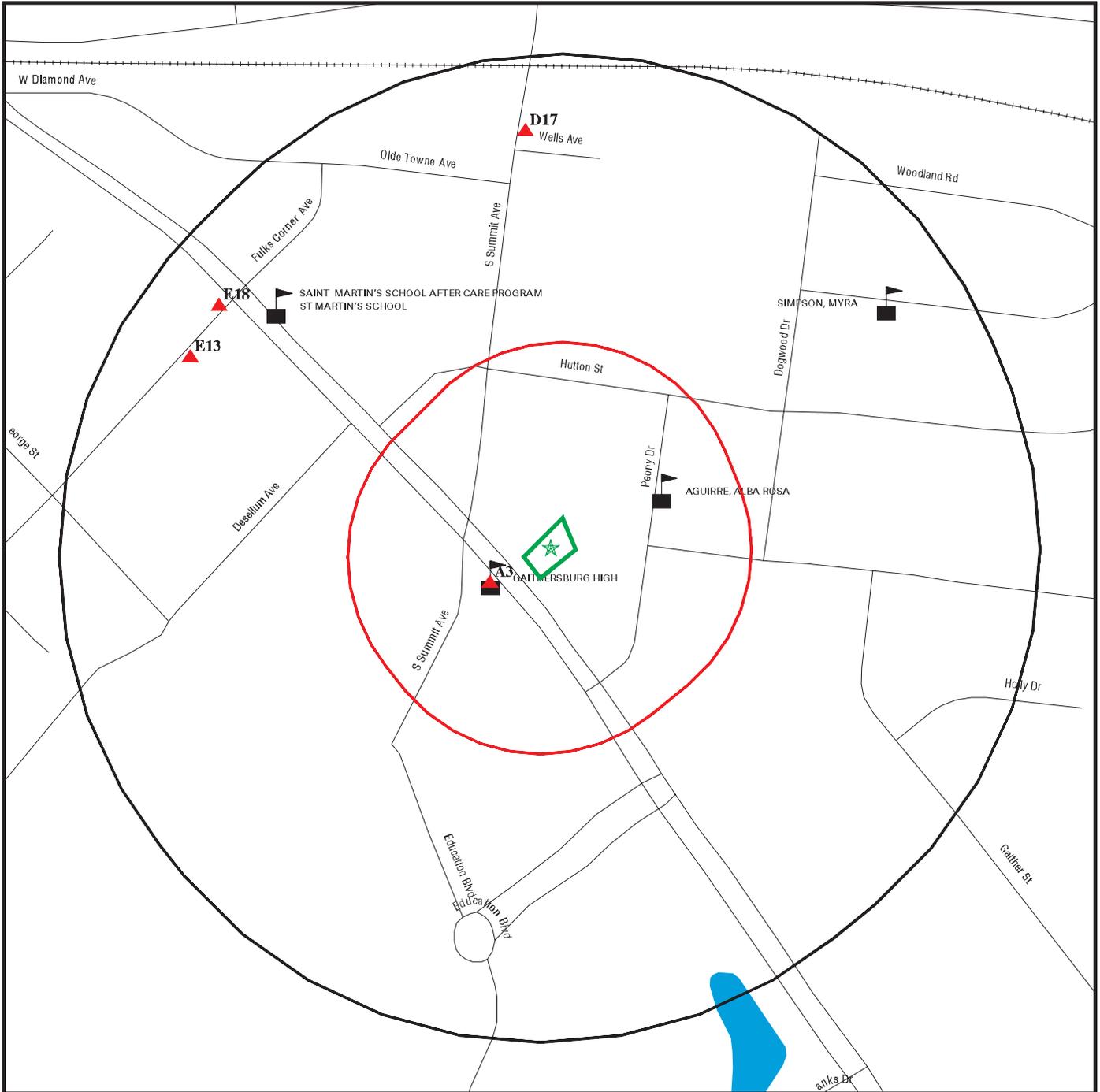
- ★ Target Property (Latitude: 39.137741 Longitude: 77.193287)
- ▲ Identified Sites
- Indian Reservations BIA
- National Priority List Sites

Environmental FirstSearch

0.25 Mile Radius
Non ASTM Map, Spills, FINDS



303 SOUTH FREDERICK AVE GAITHERSBURG, MD 20877



Black Rings Represent Qtr. Mile Radius; Red Ring Represents 500 ft. Radius

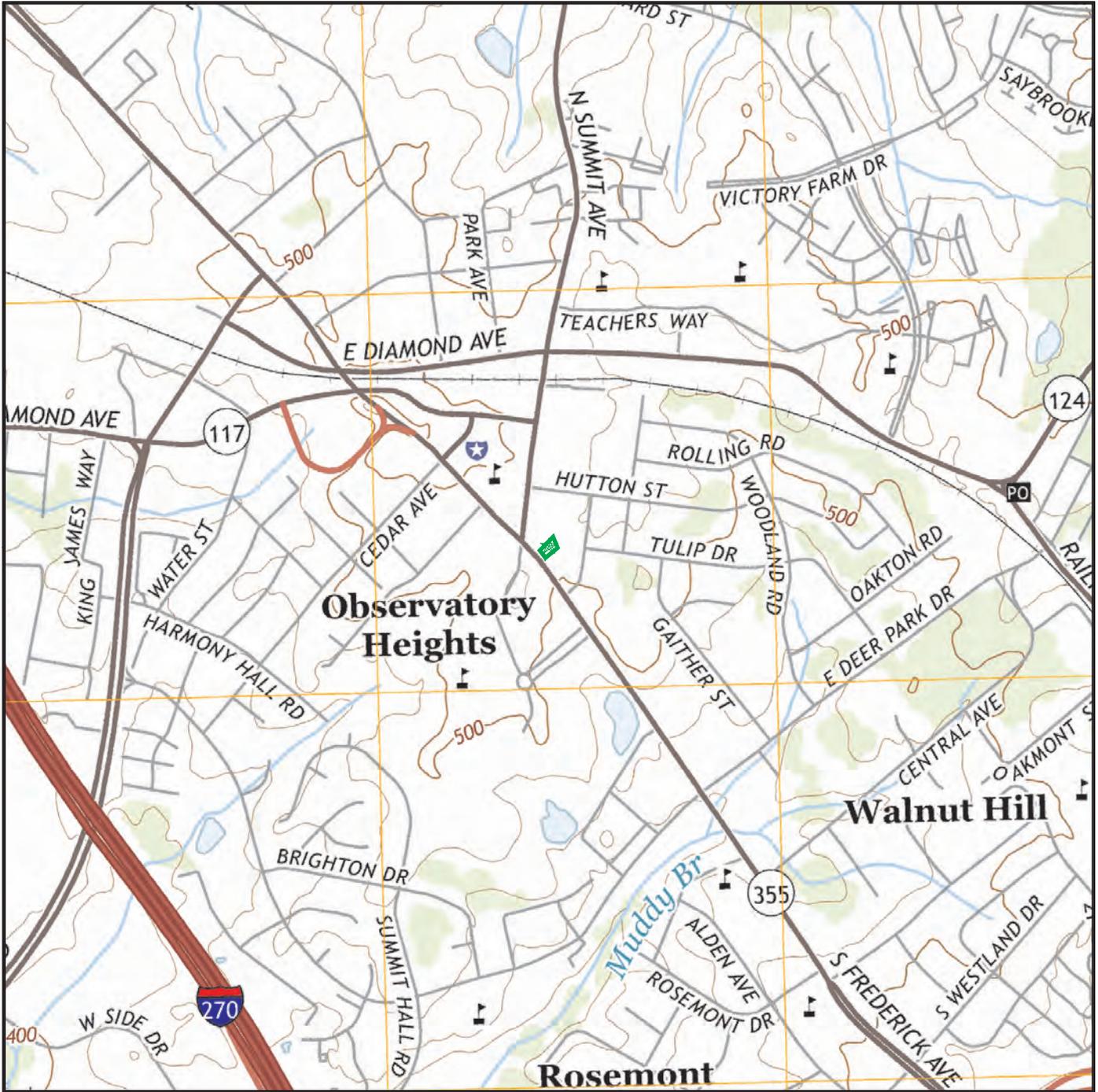
- ★ Target Property (Latitude: 39.137741 Longitude: 77.193287)
- ▲ Identified Sites
- Sensitive Receptors
- ▭ Indian Reservations BIA
- ▭ National Priority List Sites

Site location Map

Topo: 0.75 Mile Radius



303 SOUTH FREDERICK AVE GAITHERSBURG, MD 20877



Map Image Position: TP
Map Reference Code & Name: 6049428 Gaithersburg
Map State(s): MD
Version Date: 2014

Appendix IV: Historical Research Documentation



Former Garden Restaurant

303 South Frederick Ave
GAITHERSBURG, MD 20877

Inquiry Number: 4541796.3

February 18, 2016

Certified Sanborn® Map Report



6 Armstrong Road, 4th Floor
Shelton, Connecticut 06484
Toll Free: 800.352.0050
www.edrnet.com

Certified Sanborn® Map Report

2/18/16

Site Name:

Former Garden Restaurant
303 South Frederick Ave
GAITHERSBURG, MD 20877

Client Name:

ECS Mid Atlantic, LLC
5112 Pegasus Court
Frederick, MD 21704



EDR Inquiry # 4541796.3

Contact: Erik Schaberl

The Sanborn Library has been searched by EDR and maps covering the target property location as provided by ECS Mid Atlantic, LLC were identified for the years listed below. The Sanborn Library is the largest, most complete collection of fire insurance maps. The collection includes maps from Sanborn, Bromley, Perris & Browne, Hopkins, Barlow, and others. Only Environmental Data Resources Inc. (EDR) is authorized to grant rights for commercial reproduction of maps by the Sanborn Library LLC, the copyright holder for the collection. Results can be authenticated by visiting www.edrnet.com/sanborn.

The Sanborn Library is continually enhanced with newly identified map archives. This report accesses all maps in the collection as of the day this report was generated.

Certified Sanborn Results:

Site Name: Former Garden Restaurant
Address: 303 South Frederick Ave
City, State, Zip: GAITHERSBURG, MD 20877
Cross Street:
P.O. # 47 1465
Project: Former Garden Restaurant
Certification # 035C-4AB2-B22A



Sanborn® Library search results
Certification # 035C-4AB2-B22A

Maps Provided:

1949
1930

The Sanborn Library includes more than 1.2 million fire insurance maps from Sanborn, Bromley, Perris & Browne, Hopkins, Barlow and others which track historical property usage in approximately 12,000 American cities and towns. Collections searched:

- Library of Congress
- University Publications of America
- EDR Private Collection

The Sanborn Library LLC Since 1866™

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Sanborn Sheet Thumbnails

This Certified Sanborn Map Report is based upon the following Sanborn Fire Insurance map sheets.

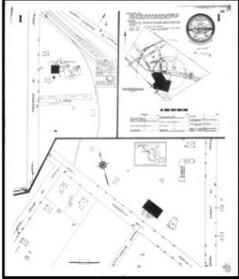


1949 Source Sheets



Volume 1, Sheet 3

1930 Source Sheets

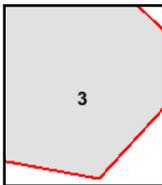
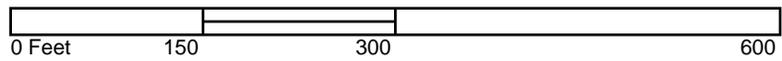


Volume 1, Sheet Keymap/Sheet1

1949 Certified Sanborn Map



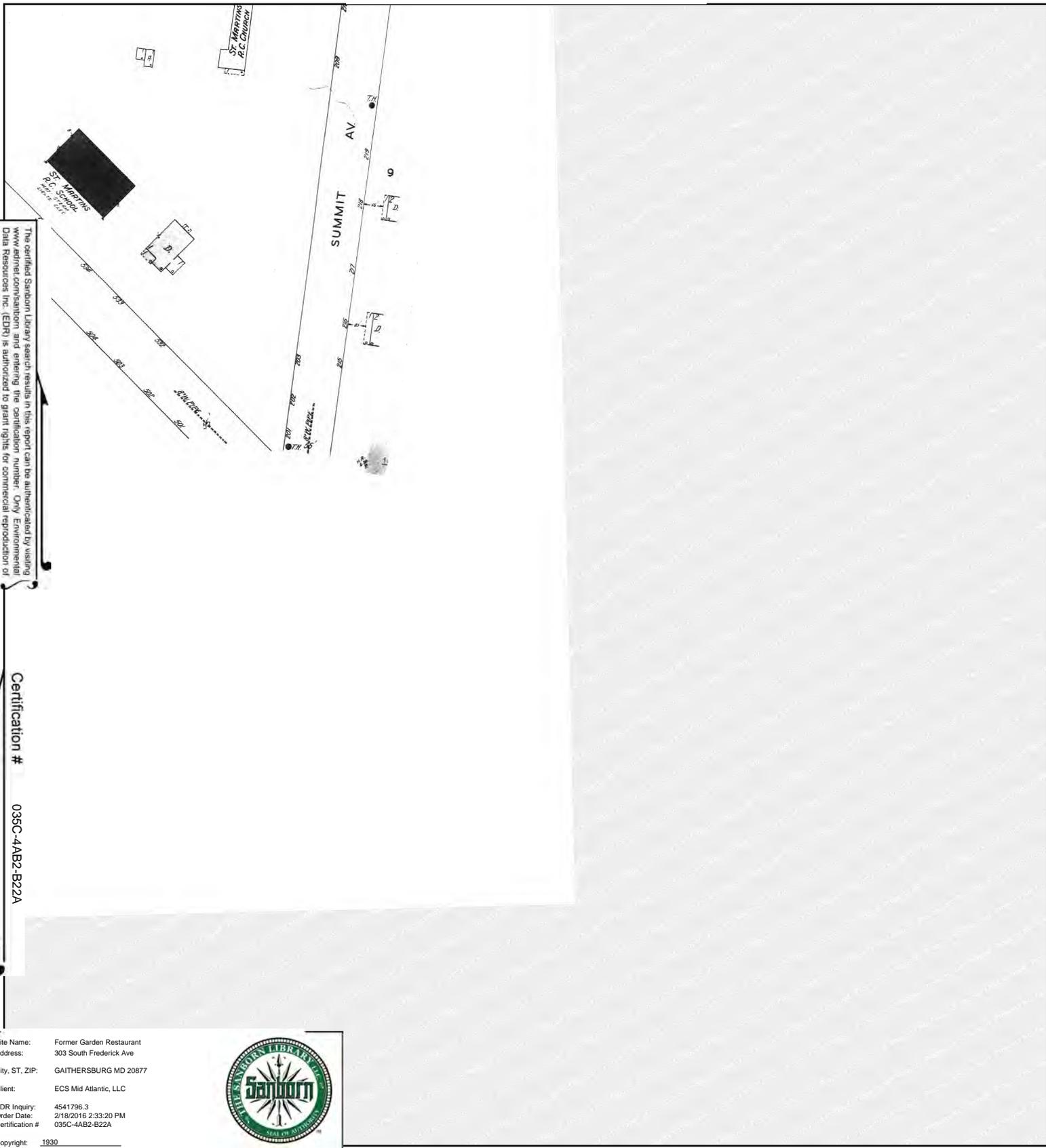
This Certified Sanborn Map combines the following sheets. Outlined areas indicate map sheets within the collection.



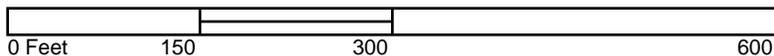
Volume 1, Sheet 3



1930 Certified Sanborn Map



This Certified Sanborn Map combines the following sheets. Outlined areas indicate map sheets within the collection.



Volume 1, Sheet Keymap/Sheet1



Former Garden Restaurant
303 South Frederick Ave
GAITHERSBURG, MD 20877

Inquiry Number: 4541796.5
February 19, 2016

The EDR-City Directory Image Report

TABLE OF CONTENTS

SECTION

Executive Summary

Findings

City Directory Images

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

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EXECUTIVE SUMMARY

DESCRIPTION

Environmental Data Resources, Inc.'s (EDR) City Directory Report is a screening tool designed to assist environmental professionals in evaluating potential liability on a target property resulting from past activities. EDR's City Directory Report includes a search of available city directory data at 5 year intervals.

RESEARCH SUMMARY

The following research sources were consulted in the preparation of this report. A check mark indicates where information was identified in the source and provided in this report.

<u>Year</u>	<u>Target Street</u>	<u>Cross Street</u>	<u>Source</u>
2013	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Cole Information Services
2008	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Cole Information Services
2003	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Cole Information Services
1999	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Cole Information Services
1995	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Cole Information Services
1992	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Cole Information Services
1986	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Haines Criss-Cross Directory
1981	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Haines Criss-Cross Directory
1976	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Haines Criss-Cross Directory

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FINDINGS

TARGET PROPERTY STREET

303 South Frederick Ave
GAITHERSBURG, MD 20877

<u>Year</u>	<u>CD Image</u>	<u>Source</u>
-------------	-----------------	---------------

S FREDERICK AVE

2013	pg A1	Cole Information Services
2008	pg A3	Cole Information Services
2003	pg A5	Cole Information Services
1999	pg A7	Cole Information Services
1995	pg A9	Cole Information Services
1992	pg A11	Cole Information Services
1986	pg A13	Haines Criss-Cross Directory
1981	pg A15	Haines Criss-Cross Directory
1976	pg A17	Haines Criss-Cross Directory

FINDINGS

CROSS STREETS

<u>Year</u>	<u>CD Image</u>	<u>Source</u>
<u>S SUMMIT AVE</u>		
1986	pg. A14	Haines Criss-Cross Directory
1981	pg. A16	Haines Criss-Cross Directory
1976	pg. A18	Haines Criss-Cross Directory

S SUMMIT AVE

2013	pg. A2	Cole Information Services
2008	pg. A4	Cole Information Services
2003	pg. A6	Cole Information Services
1999	pg. A8	Cole Information Services
1995	pg. A10	Cole Information Services
1992	pg. A12	Cole Information Services

City Directory Images



-

S FREDERICK AVE 2013

201 GAITHERSBURG COMMUNITY SOUP KITCHEN
ST MARTINS CATHOLIC COMMUNITY

208 DELMY ARGUETA
MARY DAVIS
PHILLIP WALKER JR

212 CFI GROUP LLC
GAITHERSBURG CHESAPEAKE FINISHING IN

301 ALLEN STEPHEN F ATTY

303 MIKE HEYDARI

305 DERYOUSH TEHRANI
FARRCO

307 MARIO CARMONA

309 GERARDO CABANILLAS

311 MOHAMMAD FARSHNESHANI

312 LAW OFFICE OF RYAN LAHUTI

401 STEFANO & CO LLC

405 BECRAFT ANTIQUES
BECRAFT HENRY W REAL ESTATE
CRAFT SHOP

415 UNITED STATES GOVERNMENT

425 AY JALISCO RESTAURANT
URGENCE LOCKSMITHS

429 DOCK OF THE BAY

S SUMMIT AVE 2013

- 12 BENEFICIAL TITLE INCORPORATED
BLUE ATLAS INTERACTIVE
COGAN BEEHLER QUICK PC
COHEN FINANCIAL GROUP LLC
IDENTIFICATION TECHNOLOGY PARTNERS I
INTERVISE CONSULTANTS
LONACRE II IC
MARTIN RETIREMENT SERVICES INC
RUBENSTEIN MITCHELL
UFA INC
- 15 GAITHERSBURG SHELL
POTOMAC ENERGY HOLDINGS
- 16 AXIM GLOBAL STRATEGIES
COAKLEY & WILLIAMS
EDWARD JONES
LONGACRE I LLC
LORENA RIVAS
MBC PRECISION IMAGING INC
SPECTRUM TECHNOLOGY GROUP INC
- 20 LEVIEDDIN RASHID
MARIE PORTILLO
RASHID LEVIEDDIN DC
- 21 ERIC STRONG
JAY DUVALL
ROTOROOTER PLUMBING & DRAIN SERVICE
- 31 GAITHERSBURG CITY GOVERNMENT
- 37 GARY CHENEVERT
- 105 JOHN RODDY
- 107 DONETTA JENSEN-ORJUELA
ELISABETH BOAHEMAA
JAMES JACKSON
JOHN ANSELMO
KRISTY WADE
LAURA WHITMORE
WILLIAM MORIARTY
- 109 INES REED
MELECIO ESCOBAR
- 111 MIRTHA PAQUI
- 205 CHURCH OF THE ASCENSION
G SHARP PROGRAM
MONTGOMERY PRIMARY ACHIEVEMENT CENTE
- 206 OCCUPANT UNKNOWN
- 208 HARRISON HILLIER

S FREDERICK AVE 2008

- 201 GAITHERSBURG COMMUNITY SOUP KIT
SAINT MARTIN OF TOURS
- 208 PHILIP WALKER
- 212 OCCUPANT UNKNOWN
- 288 TAX PREPARER SERVICES
- 301 DALE ROWLAND
GWYN HOERAUF ESQ
LAW OFFICE OF STEPHEN ALLEN PC THE
ROBINSON LAWRENCE T
THE LAW OFFICES OF DAVID PASTI
- 303 MIKE HEYDARI
PERFECT SETTING DESIGN INC
- 305 DERYOUSH TEHRANI
IRANI YELLOWPAGES COM
- 307 JS COMMUNICATIONS ASSOCIATES INC
MARIO CARMONA
- 309 GERARDO CABANILLAS
RAULS TAILORING SHOP
- 311 DELBERT FOSTER
- 401 BECRAFT REALTY
DIAMOND FARMS PROPERTIES INC
PROFESSIONAL LEASING SERVICES LLC
STEFANOU GUS & CO PC
- 405 BECRAFT ANTIQUES
BECRAFT HENRY W
THE CRAFT SHOP
- 425 AY JALISCO
AY JALISCO RESTAURANT
- 429 DOCK OF THE BAY

S SUMMIT AVE 2008

- 12 BENEFICIAL TITLE INC
CHC FINANCIAL SERVICES INC
MARTIN RETIREMENT SERVICES INC
MICHAEL R COGAN PC
NETVIZ LLC
RUBENSTEIN COGAN & QUICK PC
SPARTAN MASONRY CO LLC
STRUCTURAL DESIGN GROUP LTD
WEIGAND ASSOCIATES INC
- 15 GAITHERSBURG SHELL
- 16 COAKLEY & WILLIAMS
COAKLEY & WILLIAMS CONSTRUCTION INC
COMVERSANT
HM SYSTEMS INC
VET SOLUTIONS LLC
- 20 OCCUPANT UNKNOWN
- 21 OCCUPANT UNKNOWN
- 31 CITY GAITHERSBURG CITY HALL OFFICES
GAMFC INC
- 35 JAMES REID
- 37 GARY CHENEVERT
PRO NURSE
- 105 JOHN RODDY
- 107 JAIME LAWTON
JOHN ANSELMO
PIEDAD ROGEL
- 109 INES HOUSE OF HAIR
INES REED
- 111 MARIA TORRES
- 205 CHURCH OF THE ASCENSION
KARASIK CHILD CARE CENTER INC
MONTGOMERY PRIMARY ACHIEVEMENT CENTE
- 206 OCCUPANT UNKNOWN
- 208 OCCUPANT UNKNOWN

S FREDERICK AVE 2003

201	GAITHERSBURG COMMUNITY SOUP KI ST MARTINS CATHOLIC CMNTY RLG ST MARTINS CATHOLIC COMMUNITY
212	CAROLE AUBINOE
288	MIQUEL VALLADARES
301	ANU KMT ATTY LEE BRIAN F ATTY STEPHEN ALLEN
303	MATS ZONOZI NEWTON DESIGN CTR
305	ROLANDO CHAVEZ
307	OCCUPANT UNKNOWN
309	GERARDO CABANILLAS RAULS TAILORING SHOP
311	DELBERT FOSTER
312	CHAVIS DAVID M PHD
314	BOARD OF EDUCATION OF MNTGM MONTGOMERY SCOOOL PBLC SCHOOL
401	DIAMOND FARMS PROPERTIES INC OCCUPANT UNKNOWN STEFANOU CO
405	BECRAFT ANTIQUES BECRAFT REALTY CRAFT SHOP HENRY BECRAFT
407	PIZZA HAVEN
415	NAVY RECRUITING
419	OCCUPANT UNKNOWN
429	EL SALVADORENO OCCUPANT UNKNOWN
431	SPICE & SWEET MAHAL

S SUMMIT AVE 2003

9	GAITHERSBURG COMMUNITY MUSEUM
12	BENEFICIAL TITLE INC CAPITOL PENSION SERVICES INC COGAN BEEHLER & QUICK PC COSTELLO & HUDDY CHARTERED NETVIZ CORP WEIGAND ASSOCS INC WOLFF & MARTIN INC
15	GAITHERSBURG SHELL OCCUPANT UNKNOWN
16	BARCLAY WHITE CKLY CNSTRCTN COMVERSANT HM SYSTEMS INC JASON GARMAN JOHN COAKLEY MEDIAWIRED LLC
20	WALTER J KAPLAN OD WALTER KAPLAN
21	KAREN EVANS
31	CITY MANAGERS OFFICE OCCUPANT UNKNOWN
35	JAMES REID
37	GARY CHENEVERT
105	JOHN RODDY
107	DELIA LUCERO JAIME LAWTON
109	MELECIO ESCOBAR
111	RICKY MARKS
125	CHRISTY COLEMAN
202	SALVATION ARMY THE CORPS CMNTY
205	G SHARP PROGRAM MONTGOMERY PRIMARY ACHVMNT CTR OCCUPANT UNKNOWN
206	OCCUPANT UNKNOWN
208	OCCUPANT UNKNOWN
210	OCCUPANT UNKNOWN

S FREDERICK AVE 1999

- 201 GAITHERSBURG COMMUNITY SOUP KITCHEN INCORPORATED
ST MARTINS CATHOLIC COMMUNITY
- 208 DAVID DABBONDANZA
- 211 VFW JOHN M CARTER POST 9862
- 212 T FULKS
- 301 DIANE ADAMS
- 302 OCCUPANT UNKNOWN
- 303 OCCUPANT UNKNOWN
- 305 ROLANDO CHAVEZ
- 307 OCCUPANT UNKNOWN
- 311 DELBERT FOSTER
- 314 MONTGOMERY CNTY PUB SCHOOLS HIGH SCHOOLS GAITHERSBU
- 401 STEFANO & COMPANY CPAS
- 405 BECRAFT ANTIQUES
BECRAFT HENRY W REAL ESTATE
CRAFT SHOP
HENRY BECRAFT
- 407 ATLANTIC ENTERPRISES INCORPORATED
PIZZA HAVEN
RAMINOS RESTAURANT
- 413 DOCK OF THE BAY
- 415 LADY NAILS SALON
MARINE CORPORATION RECRUITING OFFICE
UNITED STATES GOVERNMENT RECRUITING
- 419 HAIR STUDIO & CORNER BOUTIQUE INCORPORATED
- 425 OCCUPANT UNKNOWN
TINAS CONSIGNMENT SHOP INCORPORATED
- 429 EL SALVADORENO
- 431 SPICE & SWEET MAHAL

S SUMMIT AVE 1999

8	SOUTHERN STATES GAITHERSBURG SERVICE SOUTHERN STATES GAITHERSBURG SERVICE FAX LINE
9	GAITHERSBURG COMMUNITY MUSEUM
12	POP SHOP SEASONS
15	GAITHERSBURG SHELL
16	COAKLEY & WILLIAMS CONSTRUCTION OFFICE SUMMIT RESEARCH CORPORATION UNISCRIBE PROFESSIONAL SERVICES INCORPORATED
20	WALTER KAPLAN
21	OCCUPANT UNKNOWN UNITED STATES GOVERNMENT POSTAL SERVICE US
31	CITY OF GAITHERSBURG GAITHERSBURG CITY GOVERNMENT SANFORD W DLY MNCPL CTRER
37	GARY CHENEVERT
105	JOHN RODDY
107	H STEINBRENNER JOHN TAYLOR
109	CHARLES REED INES HOUSE OF HAIR JHONNY DAVILA
111	OCCUPANT UNKNOWN
128	OCCUPANT UNKNOWN
202	SALVATION ARMY THE
204	OCCUPANT UNKNOWN
205	CHURCH OF THE ASCENSION OFFICE KARASIK CHILD CARE CENTER
206	K CENTENO
208	SEAN ROBBINS
210	WILLIAM IRELAND

S FREDERICK AVE 1995

201 GAITHERSBURG COMMUNITY SOUP
MELLONE, MICHAEL
ST MARTINS CATHOLIC COMMUNITY

205 CREAMER, CHRISTI

208 OCCUPANT UNKNOWNN

212 FULKS, THOMAS I

278 FIRESIDE GALLERY

301 OCCUPANT UNKNOWNN

302 CRAWFORD, J

303 OCCUPANT UNKNOWNN

307 OCCUPANT UNKNOWNN

309 CABANILLAS, GERARDO
RAOULS TAILORING & JEANS SHOP

311 FOSTER, DELBERT T

312 WAGMAN, ARTHUR M

314 GAITHERSBURG SENIOR HIGH SCHL

317 OCCUPANT UNKNOWNN

359 OCCUPANT UNKNOWNN

401 DOYLE, SHANNON
GUS STEFANOU CO

405 BECRAFT ANTIQUES
BECRAFT, HENRY W
CRAFT SHOP

407 ATLANTIC ENTERPRISES INC
OCCUPANT UNKNOWNN
RAMINOS RESTAURANT

411 SUNAHOLIC TANNING & NAIL STD

413 DOCK OF THE BAY

415 US ARMY & ARMY RESERVE
US ARMY RECRUITING
US MARINE CORPS RECRUITING
US NAVAL RECRUITING

417 7 ELEVEN FOOD STORE

419 HAIR FEVER

421 OCCUPANT UNKNOWNN

425 TINAS CONSIGNMENT SHOP

429 MARTIN VIDEO RENTAL

431 SPICE & SWEET MAHAL

S SUMMIT AVE 1995

8 SOUTHERN STATES GAITHERSBURG
12 MR SOFTE INC
POP SHOP
SEASONS
14 SCHAEFER AUTO SUPPLY CO
15 GAITHERSBURG SHELL
20 KAPLAN, WALTER J
WALTER J KAPLAN OD
21 US POST OFFICE
31 GAITHERSBURG CITY MANAGER
GAITHERSBURG CITY POLICE
OCCUPANT UNKNOWNN
35 REID, RICHARD S
37 CHENEVERT, GARY
105 RODDY, JOHN P
107 STEINBRENNER, HEIDI
109 INES HOUSE OF HAIR
REED, INES D
TOLLESON, LINDA
111 CLAGETT, WILSON L
205 CHURCH OF THE ASCENSION
206 CENTENO, K
208 SAKOWSKI, HENRY
210 IRELAND, WILLIAM F

S FREDERICK AVE 1992

122	CRIDER, M
126	COBURN, STEPHEN
161	STERN, RICHARD L
162	HOTTINGER, GENE F
201	GAITHERSBRG KITCHEN ST MARTINS CATH ED
208	VICKERS, BUDDY
212	FULKS, THOMAS I
223	NGUYEN, NGUON P
244	RUNKLES, NORMAN J
263	LAWRENZ, RUSSELL F
265	PHAM, CHANH
288	CRAFT SCHER RE INC
301	ADAMS, D F
303	HEIDARY, MASSOUD
307	GLANDER, ANTHONY
309	JERRYS TLRG&JEAN SH
311	FOSTER, DELBERT T
312	WAGMAN, ARTHUR M
314	MONTG SC GAITH HS
401	STEFANOUS GUS CO
405	BECRAFT ANTIQUES BECRAFT, HENRY W CRAFT SHOP
407	ATLANTIC ENTP INC RAMINOS RESTAURANT
411	SUNAHOLIC TNNG STDO
413	DOCK OF THE BAY
415	MARINE CORP RECRTNG NAVY RECRUITING US RCRTNG ARMY
419	HAIR FEVER
425	TINAS CONSGNMNT SHP
429	MARTIN VIDEO RENTAL
431	SPICE&SWEET MAHAL

S SUMMIT AVE 1992

8	SOUTHRN STS COOP
12	POP SHOP
14	GAITHRSBRG AUTO BDY
15	GAITHRSBRG SHELL
20	KAPLAN, WALTER J
21	US PSTL SERV
31	CITY OF GAITHERSBRG GAITHRSBRG CTY AFRS
35	REID, RICHARD S
37	CHENEVERT, GARY
105	RODDY, JOHN P
109	GONZALEZ, DAVID INES HOUSE HAIR REED, CHARLES REED, INES
111	CLAGETT, WILSON L
205	CHURCH OF ASCENSION
208	SAKOWSKI, HENRY
210	IRELAND, WILLIAM F

S FREDERICK AVE 1986

101	RAINBOW	258-9677 +6
	SPURGEON DSTRBTRS	258-9677 +6
102	CENTURY 21 HAYES	258-7510 +6
	HAYES CENTURY 21 RE	258-7510 +6
	MEDIATION SV&DIVORC	840-2022 +6
	MID CO REAL ESTATE	840-1900 9
	QUINLAN ROBERT ATTY	840-2022 3
	QUINLAN ROBERT E	840-9664 5
106	BALLET 106 GTHRSBRG	330-0106 5
	MILLER LINDA	330-0106 5
109	ST MARTINS CATH ED	840-1838 0
115	ST MARTINS CATH SC	840-1748 0
120	MEDIATION SV&DIVORC	840-9664 +6
	QUINLAN R E MEDTN	840-9664 2
	WALDMAN R J MEDIATN	840-9664 3
185	XXXX	00
201	GAITHRSBRG SOUP	330-5812 +6
208	STIDHAM E	330-9337 +6
212	FULKS T IRVIN	926-2241
285	XXXX	00
288	XXXX	00
303	SAKELHIDE KEITH	977-6349 +6
305	SHIFFLETT W	977-9153 +6
309	HOWARD RICHARD	926-0979
311	FOSTER DELBERT T	926-1117
312	XXXX	00
314	JESSE DUSTIN&SONS	840-0298 +6
	MONTG SC GAITH CSMO	926-0554 3
	MONTG SC GAITH DSTB	926-2048 3
	MONTG SC GAITH MUSC	926-8653 3
	MONTG SC GAITHRSBRG	330-2200 +6
	MONTG SC GAITHRSBRG	330-4300 +6
405	BECRAFT ANTIQUES	926-3000 3
	BECRAFT HENRY W	948-7600 4
	CRAFT SHOP	948-9292 2
407	PIZZA HAVEN OF GAIT	926-7500 8
	TOMS EATERY	926-7500 5
C	KNUPP DAVID J	977-9604 +6
409	XXXX	00
411	LING LING ORIENTAL	977-5055 9
413	DOCK OF THE BAY	840-2248 7
415	MARINE CORP RECRTNG	977-4618 2
	NAVY RECRUITING	948-7229 1
	US ARMY RECRUITING	948-1992
	US RCRTNG ARMY	948-1992
	US RCRTNG MC	977-4618 3
	US RCRTNG NAVY	948-7229 4
419	HAIR FEVER	977-8080
	HAIR STUDIO&BOUTIQE	977-8080

S SUMMIT AVE 1986

SUMMIT AV S 20877

GAITHERSBURG MD

4	XXXX	00	
5	XXXX	00	
8	SOUTHERN ST COOPRTV	948-3100	4
	SOUTHERN ST COOPRTV	926-2600	5
12	POP SHOP	840-1515	1
	SEASONS	840-1515	3
14	GAITHRSBRG AUTO BDY	948-6228	8
15	GAITHRSBRG SHELL	869-8190	4
20	KAPLAN WALTER J	977-6688	9
	KAPLAN WALTER J DR	977-7879	1
21	US PSTL SERV	948-1894	3
31	GAITHRSBRG CTY INFO	948-3220	
35	REID RICHARD S	926-2244	
37	COLLIER T	963-0928	4
105	RODDY JOHN P	869-2563	+6
107	LIPFORD RODGER	330-3374	+6
109	GHOSH DARUN	921-0408	4
	INES HOUSE HAIR	963-9157	3
	IPPOLITO ROBERT P	330-2356	+6
	REED CHARLES	258-5032	
	REED I	926-9735	3
	REED INES	258-5032	3
111	CLAGETT LAMBERT	869-0384	1
	CLAGETT WILSON L	926-1372	
202	XXXX	00	
205	CHURCH OF ASCENSION	926-9133	4
206	CENTENO H K	840-1979	1
207	XXXX	00	
208	VERNIER S M	258-0789	3
210	IRELAND BILL	977-9577	3
★	11 BUS	19 RES	3 NEW

S FREDERICK AVE 1981

101	GAITHRSBRG CHAMBER	840-1400+1
102	GORDON SAMUEL	948-8535 0
	HASLINGER ROBERT H	948-8535 8
	MID COUNTY REAL EST	840-1900 9
106	BOWLING KAY&ASC INC	948-6450 6
	CREST PEST CONTROL	977-3070+1
	FIDDLER E R	869-7824 0
	KAY BOWLING&ASSOCS	948-6450 6
	PARKEN JOHN H	926-1364 0
	RED CARPET REAL EST	948-6450 9
109	STMARTINS CATH RLG	840-1838 0
115	STMARTINS CATH SCH	840-1748 0
126	STIDHAM TIRE RETAIL	948-7730 3
201	XXXX	00
212	FULKS T IRVIN	926-2241
301	XXXX	00
303	XXXX	00
305	WINGO WILBUR G	869-6254 3
307	KITTS H K	926-8398 9
309	HOWARD RICHARD	926-0979
311	FOSTER DELBERT T	926-1117
312	XXXX	00
314	ATHLETIC DIRCTOR HS	869-1336+1
	MCR MASC GAITHRSBRG	977-6272+1
401	XXXX	00
405	BECRAFT HELEN ASID	948-9292 8
	CRAFT SHOP	926-3000
407	PIZZA HAVEN OF GAIT	926-7500 8
409	XXXX	00
411	LING LING ORIENTAL	977-5055 9
413	DOCK OF THE BAY	840-2246 7
415	ARMY RECRUITING	948-1992+1
	NAVY RECRUITING	948-7229+1
	US RCRTG NAVY MD	948-7229+1
417	SEVEN ELEVEN	869-3250+1
419	HAIR FEVER	977-8080 0
	HAIR STUDIO&BTQ	977-8080 7

S SUMMIT AVE 1981

SUMMIT AV S 20760
GAITHERSBURG MD

4	CLASSIC AUTO	948-5993	0
	KOEHLER AUTO BODY	948-5993	7
5	XXXX	00	
8	SOUTHERN ST COOPRTV	948-3100	2
	SOUTHERN ST COOPRTV	926-2600	6
12	POP SHOP	977-1938	+1
	POP SHOP	840-1515	+1
14	GAITHRSBRG ATO BODY	948-6228	8
	MOYER&SONS MOVING	869-3896	8
15	XXXX	00	
20	KAPLAN WALTER J	977-6688	9
	KAPLAN WALTER J DR	977-7879	+1
21	US PSTL GAITHERSBRG	948-1894	+1
31	GAITHRSBRG CTY GOVT	948-3220	
35	REID RICHARD S	926-2244	
37	NEAL R J	963-0928	+1
107	COOKE Z M	926-3284	
109	BOWLING KAY	948-9250	
111	CLAGETT LAMBERT	869-0384	+1
	CLAGETT WILSON L	926-1372	
202	ASCENSION CHURCH	948-0122	+1
205	G U I D E PSYCHLGCL	869-0094	+1
206	CENTENO H K	840-1979	+1
207	XXXX	00	
208	VERNIER RUFUS F	948-1877	6
210	XXXX	00	
344	XXXX	00	
352	XXXX	00	
NO #	MONTG SC GAITHRSBRG	948-3134	+1
NO #	MONTG SC GAITHRSBRG	926-0554	+1
NO #	MONTG SC GAITHRSBRG	926-2046	+1
NO #	MONTG SC GAITHRSBRG	926-1920	+1
★	17 BUS	15 RES	13 NEW

S FREDERICK AVE 1976

28*	FISHER MERLE W	948-2520	4
	*FISHER MERLE&SON	948-2520	4
	*FISHER REAL ESTATE	253-6440+6	
	GOBA VALDIS I	840-1360+6	
	*ST PAUL LEASING CO	926-7800+6	
	*STABLER WILLIAM S	948-2520	4
102	XXXX	00	
106*	BOWLING KAY&ASC INC	948-6450+6	
	*KAY BOWLING&ASSOCS	948-6450+6	
109*	ST MARTINS CCD SCH	840-1838+6	
115	XXXX	00	
212	FULKS T IRVIN	926-2241	1
301	ADAMS J H	926-7277	2
303	XXXX	00	
305	WINGO WILBUR G	869-6254	3
307	BALLENGER WILLIAM	948-8454+6	
309	HOWARD RICHARD	926-0979	1
311	FOSTER DELBERT T	926-1117	1
312	SUMMERS ROBERT L	977-8352+6	
401	BANNING R	948-7817+6	
405*	BECRAFT HELEN	926-3000	2
	*CRAFT SHOP	948-9292	9
	*CRAFT SHOP ANTIQS	926-3000	1
407*	PIZZA INN	926-2125	1
409	XXXX	00	
411*	COBE AUTOMOTIVE	869-2858	3
413*	GAITHRSBG COIN CLNR	926-9250	5
415	XXXX	00	
419*	SALON DI	926-3661	1
421	XXXX	00	

S SUMMIT AVE 1976

SUMMIT AV S 20760 GTHRSBRG MD

4*	MIKE&SHANES ATO	BDY948-5993	3
8*	SD STATES COOP INC	926-2600	+6
12*	HOME ENTERPRISE	948-9110	1
	*PLUMBING INC	948-0830	1
	*PUTNAM REAL ESTATE	840-1440	5
	*RAINBOW ICE CREAM	840-1515	5
	SMITH RONALD F	948-0830	5
14*	SHOBER MWR&CYCLE	SV948-6161	1
15	XXXX	00	
20	WYMAN WM E	926-1503	1
21*	US POSTAL SERVICE	926-3113	
31*	GAITHERSBRG CTY GOV	869-4500	3
	*GAITHRSBRG CTY GOV	948-3220	1
	*PUBLIC WORKS	926-9772	5
35	REID RICHARD S	926-2244	1
37*	BELFORD J&CONSTR	CO926-0503	+6
105	CLANCY THOMAS C	926-7884	3
	SIMPSON COLIN G	926-7884	3
107	COOKE Z M	926-3284	1
109	BOWLING KAY MRS	948-9250	0
111	CLAGETT WILSON L	926-1372	1
202*	ASCENSION CHURCH	926-9067	1
205*	GUIDE GATHRSBRG	CTR948-0783	+6
206	BEST LAWRENCE	926-2381	1
207	XXXX	00	
208	VERNIER RUFUS F	948-1877	+6
210	MOORE D J	948-8515	4
	MOORE WARREN H	869-5222	3
344	TSUIPAS H	869-3533	+6
NO #*	MONTG CO SC	GTHRSBG926-1920	
NO #*	MONTG GTHRSBRG	CFTR948-7176	2
	* 16 BUS	15 RES	5 NEW



The NETR Environmental Lien Search Report

**FORMER GARDEN RESTAURANT
303 SOUTH FREDERICK AVENUE
GAITHERSBURG, MARYLAND**

Friday, February 19, 2016

Project Number: L16-00450

2055 East Rio Salado Parkway
Tempe, Arizona 85281

Telephone: 480-967-6752
Fax: 480-966-9422

ENVIRONMENTAL LIEN REPORT

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

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

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

Thank you for your business

Please contact NETR at 480-967-6752
with any questions or comments

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ENVIRONMENTAL LIEN REPORT

The NETR Environmental Lien Search Report is intended to assist in the search for environmental liens filed in land title records.

TARGET PROPERTY INFORMATION

ADDRESS

**Former Garden Restaurant
303 South Frederick Avenue
Gaithersburg, Maryland**

RESEARCH SOURCE

Source: Maryland Clerk of the Circuit Court
Maryland Department of Assessments and Taxation

DEED INFORMATION

Type of Instrument: Deed

Grantor: Joseph F. Beach, Director of Tax Collection and Collector of State and County Taxes of Montgomery County, Maryland, and Collector of State and County taxes for said County

Grantee: Paradise Point, LLC

Deed Dated: 05/29/2015
Deed Recorded: 06/16/2015
Book: 50499
Page: 500

LEGAL DESCRIPTION

All that certain piece or parcel of land being 12,555 square feet, more or less, commonly known as 303 S Frederick Avenue, situated and lying in the City of Gaithersburg, Montgomery County, State of Maryland

Assessor's Parcel Number(s): District 09 Account Number 00836687 Map FT51 Parcel P417

ENVIRONMENTAL LIEN

Environmental Lien: Found Not Found

OTHER ACTIVITY AND USE LIMITATIONS (AULs)

Other AULs: Found Not Found

50499 500

THIS DEED, made this 29 day of May, 2015 by and between Joseph F. Beach, Director of Tax Collection and Collector of State and County Taxes of Montgomery County, Maryland, and Collector of State and County taxes for said County, (Grantor), and Paradise Point, LLC, party of the second part, (Grantee).

WHEREAS, heretofore, State and County Taxes for the lot of ground and improvements thereon hereinafter described, having been due and the Collector of Taxes for the State of Maryland and the County of Montgomery, after having given due notice and having complied with all the prerequisites provided by law, did sell the hereinafter referred to property on June 11, 2012, in fee, to Paradise Point, LLC, party of the second part.

WHEREAS, by Final Judgment of the Circuit Court for Montgomery County, Maryland, passed on September 29, 2014, Case No. 391038-V and known as Paradise Point, LLC v. Massoud Heidary, et al., the same being an action to foreclose all rights of redemption of the above-named parties in the hereinafter described property, and heretofore sold for default in the payment of taxes, pursuant to the Acts of the General Assembly and the Code of Public General Laws of Maryland, the Grantor, as the Collector of State and County taxes, was by said Judgment directed to give a deed of conveyance to Grantee, upon payment to Grantor of all the purchase price due, if any, together with all taxes, interest and penalties accruing since the date of sale; and

WHEREAS, the said Grantee, having made the aforementioned payment in full as required, is entitled to have executed and delivered to it a deed of conveyance of the hereinafter described property.

NOW, THEREFORE, THIS DEED WITNESSETH, that in the consideration of the sum of One Hundred and Thirteen Thousand and Seventy-Eight and 00/100 Dollars (\$113,078.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Grantor does hereby grant and convey unto the Grantee, in fee simple, those lot(s) of land, which are more particularly described as follows:

BEGINNING for the same at a point on the easterly side of the Rockville to Frederick Pike, being at the beginning of a conveyance from Mary A. Hutton et al to Edwin H. Bowling et ux by deed dated the 22nd day of June, 1948 and recorded in Liber 1188 folio 244 among the Land Records of Montgomery County, Maryland, and running hence with the first line thereof, on a curve to the right having a radius of 911.41 feet and an arc distance of 77.83 feet, thence crossing said parcel so as to include a part thereof north 58 degrees 00 minutes 35 seconds East, 162.72 feet, thence with a part of the third line North 15 degrees 02 minutes 30 seconds West, 98.00, thence with the last line South 53 degrees 07 minutes West, 195.63 feet to the place of beginning and containing 15214 square feet of land, more or less according to a description prepared by R.K. Maddox, Montgomery County Surveyor, dated January 31, 1952. Saving and excepting all that land conveyed to the State of Maryland in a deed dated October 8, 1982 and recorded on October 28, 1982 among the Land Records of Montgomery County, Maryland at Liber 5827 folio 49.

BEING the same property and premises, which by Deed dated April 9, 1991 and recorded among the Land Records of Montgomery County in Liber 19348 Folio 49, was granted and conveyed by Hamid Geramian unto Heidary Massoud.

2015 JUN 16 PM 3:25

FILED
CLERK OF COURT
CLERKS OFFICE
MONTGOMERY CO. MD

RECORDED
INDEXED
MAY 29 2015
MONTGOMERY COUNTY
CLERK OF COURT
CLERKS OFFICE

MONTGOMERY COUNTY CIRCUIT COURT (Land Records) BHM 50499, p. 0500, MSA_CE63_50456. Date available 06/22/2015. Printed 02/18/2016.

506529
480
80

50499 501

BEING ALSO the same property described in Montgomery County Tax Sale held for Tax Account No. 00836687.

TOGETHER with the building and improvements thereon erected or being, and all the rights, privileges, appurtenances and advantages hereon belonging or appertaining, free and clear of all liens and encumbrances thereon occurring prior to the date of the aforesaid Judgment.

TO HAVE AND TO HOLD the above described lot(s) of land, and hereby intended to conveyed, unto the proper use of said Grantee/Grantees heirs, personal representatives, successors and assigns, in fee simple forever.

IN WITNESS WHEREOF, on the date and year first above written.

WITNESS:

Gulshan Babra
GULSHAN BABRA, SEAM
DEPARTMENT OF FINANCE
FOR MONTGOMERY COUNTY

Joseph F. Beach
Joseph F. Beach, Director of Tax Collection
And Collector of State and County Taxes for
Montgomery County

STATE OF MARYLAND
County of Montgomery, to wit:

I HEREBY CERTIFY, That on this 29 day of May, 2015, before the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared Joseph F. Beach, Treasurer and Collector of State and County Taxes for Montgomery County, known to me or satisfactorily proven to be the person whose name is subscribed to the within instrument, and acknowledge that he/she executed the same for the purposes therein contained.

WITNESS WHEREOF, I hereunto set my hand official seal.

Mary E. Tyner
Notary Public

My Commission expires: 2/19/19

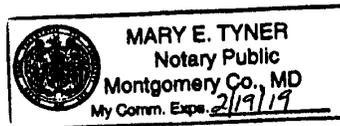
Approved as to form and legal sufficiency this 29 day of May, 2015.

[Signature]
County Attorney

MONTGOMERY COUNTY, MD
APPROVED BY KCC

JUN 15 2015

\$ 783.15 RECORDATION TAX PAID
\$ 130.71 TRANSFER TAX PAID



50499 502

I HEREBY CERTIFY, that I am an attorney admitted to practice before the Court of Appeals of Maryland and that the within instrument was prepared by me or under my supervision.



Lucas Ives Dansie

50499 503

State of Maryland Land Instrument Intake Sheet
Baltimore City County: MONTGOMERY

Information provided is for the use of the Clerk's Office, State Department of Assessments and Taxation, and County Finance Office Only.
(Type or Print in Black Ink Only—All Copies Must Be Legible)

Space Reserved for Circuit Clerk Recording Validation

1 Type(s) of Instruments
2 Conveyance Type Check Box
3 Tax Exemptions (if Applicable)

Table with columns: Consideration Amount, Finance Office Use Only, Transfer and Recordation Tax Consideration. Includes rows for Purchase Price/Consideration, Any New Mortgage, Balance of Existing Mortgage, etc.

Table with columns: Amount of Fees, Doc. 1, Doc. 2, Agent, Tax Bill, C.B. Credit, Ag. Tax/Other. Includes rows for Recording Charge, Surcharge, State Recordation Tax, etc.

6 Description of Property
SDAT requires submission of all applicable information. A maximum of 40 characters will be indexed in accordance with the priority cited in Real Property Article Section 3-104(g)(3)(i).

7 Transferred From
Doc. 1 - Grantor(s) Name(s)
Doc. 2 - Grantor(s) Name(s)

8 Transferred To
Doc. 1 - Grantee(s) Name(s)
Doc. 2 - Grantee(s) Name(s)

9 Other Names to Be Indexed
Doc. 1 - Additional Names to be Indexed (Optional)
Doc. 2 - Additional Names to be Indexed (Optional)

10 Contact/Mail Information
Instrument Submitted By or Contact Person
Name: PARADISE POINT LLC
Firm: P.O. Box 30224
Address: BETHESDA, MD 20824
Phone: (703)346 4498

11 Assessment Information
IMPORTANT: BOTH THE ORIGINAL DEED AND A PHOTOCOPY MUST ACCOMPANY EACH TRANSFER
Assessment Use Only - Do Not Write Below This Line

Table with columns: Terminal Verification, Agricultural Verification, Whole, Part, Tran. Process Verification. Includes rows for Transfer Number, Year, Land, Buildings, Total, Gao., Zoning, Use, Town Cd., Map, Grid, Parcel, Ex. St., Sub, Plat, Section, Ex. Cd., Assigned Property No., Block, Lot, Occ. Cd.

REMARKS:
Distribution: White - Clerk's Office
Cenary - SDAT
Pink - Office of Finance
Goldenrod - Preparer
AOC-CC-300 (6/95)

MONTGOMERY COUNTY CIRCUIT COURT (Land Records) BHM 50499, p. 0503, MSA_CE63_50456, Date available 06/22/2015, Printed 02/18/2016.

CLERK'S NOTATION
Document submitted for record in a condition not permitting satisfactory photographic reproduction

Space Reserved for County Validation

Appendix V: Site Photographs



1 - A view of the restaurant building



2 - Former Dining area.



3 - Former kitchen area.



4 - Cooking oil in the kitchen.



5 - Shed and debris on north part of the site.



6 - Kerosene containers in the shed.



7 - A view facing southwest from site.



8 - Adjacent residence to southeast.

Appendix VI: Statement of Qualifications

2.0 FIELDS OF COMPETENCE

Through the close working relationship of its operational departments and specialized sub-contractors, ECS has the total capability to evaluate a given site or operation and to develop the most practical approach to environmental site assessments, site contamination studies, ground water and soil remediation, permitting, and design of environmental control systems. Our primary focus has been to continually develop practical and cost-effective solutions in a timely and responsive manner to changing environmental problems.

One of the major reasons for our past success in the environmental consulting marketplace has been our ability to "customize" and combine specific services from different disciplines to individual client and project needs. Also of importance to our clients is our knowledge of the environmental regulatory agencies and our record of success working with them in our clients' interest. The environmental services available from ECS include:

ENVIRONMENTAL STUDIES:

- Real estate transactions/environmental site assessments (Phases I, II, and III)
- Environmental impact studies and risk assessments
- Wetland delineation and mitigation investigations
- Radon investigations
- Environmental facility audits and assessments
- Third-party reviews

ASBESTOS ASSESSMENTS:

- Asbestos surveys
- Sample collection and analysis
- Preparation of plans and specifications

UNDERGROUND STORAGE TANK MANAGEMENT:

- Monitoring of tank removals
- Site investigations and assessments
- Contaminant plume evaluations
- Long- and short-term environmental site monitoring
- Development of corrective actions plans (CAP's)
- Regulatory permitting
- Ground water recovery system design

HYDROGEOLOGICAL AND GEOPHYSICAL SERVICES:

- Development and implementation of ground water resource and evaluation plans
- Design and implementation of ground water monitoring networks, including drilling and well installation
- Ground water modeling
- Aquifer testing (pumping tests, slug tests and bail-down tests)
- Contaminant plume investigations
- Electromagnetic and resistivity surveys
- Design of ground water recovery and treatment systems
- Seismic refraction and ground-probing radar studies

ENVIRONMENTAL ENGINEERING:

- Design and implementation of site remediation measures
- Preparation of closure plans and other hazardous facility permitting
- Design of new landfill and lagoon facilities
- Design of pumping and treatment systems for contaminated ground water
- Design of water/waste water treatment systems
- Permitting and regulatory negotiation

3.0 ENVIRONMENTAL SERVICES

3.1 BACKGROUND

Within the environmental field, ECS has concentrated on providing services to the regional development and financial community, including commercial, residential, institutional and industrial clients and lenders. By concentrating on this service sector, we are able to better understand the requirements of each group and provide services more specifically tailored to individual needs. For most commercial, residential and institutional developers, the most common services performed, to date, have been Phase I and Phase II environmental site assessments. In this area, our work includes a thorough evaluation of the physical conditions of the property using visual overviews supported by aerial photographs, an historical search of appropriate information for past historic and regulated uses, and interviews with current or previous tenants to determine previous site activities. Depending upon the results of the Phase I investigation, follow-up Phase II studies, if necessary, are provided and structured as site-specific conditions dictate and can include soil-test borings, monitoring well installations and chemical analyses of soil, ground water and surface water.

ECS also provides hydrogeological and geophysical investigations for the municipal, commercial, industrial, development, and financial sectors. These investigations can be sub-divided into two fields: ground water resources studies, and contaminant/delineation ground water monitoring investigations. Ground water resource investigations primarily concentrate on developing and/or protecting our valuable ground water resources. These types of investigations are commonly requested by municipalities, industries, and developers in need of water for potable, irrigation, or industrial use, particularly in those areas where commercial water supplies are either unavailable, difficult to attain, or economically unfeasible. Existing published data, other consultant reports, and pertinent scientific literature are reviewed and are supplemented by a full-scale field investigation consisting of geological and/or geophysical surveys. The synthesized information is then used to more cost-effectively site future water supply wells and/or enhance old established well fields.

Contaminant delineation and ground water monitoring investigations primarily concentrate on determining the magnitude and extent of ground water and soil contamination. Test borings are drilled, ground water monitoring wells are installed, and the subsurface soils and ground water are sampled and chemically analyzed to determine the

types and concentrations of the various contaminant(s) that are potentially present. The number of borings and monitoring wells is dependent on the estimated extent and nature of the contaminants in question. Through hydraulic testing and measurements, the direction and rate of ground water flow, and hence, contaminant migration and dispersion, can be calculated. Geophysical techniques are often used to supplement the environmental sampling and analyses as a means of more effectively locating a contaminant plume. Such types of hydrogeological investigations are necessary for determining the potential impacts from leaking underground storage tanks (UST's), old and new landfills, surface impoundments, hazardous spills of hazardous chemical materials and wastes, etc.

Finally, ECS can comprehensively assess industrial processes to determine wastewater flows and loads, develop permitting and treatment strategies, perform treatability studies and design wastewater treatment systems.

3.2 REPRESENTATIVE CLIENTS

AOKI Corporation	Manekin Corporation
Birtcher-Butcher Partnership	The Stanley Martin Companies
Boston Properties	Mason Hirst Companies
Buvermo Properties	Metropolitan Partnership, Ltd.
Cafferty Development	Mobil Land Development
Carey Winston Company	National Dev. Mid-Atlantic
Cambridge Companies	Office Space Management, Inc.
Centennial Development	Osprey Investment Company
CenterMark Properties	Pence-Freidel Development
Citistate, Inc.	Prentiss Properties, Ltd.
CSX Realty	Prudential Realty Group
Cushman and Wakefield	The Radnor Corporation
Danac Corporation	Reston Town Center Associates, Inc.
Development Resources, Inc.	The Michael T. Rose Companies
Dome Real Estate	B.F. Saul Company
The Donohoe Company	Savage-Fogarty Realty
The Evans Company	Sequoia Building Corporation
Evergreen Development	The Shapiro Companies
Federal Real Estate Investment Trust	Simpson Development Company
Friendswood Development	The Staubach Company
Gilbane Properties	The Svatos Company
Greenbaum & Rose	The Taubman Company
Homestead Village	Trammell Crow Company
J&B Enterprises	Turner Harwood Ventures
The JBG Companies	Union Pacific Realty Corporation
KLNB Management Services	William H. Dolben & Son, Inc.
Lincoln Property Company	Winchester Commercial
The Henry A. Long Company	The World Bank

Erik J. Schaberl Senior Environmental Scientist

EDUCATION

- B.S., Frostburg State University, Environmental Analysis and Planning, 2003.

CERTIFICATIONS

- 40-Hour Hazwopper Trained
- AHERA asbestos inspector
- MD Visual Lead Inspector
- Wetland Delineator Certificate
- Confined Space Trained



EXPERIENCE

Mr. Schaberl has been in the environmental industry for over 12 years and currently serves as Project Manager in the Frederick, Maryland office of ECS Mid-Atlantic, LLC. He is responsible for preparation of Phase I/Phase II Environmental Site Assessments, Site Characterizations studies, field work relative to Corrective Action Plans, contaminant remediation efforts, and wetlands associated work. He has personally performed hundreds of ESAs and numerous Phase II ESAs in the Metro DC Region as well as Pennsylvania, West Virginia, and Virginia.

BRIEF PROJECT EXPERIENCE

- **Former Bulk Storage Terminal, Baltimore, Maryland:** This project consisted of remedial work for petroleum contamination including chemical grouting of storm drains in effort to seal off product infiltration. Other services included the excavation of recovery trenches and cleanup of contaminated soil and surface materials.
- **Former Waste Transfer Station, Rockville, Maryland:** This project consisted of a Phase I ESA followed by a file review, limited Phase II Investigation, GeoProbe sampling, and a passive soil gas survey. Based on the findings, petroleum contamination was evident and subsequent soil screening, sampling, and haul-off of contaminated soils was conducted in preparation for initiation into the Voluntary Cleanup Program with the MDE.
- **Former Soil Treatment Facility, Baltimore, Maryland:** This project consisted of a Phase I ESA including sampling of existing groundwater monitoring wells and surface soils.
- **Former Shopping Center with Drycleaners, Washington, DC:** This project consisted of a limited soil sampling and groundwater investigation. A series of borings were drilled with representative soil samples taken and tested for a myriad of contaminate including TCE. Monitoring wells were then installed and sampled to determine if former operation impacted the site conditions.
- **Former Golf Course, Montgomery County, MD:** This project consisted of a Phase I ESA in conjunction with soil sampling for pesticides, herbicides, and metals as a result of historic turf maintenance and chemical applications. The site also featured a history of Underground Storage Tanks (USTs), Aboveground Storage Tanks (ASTs), onsite monitoring wells, and chemical storage.

REQUEST FOR BIDS NO.

2017-008

DEMOLITION OF BUILDINGS AT
303 SOUTH FREDERICK AVENUE

APPENDIX E

**HAZARDOUS MATERIAL SURVEY
PHASE II HMS (ECS MID-ATLANTIC, LLC.)**



HAZARDOUS MATERIALS SURVEY

**FORMER RESTAURANT
303 S. FREDERICK AVENUE
GAITHERSBURG, MD 20877**

ECS PROJECT NO. 47-1465

FOR

CITY OF GAITHERSBURG

MARCH 11, 2016



March 11, 2016

Ms. Sharon Disque
City of Gaithersburg
31 S. Summit Avenue
Gaithersburg, Maryland 20877

ECS Project No. 47-1465

Reference: Report of Hazardous Material Survey
Former Restaurant
303 S. Frederick Avenue
Gaithersburg, Maryland 20877

Dear Ms. Disque:

ECS Mid-Atlantic, LLC (ECS) is pleased to provide you with the results of our Hazardous Materials Survey of the above referenced property. The Survey was performed in accordance with the scope and limitations of our contract agreement (ECS Proposal No. 13-8514), dated December 10, 2015.

Project Description and Background

The site was formerly occupied by the 355-Grill and utilized as a restaurant, though it appears the building was originally a residence. The site is currently vacant and consists of a one-story building with a detached wood-frame garage with asphaltic shingle roof. The facility is listed as 1,112 square feet, with the original building constructed in 1952, and renovated at an unknown date. The restaurant building is slab-on-grade construction with wood-frame walls and included drywall, ceramic flooring, and drop acoustic ceiling tile building materials. The exterior of the building was vinyl siding and the roofing was observed to be asphaltic shingle.

Asbestos Containing Materials (ACM) Survey

Scope of Work

A total of thirty-three (33) bulk samples were collected on February 25, 2016 by Erik Schaberl, a United States Environmental Protection Agency (USEPA) Asbestos Hazard Emergency Response Act (AHERA) trained and Maryland licensed asbestos inspector. Materials sampled included drywall and associated joint compound, ceiling tiles, window glazing, and roofing materials.

Collected bulk samples were stored in properly labeled and hermetically sealed containers. Professional judgment was used in the selection of the number of bulk samples collected for laboratory testing and was generally similar to AHERA and NESHAP specifications for asbestos sampling.

Methodology

Collected bulk samples were submitted to an analytical laboratory for microscopic analysis via Polarized Light Microscopy (PLM) to determine the presence and type (if any) of asbestos. Bulk asbestos sample analyses were performed by EMSL Analytical of Beltsville Maryland utilizing EPA Method EPA/600/R-93/116 via Polarized Light Microscopy. Sample collection, analysis, and disposition followed standard chain-of-custody requirements. The chain-of-custody, which includes sampling numbers, sampling locations, and homogeneous area descriptions, in addition to bulk sample analysis results are included in Appendix I.

Analytical Test Results

An Asbestos Containing Material (ACM) is defined as any material containing > 1% asbestos as determined using the method specified in Appendix A, Subpart F, 40 CFR Part 763, Section 1, via PLM. A friable ACM is defined as any ACM that, when dry, can be crumbled, pulverized or reduced to powder by hand pressure. The following Table 1 notes the materials that tested positive for asbestos.

Table 1: Asbestos Containing Materials

Sample #/ Material	Sample Location	Condition	Friability	Asbestos
3355-27 Gray caulking	Roof, sealant south chimney	Good	Non-friable	6% Chrysotile
3355-28 Gray caulking	Roof, sealant north chimney	Good	Non-friable	Stop Positive

Lead-Based Paint Screening

Scope of Work

Based on our scope of services, the purpose of the screening was to evaluate accessible portions of the interior and exterior of the structure for the possible presence of Lead-Based Paint (LBP). The LBP Screening included the visual assessment of readily accessible representative painted surfaces on and within the structures, which have the possible presence of lead and collect representative samples of the suspect materials identified.

Methodology

The LBP Screening was performed utilizing an Innov-X Systems Alpha-4000 Series direct-read X-ray fluorescence (XRF) spectrum analyzer to determine the presence of lead-based paint components. By emitting radiation, the spectrum analyzer is able to determine the presence of lead within painted components. To document that the XRF was functioning properly, calibration readings and standardization readings were collected in accordance with the manufacturer's instructions.

References are made to "Side" within the XRF Lead Level Readings; sides A, B, C, D, are alphabetical designations to identify the side of the room/area from which lead readings were obtained. Side A represents the eastern wall of the building (i.e. front entrance door). Side B

represents the next side of the room/area, in a clockwise sequence, relative to Side A, and so on with Side C, and Side D.

Results

An LBP is defined by the Maryland Department of the Environment (MDE) as any paint, glaze, and other coating, which contain greater than 0.7 milligram per centimeter squared (mg/cm²) of lead by area.

Approximately 50 representative painted surfaces were evaluated. The following table summarizes the location and description of the surfaces where lead concentrations were above the detection limit of the XRF unit. A copy of the survey log is included as an attachment to this report.

Table 2: Lead-Based Paint Results

Location	Wall/Color	Component	Substrate	Lead Content mg/cm ²
Standardization				Pass
Calibration				1.03, 1.05, 1.09
Dining Room	C/Peach	Fire Place	Brick	0.07, ND, ND
Dining Room	Floor/Tan	Floor	Ceramic	>1, >1, 0.83, >1
Restroom	Floor/Tan	Floor	Ceramic	>1, >1, >1
Restrooms	B,C,D/Lt Tan	Walls	Ceramic	>1, >1, >1, >1
Calibration				1.05, 1.06, 1.05

Legend: mg/cm² = milligrams per square centimeter
 Maryland defines a LBP as greater than 0.7 mg/cm²

Polychlorinated Biphenyl (PCB) Containing Lamp Ballasts

Polychlorinated biphenyls (PCBs) are toxic coolants or lubricating oils used in some electrical transformers and capacitors, hydraulically-operated equipment, light ballasts, and other similar equipment.

As part of our assessment, ECS surveyed the structure for potential PCB containing fluorescent light ballasts. At the time of the Hazardous Material Survey, ECS visually observed fluorescent light ballasts throughout the structure in an attempt to identify labeling that indicated the presence/absence of PCB containing fluids.

ECS observed several different types of lighting fixtures and we estimate a total of approximately 8 light ballasts within the on-site structure. It should be noted that light ballasts manufactured prior to 1979 could contain small quantities of PCBs. However, regardless of "PCB labeling," ballasts produced between 1980 and 1991 may contain di-ethyl hexyl phthalate (DEHP) which is classified as a potential carcinogen by the EPA. If removed, ECS recommends all ballasts be recycled regardless of "PCB" labeling.

Mercury Containing Components

The EPA classifies mercury as both hazardous and toxic. The survey included observations for building components, equipment or other apparatus, which could contain mercury, such as thermostats, fluorescent light tubes, and switch-containing devices.

As previously discussed, fluorescent lamps were observed throughout the building. The fluorescent lamps may contain small quantities of mercury. We estimate that approximately 24 fluorescent tubes are present in the on-site lighting. ECS observed a thermostat in the facility. We did not observe thermostats which are likely contain mercury. ECS observed no evidence of leaking or damage relative to apparent mercury containing articles at the time of this assessment.

Refrigerants

According to the EPA, spent chlorofluorocarbon (CFC) refrigerants from enclosed heat transfer equipment, including commercial and industrial air conditioning and refrigeration systems that use chlorofluorocarbons (CFCs) as the heat transfer fluid in a refrigeration cycle is not considered a universal waste provided the refrigerant is reclaimed for further use. ECS would recommend that the refrigerants associated with the building that will not be utilized in the future be recovered by a licensed HVAC contractor. The structure appeared to have been heated by natural gas.

Conclusions & Recommendations

ECS has performed a HazMat survey of the former restaurant located at 303 S. Frederick Avenue in Gaithersburg, Maryland. Our conclusions and recommendations are below.

Based on the results of our bulk asbestos sampling and laboratory analysis, ACM is present in the roof caulking. Prior to any future reconstruction/remodeling or demolition that would affect the identified ACMs, proper abatement would be required. The asbestos abatement should be performed by a licensed abatement contractor in accordance with EPA, Maryland, and Occupational Safety and Health Administration (OSHA) requirements. With regard to the actual abatement process, ECS recommends that the abatement activities be monitored by a qualified industrial hygiene professional to document that the abatement procedures are adhered to throughout the removal/disposal process. These services should include final documentation that the ACMs have been removed and properly disposed of prior to initiation of any future demolition and/or building re-occupancy.

With regards to LBP, the ceramic tile floor within the dining room and restroom walls and floors were identified as LBP. Although ceramic tiles with lead in the glazing are not regulated as LBP, ECS understands that the ceramic tiles will likely be disturbed during proposed demolition. For the purposes of compliance with the OSHA Lead in Construction Standard under 29 CFR 1926.62, precautions should be taken to protect workers from possible lead contaminated dust during demolition. The OSHA standard gives no guidance on acceptable levels of lead in paint at which no exposure to airborne lead (above the action level) would be expected. Rather, OSHA defines airborne concentrations, and references specific types of work practices and

operations from which a lead hazard may be generated (reference 29 CFR 1926.62, section d). Environmental and personnel monitoring should be conducted during any removal/demolition process (as appropriate) to verify that actual personal exposures are below the Permissible Exposure Limit (PEL). Under OSHA requirements, the contractor performing the work will be required to conduct this monitoring and follow the requirements found in 29 CFR 1926.62.

ECS also recommends that representative samples of the demolition/renovation waste stream be collected and analyzed using the EPA Toxicity Characteristic Leaching Procedure (TCLP) analysis for lead prior to disposal of waste stream debris from the site. The purpose of the laboratory testing is to document that the waste stream contains lead concentrations of less than five (5) parts per million (ppm).

ECS recommends that all fluorescent lamps, regardless of labeling or markings, mercury vapor lights, mercury switches, all wall and mechanical thermostats, and lead-acid and other types of batteries be properly disposed of if they are to be disturbed by planned renovation activities. In addition, if other suspect regulated and/or hazardous materials are discovered and are to be disturbed, these materials should be removed and disposed of, or recycled according to regulatory guidelines by an appropriately licensed/certified contractor.

All generators of spent fluorescent tubing, thermostats and other mercury containing components are responsible for their proper disposal under the Resource Conservation and Recovery Act (RCRA). The act specifies that unless you are a household, you are liable for proper disposal of mercury containing bulbs. Recycling is required unless site conditions restrict the removal of mercury containing articles.

Limitations

The conclusions and recommendations presented within this report are based upon a reasonable level of assessment within normal bounds and standards of professional practice for a site in this particular geographic setting. ECS is not responsible or liable for the discovery and elimination of hazards that may potentially cause damage, accidents, or injuries.

The observations, conclusions, and recommendations pertaining to environmental conditions at the subject site are necessarily limited to conditions observed, and/or materials reviewed at the time this study was undertaken. No warranty, expressed or implied, is made with regard to the conclusions and recommendations presented within this report. This report is provided for the exclusive use of the client. This report is not intended to be used or relied upon in connection with other projects or by other unidentified third parties without the written consent of ECS and the client.

During this study, suspect asbestos samples were submitted for analysis at an NVLAP-accredited laboratory via polarized light microscopy. As with similar surveys of this nature, actual conditions exist only at the precise locations from which suspect asbestos samples were collected. Certain inferences are based on the results of this sampling and related testing to form a professional opinion of conditions in areas beyond those from which the samples were collected. No warranty, expressed or implied, is made.

It is understood that this was a non-invasive survey and additional materials may be present concealed behind solid walls, beneath the concrete slab flooring, or above solid ceilings. Discovery of any concealed or inaccessible materials is out of the scope of this study and additional sampling will be required to evaluate any newly discovered asbestos.

Our recommendations are in part based on federal and local regulations and guidelines. ECS does not assume the responsibility of the person(s) in charge of the site, or otherwise undertake responsibility for reporting to any local, state, or federal public agencies any conditions at the site that may present a potential danger to public health, safety, or the environment. Under this scope of services, ECS assumes no responsibility regarding any response actions initiated as a result of these findings. General compliance with regulations and response actions are the sole responsibility of the Client and should be conducted in accordance with local, state, and/or federal requirements.

The client agrees to notify the appropriate local, state, or federal public agencies as required by law, or otherwise to disclose, in a timely manner, information that may be necessary to prevent any danger to public health, safety, or the environment.

Respectfully submitted,

ECS MID-ATLANTIC, LLC:



Erik J. Schaberl
Environmental Project Manager
MD Asbestos Inspector # 126795



Michael K. Smith
Senior Project Manager
MD Lead Paint Inspector # 15078

Attachments:

Photolog
Laboratory Results

PHOTOGRAPHS



Photograph No. 1
Black/gray roof caulk ACM (positive)



Photograph No. 2
Lead Based ceramic floor tile glazing



EMSL Analytical, Inc.

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<http://www.EMSL.com/beltsvillelab@emsl.com>

EMSL Order: 191601785
Customer ID: ENGI59
Customer PO: 47:1465
Project ID:

Attention: Erik Schaberl
ECS Mid-Atlantic, LLC (MD)
5112 Pegasus Court
Suite S
Frederick, MD 21704
Project: 355-GRILL

Phone: (301) 668-4303
Fax: (301) 668-3519
Received Date: 02/26/2016 12:25 PM
Analysis Date: 02/26/2016
Collected Date: 02/25/2016

Test Report: Asbestos Analysis of Bulk Materials via EPA 600/R-93/116 Method using Polarized Light Microscopy

Sample	Description	Appearance	Non-Asbestos		Asbestos
			% Fibrous	% Non-Fibrous	% Type
355-1 <i>191601785-0001</i>	DRYWALL - DINING RM S	Brown/Gray Fibrous Homogeneous	10% Cellulose	65% Gypsum 25% Non-fibrous (Other)	None Detected
355-2 <i>191601785-0002</i>	DRYWALL - DINING RM N	Brown/Gray Non-Fibrous Homogeneous	15% Cellulose	70% Gypsum 15% Non-fibrous (Other)	None Detected
355-3 <i>191601785-0003</i>	JOINT COMPOUND - DINING RM S	White Non-Fibrous Homogeneous		15% Mica 10% Perlite 75% Non-fibrous (Other)	None Detected
355-4 <i>191601785-0004</i>	JOINT COMPOUND - DINING RM N	White Non-Fibrous Homogeneous		15% Mica 10% Perlite 75% Non-fibrous (Other)	None Detected
355-5 <i>191601785-0005</i>	DRYWALL - KITCHEN ADDITION N	Brown/Gray Fibrous Heterogeneous	20% Cellulose	70% Gypsum 10% Non-fibrous (Other)	None Detected
355-6 <i>191601785-0006</i>	DRYWALL - KITCHEN ADDITION S	Brown/Gray Fibrous Heterogeneous	20% Cellulose	70% Gypsum 10% Non-fibrous (Other)	None Detected
355-7 <i>191601785-0007</i>	JOINT COMPOUND - KITCHEN ADDITION N	White Non-Fibrous Homogeneous		15% Mica 10% Perlite 75% Non-fibrous (Other)	None Detected
355-8 <i>191601785-0008</i>	JOINT COMPOUND - KITCHEN ADDITION S	White Non-Fibrous Homogeneous		15% Mica 10% Perlite 75% Non-fibrous (Other)	None Detected
355-9 <i>191601785-0009</i>	CEILING TILES - KITCHEN ADDITION N	Brown/Gray Fibrous Heterogeneous	15% Cellulose	70% Gypsum 15% Non-fibrous (Other)	None Detected
355-10 <i>191601785-0010</i>	CEILING TILES - KITCHEN ADDITION S	Brown/Gray Fibrous Homogeneous	10% Cellulose	75% Gypsum 15% Non-fibrous (Other)	None Detected
355-11 <i>191601785-0011</i>	DRYWALL - DINING CEILING E	Brown/Gray Fibrous Heterogeneous	10% Cellulose	65% Gypsum 25% Non-fibrous (Other)	None Detected
355-12 <i>191601785-0012</i>	DRYWALL - DINING CEILING W	Brown/Gray Fibrous Heterogeneous	15% Cellulose	70% Gypsum 15% Non-fibrous (Other)	None Detected
355-13 <i>191601785-0013</i>	JOINT COMPOUND - DINING CEILING W	White Non-Fibrous Homogeneous		15% Mica 10% Perlite 75% Non-fibrous (Other)	None Detected
355-14 <i>191601785-0014</i>	JOINT COMPOUND - DINING CEILING E	White Non-Fibrous Homogeneous		15% Mica 10% Perlite 75% Non-fibrous (Other)	None Detected
355-15 <i>191601785-0015</i> <i>Mastic only</i>	BACKSPLASH MASTIC - KITCHEN ADDITION N	Tan Non-Fibrous Homogeneous	3% Cellulose	97% Non-fibrous (Other)	None Detected
355-16 <i>191601785-0016</i>	BACKSPLASH MASTIC - KITCHEN ADDITION S	Tan Non-Fibrous Homogeneous	3% Cellulose	97% Non-fibrous (Other)	None Detected



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EMSL Order: 191601785
Customer ID: ENGI59
Customer PO: 47:1465
Project ID:

Test Report: Asbestos Analysis of Bulk Materials via EPA 600/R-93/116 Method using Polarized Light Microscopy

Sample	Description	Appearance	Non-Asbestos		Asbestos
			% Fibrous	% Non-Fibrous	% Type
355-17 <small>191601785-0017</small>	BUILT UP ROOF - ROOF EAST ADDITION N	Brown/Black Fibrous Homogeneous	25% Synthetic 10% Glass	15% Quartz 50% Non-fibrous (Other)	None Detected
355-18 <small>191601785-0018</small>	BUILT UP ROOF - ROOF EAST ADDITION S	Brown/Black Fibrous Homogeneous	25% Synthetic 10% Glass	15% Quartz 50% Non-fibrous (Other)	None Detected
355-19 <small>191601785-0019</small>	GRAY SHINGLE - ROOF MAIN N	Gray/Black Fibrous Heterogeneous	20% Cellulose 15% Glass	25% Quartz 40% Non-fibrous (Other)	None Detected
355-20 <small>191601785-0020</small>	GRAY SHINGLE - ROOF MAIN S	Gray/Black Fibrous Heterogeneous	20% Cellulose 25% Glass	15% Quartz 40% Non-fibrous (Other)	None Detected
355-21 <small>191601785-0021</small>	RED SHINGLE - ROOF N ADDITION VERT	Red/Black Fibrous Heterogeneous	25% Glass	20% Quartz 55% Non-fibrous (Other)	None Detected
355-22 <small>191601785-0022</small>	RED SHINGLE - ROOF N ADDITION VERT	Red/Black Fibrous Heterogeneous	25% Glass	20% Quartz 55% Non-fibrous (Other)	None Detected
355-23 <small>191601785-0023</small>	TAN SHINGLE - ROOF N ADDITION L	Gray/Black Fibrous Heterogeneous	25% Cellulose	20% Quartz 55% Non-fibrous (Other)	None Detected
355-24 <small>191601785-0024</small>	TAN SHINGLE - ROOF N ADDITION R	Gray/Black Fibrous Homogeneous	25% Glass	20% Quartz 55% Non-fibrous (Other)	None Detected
355-25 <small>191601785-0025</small>	SILVER TAR - ROOF PENE. PATCH	Silver Fibrous Homogeneous	35% Cellulose	65% Non-fibrous (Other)	None Detected
355-26 <small>191601785-0026</small>	SILVER TAR - ROOF PENE. PATCH	Silver Non-Fibrous Homogeneous	25% Cellulose	75% Non-fibrous (Other)	None Detected
355-27 <small>191601785-0027</small>	GRAY CAULK - ROOF CHIMNEY N	Gray/Black Fibrous Homogeneous		94% Non-fibrous (Other)	6% Chrysotile
355-28 <small>191601785-0028</small>	GRAY CAULK - ROOF CHIMNEY S				Stop Positive (Not Analyzed)
355-29 <small>191601785-0029</small>	GRAY SHINGLE - GARAGE ROOF N	Gray/Black Fibrous Heterogeneous	10% Cellulose 25% Glass	15% Quartz 50% Non-fibrous (Other)	None Detected
355-30 <small>191601785-0030</small>	GRAY SHINGLE - GARAGE ROOF S	Gray/Black Fibrous Homogeneous	20% Cellulose 25% Glass	15% Quartz 40% Non-fibrous (Other)	None Detected
355-31 <small>191601785-0031</small>	WINDOW GLAZING - EXT SIDE WINDOW L	Gray/Tan Non-Fibrous Homogeneous		15% Ca Carbonate 85% Non-fibrous (Other)	None Detected
355-32 <small>191601785-0032</small>	WINDOW GLAZING - EXT SIDE WINDOW R	Gray/Tan Non-Fibrous Homogeneous		15% Ca Carbonate 85% Non-fibrous (Other)	None Detected
355-33 <small>191601785-0033</small>	SIDING GRAY BLUE - EXT SIDING L	Gray/Blue Fibrous Homogeneous	75% Cellulose	25% Non-fibrous (Other)	None Detected
355-34 <small>191601785-0034</small>	SIDING GRAY BLUE - EXT SIDING R	Gray/Blue Fibrous Homogeneous	80% Cellulose	20% Non-fibrous (Other)	None Detected



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EMSL Order: 191601785
Customer ID: ENGI59
Customer PO: 47:1465
Project ID:

Test Report: Asbestos Analysis of Bulk Materials via EPA 600/R-93/116 Method using Polarized Light Microscopy

Sample	Description	Appearance	Non-Asbestos		Asbestos
			% Fibrous	% Non-Fibrous	% Type

Analyst(s) _____
Luba Stockert (33)

Joe Centifonti, Laboratory Manager
or Other Approved Signatory

EMSL maintains liability limited to cost of analysis. This report relates only to the samples reported and may not be reproduced, except in full, without written approval by EMSL. EMSL bears no responsibility for sample collection activities or analytical method limitations. Interpretation and use of test results are the responsibility of the client. This report must not be used by the client to claim product certification, approval, or endorsement by NVLAP, NIST or any agency of the federal government. Non-friable organically bound materials present a problem matrix and therefore EMSL recommends gravimetric reduction prior to analysis. Samples received in good condition unless otherwise noted. Estimated accuracy, precision and uncertainty data available upon request. Unless requested by the client, building materials manufactured with multiple layers (i.e. linoleum, wallboard, etc.) are reported as a single sample. Reporting limit is 1%

Samples analyzed by EMSL Analytical, Inc. Beltsville, MD NVLAP Lab Code 200293-0

Initial Report From: 03/01/2016 12:01:55



EMSL ANALYTICAL, INC.
LABORATORY-PRODUCTS-TRAINING

**Asbestos Bulk Building Material
Chain of Custody**
EMSL Order Number (Lab Use Only):

191601785

EMSL ANALYTICAL, INC.
200 ROUTE 130 NORTH
CINNAMINSON, NJ 08077
PHONE: (800) 220-3675
FAX: (856) 786-5974

Company: <u>ECS Mid-Atlantic</u>		EMSL-Bill to: <input checked="" type="checkbox"/> Same <input type="checkbox"/> Different If Bill to is Different not instructions in Comments**	
Street: <u>5113 PEGASUS CT.</u>		Third Party Billing requires written authorization from third party	
City: <u>FREDERICK</u>	State/Province: <u>MD</u>	Zip/Postal Code: <u>21704</u>	Country: <u>USA</u>
Report To (Name): <u>ERIK SCHABERL</u>		Telephone #: <u>301 668 4303</u>	
Email Address: <u>eschaberl@ecslimited</u>		Fax #:	Purchase Order: <u>47:1465</u>
Project Name/Number: <u>355-GRILL</u>		Please Provide Results: <input type="checkbox"/> Fax <input checked="" type="checkbox"/> Email	
U.S. State Samples Taken: <u>MD</u>		CT Samples: <input type="checkbox"/> Commercial/Taxable <input type="checkbox"/> Residential/Tax Exempt	

Turnaround Time (TAT) Options* - Please Check

3 Hour 6 Hour 24 Hour 48 Hour 72 Hour 96 Hour 1 Week 2 Week

*For TEM Air 3 hr through 6 hr, please call ahead to schedule. *There is a premium charge for 3 Hour TEM AHERA or EPA Level II TAT. You will be asked to sign an authorization form for this service. Analysis completed in accordance with EMSL's Terms and Conditions located in the Analytical Price Guide.

PLM - Bulk (reporting limit)		TEM - Bulk	
<input checked="" type="checkbox"/> PLM EPA 600/R-93/116 (<1%)	<input type="checkbox"/> TEM EPA NOB - EPA 600/R-93/116 Section 2.5.5.1	<input type="checkbox"/> NY ELAP Method 198.4 (TEM)	<input type="checkbox"/> Chatfield Protocol (semi-quantitative)
<input type="checkbox"/> PLM EPA NOB (<1%)	Point Count <input type="checkbox"/> 400 (<0.25%) <input type="checkbox"/> 1000 (<0.1%)	<input type="checkbox"/> TEM % by Mass - EPA 600/R-93/116 Section 2.5.5.2	<input type="checkbox"/> TEM Qualitative via Filtration Prep Technique
Point Count w/Gravimetric <input type="checkbox"/> 400 (<0.25%) <input type="checkbox"/> 1000 (<0.1%)	<input type="checkbox"/> NIOSH 9002 (<1%)	<input type="checkbox"/> TEM Qualitative via Drop Mount Prep Technique	
<input type="checkbox"/> NY ELAP Method 198.1 (friable in NY)	<input type="checkbox"/> NY ELAP Method 198.6 NOB (non-friable-NY)		
<input type="checkbox"/> OSHA ID-191 Modified	<input type="checkbox"/> Standard Addition Method	Other	
		<input type="checkbox"/>	

Check For Positive Stop - Clearly Identify Homogenous Group Date Sampled: 2/25/16

Samplers Name: ERIK SCHABERL Samplers Signature: [Signature]

Sample #	HA #	Sample Location	Material Description
355-1	1	Dining room S	drywall
-2	1	" " N	"
-3	2	Dining room S	joint compound
-4	2	" "	"
5	3	Kitchen - addition W	drywall
6	3	" " S	"
7	4	Kitchen addition N	joint compound
8	4	" S	"
9	5	" W	ceiling tiles
10	5	" S	

Client Sample # (s):	-	Total # of Samples:	
Relinquished (Client): <u>[Signature]</u>	Date: <u>2/25/16</u>	Time: <u>1400</u>	
Received (Lab): <u>EEB UPS</u>	Date: <u>2/26/16</u>	Time: <u>1228pm</u>	
Comments/Special Instructions:			



EMSL ANALYTICAL, INC.
LABORATORY PRODUCTS TRAINING

Asbestos Bulk Building Material Chain of Custody

EMSL Order Number (Lab Use Only):

EMSL ANALYTICAL, INC.
200 ROUTE 130 NORTH
CINNAMINSON, NJ 08077
PHONE: (800) 220-3675
FAX: (856) 786-5974

Additional Pages of the Chain of Custody are only necessary if needed for additional sample information

Sample #	HA #	Sample Location	Material Description
11	6	dining ceiling E	drywall
12	6	W	drywall
13	7	dining ceiling W	joint compound
14	7	E	joint compound
15	8	kitchen addition N	backsplash mastic
16	8	" " S	"
17	9	roof east addition N	built-up roof
18	9	roof east addition S	" "
19	10	roof - main N	gry shingle
20	10	" " S	"
21	11	roof N addition - vert	red shingle
22	11	" " -vert	red shingle
23	12	" " L	tan shingle
24	12	" " R	tan shingle
25	13	roof penetrations patch	silver tar
26	13	" "	" "
27	14	roof chimney N	gry caulk
28	14	" S	"
29	15	garage roof N	gry shingle
30	15	" " S	"
31	16	exterior side window L	window glazing
32	16	" " R	"
33	17	ext. siding L	siding - gry blue
34	17	" " R	"
*Comments/Special Instructions:			

REQUEST FOR BIDS NO.

2017-008

DEMOLITION OF BUILDINGS AT
303 SOUTH FREDERICK AVENUE

APPENDIX F

BOUNDARY SURVEY

LEGAL DESCRIPTION:

ALL THAT PIECE OR PARCEL OF LAND BEING DESCRIBED IN LIBER 50499, FOLIO 500, RECORDED AMONG THE LAND RECORDS OF MONTGOMERY COUNTY, MARYLAND.

JOB SPECIFIC SURVEYOR NOTES:

THE BEARING SYSTEM SHOWN HEREON HAS BEEN REFERENCED TO A DEED AS RECORDED IN LIBER 50499 FOLIO 500 AMONG THE LAND RECORDS OF MONTGOMERY COUNTY, MARYLAND

ACCURACY EQUALS THREE FEET PLUS OR MINUS

GENERAL SURVEYOR NOTES:

1. Unless otherwise noted, no Title Report was furnished to this surveyor. Easements, restrictions, and/or right-of-way may not exist that are shown.
2. Underground facilities not shown, may exist.
3. This survey does not address wetlands, contaminated waste or toxic soil conditions, nor have any reports, studies or information regarding such been provided to this surveyor.
4. The information contained on this survey has been performed exclusively, and is the sole responsibility, of Exacta Surveyors. Additional logos or references to third party firms are for informational purposes only.
5. Points of interest (POI's) are selected above-ground improvements which may be in conflict with boundary, building setback or easement lines, as defined by the parameters of this survey. There may be additional POI's which are not shown, not called-out as POI's, or which are otherwise unknown to the surveyor. These POI's may not represent all items of interest to the viewer.
6. Utilities shown on the subject property may or may not indicate the existence of recorded or unrecorded utility easements.
7. If there is a septic tank, or drain field shown on this survey, the location is approximate as the location was either shown to Exacta by a third party or it was estimated by metal detection, probing rods, and visual above ground inspection only. No excavation was performed in order to determine the exact and accurate location, unless otherwise noted.
8. House measurements are taken by field personnel using cloth tape in a level position from corner to corner. Due to varying construction standards, methods and materials, house measurements may vary when taken by others from any different vertical position. Before using this survey for planning or construction purposes, these measurements should be validated from the vertical level necessary for the purposes of those specific plans and/or permits.

LEGEND:

SURVEYOR'S LEGEND

	AC AIR CONDITIONING	L LENGTH	SGD SET GLUE DISC
	B.R. BEARING REFERENCE	LDW LICENSE # - BUSINESS	SDH SET DRILL HOLE
	BK BLOCK	LSW LICENSE # - SURVEYOR	SHR SET IRON ROD + CAP
	B.C. BLOCK CORNER	MV MEASURED	SHC SET IRON ROD + CAP
	BLDG. BUILDING	MES. METEDED (NO SECTION)	SH SET NAIL
	B.F. BACKFLOW PREVENTOR	M.F. METAL FENCE	SHD SET NAIL + DISC
	B.R.L. BUILDING RESTRICTION LINE	N.R. NON RADIAL	SHY STORY
	BSMT. BASEMENT	N.T.S. NOT TO SCALE	ST.L SURVEY TIE LINE
	B.W. BANDBOX WINDOW	O.C.S. ON CONCRETE SLAB	SV SINKER VALVE
	(C) CALCULATED	O.G. ON GROUND	SW SIDEWALK
	CATV CABLE TV RESER	O.H.L. OVERHEAD LINE	SW. SIDEWALK
	C.B. CONCRETE BLOCK	O.R.B. OFFICIAL RECORDED BOOK	TEL TELEPHONE FACILITIES
	CHIM. CHIMNEY	O.V. OVERLAPPING	T.O.B. TOP OF BANK
	C.L.F. CHAIN LINK FENCE	O.V. OVERALL	TX TRANSFORMER
	C.O. CLEAN OUT	OS OFFSET	TY. TYPICAL
	CONC. CONCRETE	PAI. PARALLEL RAIL NAIL	U.R. UTILITY RESOR
	CL. CENTER LINE	PSM PROFESSIONAL SURVEYOR	W.C. WITNESS CORNER
	C.S. CONCRETE SLAB	AND HAMPER	WF WATER FILTER
	CP COVERED POREH	PLS PROFESSIONAL LAND SURVEYOR	W.P. WOODEN FENCE
	CR. CORNER	PL. PLAT	WM WATER METER VALVE BOX
	CU. CURB	PE TOOL EQUIPMENT	WW WATER WASTE
	D. DEED	PLT PLASTER	W.F. VINYL FENCE
	DW. DRIVEWAY	PF FINISHED PIPE	
	D.F. DRAIN FIELD	P.B. PLAT BOOK	
	EUB ELECTRIC UTILITY BOX	P.I. POINT OF INTERSECTION	A.E. ANCHOR OR ACCESS EASEMENT
	ENCL. ENCLOSURE	P.O.B. POINT OF BEGINNING	C.M.E. CANAL MAINTENANCE EASMT.
	ENT. ENTRANCE	P.O.C. POINT OF COMMENCEMENT	C.U.E. COUNTY UTILITY EASMT.
	E.O.P. EDGE OF PAVEMENT	P.T. POINT OF TANGENCY	D.E. DRAINAGE EASEMENT
	E.O.W. EDGE OF WATER	P.C. POINT OF CURVATURE	EASMT. EASEMENT
	F. FIELD	P.C.C. POINT OF CONTACT CURVATURE	I.E.E. INGRESS/EGRESS EASMT.
	F.F. FINISHED FLOOR	P.I.C. POINT OF INVERSE CURVATURE	IR.E. IRIGATION EASEMENT
	FDH FOUND DRILL HOLE	P.C.P. PERMANENT CONTROL POINT	L.A.E. LIMITED ACCESS EASMT.
	F.I.P.C. FOUND IRON PIPE + CAP	P.R.M. PERMANENT REFERENCE MONUMENT	L.P.E. LANDSCAPE SUPER EASMT.
	F.I.R.C. FOUND IRON ROD + CAP	R. RADIUS OF RADIAL	L.L. LANDSCAPE EASMT.
	FR. FOUND IRON ROD	RE RECORD	L.W.E. LAKE OR LANDSCAPE
	F.I.P. FOUND IRON PIPE	RES. RESURFACE	MA.E. MAINTENANCE EASEMENT
	F.M. FOUND MONUMENT	R.W. RIGHT OF WAY	M.E. MAINTENANCE EASEMENT
	FN. FOUND NAIL	(S) SURVEY	P.L.E. PUBLIC UTILITY EASEMENT
	FN.D. FOUND NAIL + DISC	S.B.L. SETBACK LINE	R.O.E. ROAD OVERHANG EASMT.
	FW. FOUND WELL	S.C.L. SURVEY CLOSURE LINE	S.W.E. SIDEWALK EASEMENT
	GA. GARAGE	SCR. SCRUB	S.W.M.E. STORAGE WATER
	GM. GAS METER	SDH SET DRILL HOLE	MANAGEMENT EASMT.
	ID. IDENTIFICATION	STF. SETTING TANK	T.H.E. TECHNOLOGICAL UTILITY EASMT.
	INST. INSTRUMENT	SW. SEWER	UTILITY EASEMENT
	INT. INTERSECTION	S.F. SQUARE FEET	

ELECTRONIC SIGNATURE:

In order to "Electronically Sign" all of the PDFs sent by STARS, you must use a hash calculator. A free online hash calculator is available at

<http://www.fileformat.info/tool/md5sum.htm>

To Electronically Sign any survey PDF:

1. Save the PDF onto your computer.
2. Use the online tool at <http://www.fileformat.info/tool/md5sum.htm> to browse for the saved PDF on your computer.
3. Select the Hash Method as SHA.
4. Click Submit.

Your PDF is electronically signed if all of the characters in the SHA-1 code submitted by STARS matches the code which is produced by the hash calculator. If they match exactly, your PDF is electronically signed. If the codes do not match exactly, your PDF is not authentic.

PRINTING INSTRUCTIONS:

While viewing the survey in Adobe Reader, select the "Print" button under the "File" tab.

Select a color printer with legal sized paper.

Under "Print Range", click select the "All" toggle.

Under the "Page Handling" section, select the number of copies that you would like to print.

Under the "Page Scaling" selection drop down menu, select "None."

Uncheck the "Auto Rotate and Center" checkbox.

Check the "Choose Paper size by PDF" checkbox. Click OK to print.

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