

CON 12-15
Doc # 11469

HARRISON & DIETZ-KILEN

HARVEY L. HARRISON - CATHERINE C. DIETZ-KILEN - CLAIRE CUMMIE-DRAKE

435 East Grand Ave.
Des Moines IA 50309-1919
e-mail: harrison@dwx.com
phone: 515/284-1433
fax: 515/284-8909

Date: 7/19/04

To: Matt Culp

From: Harvey L. Harrison

RE: 211/215 E. Walnut

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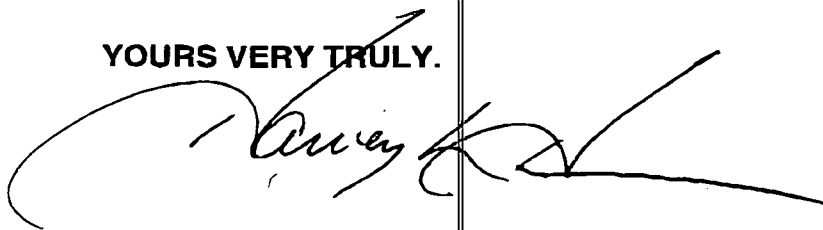
Message: Dear Mr. Culp

Attached with this fax is a copy of the Phase II assessment conducted by Seneca Environmental Services on behalf of Simon Tire company. The assessment was performed as a part of a sale of the property to Simon Tire. I represent the seller, Benchang Laung Aram.

I have also contacted Seneca and asked that they forward a copy of the Phase I assessment to you. Jill Reames-Widder has indicated that she will do so.

I'll look forward to discussing this with you after you have had the opportunity to review the reports.

YOURS VERY TRULY.



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Simon Tire & Cellular

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Seneca Environmental Services

June 25, 2004
Seneca Job #6256706

Mr. Harry Simon
Simon Tire and Cellular
201 East Walnut Street
Des Moines, IA 50309

RE: SUBMITTAL OF THE PHASE II ENVIRONMENTAL SITE ASSESSMENT FOR
THE PROPERTIES LOCATED AT 211 AND 215 EAST WALNUT STREET,
DES MOINES, IOWA

Dear Mr. Simon:

The enclosed report is intended to summarize the findings of a Phase II Environmental Site Assessment conducted at 211 and 215 East Walnut Street in Des Moines, Iowa. All activities were conducted during the period of June 4, 2004 to June 25, 2004, based on our proposal dated June 4, 2004, SES 204168.

As a result of the drilling and sampling of one (1) temporary monitoring at the subject site, we have concluded that the soil samples from TMW1 contained levels of Arsenic above the current State of Iowa regulatory limits. Groundwater samples collected from TMW1 contained levels of Arsenic, Cadmium, Lead, Mercury, Barium, Chromium and PCB above State of Iowa regulatory limits. Upon receipt of this report, the property owner is instructed to call Matt Culp at (515) 242-5087 and provide verbal notification of the contamination findings. A copy of this report should be forwarded to the IDIR at the following address:

Mr. Matt Culp
Iowa Department of Natural Resources
Wallace State Office Building
Des Moines, IA 50309

Please do not hesitate to call toll free at 800-369-3500 or direct dial at 515-261-7712 if you have any questions concerning the information presented in the report. We have appreciated the opportunity to perform this investigation.

Sincerely,
Seneca Environmental Services

[Signature]
Mr. Reams-Widder
Geologist, CGP #1642

Des Moines
P.O. Box 3560
9140 N.E. 14th Street
Des Moines, Iowa 50316-0560
515-262-3520
800-369-3500
515-262-2469 FAX

Berrendorf
17851 247th Avenue
Berrendorf, Iowa 52722
563-332-2272
800-728-6900
563-332-9465 FAX

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Simon Tire & Cellular

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Seneca Environmental Services

PHASE II ENVIRONMENTAL SITE ASSESSMENT

FOR 211 AND 215 EAST WALNUT STREET

DES MOINES, IOWA

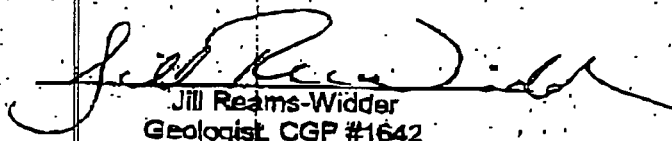
Prepared for:

Mr. Harry Simon
Simon Tire and Cellular
201 East Walnut Street
Des Moines, IA 50309

Seneca Project No. 6256706

by

Seneca Environmental Services


Jill Reams-Widder
Geologist, CGP #1642

June 25, 2004

Des Moines

P.O. Box 3359
4140 N.E. 74th Street
Des Moines, Iowa 50316-0360
515-267-3500
800-369-3500
515-267-2469 FAX

Bettendorf

17851 344th Avenue
Bettendorf, Iowa 52722
563-332-2272
800-728-6800
563-332-9465 FAX

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- B. Lithologic Logs
- C. Laboratory Analysis of Soil Samples / Chain-of-Custody Form

**PHASE II ENVIRONMENTAL SITE ASSESSMENT
FOR THE PROPERTIES LOCATED AT
211 AND 215 EAST WALNUT STREET
DES MOINES, IA**

Introduction:

This report summarizes the data, observations, and conclusions of a Phase II Environmental Site Assessment conducted at 211 and 215 East Walnut Street, Des Moines, Iowa. The scope of work consisted of drilling one (1) borehole for the acquisition and analysis of soil and groundwater samples. This Phase II Environmental Site Assessment generally adheres to the American Society for Testing and Materials (ASTM) Guide E 1903-97 (ASTM, 1997). This report was prepared for Mr. Harry Simon, Simon Tire and Cellular, Des Moines, Iowa.

Module I, Site History:

Based on the following recognized environmental conditions, historical recognized environmental conditions, and material threats noted in the Phase I Environmental Site Assessment dated May 19, 2004, (Seneca project 6256700); a Phase II Environmental Site Assessment strategy was developed:

The Phase I revealed the following recognized environmental conditions in connection with the subject property:

- Former electroplating facility located on the subject property in the area of the restaurant building.
- Former Junk Yard located on the subject property.

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Seneca Project 6256706

- Former printing facility located on the subject property.

This assessment has revealed the following historical recognized environmental conditions in connection with the subject property:

- No historical recognized environmental conditions were noted.

This assessment has revealed the following material threats in connection with the subject property:

- Numerous Small Quantity Generators of Hazardous Waste facilities near the subject property.

The Phase II Assessment included the drilling of one (1) borehole for the acquisition and analysis of soil and groundwater samples. Please refer to the site map of boring locations included as Appendix A.

Module II. Drilling and Sampling:

The resulting scope of work consisted of drilling one (1) borehole, TMW1. The borehole was drilled on June 4, 2004, with a truck-mounted drilling rig equipped with a 6-1/4 inch outside diameter hollow stem auger and core barrel capable of providing a continuous soil sample. The borehole was drilled outside of one of the overhead doors at the subject property. To review borehole location, please refer to Appendix A. The borehole was drilled to a depth of 20 feet; at which depth it was determined that groundwater had been sufficiently penetrated. The sediments that were encountered were clayey sand, sandy clay and sand. A detailed bore log describing the lithologies is included as Appendix B.

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A photoionization detector (PID) was used for field screening of soil samples at one (1) foot intervals, where recovery was available. Soil samples were collected and placed in labeled zip-lock baggies. Following sufficient time for vapor equilibration, the PID was used to detect volatile organic compounds inside the soil sample bags. No indications of VOCs were detected from the borehole using this method. Therefore, a soil sample was collected near grade at one foot below ground surface. Samples were sent to a certified laboratory for analysis. Soil samples were analyzed for petroleum compounds utilizing IA Method OA2, Volatile Organic Compounds (VOCs) 8260, PCBs and RCRA Metals.

Following the completion of the boring, the borehole was converted into temporary monitoring wells using 2" PVC casing. The well was developed by bailing greater than five casing volumes of water from the well. The well was then allowed time to fully recover and return to a static water level. Water samples from the borehole were collected using a disposable bailer and poly-line. Contents of the bailers were transferred into three 40-milliliter vials and a quart jar, which were labeled, placed on ice, and sent to a certified laboratory. Groundwater samples from were analyzed for petroleum compounds utilizing IA Method OA2, Volatile Organic Compounds (VOCs) 8260, Total Cyanides, PCBs and RCRA Metals.

After the groundwater samples had been collected, the temporary monitoring well was plugged and abandoned with bentonite as required by the Iowa Department of Natural Resource's rule 567-39.8 of the Iowa Administrative Code (IAC).

Soil and groundwater samples were stored on ice until they were received by a certified laboratory for analysis, along with the chain-of-custody forms for the samples.

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Module III. Results of Drilling:

The analytical results of sampling and the chain-of-custody form are included in Appendix C. Below are the results of the soil and groundwater samples, only chemicals of concern above laboratory detection limits are listed. Chemicals of concern above State of Iowa limits are in *italics*.

Chemical in Soil	Result	Limit
Arsenic	6.3 ppm	1.4 ppm
Mercury	0.286 ppm	23 ppm
Barium	112 ppm	5500 ppm
Lead	286 ppm	400 ppm
Chromium (total)	15.5 ppm	120,000 ppm
PCB-1280	0.35 ppm	2.1 ppm
Tetrachloroethene	13.4 ppb	780,000 ppb
111-Trichloroethane	11.5 ppb	2,700,000 ppt

Chemical in Groundwater	Result	Limit
Cyanide, total	0.024 ppm	0.2 ppm
Arsenic	0.3802 ppm	0.05 ppm
Cadmium	0.0480 ppm	0.005 ppm
Lead	4.4 ppm	0.015 ppm
Mercury	0.00587 ppm	0.002 ppm
Barium	17.7 ppm	2.0 ppm
Chromium (total)	1.54 ppm	0.1 ppm
Tetrachloroethene	2.07 ppb	5 ppb
PCB-1254	4.00 ppb	0.5 ppb

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Statewide standards were obtained from Chapter 137 IAC: Iowa Land Recycling Program and Response Action Standards (1988).

MODULE IV. Data Review and Recommendations:

As a result of the drilling and sampling of one (1) temporary monitoring at the subject site, we have concluded that the soil samples from TMW1 contained levels of Arsenic above the current State of Iowa regulatory limits. Groundwater samples collected from TMW1 contained levels of Arsenic, Cadmium, Lead, Mercury, Barium and PCB above State of Iowa regulatory limits. Upon receipt of this report, the property owner should be instructed to call Matt Culp at (515) 242-5087 and provide verbal notification of the contamination findings. A copy of this report should be forwarded to the IDNR at the following address:

Mr. Matt Culp
Iowa Department of Natural Resources
Wallace State Office Building
Des Moines, IA 50309

The information contained in this report is based on a limited number of boreholes and a limited analytical suite. The soil samples that were collected are assumed to be representative of the small area surrounding the borehole. Failure to discover hazardous substances or conditions at the time of this report through appropriate techniques does not guarantee that hazardous materials or substances do not exist at the site. We make no warranty, expressed or implied, for this property nor make certification of the suitability of future use of the property based on the results of this assessment, except that our services were performed in accordance with the level of

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care and skill ordinarily practiced by members of the profession in this area at this time under similar budget and time constraints.

This report has been prepared on behalf of and exclusively for the use of Mr. Harry Simon Des Moines, Iowa and his designees. This report and the findings contained herein shall not, in whole or part, be disseminated or conveyed to any other party or be used or relied upon by any other party, in whole or in part, without the consultant's prior written consent.

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APPENDIX A

SITE MAP OF BORING LOCATIONS

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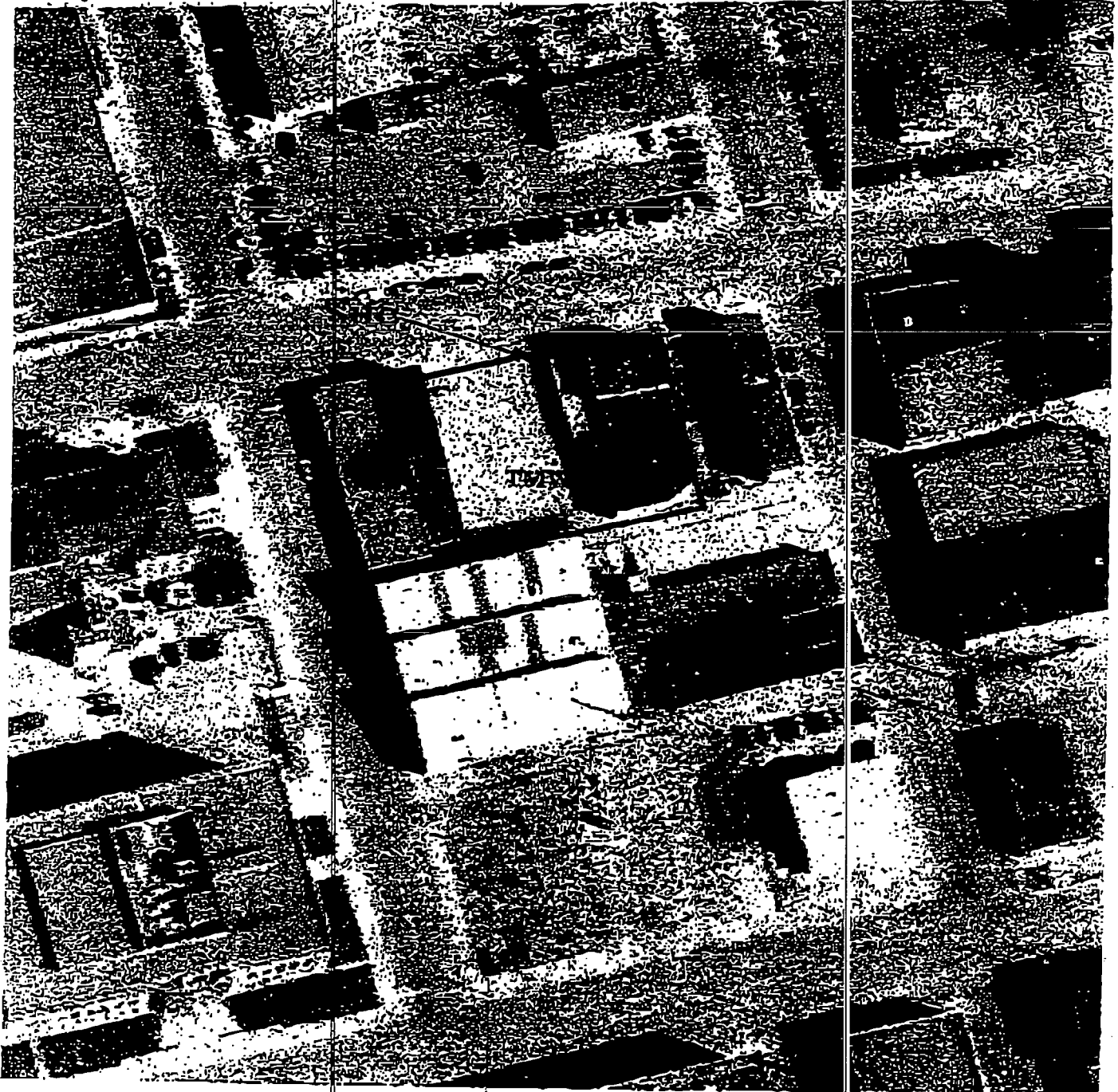
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Approx. scale

1" = 100'

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FROM THE LAW OFFICES OF
HARRISON & DIETZ-KILEN
HARVEY L. HARRISON - CATHERINE C. DIETZ-KILEN - CLAIRE CUMMIE-DRAKE

435 EAST GRAND AVE.
DES MOINES IA 50309-1919
PHONE: 515/284-1433
FAX: 515/284-8909

July 13, 2004

Matt Culp
Iowa Department of Resources
Wallace State Office Building
Des Moines, Iowa 50309

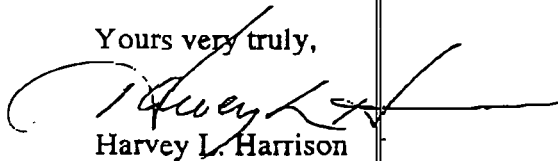
RE: 211/215 East Walnut Street, Des Moines, Iowa

Dear Mr. Culp:

Enclosed with this letter please find a copy of the environmental report that was produced by Seneca Environmental Services with regard to the properties at 211 and 215 East Walnut Street, Des Moines, Iowa. I am forwarding these to you in my capacity as attorney for the property owner. The reports were prepared as a part of a sale transaction from Benchang Laung-Aram, the owner of the properties, to Simon Tire Company, an immediate neighbor.

The sale of the properties is scheduled to close on August 1, 2004. Accordingly, I appreciate anything that your office can do to expedite your review of the matter and provide to me any requirements that your office might have with regard to the Seneca Environmental Service findings.

Yours very truly,



Harvey L. Harrison

HLH: cjb
Enclosures