

## **APPENDIX E**

### **PHASE 1 ENVIRONMENTAL SITE ASSESSMENT**



# AEI Consultants

August 2, 2019

## PHASE I ENVIRONMENTAL SITE ASSESSMENT

### Property Information:

1510 South De Anza Boulevard  
San Jose, Santa Clara County, California 95129

### Project Information:

AEI Project No. 408856

### Prepared For:

Knowhere Holdings LLC  
160 Main Street  
Los Altos, California 94022

Thorofare

### Prepared By:

AEI Consultants  
2500 Camino Diablo, Suite 100  
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Environmental  
Due Diligence

Building Assessments

Site Investigation  
& Remediation

Energy Performance  
& Benchmarking

Industrial Hygiene

Construction  
Risk Management

Zoning Analysis  
Reports & ALTA  
Surveys

National Presence  
Regional Focus  
Local Solutions

August 2, 2019

Bryan Robertson  
Knowhere Holdings LLC  
160 Main Street  
Los Altos, California 94022

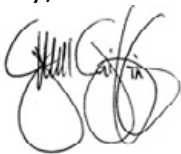
**Subject: Phase I Environmental Site Assessment**  
1510 South De Anza Boulevard  
San Jose, California 95129  
AEI Project No. 408856

Dear Bryan Robertson:

AEI Consultants is pleased to provide the *Phase I Environmental Site Assessment* of the above referenced property. This assessment was authorized and performed in accordance with the scope of services engaged.

We appreciate the opportunity to provide services to you. If you have any questions concerning this report, or if we can assist you in any other matter, please contact me at (925) 746-6010 or [ggriffin@aeiconsultants.com](mailto:ggriffin@aeiconsultants.com).

Sincerely,



Greg Griffin  
Sales Person  
AEI Consultants

## PROJECT SUMMARY

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**1510 South De Anza Boulevard, San Jose, Santa Clara County, California 95129**  
**AEI Project No. 408856**

	<b>Report Section</b>	<b>REC</b>	<b>CREC</b>	<b>HREC</b>	<b>OEC</b>	<b>Recommended Action</b>
1.0	Introduction					None
2.0	Site and Vicinity Description					None
3.0	Historical Review of Site and Vicinity				✓	None
4.0	Regulatory Agency Records Review					None
5.0	Regulatory Database Records Review					None
6.0	Interviews and User Provided Information					None
7.0	Site Reconnaissance					None
8.1	Asbestos-Containing Building Materials				✓	O&M Plan
8.2	Lead-Based Paint				✓	None
8.3	Radon					None
8.4	Mold					None

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## EXECUTIVE SUMMARY

AEI Consultants (AEI) was retained by Knowhere Holdings LLC to conduct a Phase I ESA in conformance with AEI's contract and the scope and limitations of ASTM Standard Practice E1527-13 and the EPA Standards and Practices for All Appropriate Inquiries (40 CFR Part 312) for the property located at 1510 South De Anza Boulevard, San Jose, Santa Clara County, California (the "subject property"). Any exceptions to, or deletions from, this practice are described in Sections 1.4, 1.5, and 1.6 of this report.

Pertinent subject property information is noted below:

<b>PROPERTY INFORMATION</b>	
<b>Site Address(es)</b>	1510 South De Anza Boulevard, San Jose, Santa Clara County, California 95129
<b>Property ID (APN or Block/Lot)</b>	372-21-002
<b>Location</b>	Southwest Corner of the intersection of South De Anza Boulevard and Sharon Drive
<b>Property Type</b>	Commercial Office
<b>SITE AND BUILDING INFORMATION</b>	
<b>Approximate Site Acreage/Source</b>	.8494/Assessor
<b>Number of Buildings</b>	one
<b>Building Construction Date(s)</b>	1962
<b>Building Square Footage (SF)/Source</b>	7000/Assessor
<b>Number of Floors/Stories</b>	one
<b>Basement or Subgrade Area(s)</b>	None identified
<b>Number of Units</b>	one
<b>Additional Improvements</b>	Concrete sidewalks/walkways, asphalt-paved parking areas, and associated landscaping
<b>On-site Occupant(s)</b>	Unoccupied
<b>Current On-site Operations/Use</b>	None - former paint store
<b>Current Use of Hazardous Substances</b>	None identified
<b>REGULATORY INFORMATION</b>	
<b>Regulatory Database Listing(s)</b>	CUPA Listings, HAZMAT, HAZNET, FINDS, ECHO

A chronological summary of historical subject property information is as follows:

<b>Date Range</b>	<b>Subject Property Description and Occupancy (Historical Addresses)</b>	<b>Source(s)</b>
Prior to 1939	Unknown use/Data failure; refer to Section 1.6.1	Aerial photographs
1939-1950	Agricultural land	Aerial photographs
1956	Undeveloped land	Aerial photograph
1962	Current building constructed for retail use (1510 South De Anza Boulevard)	Agency records
1963-2017	Current commercial building occupied with a Kinney Shoe Store (1963-1984), then a Kelly Moore Paint Store (1985-2017)	Aerial photographs, city directories, agency records, interview
2018-Present	Current commercial building with no tenants (unoccupied)	Interview, onsite observation



The immediately surrounding properties consist of the following:

Direction	Tenant/Use (Address)	Regulatory Database Listing(s)
<b>North</b>	Sharon Drive, followed by a vacant lot undergoing redevelopment and a school (7425 Sharon Drive)	None identified
<b>East</b>	A medical office building (7246 Sharon Drive)	CUPA Listings, HAZMAT
<b>South</b>	A strip mall (1518-1546 South De Anza Boulevard)	None identified
<b>West</b>	South De Anza Boulevard, followed by a Kelly Moore Paints and a school (1505 & 1515 South De Anza Boulevard)	RCRA NonGen/NLR, CUPA Listings, HAZNET, CERS HAZ WASTE, CERS
<b>Northwest</b>	Intersection of South De Anza Boulevard and Sharon Drive, followed by a parking lot	None identified

If the surrounding properties are listed in the regulatory database, please refer to Section 5.1 for discussion.

## FINDINGS

Recognized Environmental Condition (REC) is defined by the ASTM Standard Practice E1527-13 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.

- AEI did not identify evidence of RECs during the course of this assessment.

Controlled Recognized Environmental Condition (CREC) is defined by the ASTM Standard Practice E1527-13 as a past release of hazardous substances or petroleum products that has been addressed to the satisfaction of the applicable regulatory authority, with hazardous substances or petroleum products allowed to remain in place subject to the implementation of required controls.

- AEI did not identify evidence of CRECs during the course of this assessment.

Historical Recognized Environmental Condition (HREC) is defined by the ASTM Standard Practice E1527-13 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 use criteria established by a regulatory authority, without subjecting the property to any required controls.

- AEI did not identify evidence of HRECs during the course of this assessment.

Other Environmental Considerations (OEC) warrant discussion, but do not qualify as RECs as defined by the ASTM Standard Practice E1527-13. These include, but are not limited to, de minimis conditions and/or environmental considerations such as the presence of ACMs, LBP, radon, mold, and lead in drinking water, which can affect the liabilities and financial obligations of the client, the health and safety of site occupants, and the value and marketability of the subject property.

- Due to the age of the subject property building, there is a potential that ACMs are present. The observed suspect ACMs at the subject property were in good condition

at the time of the site reconnaissance and are not expected to pose a health and safety concern to the occupants of the subject property at this time. Based on the potential presence of ACMs, AEI recommends the implementation of an O&M Plan which stipulates that the repair and maintenance of damaged materials should be performed to protect the health and safety of the building occupants. In the event that building renovation or demolition activities are planned, a thorough asbestos survey to identify asbestos-containing building materials is required in accordance with the EPA NESHAP 40 CFR Part 61 prior to demolition or renovation activities that may disturb suspect ACMs.

- Due to the age of the subject property building, there is a potential that LBP is present. All observed painted surfaces were in good condition and are not expected to pose a health and safety concern to the occupants of the subject property at this time. Local regulations may apply to LBP in association with building demolition/renovations and worker/occupant protection. Actual material samples would need to be collected or an x-ray fluorescence (XRF) survey performed in order to determine if LBP is present. It should be noted that construction activities that disturb materials or paints containing any amount of lead may be subject to certain requirements of the OSHA lead standard contained in 29 CFR 1910.1025 and 1926.62.
- The subject property was historically used for agricultural purposes. There is a potential that agricultural chemicals, such as pesticides, herbicides and fertilizers, were used on site. The entire area of the subject property is either paved over or covered by improvements that make direct contact with any potential remaining concentrations in the soil unlikely. Furthermore, the subject property is developed and used for commercial purposes and thus no further action related to the former agricultural use of the subject property is warranted at this time.

### **CONCLUSIONS, OPINIONS, AND RECOMMENDATIONS**

We have performed a Phase I Environmental Site Assessment in conformance with the scope and limitations of ASTM Standard Practice E1527-13 and the EPA Standards and Practices for All Appropriate Inquiries (40 CFR Part 312) of 1510 South De Anza Boulevard, San Jose, Santa Clara County, California, the *subject property*. Any exceptions to, or deletions from, this practice are described in Sections 1.4, 1.5, and 1.6 of this report.

AEI did not identify evidence of RECs or CRECs in connection with the subject property during the course of this assessment. AEI recommends no further investigation for the subject property at this time.

## **1.0 INTRODUCTION**

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This report documents the methods and findings of the Phase I Environmental Site Assessment performed in conformance with AEI's contract and scope and limitations of ASTM Standard Practice E1527-13 and the EPA Standards and Practices for All Appropriate Inquiries (40 CFR Part 312) for the property located at 1510 South De Anza Boulevard, San Jose, Santa Clara County, California (Appendix A: Figures and Appendix B: Property Photographs).

### **1.1 SCOPE OF WORK**

The purpose of the Phase I ESA is to assist the client in identifying potential RECs, in accordance with ASTM E1527-13, associated with the presence of any hazardous substances or petroleum products, their use, storage, and disposal at and in the vicinity of the subject property. Property assessment activities focused on: 1) a review of federal, state, tribal, and local databases that identify and describe underground fuel tank sites, leaking underground fuel tank sites, hazardous waste generation sites, and hazardous waste storage and disposal facility sites within the ASTM approximate minimum search distance; 2) a property and surrounding site reconnaissance, and interviews with the past and present owners and current occupants and operators to identify potential environmental contamination; and 3) a review of historical sources to help ascertain previous land use at the site and in the surrounding area.

### **1.2 ADDITIONAL SERVICES**

Other Environmental Considerations such as ACMs, LBP, lead in drinking water, radon, mold, and wetlands can result in business environmental risks for property owners which may disrupt current or planned operations or cash flow and are generally beyond the scope of a Phase I assessment as defined by ASTM E1527-13. Based upon the agreed-on scope of services this ESA did not include subsurface or other invasive assessments, business environmental risks, or other services not specifically identified and discussed herein.

### **1.3 SIGNIFICANT ASSUMPTIONS**

The following assumptions are made by AEI in this report. AEI relied on information derived from secondary sources including governmental agencies, the client, designated representatives of the client, property contact, property owner, property owner representatives, computer databases, and personal interviews. AEI has reviewed and evaluated the thoroughness and reliability of the information derived from secondary sources including government agencies, the client, designated representatives of the client, property contact, property owner, property owner representatives, computer databases, or personal interviews. It appears that all information obtained from outside sources and reviewed for this assessment is thorough and reliable. However, AEI cannot guarantee the thoroughness or reliability of this information.

Groundwater flow, unless otherwise specified by on-site well data or well data from the subject property or nearby sites, is inferred from contour information depicted on the USGS topographic maps. AEI assumes the property has been correctly and accurately identified by the client, designated representative of the client, property contact, property owner, and property owner's representatives.

## 1.4 LIMITATIONS

Property conditions, as well as local, state, tribal, and federal regulations can change significantly over time. Therefore, the recommendations and conclusions presented as a result of this assessment apply strictly to the environmental regulations and property conditions existing at the time the assessment was performed. Available information has been analyzed using currently accepted assessment techniques and it is believed that the inferences made are reasonably representative of the property. AEI makes no warranty, expressed or implied, except that the services have been performed in accordance with generally accepted environmental property assessment practices applicable at the time and location of the assessment.

Considerations identified by ASTM as beyond the scope of a Phase I ESA that may affect business environmental risk at a given property include the following: ACMs, radon, LBP, lead in drinking water, wetlands, regulatory compliance, cultural and historical resources, industrial hygiene, health and safety, ecological resources, endangered species, indoor air quality, mold, and high voltage lines. These environmental issues or conditions may warrant assessment based on the type of the property transaction; however, they are considered non-scope issues under ASTM Standard Practice E1527-13.

If requested by the client, these non-scope issues are discussed herein. Otherwise, the purpose of this assessment is solely to satisfy one of the requirements for qualification of the innocent landowner defense, contiguous property owner or bona fide prospective purchaser under CERCLA. ASTM Standard Practice E1527-13 and the United States EPA Standards and Practices for All Appropriate Inquiries (40 CFR Part 312) constitute the "all appropriate inquiry into the previous ownership and uses of the property consistent with good commercial or customary practice" as defined in:

1. 42 U.S.C. § 9601(35)(B), referenced in the ASTM Standard Practice E1527-13.
2. Sections 101(35)(B) (ii) and (iii) of CERCLA and referenced in the EPA Standards and Practices for All Appropriate Inquiries (40 CFR Part 312).
3. 42 U.S.C. § 9601(40) and 42 U.S.C. § 9607(q).

The Phase I Environmental Site Assessment is not, and should not be construed as, a warranty or guarantee about the presence or absence of environmental contaminants that may affect the property. Neither is the assessment intended to assure clear title to the property in question. The sole purpose of assessment into property title records is to ascertain a historical basis of prior land use. All findings, conclusions, and recommendations stated in this report are based upon facts, circumstances, and industry-accepted procedures for such services as they existed at the time this report was prepared (i.e., federal, state, and local laws, rules, regulations, market conditions, economic conditions, political climate, and other applicable matters). All findings, conclusions, and recommendations stated in this report are based on the data and information provided, current subject property use, and observations and conditions that existed on the date and time of the property reconnaissance.

Responses received from local, state, or federal agencies or other secondary sources of information after the issuance of this report may change certain facts, findings, conclusions, or circumstances to the report. A change in any fact, circumstance, or industry-accepted procedure upon which this report was based may adversely affect the findings, conclusions, and recommendations expressed in this report.

AEI's limited radon screening, if included, is intended to provide a preliminary screening to evaluate the potential presence of elevated radon concentrations at the site. The proposed scope is not intended to define the full extent of the presence of radon at the subject property. As such, the results should be used for lending purposes only. The recommendations and conclusions presented as a result of the limited preliminary radon screening apply strictly to the property conditions existing at the time the sampling was performed. The sample analytical results are only valid for the time, place, and condition of the site at the time of collection and AEI does not warrant that the results will be repeatable or are representative of past or future conditions.

### 1.5 LIMITING CONDITIONS/DEVIATIONS

The performance of this assessment was limited by the following:

- While additional assessments may have been conducted on the subject property, these documents must be provided for AEI's review in order for the information to be summarized/included in this report. Please refer to Section 6.3 for a summary of previous reports and other documentation provided to AEI during this assessment.
- The User did not complete the ASTM User Questionnaire or provide the User information to AEI. AEI assumes that qualification for the LLPs is being established by the User in documentation outside of this assessment.

### 1.6 DATA FAILURE AND DATA GAPS

According to ASTM E1527-13, data gaps occur when the Environmental Professional is unable to obtain information required by the Standard, despite good faith efforts to gather such information. Pursuant to ASTM E1527-13, only significant data gaps, defined as those that affect the ability of the Environmental Professional to identify RECs, need to be documented.

Data failure is one type of data gap. According to ASTM E1527-13, data failure occurs when all of the standard historical sources that are reasonably ascertainable and likely to be useful have been reviewed and yet the objectives have not been met. Pursuant to ASTM E1527-13, historical sources are required to document property use back to the property's first developed use or back to 1940, whichever is earlier, or periods of five years or greater.

#### 1.6.1 DATA FAILURE

The following data failure was identified during the course of this assessment:

<b>Data Failure</b>	The earliest historical resource obtained during this assessment was an aerial photograph from 1939 indicating that the subject property was developed agriculturally. The lack of historical sources for the subject property dating back to first developed use represents historical data source failure. However, as it is assumed that the subject property would have been previously used for agricultural purposes, if not undeveloped, this data failure is not expected to significantly alter the findings of this assessment.
<b>Information/Sources Consulted</b>	Aerial photographs

### **1.6.2 SIGNIFICANT DATA GAPS**

AEI did not identify significant data gaps which affected our ability to identify RECs.

### **1.7 RELIANCE**

All reports, both verbal and written, are for the benefit of Knowhere Holdings LLC and Thorofare. This report has no other purpose and may not be relied upon by any other person or entity without the written consent of AEI. Either verbally or in writing, third parties may come into possession of this report or all or part of the information generated as a result of this work. In the absence of a written agreement with AEI granting such rights, no third parties shall have rights of recourse or recovery whatsoever under any course of action against AEI, its officers, employees, vendors, successors or assigns. Reliance is provided in accordance with AEI's contract and Terms and Conditions executed by Knowhere Holdings LLC on July 17, 2019. The limitation of liability defined in the Terms and Conditions is the aggregate limit of AEI's liability to the client and all relying parties. Insert WordBank item.

## 2.0 SITE AND VICINITY DESCRIPTION

### 2.1 SITE LOCATION AND DESCRIPTION

PROPERTY INFORMATION	
Site Address(es)	1510 South De Anza Boulevard, San Jose, Santa Clara County, California 95129
Property ID (APN or Block/Lot)	372-21-002
Location	Southwest Corner of the intersection of South De Anza Boulevard and Sharon Drive
Property Type	Commercial Office
SITE AND BUILDING INFORMATION	
Approximate Site Acreage/Source	.8494/Assessor
Number of Buildings	one
Building Construction Date(s)	1962
Building Square Footage (SF)/Source	7000/Assessor
Number of Floors/Stories	one
Basement or Subgrade Area(s)	None identified
Number of Units	one
Additional Improvements	Concrete sidewalks/walkways, asphalt-paved parking areas, and associated landscaping
On-site Occupant(s)	Unoccupied
Current On-site Operations/Use	None - former paint store
Current Use of Hazardous Substances	None identified
REGULATORY INFORMATION	
Regulatory Database Listing(s)	CUPA Listings, HAZMAT, HAZNET, FINDS, ECHO

### 2.2 ON-SITE UTILITIES

Utility	Source/System Information
Heating System	Natural gas
Cooling System	Electricity
Potable Water	City of San Jose
Sewage Disposal/Treatment	City of San Jose

Utility source/system information listed in the table above is provided by , unless otherwise noted above.

### 2.3 SITE AND VICINITY CHARACTERISTICS

The subject property is located in a suburban area of west San Jose, California. The immediately surrounding properties consist of the following:

Direction	Tenant/Use (Address)	Regulatory Database Listing(s)
North	Sharon Drive, followed by a vacant lot undergoing redevelopment and a school (7425 Sharon Drive)	None identified
East	A medical office building (7246 Sharon Drive)	CUPA Listings, HAZMAT

<b>Direction</b>	<b>Tenant/Use (Address)</b>	<b>Regulatory Database Listing(s)</b>
<b>South</b>	A strip mall (1518-1546 South De Anza Boulevard)	None identified
<b>West</b>	South De Anza Boulevard, followed by a Kelly Moore Paints and a school (1505 & 1515 South De Anza Boulevard)	RCRA NonGen/NLR, CUPA Listings, HAZNET, CERS HAZ WASTE, CERS
<b>Northwest</b>	Intersection of South De Anza Boulevard and Sharon Drive, followed by a parking lot	None identified

If the surrounding properties are listed in the regulatory database, please refer to Section 5.1 for discussion.

## 2.4 PHYSICAL SETTING

<b>Geologic Unit: Description/Source</b>	Alluvial deposits of the Cenozoic Era/USGS and United States Department of the Interior
<b>Soil Series: Description/Source</b>	Urban Land: this designation indicates that more than 85 percent of the original soils have been disturbed or covered by paved surfaces, buildings or other structures; due to the variability of the soil material, on-site investigation would be required to determine the specific soil composition at the subject property/USDA Soil Survey/USDA Soil Survey
<b>Groundwater Flow Direction/Source</b>	West-Southwest/Groundwater monitoring data for a nearby site (1698 South De Anza Boulevard) located approximately 1,000 feet to the south
<b>Estimated Depth to Groundwater/Source</b>	38-62 feet bgs/Groundwater monitoring data for a nearby site (1698 South De Anza Boulevard) located approximately 1,000 feet to the south
<b>Surface waters on the subject property or adjacent sites</b>	None
<b>Additional notes</b>	None

Note: Groundwater flow direction can be influenced locally and regionally by the presence of local wetland features, surface topography, recharge and discharge areas, horizontal and vertical inconsistencies in the types and location of subsurface soils, and proximity to water pumping wells. Depth and gradient of the water table can change seasonally in response to variation in precipitation and recharge, and over time, in response to urban development such as storm water controls, impervious surfaces, pumping wells, cleanup activities, dewatering, seawater intrusion barrier projects near the coast, and other factors.



### 3.0 HISTORICAL REVIEW OF SITE AND VICINITY

Reasonably ascertainable standard historical sources as outlined in ASTM Standard E1527-13 were used to determine previous uses and occupancies of the subject property that are likely to have led to RECs in connection with the subject property. A chronological summary of historical data found, including but not limited to aerial photographs, historical city directories, Sanborn fire insurance maps, and agency records, is as follows:

Date Range	Subject Property Description and Occupancy (Historical Addresses)	Source(s)
Prior to 1939	Unknown use/Data failure; refer to Section 1.6.1	Aerial photographs
1939-1950	Agricultural land	Aerial photographs
1956	Undeveloped land	Aerial photograph
1962	Current building constructed for retail use (1510 South De Anza Boulevard)	Agency records
1963-2017	Current commercial building occupied with a Kinney Shoe Store (1963-1984), then a Kelly Moore Paint Store (1985-2017)	Aerial photographs, city directories, agency records, interview
2018-Present	Current commercial building with no tenants (unoccupied)	Interview, onsite observation

The subject property was historically used for agricultural purposes. There is a potential that agricultural chemicals, such as pesticides, herbicides and fertilizers, were used on site. The entire area of the subject property is either paved over or covered by improvements that make direct contact with any potential remaining concentrations in the soil unlikely. Furthermore, the subject property is developed and used for commercial/light industrial purposes and thus no further action related to the former agricultural use of the subject property is warranted at this time.

If available, copies of historical sources are provided in the report appendices.

#### 3.1 AERIAL PHOTOGRAPHS

AEI reviewed aerial photographs of the subject property and surrounding area. A search was made of the EDR collection of aerial photographs. Aerial photographs were reviewed for the following years:

Year(s)	Subject Property Description	Adjacent Site Descriptions
1939	Appears to consist of agricultural land	NORTH: Agricultural land EAST: Agricultural land SOUTH: Agricultural land WEST: South De Anza Boulevard, followed by agricultural land  NORTHWEST: Intersection, followed by agricultural land

<b>Year(s)</b>	<b>Subject Property Description</b>	<b>Adjacent Site Descriptions</b>
1948	Appears to consist of agricultural land	NORTH: Sharon Drive, followed by agricultural land EAST: Agricultural land SOUTH: Agricultural land WEST: South De Anza Boulevard, followed by scattered residences  NORTHWEST: Intersection, followed by agricultural land
1950	Appears to consist of agricultural land	NORTH: Sharon Drive, followed by residences EAST: Agricultural land SOUTH: Agricultural land WEST: South De Anza Boulevard, followed by scattered residences  NORTHWEST: Intersection, followed by vacant land
1956	Appears to consist of undeveloped land	NORTH: Sharon Drive, followed by residences EAST: A residence SOUTH: Agricultural land WEST: South De Anza Boulevard, followed by scattered residences  NORTHWEST: Intersection, followed by vacant land
1963	Appears to be developed with the current building	NORTH: Sharon Drive, followed by residences EAST: A residence SOUTH: Agricultural land WEST: South De Anza Boulevard, followed by scattered residences  NORTHWEST: Intersection, followed by vacant land
1968	Appears to be developed with the current building	NORTH: Sharon Drive, followed by residences EAST: A residence SOUTH: Agricultural land WEST: South De Anza Boulevard, followed by a commercial building and scattered residences  NORTHWEST: Intersection, followed by vacant land
1974	Appears to be developed with the current building	NORTH: Sharon Drive, followed by residences EAST: A residence SOUTH: Vacant land WEST: South De Anza Boulevard, followed by a commercial building  NORTHWEST: Intersection, followed by vacant land

Year(s)	Subject Property Description	Adjacent Site Descriptions
1982, 1991, 1998, 2005, 2006, 2009, 2010, 2012	Appears to be developed with the current building	NORTH: Sharon Drive, followed by commercial buildings EAST: Current commercial building SOUTH: Current strip mall complex WEST: South De Anza Boulevard, followed by the current commercial buildings  NORTHWEST: Intersection, followed by a parking lot

Based on a review of aerial photographs, the subject property appears to have been developed with agricultural land from at least 1939 to 1956, please refer to Section 3.0 for additional information. AEI did not identify potential environmental concerns in association with the historical use of the subject property during the aerial photograph review.

### 3.2 SANBORN FIRE INSURANCE MAPS

Sanborn Fire Insurance maps were developed in the late 1800s and early 1900s for use as an assessment tool for fire insurance rates in urbanized areas. A search was made of the EDR collection of Sanborn Fire Insurance maps.

Sanborn map coverage was not available for the subject property.

### 3.3 CITY DIRECTORIES

A search of historical city directories was conducted for the subject property at the EDR. The following table summarizes the results of the city directory search.

Year(s)	Address - Occupant Listed
1970, 1975, 1980	1510 South De Anza Boulevard - Kinney Shoes
1985, 1990, 1995, 2000, 2005, 2010, 2015, 2017	1510 South De Anza Boulevard - Kelly Moore Paints

*If listed above, XXXX indicates that the address is valid but there is no occupancy information available.*

AEI did not identify potential environmental concerns in association with the historical use of the subject property during the city directory review.

### 3.4 HISTORICAL TOPOGRAPHIC MAPS

Based on the quality of information obtained from other sources, historical topographic maps were not reviewed as a part of this assessment.

### 3.5 CHAIN OF TITLE

Based on the quality of information obtained from other sources, a chain of title search was not performed as part of this assessment.

## 4.0 REGULATORY AGENCY RECORDS REVIEW

Local and state agencies, such as environmental health departments, fire prevention bureaus, and building and planning departments are contacted to identify any current or previous reports of hazardous substance use, storage, and/or unauthorized releases that may have impacted the subject property. In addition, information pertaining to AULs, defined as legal or physical restrictions, or limitations on the use of, or access to, a site or facility, is requested.

### 4.1 LOCAL ENVIRONMENTAL HEALTH DEPARTMENT AND/OR STATE ENVIRONMENTAL AGENCY

Agency	Date Contacted	Method of Contact	Name & Title of Contact	Agency Response
Santa Clara County Environmental Health Department (SCCEHD)	July 23, 2019	Website	Records Manager	Response pending

### 4.2 FIRE DEPARTMENT

Agency	Date Contacted	Method of Contact	Name & Title of Contact	Agency Response
San Jose Fire Department (SJFD)	July 23, 2019	Telephone	Records Manager	No hazardous materials records on file

### 4.3 BUILDING DEPARTMENT

Agency	Date Contacted	Method of Contact	Name & Title of Contact	Agency Response
San Jose Building Department (SJBD)	July 23, 2019	Website	Website	Records discussed below

#### *Records Summary*

Year(s)	Owner/Applicant	Description of Permit and Building Use
1962	Kinney	Construct new retail store building
1968	Kinney Shoes	Repair fire damage
1984	Kelly Moore	Interior alterations
2009	Kelly Moore	Re-roof
2016	Kelly Moore	Replace sewer system

Evidence indicating current or prior use or storage of hazardous substances was not on file for the subject property with the SJBD.

### 4.4 PLANNING DEPARTMENT

Agency	Date Contacted	Method of Contact	Name & Title of Contact	Agency Response
San Jose Planning Department (SJPD)	July 23, 2019	Website	Website	No evidence indicating the existence of AULs on file for the subject property

#### 4.5 ASSESSOR'S OFFICE

Agency	Date Contacted	Method of Contact	Name & Title of Contact	Agency Response
Santa Clara County Assessor's Office	July 23, 2019	Website	N/A	Information obtained is discussed below

#### Records Summary

<b>APN</b>	372-21-002
<b>Acreage</b>	.8494 acres
<b>Construction Date</b>	1962
<b>Building Square Footage</b>	7000 square feet
<b>Current Owner</b>	Not provided
<b>Additional Information</b>	None provided

#### 4.6 OTHER AGENCIES SEARCHED

Agency	Date Contacted	Method of Contact	Name & Title of Contact	Agency Response
CA State Water Resources Control Board (SWRCB) GeoTracker	July 23, 2019	Website	N/A	No records on file
CA Department of Toxic Substances Control (DTSC) Hazardous Waste Tracking System (HWTS)	July 23, 2019	Website	N/A	Records discussed below
CA DTSC EnviroStor	July 23, 2019	Website	N/A	No records on file

#### California DTSC HWTS Database Summary

Occupant	Year(s)	Hazardous Waste Generated	Amount (Tons)
Kelly Moore Paints	2001-2017	Paint sludge, latex waste, off-specification, aged, or surplus organics, unspecified organic liquid mixture.	11.8637

Refer to Section 5.0 for additional information.

No other agencies were contacted during the course of this assessment.

#### 4.7 OIL AND GAS WELLS

Agency	Date Referenced	Resource	Oil or gas wells located within 500 feet of the subject property
California Department of Oil, Gas, and Geothermal Resources (CA DOGGR)	July 23, 2019	CA DOGGR Map	No

#### 4.8 OIL AND GAS PIPELINES

Agency	Date Referenced	Resource	Pipelines located within 500 feet of the subject property
National Pipeline Mapping System (NPMS)	July 23, 2019	NPMS Public Map Viewer	No

#### 4.9 STATE ENVIRONMENTAL SUPERLIENS

In accordance with our approved scope of services, AEI did not assess whether the subject property is subject to any state environmental superliens.

#### 4.10 STATE PROPERTY TRANSFER LAWS

In accordance with our approved scope of services, AEI did not assess whether the subject property is subject to any state property transfer laws.

## 5.0 REGULATORY DATABASE RECORDS REVIEW

AEI contracted EDR to conduct a search of publicly available information from federal, state, tribal, and local databases containing known and suspected sites of environmental contamination and sites of potential environmental significance. Data gathered during the current regulatory database search is compiled by EDR into one regulatory database report. Location information for listed sites is designated using geocoded information provided by federal, state, or local agencies and commonly used mapping databases with the exception of "Orphan" sites. Due to poor or inadequate address information, Orphan sites are identified but not geocoded/mapped by EDR, rather, information is provided based upon vicinity zip codes, city name, and state. The number of listed sites identified within the approximate minimum search distance from the federal and state environmental records database listings specified in ASTM Standard E1527-13 is summarized in Section 5.1, along with the total number of Orphan sites. A copy of the regulatory database report, which includes detailed descriptions of the databases noted below, is included in Appendix C of this report.

In determining if a listed site is a potential environmental concern to the subject property, AEI generally applies the following criteria to classify the site as lower potential environmental concern: 1) the site only holds an operating permit (which does not imply a release), 2) the site's distance from, and/or topographic position relative to, the subject property, and/or 3) the site has recently been granted "No Further Action" by the appropriate regulatory agency.

Regulatory database listings associated with the subject property, adjacent site(s) and/or nearby sites of concern that were determined to warrant additional discussion are identified and further discussed in Section 5.1.

### 5.1 RECORDS SUMMARY

Database	Search Distance (Miles)	Listings Within Search Distance	Subject Property	Adjacent Site(s)	Other Nearby Sites of Concern
NPL	1.0	0			
DELISTED NPL	0.5	0			
SEMS/CERCLIS	0.5	0			
SEMS-ARCHIVE/CERCLIS NFRAP	0.5	0			
RCRA CORRACTS	1.0	0			
RCRA-TSDF	0.5	0			
RCRA LQG, SQG, CESQGs, NLR	SP/ADJ	1		✓	
US ENG CONTROLS	SP	0			
US INST CONTROLS	SP	0			
ERNS	SP	0			
STATE/TRIBAL HWS	1.0	2			
STATE/TRIBAL SWLF	0.5	0			
STATE/TRIBAL REGISTERED STORAGE TANKS	SP/ADJ	0			
STATE/TRIBAL LUST	0.5	16			✓

Database	Search Distance (Miles)	Listings Within Search Distance	Subject Property	Adjacent Site(s)	Other Nearby Sites of Concern
STATE/TRIBAL EC and IC	SP	0			
STATE/TRIBAL VCP	0.5	0			
STATE/TRIBAL BROWNFIELD	0.5	0			
ORPHAN	N/A	1			
ADDITIONAL ENVIRONMENTAL RECORD SOURCES	SP/ADJ	12	✓	✓	✓

<b>Facility Name</b>	Kelly Moore Paints
<b>Address</b>	1510 South De Anza Boulevard
<b>Distance &amp; Direction</b>	Subject Property
<b>Hydrologic Position</b>	N/A
<b>Databases Listed</b>	CUPA Listings, HAZMAT, HAZNET, FINDS, ECHO
<b>Comments</b>	The subject property listings are due to the handling/storage of hazardous substances, as well as the generation of hazardous wastes onsite that requires that a Hazardous Materials Business Plan (HMBP) be maintained with the county environmental department. Hazardous wastes were generated in the form of paint sludge, off-specification, aged, or surplus organics, latex waste, and unspecified organic liquid mixture for various years between 2001 and 2017. No violations or release incidents were reported in association with any of the above listings. Based on the lack of a reported release, and the current regulatory status, these listings are not expected to represent a significant environmental concern.

<b>Facility Name</b>	Verizon Wireless
<b>Address</b>	7246 Sharon Drive
<b>Distance &amp; Direction</b>	Adjacent to the east
<b>Hydrologic Position</b>	Cross-gradient
<b>Databases Listed</b>	CUPA Listings and HAZMAT
<b>Comments</b>	This site handles hazardous substances that require that the site maintain a HMBP with the county environmental department. The listings are likely associated with the presence of a cellular phone tower/antennae onsite. No violations or release incidents were reported with any of the above listings. Based on the lack of a reported release, and the current regulatory status, these listings are not expected to represent a significant environmental concern.

<b>Facility Name</b>	Kelly Moore Paints
<b>Address</b>	1505 South De Anza Boulevard
<b>Distance &amp; Direction</b>	Adjacent to the west
<b>Hydrologic Position</b>	Cross- to down-gradient



<b>Databases Listed</b>	RCRA NonGen/NLR, CUPA Listings, HAZNET,
<b>Comments</b>	The subject property listings are due to the handling/storage of hazardous substances, as well as the generation of hazardous wastes onsite that requires that a HMBP be maintained with the county environmental department. Hazardous wastes were generated in the form of off-specification, aged, or surplus organics, latex waste, and unspecified organic liquid mixture for various years between 2004 and 2017. No violations or release incidents were reported in association with any of the above listings. Based on the lack of a reported release, and the current regulatory status, these listings are not expected to represent a significant environmental concern.

<b>Facility Name</b>	Duckett Way
<b>Address</b>	1566 Duckett Way
<b>Distance &amp; Direction</b>	Approximately 242 feet to the southeast
<b>Hydrologic Position</b>	Cross-gradient
<b>Databases Listed</b>	LUST, CERS
<b>Comments</b>	<p>This site experienced an unauthorized release of heating/fuel oil that impacted soil only at the site, discovered in 2008 during tank removal. Impacted soil was excavated and the site was subsequently issued a Case Closed status by the Santa Clara County Local Oversight Program (LOP) on March 27, 2009. Based on the soil only impact and the current Case Closed) regulatory status, this nearby LUST case is not expected to represent a significant environmental concern.</p> <p>Additional listings: This facility was also listed on another database as noted above; however, as this listings are not associated with a release, the radii prescribed by the ASTM E5127-13 standard does not require that this listing be specifically discussed. Notwithstanding, based on our review of available information, this listing does not appear to pose a significant environmental concern in connection with the subject property at this time.</p>

## 5.2 VAPOR MIGRATION

AEI reviewed reasonably ascertainable information for the subject and nearby properties, including a regulatory database, files for nearby release sites, and/or historical documentation, to determine if potential vapor-phase migration concerns may be present which could impact the subject property.

Based on a review of available resources as documented in this report, AEI did not identify significant on-site concerns and/or regulated listings from nearby sites which suggest that a vapor-phase migration concern currently exists at the subject property.

## 6.0 INTERVIEWS AND USER PROVIDED INFORMATION

### 6.1 INTERVIEWS

Pursuant to ASTM E1527-13, the following interviews were performed during this assessment in order to obtain information indicating RECs in connection with the subject property.

#### 6.1.1 OWNER AND KEY SITE MANAGER

Relation to Property	Name	Date Interviewed	Method of Contact	Year First Associated w/ Property	Notes
Key Site Manager	Mr. John Machado	July 25, 2019	Telephone	Unk	Interviewed; see Interview Summary table below

#### *Interview Summary*

Question	Owner (Representative) Response/ Comment	Key Site Manager Response/ Comment
Do you have any knowledge of USTs, clarifiers or oil/water separators, sumps, or other subsurface features?	N/A	No
Do you have any knowledge of previous environmental investigations conducted on site?	N/A	No
Do you have any knowledge of current or past industrial operations and/or other operations which would involve the use of hazardous substances and/or petroleum products?	N/A	No
Are you aware of any known plans for site redevelopment or change in site use?	N/A	No
Are you aware of any pending, threatened, or past litigation relevant to hazardous substances or petroleum products in, on, or from the property?	N/A	No
Are you aware of any pending, threatened or past administrative proceedings relevant to hazardous substances or petroleum products in, on, or from the property?	N/A	No
Are you aware of any notices from any governmental entity regarding any possible violation of environmental laws or possible liability relating to hazardous substances or petroleum products?	N/A	No
Are you aware of any incidents of flooding, leaks, or other water intrusion, and/or complaints related to indoor air quality?	N/A	No

#### 6.1.2 PAST OWNERS, OPERATORS, AND OCCUPANTS

AEI did not attempt to interview past owners, operators, and occupants of the subject property because information from these sources would likely be duplicative of information already obtained from other sources.

#### 6.1.3 INTERVIEW WITH OTHERS

Information obtained during interviews with local government officials is incorporated into the

appropriate segments of this report.

## 6.2 USER PROVIDED INFORMATION

User provided information is intended to help identify the possibility of RECs in connection with the subject property. According to ASTM E1527-13 and the EPA Standards and Practices for All Appropriate Inquiries (40 CFR Part 312), certain items should be researched by the prospective landowner or grantee, and the results of such inquiries may be provided to the Environmental Professional. The responsibility for qualifying for LLPs by conducting the inquiries ultimately rests with the User, and providing the information to the Environmental Professional would be prudent if such information is available.

The User did not complete the ASTM User Questionnaire or provide the User information to AEI. AEI assumes that qualification for the LLPs is being established by the User in documentation outside of this assessment.

Question	Response/ Comment
<p><b>1. Environmental liens that are filed or recorded against the property (40 CFR 312.25)</b></p> <p>Did a search of recorded land title records (or judicial records where appropriate) identify any environmental liens filed or recorded against the property under federal, tribal, state or local law?</p>	Information not provided
<p><b>2. Activity and use limitations that are in place on the property or that have been filed or recorded against the property (40 CFR 312.26(a)(1)(v) and vi)).</b></p> <p>Did a search of recorded land title records (or judicial records where appropriate) identify any AULs, such as engineering controls, land use restrictions or institutional controls that are in place at the property and/or have been filed or recorded against the property under federal, tribal, state or local law?</p>	Information not provided
<p><b>3. Specialized knowledge or experience of the person seeking to qualify for the LLP (40 CFR 312.28).</b></p> <p>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?</p>	Information not provided
<p><b>4. Relationship of the purchase price to the fair market value of the property if it were not contaminated (40 CFR 312.29).</b></p> <p>Does the purchase price being paid for this property reasonably reflect the fair market value of the property? If you conclude that there is a difference, have you considered whether the lower purchase price is because contamination is known or believed to be present at the property?</p>	Information not provided

Question	Response/ Comment
<p><b>5. Commonly known or reasonably ascertainable information about the property (40 CFR 312.30).</b></p> <p>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:</p> <p>(a) Do you know the past uses of the property?</p> <p>(b) Do you know of specific chemicals that are present or once were present at the property?</p> <p>(c) Do you know of spills or other chemical releases that have taken place at the property?</p> <p>(d) Do you know of any environmental cleanups that have taken place at the property?</p>	Information not provided
<p><b>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).</b></p> <p>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?</p>	Information not provided

### 6.3 PREVIOUS REPORTS AND OTHER PROVIDED DOCUMENTATION

Documentation was provided to AEI by the client during this assessment. A summary of this information follows:

*Phase I Environmental Site Assessment, 1510 South De Anza Boulevard, San Jose, Santa Clara County, California 95014, prepared by AEI Consultants (April 5, 2017)*

This report describes the subject property generally consistent with current conditions and is not substantially different than the current assessment.

A copy of the report is included in the appendices.

### 6.4 ENVIRONMENTAL LIEN SEARCH

In accordance with our approved scope of services, an environmental lien search was not performed as part of this assessment.

## 7.0 SITE RECONNAISSANCE

<b>Site Reconnaissance Date</b>	July 29, 2019
<b>AEI Site Assessor(s)</b>	Michael Audibert
<b>Property Escort(s)/ Relationship(s) to Property</b>	Unaccompanied
<b>Units/Areas Observed</b>	Interior and exterior of the subject property building, except the roof area
<b>Area(s) not accessed and reason(s)</b>	Roof area/No access granted Refer to Section 1.5 for discussion of limiting condition(s).
<b>Other Physical Constraints</b>	None

### *Reconnaissance Findings Summary*

<b>Feature</b>	<b>Observed on Subject Property (see Section 7.1)</b>	<b>Observed on Adjacent Property (see Section 7.2)</b>
Regulated Hazardous Substances/Wastes and/or Petroleum Products in Connection with Property Use		
Aboveground/Underground Hazardous Substance or Petroleum Product Storage Tanks (ASTs/USTs)		
Hazardous Substance and Petroleum Product Containers Not in Connection with Property Use		
Unidentified Substance Containers		
Electrical or Mechanical Equipment Likely to Contain Fluids		✓
Interior Stains or Corrosion		
Strong, Pungent, or Noxious Odors		
Pools of Liquid		
Drains, Sumps, and Clarifiers	✓	✓
Pits, Ponds, and Lagoons		
Stained Soil or Pavement		
Stressed Vegetation		
Solid Waste Disposal or Evidence of Fill Materials		
Waste Water Discharges		
Wells		
Septic Systems		
Biomedical Wastes		
Other		

### 7.1 SUBJECT PROPERTY RECONNAISSANCE FINDINGS

During the site reconnaissance, AEI observed the items listed in the above Reconnaissance Findings Summary table, which are further discussed below.

#### **DRAINS, SUMPS, AND CLARIFIERS**

One storm drain was observed in the parking area of the subject property. AEI did not observe evidence of hazardous substances or petroleum products in the vicinity of the drains. Based on

the use of the drains solely for storm water runoff, the presence of the drains is not expected to represent a significant environmental concern.

## **7.2 ADJACENT PROPERTY RECONNAISSANCE FINDINGS**

During the site reconnaissance, AEI observed the items listed in the above Reconnaissance Findings Summary table, which are further discussed below.

### **ELECTRICAL OR MECHANICAL EQUIPMENT LIKELY TO CONTAIN FLUIDS**

Toxic PCBs were commonly used historically in electrical equipment such as transformers, fluorescent lamp ballasts, and capacitors. According to United States EPA regulation 40 CFR, Part 761, there are three categories for classifying such equipment: <50 ppm of PCBs is considered "Non-PCB"; between 50 and 500 ppm is considered "PCB-Contaminated"; and >500 ppm is considered "PCB-Containing." Pursuant to 15 U.S.C. 2605(e)(2)(A), the manufacture, process, or distribution in commerce or use of any polychlorinated biphenyl in any manner other than in a totally enclosed manner was prohibited after January 1, 1977.

#### *Transformers*

The management of potential PCB-containing transformers is the responsibility of the local utility or the transformer owner. Actual material samples need to be collected to determine if transformers are PCB-containing.

Various pole-mounted and/or pad-mounted transformers were observed on the adjacent sites during the site reconnaissance. No spills, staining, or leaks were observed on or around the transformers. Based on the good condition of the equipment, the transformers are not expected to represent a significant environmental concern.

### **DRAINS, SUMPS, AND CLARIFIERS**

Several storm drains were observed in the parking areas of the adjacent properties and adjacent roadways. AEI did not observe evidence of hazardous substances or petroleum products in the vicinity of the drains. Based on the use of the drains solely for storm water runoff, the presence of the drains is not expected to represent a significant environmental concern.

## 8.0 NON-ASTM SERVICES

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### 8.1 ASBESTOS-CONTAINING BUILDING MATERIALS

Asbestos is the name for a group of naturally occurring silicate minerals that can be separated into fibers. The fibers are strong, durable, and resistant to heat and fire. They are also long, thin and flexible, so they can even be woven into cloth. Because of these qualities, asbestos has been used in thousands of consumer, industrial, maritime, automotive, scientific and building products. During the 20th century, some 30 million tons of asbestos have been used in industrial sites, homes, schools, shipyards and commercial buildings in the United States. Commercial use of ACM began in the early 1900s and peaked in the period between 1940 and into the 1970s. Common ACMs include pipe-covering, insulating cement, insulating block, refractory and boiler insulation materials, transite board, fireproofing spray, joint compound, vinyl floor tile, ceiling tile, mastics, roofing products, and duct insulation for HVAC applications. Inhalation of asbestos fibers can result in deleterious health effects.

The potential for ACM was evaluated based the United States EPA Guidance Document: Managing Asbestos in Place - A Building Owner's Guide to Operations and Maintenance Programs for Asbestos-Containing Materials (the Green Book). In 1973 the NESHAPS banned the use of most spray-applied surfacing ACM, specifically asbestos containing spray-on fireproofing and insulation. Subsequent revisions to this regulation in 1975 and 1978 effectively eliminated the use of friable pre-molded pipe, boiler, turbine, and duct insulation; and the spray application of friable asbestos-containing materials for all uses in buildings. In 1989 the EPA issued regulations to ban some asbestos-containing products and phase out most others over a multi-year period. The "Ban and Phase-Down" rule was challenged in court and the regulation remanded to the agency. As a result, any asbestos-containing products then "in commerce" would not be banned. Those not in commerce would be banned. Those materials "banned" could not be sold. It did not affect such materials already installed, or in use. Most US firms voluntarily ceased production of asbestos containing building materials not covered by the aforementioned Federal bans by the mid-1980s. In 1994, the OSHA determined that employers and building owners are required to treat installed thermal system installation and sprayed on and troweled-on surfacing materials, as well as vinyl or asphalt flooring material, as ACM in buildings constructed no later than 1980 until tested by laboratory analysis to prove otherwise.

The information below is for general informational purposes only and does not constitute an asbestos survey. In addition, the information is not intended to comply with federal, state or local regulations in regards to ACM.

Due to the age of the subject property building, there is a potential that ACMs are present. A limited list of typical suspect ACMs is included in the following table:

<b>Material Type</b>	<b>Location</b>
Plaster (acoustical and smooth)	Walls and ceilings
Ceiling tile	Ceiling systems
Thermal systems insulations, packings, and gaskets	Heating systems, cooling systems, domestic and heating and cooling piping, ductwork, and other equipment
Floor tile and associate mastics, flooring felts, and papers (under hardwood/other)	Floors
Vinyl sheet flooring and adhesives	Floors
Cove base and associated mastics	Walls
Ceramic tile adhesives and grouts	Walls, floors, and ceilings
All adhesives	Mirrors, wall coverings, construction, etc.
Grout and caulking	Windows and doors
Gypsum board, tape, and joint compound	Wall and ceiling systems
Insulation materials	Walls, ceilings, and attic spaces
Roofing materials (felts, rolled, shingle, flashings, adhesives, tar, and insulations)	Roof and parapet wall systems
Brick and block, mortars	Walls

The observed suspect ACMs at the subject property were in good condition at the time of the site reconnaissance and are not expected to pose a health and safety concern to the occupants of the subject property at this time. Based on the potential presence of ACMs, AEI recommends the implementation of an O&M Plan which stipulates that the repair and maintenance of damaged materials should be performed to protect the health and safety of the building occupants. In the event that building renovation or demolition activities are planned, a thorough asbestos survey to identify asbestos-containing building materials is required in accordance with the EPA NESHAP 40 CFR Part 61 prior to demolition or renovation activities that may disturb suspect ACMs.

## **8.2 LEAD-BASED PAINT**

LBP is defined as any paint, varnish, stain, or other applied coating that has  $\geq 1$  mg/cm<sup>2</sup> (5,000 µg/g or 5,000 ppm) or more of lead by federal guidelines; state and local definitions may differ from the federal definitions in amounts ranging from 0.5 mg/cm<sup>2</sup> to 2.0 mg/cm<sup>2</sup>. Section 1017 of the Housing and Urban Development (HUD) Guidelines, Residential Lead-Based Paint Hazard Reduction Act of 1992, otherwise known as "Title X", defines a LBP hazard as "any condition that causes exposure to lead that would result in adverse human health effects" resulting from lead-contaminated dust, bare, lead-contaminated soil, and/or lead-contaminated paint that is deteriorated or present on accessible, friction, or impact surfaces. Therefore, under Title X, intact LBP on most walls and ceilings would not be considered a "hazard", although the paint should be maintained and its condition monitored to ensure that it does not deteriorate and become a hazard. Additionally, Section 1018 of this law directed HUD and EPA to require the disclosure of known information on LBP and LBP hazards before the sale or lease of most housing built before 1978. Most private housing, public housing, or federally owned or subsidized housing is affected by this rule.

Under OSHA, LCP is defined as any paint with any detectable amount of lead present in it. Therefore, all LBP is considered LCP. Conversely, LCP may not meet the criteria to be considered LBP in accordance with HUD guidelines or some states' definition of LBP.

It is important to note that LCP may create a lead hazard when being removed. The condition of



these materials must be monitored when they are being disturbed. In the event LCP is subject to abrading, sanding, torching, and/or cutting during demolition or renovation activities, there may be regulatory issues that must be addressed.

The information below is for general informational purposes only and does not constitute a lead hazard evaluation. In addition, the information is not intended to comply with federal, state, or local regulations in regards to LBP.

In buildings constructed after 1978, it is unlikely that LBP is present; however, some paints utilized after 1978 will be LCP under OSHA. Structures built prior to 1978 and especially prior to the 1960s should be expected to contain LBP.

Due to the age of the subject property building, there is a potential that LBP is present. All observed painted surfaces were in good condition and are not expected to pose a health and safety concern to the occupants of the subject property at this time. Local regulations may apply to LBP in association with building demolition/renovations and worker/occupant protection. Actual material samples would need to be collected or an XRF survey performed in order to determine if LBP is present. It should be noted that construction activities that disturb materials or paints containing any amount of lead may be subject to certain requirements of the OSHA lead standard contained in 29 CFR 1910.1025 and 1926.62.

### **8.3 RADON**

Radon is a naturally-occurring, odorless, and invisible gas. Natural radon levels vary and are closely related to geologic formations. Radon may enter buildings through basement sumps or other openings.

The United States EPA has prepared a map to assist National, State, and local organizations to target their resources and to implement radon-resistant building codes. The map divides the country into three radon zones, with Zone 1 being those areas with the average predicted indoor radon concentration in residential dwellings exceeding the EPA Action Limit of 4.0 pCi/L. It is important to note that the EPA has found homes with elevated levels of radon in all three zones, and the EPA recommends site specific testing in order to determine radon levels at a specific location. However, the map does give a valuable indication of the propensity of radon gas accumulation in structures.

Radon sampling was not requested as part of this assessment. According to the US EPA, the radon zone level for the area is Zone 2, which has a predicted average indoor screening level between 2 pCi/L and 4 pCi/L, equal to or below the action level of 4 pCi/L set forth by the US EPA.

### **8.4 MOLD**

Molds are simple microscopic organisms which can often be seen in the form of discoloration, frequently green, gray, white, brown, or black. When excessive moisture or water accumulates indoors, mold growth may occur, particularly if the moisture problem remains undiscovered or unaddressed. As such, interior areas of buildings characterized by poor ventilation and high humidity are the most common locations of mold growth. Building materials, including drywall, wallpaper, baseboards, wood framing, insulation, and carpeting, often play host to such growth.

Mold spores primarily cause health problems through the inhalation of spores or the toxins they emit when they are present in large numbers. This can occur when there is active mold growth within places where people live or work.

Mold, if present, may or may not visually manifest itself. Neither the individual completing this inspection, nor AEI has any liability for the identification of mold-related concerns except as defined in applicable industry standards. In short, this Phase I ESA should not be construed as a mold survey or inspection.

This activity was not designed to discover all areas which may be affected by mold growth on the subject property. Rather, it is intended to give the client an indication if significant (based on observed areas) mold growth is present at the subject property. Potential areas of mold growth, such as in pipe chases, HVAC systems, and behind enclosed walls and ceilings, were not observed as part of this limited assessment.

AEI observed interior areas of the subject property building to identify the potential presence of mold. AEI did not note obvious visual or olfactory indications of the presence of mold, nor did AEI observe obvious indications of significant water damage. As such, no bulk sampling of suspect surfaces was conducted as part of this assessment and no additional action with respect to suspect mold appears to be warranted at this time.

## 9.0 SIGNATURE OF ENVIRONMENTAL PROFESSIONALS

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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 Part 312.

We have the specific qualifications based on education, training, and experience to assess a property of the nature, history and setting of the subject property. We have developed and performed the all appropriate inquiries in conformance with the standards and practices set forth in 40 CFR Part 312.

Prepared By:



Michael Audibert  
Project Manager

Reviewed By:



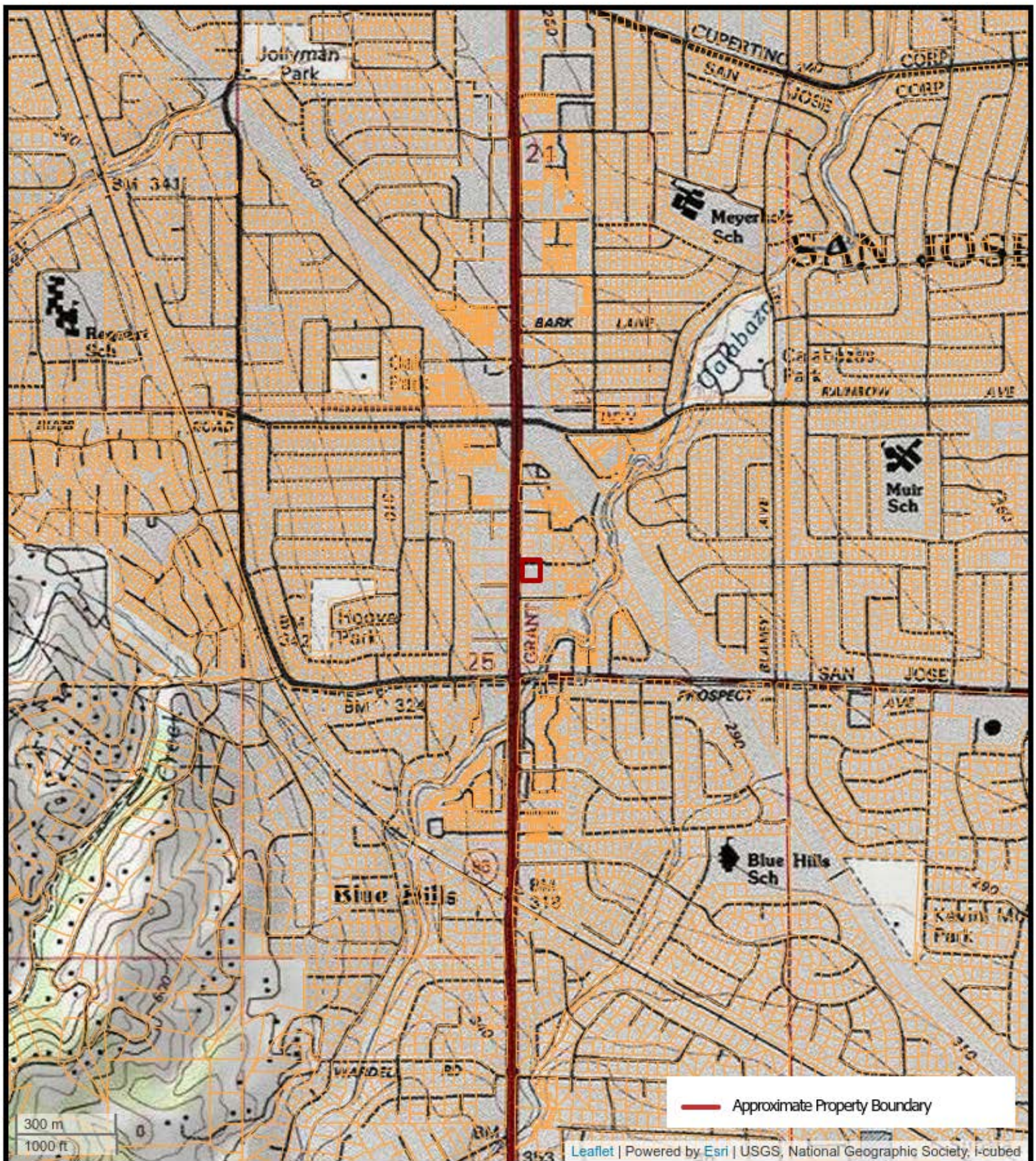
Richard D. Fehler  
Senior Author

## 10.0 REFERENCES

Item	Date(s)	Source
Soils Information	Accessed July 2019	USDA Web Soil Survey <a href="http://websoilsurvey.nrcs.usda.gov/app/WebSoilSurvey.aspx">http://websoilsurvey.nrcs.usda.gov/app/WebSoilSurvey.aspx</a>
Topographic Map	1995	USGS, San Jose West
Depth to Groundwater Information	July 2019	SWRCB GeoTracker Database
Aerial Photographs	1939-2012 (non-inclusive)	EDR
Sanborn Map Search (No Coverage)	July 2019	EDR
City Directories	1970-2017 (non-inclusive)	EDR
Environmental Health Department	July 23, 2019	Santa Clara County Environmental Health Department
Fire Department	July 23, 2019	San Jose Fire Department
Building Department	July 23, 2019	San Jose Building Department
Planning Department	July 23, 2019	San Jose Planning Department
Assessor's Information and Parcel Map	July 23, 2019	Santa Clara County Assessor's Office
Other Agencies Searched	July 23, 2019	SWRCB GeoTracker, DTSC HWTS, and DTSC EnviroStor databases
Oil and Gas Wells	July 23, 2019	California Department of Oil, Gas, and Geothermal Resources
Oil and Gas Pipelines	July 23, 2019	NPMS Public Map Viewer <a href="https://www.npms.phmsa.dot.gov/PublicViewer/composite.jsf">https://www.npms.phmsa.dot.gov/PublicViewer/composite.jsf</a>
Regulatory Database Report	July 19, 2019	EDR
Interview with Key Site Manager	July 25, 2019	Mr. John Machado
Radon Zone Information	1993	US EPA Map of Radon Zones <a href="https://www.epa.gov/radon">https://www.epa.gov/radon</a>

# **APPENDIX A**

## **FIGURES**



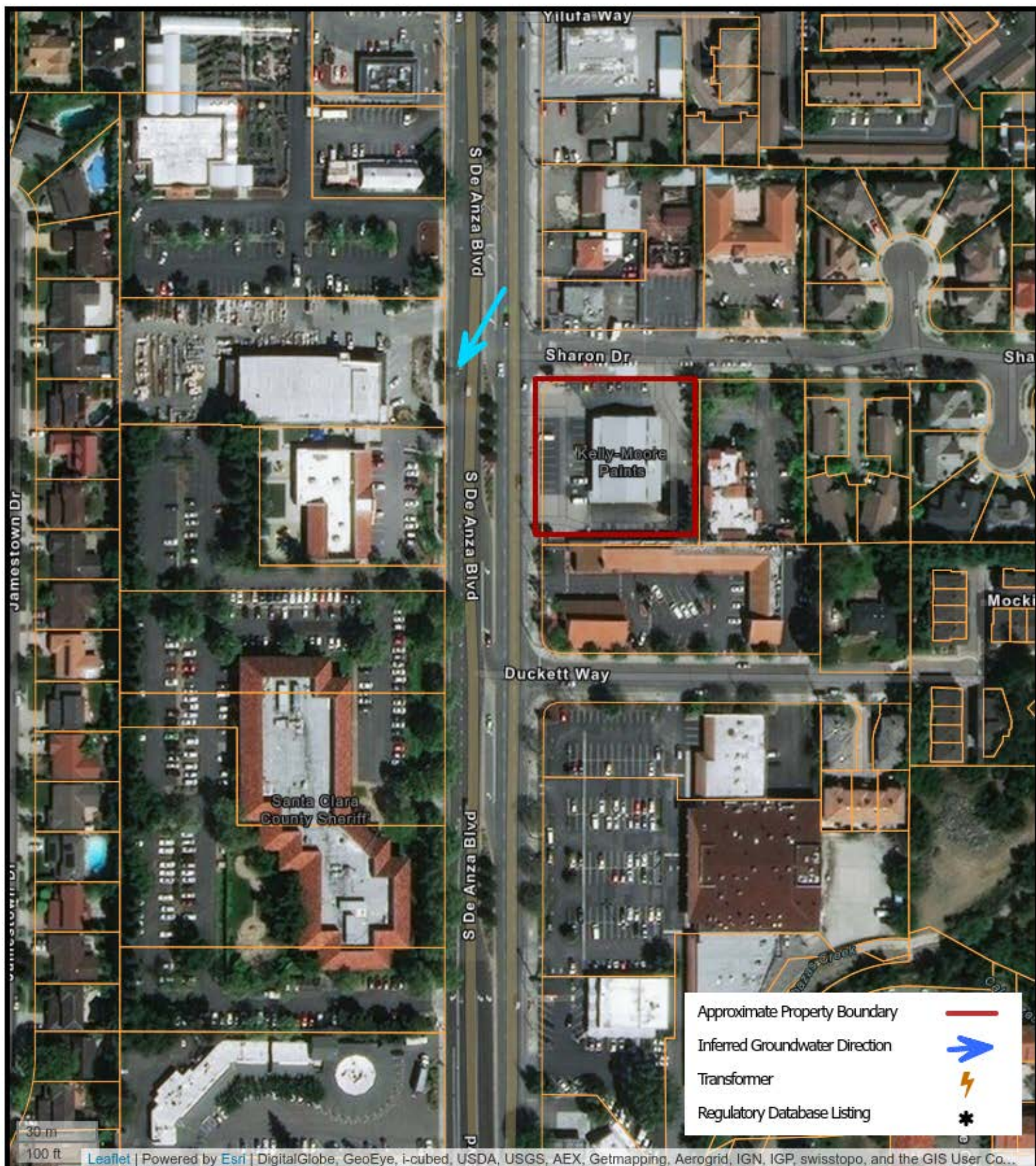
## FIGURE 1: TOPOGRAPHIC MAP

1510 South De Anza Boulevard, San Jose, California 95129

AEI Project Number: 408856



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## FIGURE 2: SITE MAP

1510 South De Anza Boulevard, San Jose, California 95129  
 AEI Project Number: 408856



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