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## SUMMARY OF FINDINGS MEMORANDUM

TDD: 0003/1709-05  
Project: Targeted Brownfields Assessment (TBA) for Windsor DDA, 3 Properties  
Date: 1/8/2018  
To: Ms. Melisa Devincenzi  
Work Assessment Manager (WAM), U.S. EPA Region 8  
From: Mr. Greg Geras, P.G.  
WESTON-START Project Manager  
Re: Summary of Findings for 418 Ash Street & Lot 21, Burlington Subdivision  
DCN: W0528.1C.01500

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### INTRODUCTION

The United States Environmental Protection Agency (EPA) tasked the Weston Solutions, Inc. (WESTON®) Superfund Technical Assessment and Response Team IV (START IV) to support the EPA in conducting a Phase II environmental site assessment (ESA) at 418 Ash Street and the adjacent Lot 21 properties in Windsor, Colorado (Site). Though previous Phase I ESAs for the Site issued in October 2012 (for Lot 21) and June 2013 (for 418 Ash St.) did not identify and recognized environmental conditions (RECs), a Phase II ESA conducted in June 2017 at the nearby Bertsch Property (512 Ash Street) identified contaminants of concern (COCs) in soil and groundwater at that facility. Based on those findings, a Phase II ESA at 418 Ash St. & Lot 21 was requested by the Windsor Downtown Development Authority (DDA) to determine if the COCs identified at the Bertsch property were impacting the Site. START conducted a site visit and review of existing documentation available in order to develop the Phase II ESA Statement of Objectives (SOO) for the subsequent Sampling and Analysis Plan (SAP) for the Site. This memorandum summarizes the findings of the site visit and existing documentation review.

### SUMMARY OF FINDINGS

The following are the findings from the site visit and review of existing data conducted in order to identify environmental concerns to be addressed in the Phase II ESA:

- Previous Phase I ESA Findings: The previous 2012 and 2013 Phase I ESAs concluded there was no evidence of RECs identified at the Site.
- Site Walk: No evidence of environmental concerns were identified during the site walk on 11/2/2017.
- Aerial Photograph Review: No evidence of historical on-site or off-site concerns were observed in aerial photographs reviewed.

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This document was prepared by START for U.S. EPA Region 8, as tasked by the EPA, in accordance with Contract EP-S8-13-01. It shall not be released or disclosed in whole or in part without the express written permission of the EPA.



Ms. Melisa Devincenzi  
WAM, EPA Region 8

418 Ash St. & Lot 21, Windsor, Colorado  
January 8, 2018

- Bertsch Property Phase II ESA Investigation Results: Soil concentrations above regulatory benchmarks at the Bertsch property were reported for arsenic and iron in surface and near-surface soils, but these are likely naturally occurring background levels. Pentachlorophenol was detected in one near surface soil sample, but was not detected in any other soil or groundwater samples. Concentrations for two pesticides (4,4-DDE and heptachlor) and one metal (selenium) above regulatory standards were reported in groundwater samples at the Bertsch property. The 4,4-DDE and heptachlor pesticides were found in only one groundwater sample located at the opposite end of the Bertsch property from our Site. These COCs are delineated by other groundwater samples collected at the Bertsch property in between the location of the COC exceedances and the 418 Ash St. & Lot 21 properties. The elevated selenium in groundwater is likely a background concentration level and not sourced from contamination. Groundwater elevations collected from the Bertsch wells indicate the groundwater flow direction is to the northeast towards Lake Windsor which makes the 418 Ash St. & Lot 21 properties cross-gradient. The Bertsch Property has received a “No Action Determination” (NAD) from the Colorado Voluntary Cleanup Program (VCUP) based on existing data and intended future use as commercial/industrial.
- Previous Phase I ESA Radius Reports: No evidence of RECs were identified in previous Phase I ESA federal and state record reviews. Potential up-gradient properties identified included one (1) underground storage tank (UST) site (4,000 gallon diesel), two (2) “Closed” leaking underground storage tanks (LUSTs), and one (1) Hazardous Waste Non-generator without violations. However, previous Phase I ESAs based this on an assumed groundwater flow to the southeast using topographical gradient. If groundwater flow at the Site is actually towards Lake Windsor, then one (1) “Closed” LUST site and one (1) UST property (500-gallon gasoline) with no record of release are present to the south across Main Street. Neither of these are considered to be RECs in relation to the Site.
- Past Site Railroad Use: A railroad depot was present until 1972; however, it is believed this was just passenger loading and unloading (no maintenance occurred).
- Adjacent Railroad: There is a 25 foot right-of-way (ROW) owned by the railroad in between the tracks and Lot 21 property. No evidence of staining was observed in the ROW during the site visit or reported in the previous Phase I ESA records review.
- Past Site Redevelopment: Redevelopment was initiated on the Lot 21 property in the early 2000s. Utility lines were installed to where a building was to be constructed. The venture ended up going bankrupt and further development did not proceed. No contamination was encountered/reported when the utility lines were installed at the Site.

## CONCLUSIONS AND RECOMMENDATION

The results of START’s site visit and review of existing information did not identify any RECs at the Site. No further assessment of the Site is recommended.

0003/1709-05

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**PHASE I ENVIRONMENTAL SITE ASSESSMENT  
FOR  
TOWN PUBLIC WORKS BLOCK  
630 ASH STREET  
WINDSOR, WELD COUNTY, COLORADO**

Prepared for:

**U.S. ENVIRONMENTAL PROTECTION AGENCY**  
1595 Wynkoop St.  
Denver, CO 80202

Prepared by:

**WESTON SOLUTIONS, INC.**  
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Date Prepared	January 2018
TDD No.	0003/1709-05
Document Control No.	W0528.1A.01489
Contract No.	EP-S8-13-01
U.S. EPA Work Assignment Manager	Melisa Devincenzi

**PHASE I ENVIRONMENTAL SITE ASSESSMENT  
FOR  
TOWN PUBLIC WORKS BLOCK  
630 ASH STREET  
WINDSOR, WELD COUNTY, COLORADO**

Prepared for:

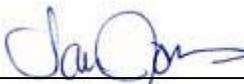
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January 2018

Prepared by:

  
\_\_\_\_\_  
Tana Jones  
START Project Team Lead

Date: 1/8/2018

Reviewed and Approved by:

  
\_\_\_\_\_  
Greg Geras, P.G.  
START Project Manager and  
Environmental Professional

Date: 1/8/2018

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## LIST OF ACRONYMS

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AAI	All Appropriate Inquiries
ACM	asbestos containing material
AOC	Area of Concern
APCD	Air Pollution Control Division
ASTM	ASTM International
AUL	activity and use limitation
CDLE OPS	Colorado Department of Labor and Employment Oil and Public Safety
CDPHE	Colorado Department of Public Health and Environment
CESQG	conditionally exempt small quantity generator
CFR	Code of Federal Regulations
CO	Colorado
CREC	controlled recognized environmental condition
DDA	Downtown Development Authority
EDR	Environmental Data Resources, Inc.
EP	Environmental Professional
EPA	United States Environmental Protection Agency
ESA	Environmental Site Assessment
HMWMD	Hazardous Materials and Waste Management Division
HREC	historical recognized environmental condition
LBP	lead-based paint
LUST	leaking underground storage tank
NAIP	National Agriculture Imagery Program
P.G.	Professional Geologist
PCB	polychlorinated biphenyl
pCi/L	picocuries per liter
PMP	Project Management Professional
RCRA	Resource Conservation and Recovery Act
REC	recognized environmental condition
RGA	Recovered Government Archive
sq. ft.	square feet
START	Superfund Technical Assessment and Response Team
TBA	Targeted Brownfields Assessment
TCLP	toxicity characteristic leaching procedure
TDD	Technical Direction Document
USDA	United States Department of Agriculture
USGS	United States Geological Survey
UST	Underground Storage Tank
VEC	vapor encroachment condition
VES	vapor encroachment screening
WESTON	Weston Solutions, Inc.
WQCD	Water Quality Control Division

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## SUMMARY

The United States Environmental Protection Agency (EPA) tasked the Weston Solutions, Inc. (WESTON) Superfund Technical Assessment and Response Team (START) to conduct a Phase I Environmental Site Assessment (ESA) on the Town Public Works block located at 630 Ash Street in Windsor, Weld County, Colorado (CO) (subject property).

The Phase I ESA was conducted in accordance with Technical Direction Document (TDD) 0003/1701-05, 40 Code of Federal Regulations (CFR) Part 312 – Standards and Practices for All Appropriate Inquiries (AAI), and ASTM International (ASTM) E1527-13 – Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process. Any exceptions to, or deletions from, this practice are described in Section 5 of this report.

Review of historic records indicate that the subject property has been developed since the earliest available topographical map (1902). There were formerly two service garage structures on the subject property, the first was constructed in 1950 and the second in 1974. The first structure was removed from the property in 2011 and the second remains on the subject property.

The site visit was performed on November 2, 2017 by Mr. Greg Geras, P.G. The following is a summary of the findings and conclusions from the Phase I ESA conducted:

- No evidence of recognized environmental conditions (RECs) were identified in connection with the subject property.
- No evidence of controlled recognized environmental conditions (CRECs) were identified in connection with the subject property.
- Two (2) historical recognized environmental conditions (HRECs) were identified:
  - 1) Former USTs - Four (4) underground storage tanks (USTs) have been removed from the subject property. A closure letter was issued by the state in 1994. Review of confirmation soil sample results collected during the remediation indicates all soil left in place is below current standards.
  - 2) Remediation of ACM – Remediation of known asbestos-containing material (ACM) at the subject property occurred in October 2017.

By definition, both of these environmental issues have been addressed to the satisfaction of the applicable regulatory authority and meet unrestricted use criteria without subjecting the property to any required controls (e.g., property use restrictions, activity and use limitations (AULs), institutional controls, or engineering controls).

- One non-scope consideration (i.e. additional environmental issue) was identified:
  - 1) Potential lead-based paint (LBP) – No reports of LBP surveys were available for the former or existing service garage buildings. Based on a photograph provided, the former service garage building removed in 2011 did not appear to have any exterior

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coatings or paint. However, the existing service garage appears to have a yellow manufacturer coating on the exterior sheet metal walls. Due to construction in 1975, there is the potential for LBP at the existing service garage building, but minimal other painted surfaces were observed at the subject during the site visit.

Based on the findings and conclusions of the Phase I ESA, START recommends the following:

- No further assessment of the property is necessary; however, potential LBP (non-scope consideration) may need to be addressed during the demolition phase of redevelopment. The demolition debris landfill should be contacted to determine if any testing (e.g., toxicity characteristic leaching procedure [TCLP]) is required to dispose of building debris.

This summary is intended to be a general description of the RECs, CRECs, HRECs, non-scope considerations, and summary of results, conclusions, and recommendations identified as a result of the Phase I ESA conducted on the subject property by START. However, this section is not intended to be a “stand alone” document or to include the basis of all conclusions presented. The report should be read and used in its entirety. Information included in this section is subject to the scope of services and limitations noted in the original TDD and the complete report.

## 1.0 INTRODUCTION

### 1.1 SCOPE OF WORK AND PURPOSE

The United States Environmental Protection Agency (EPA) tasked the Weston Solutions, Inc. (WESTON) Superfund Technical Assessment and Response Team (START) to conduct a Phase I Environmental Site Assessment (ESA) on the Town Public Works Block located at 630 Ash Street in Windsor, Weld County, Colorado (CO) (subject property) (Figure 1). The ESA was conducted in accordance with Technical Direction Document (TDD) 0003/1709-05, 40 Code of Federal Regulations (CFR) Part 312 – Standards and Practices for All Appropriate Inquiries (AAI), and ASTM, International (ASTM) E1527-13 – Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process. The purpose of a Phase I ESA is to identify the following: (1) recognized environmental conditions (RECs), historical recognized environmental conditions (HRECs), controlled recognized environmental conditions (CRECs) associated with the historical and current uses of the property, and non-scope considerations; (2) recognized physical conditions of buildings and adjacent grounds; and (3) recognized present operational practices.

ASTM E1527-13 defines RECs as follows:

*[ ... ] 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. De minimis conditions are not recognized environmental conditions.*

ASTM E1527-13 defines HRECs as follows:

*[ ... ] 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 (for example, property use restrictions, activity and use limitations, institutional controls, or engineering controls).*

ASTM E1527-13 defines CRECs as follows:

*[ ... ] 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 a 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).*

ASTM E1527-13 defines Non-Scope Considerations as follows:

*[ ... ] environmental issues or conditions at a property that parties may wish to assess in connection with commercial real estate that are outside the scope of this practice (the non-scope considerations). [...] some substances may be present on a property in quantities and under conditions that may lead to contamination of the property or of nearby properties but are not included in CERCLA's definition of hazardous substances (42 U.S.C. §9601(14)) or do not otherwise present potential CERCLA liability. In any case, they are beyond the scope of this practice. [...] Whether or not a user elects to inquire into non-scope considerations in connection with this practice or any other environmental site assessment, no assessment of such non-scope considerations is required for appropriate inquiry as defined by this practice.*

A Phase I ESA consists of four general components: (1) a records review; (2) a site reconnaissance; (3) interviews; and (4) a report. The first three are conducted to identify environmental conditions related to the subject property. This Phase I ESA report provides the results of the first three components and fulfills the fourth.

This Phase I ESA report contains the results of the review of property, government, and historical records; a reconnaissance of the subject property and surrounding properties (dates provided in each section); and interview(s) of knowledgeable persons (if available). Information used to complete this Phase I ESA was reasonably ascertainable and visually and physically observable. This Phase I ESA did not include any testing or sampling of materials (e.g., soil, water, sediment, building materials, etc.).

## **1.2 SPECIAL TERMS AND CONDITIONS**

This document has been prepared by START (Assessor) as tasked by the EPA for the use and benefit of the following entities: Windsor Downtown Development Authority (DDA) (User); the Town of Windsor (Town) (User); and the EPA. Any use of this document or information herein by persons or entities other than the EPA and User(s), without the express written consent of START, will be at the sole risk and liability of said person or entity. START will not be liable to the EPA, the User(s), or such persons or entities, for any damages resulting therefrom. It is understood that this document may not include all information pertaining to the described subject property.

## **1.3 LIMITATIONS AND EXCEPTIONS OF PHASE I ASSESSMENT**

ASTM E1527-13 (Section 4.5.1) acknowledges that “No environmental site assessment can wholly eliminate uncertainty regarding the potential for recognized environmental conditions in connection with a property.” The ESA “ [ ... ] is intended to reduce, but not eliminate, uncertainty regarding the potential for recognized environmental conditions in connection with a property, and this practice

recognizes reasonable limits of time and cost.” Furthermore, ASTM E1527-13 (Section 4.5.2) states that “There is a point at which the cost of information obtained or the time required to gather it outweighs the usefulness of the information and, in fact, may be a material detriment to the orderly completion of transactions.”

#### 1.4 PERSONNEL PERFORMING ESA AND QUALIFICATIONS

This ESA was completed by the following START personnel; qualifications are provided at the end of the report:

- Mr. Greg Geras, Professional Geologist (P.G.), START Project Manager; and
- Ms. Tana Jones, Project Management Professional (PMP), START Project Team Lead.

Mr. Greg Geras, P.G. and Ms. Tana Jones, PMP performed this ESA. Both Mr. Geras and Ms. Jones are considered an Environmental Professional (EP) as defined by 40 CFR Part 312.10 and has undertaken the inquiry as defined in 40 CFR part 312.21 (b). The following is the EP certification:

*I declare that, to the best of my professional knowledge and belief, I meet the definition of Environmental Professional as defined in 40 CFR Part 312.10 of this part. I have the specific qualifications based on education, training, and experience to assess a property of the nature, history, and setting of the subject property. I have developed and performed the all appropriate inquiries in conformance with the standards and practices set forth in 40 CFR part 312.*

Greg Geras

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Certifying Environmental Professional (Print)

Project Manager

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Title



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Signature

1/8/2018

---

Date

#### 1.5 USER RESPONSIBILITIES

Section 6 of ASTM E1527-13 outlines the following responsibilities of the user(s) of a Phase I ESA to assist in the identification of potential RECs, HRECs, and/or CRECs:

- Communication to the EP, by the users, of information relative to any environmental cleanup liens filed or recorded under federal, tribal, state or local law of which the users are aware (Section 6.2 and 6.4).

*The User informed START that they are not aware of any such liens.*

- Communication to the EP, by the users, of information relative to any activity and use limitations (AULs) such as engineering controls, land use restrictions or deed restrictions, etc., that are in place at the site and/or have been filed or recorded in a registry under federal, tribal, state, or local law of which the users are aware (Section 6.2 and 6.4).

*The User informed START that they are not aware of any such AUL restrictions.*

- Communication to the EP, by the users, of any specialized knowledge or experience, or other information that might be material to the identification of RECs (Section 6.3).

*The User informed START that USTs had been present at the subject property, but the tanks were removed.*

- Communication to the EP, by the users, if the users believe the purchase price of the property is lower than the fair market due to contamination (Section 6.5).

*The User did not inform START of a purchase price.*

- Communication to the EP, by the users, of any commonly known or reasonably ascertainable information within the local community about the property that is material to the identification of RECs (Section 6.6).

*The User informed START that they are not aware of any commonly known or reasonably ascertainable information within the local community about RECs on the property.*

- Communication to the EP, by the users, of the obviousness of the presence or likely presence or threatened releases at the property of which the users are aware, that might be material to the identification of RECs (Section 6.7).

*The User was not aware of the obviousness of the presence or likely presence or threatened releases at the property that might be material to the identification of RECs.*

## **1.6 DISCLAIMERS**

START has performed this Phase I ESA in conformance with the scope and limitations of the ASTM E1527-13 standard and TDD 0003/1709-05. The information from the site reconnaissance is based on the conditions existing on the date of START's visit to the property. The findings and conclusions presented herein are professional opinions based solely on visual observations of the facility and vicinity, and interpretation of information provided or reasonably available. Past conditions were considered on the basis of observations, readily available records, and interviews.

START does not warrant or guarantee information obtained from third parties contained in the environmental record sources and recollections used for this assessment are correct, complete, and/or current. Such information is the product of independent investigation by parties other than START and/or information maintained by government agencies.

START did not collect samples or perform any testing during the subject property visit. It is possible that past contamination remains undiscovered or that property conditions will change in the future. START does not warrant or guarantee the property suitable for any particular purpose or certify the property as "clean."

Information, limitations, and disclaimers provided in this general section apply to all sections included in this report.

0003/1709-05

# STATE OF COLORADO

John W. Hickenlooper, Governor  
Larry Wolk, MD, MSPH  
Executive Director and Chief Medical Officer

Dedicated to protecting and improving the health and environment of the people of Colorado

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Colorado Department  
of Public Health  
and Environment

December 26, 2017

Mr. Matt Ashby, Executive Director  
Windsor Downtown Development Authority  
301 Walnut St.  
Windsor, CO 80550

Duane and Debora Bertsch  
P.O. Box 636  
Windsor, CO 80550 -0636

**RE: No Action Determination Approval for 512 Ash St., in Windsor, CO**

Dear Mr. Ashby:

A No Action Petition (the Petition) was submitted on behalf of the Windsor Downtown Development Authority (the Applicant) to the Colorado Department of Public Health and Environment (the Department) pursuant to C.R.S. 25-16-307(2) of the Colorado Voluntary Cleanup and Redevelopment Act. The Petition was submitted for the applicant's property identified in the Petition and listed here generally as 512 Ash St., in Windsor, Colorado ("the property").

The Department conducted a review of the environmental data collected on the above-referenced property. Based on this review and pursuant to C.R.S. 25-16-307(2), the Department approves the applicant's Petition and makes the following determinations:

- 1) The environmental assessment submitted by the applicant and performed by qualified environmental professionals indicates that there is no evidence of contamination released into the environment present from the applicant's property, which exceeds applicable promulgated state standards or which poses an unacceptable risk to human health and the environment.

Based on the information provided by the applicant concerning property identified in the Petition and listed here generally as 512 Ash St., in Windsor, Colorado, it is the opinion of the Colorado Department of Public Health and Environment that no further action is required to assure that this property, when used for the purposes identified in the No Action Petition (Commercial/Residential), is protective of existing and proposed uses and does not pose an unacceptable risk to human health or the environment at the site.

**Mr. Ashby/ Duane and Debora Bertsch**

**December 26, 2017**

**Page 2**

The approval of the applicant's Petition by the Department applies only to conditions on the property and state standards that exist as of the time of submission of the Petition. In addition, this approval applies only for the land use specified in the application, which is Commercial/Residential. This approval shall be considered void if it is determined that materially misleading information has been submitted by the applicant. Nothing in this letter shall be construed to limit the Department's authority to take actions under existing statutes as necessary, should new information come to the attention of the Department.

If you have any questions, please contact me at (303) 692-3411.

Sincerely,

A handwritten signature in black ink, appearing to read 'Fonda', with a large, stylized circular flourish to the right.

Fonda Apostolopoulos  
Voluntary Cleanup Program

File: RV171108-1