

***A PHASE I  
ENVIRONMENTAL SITE ASSESSMENT  
20.1190 Acres Tract located on the  
Northeast corner of McCabe Road & Hwy 146 for  
Bayshore Elementary School in  
La Porte, Harris County, Texas***

***QCL PROJECT NO.: 09E6394***

**A Phase One  
ENVIRONMENTAL SITE ASSESSMENT**

**20.1190 Acres Tract of Land located on the  
Northeast corner of McCabe Road & Hwy 146 for  
Bayshore Elementary School  
La Porte, Harris County, Texas**

**Prepared for:**

**La Porte Independent School District  
La Porte, Texas 77571**

**Project No.: QCL - 09E6394  
January 2009**

**Prepared by:**



**QC Laboratories, Inc.  
10810 Northwest Freeway  
Houston, Texas 77092**



January 14, 2009

Project No: QCL-09E6394

La Porte Independent School District  
1002 San Jacinto Street  
La Porte, Texas 77571

Attention: Mr. Mike Clausen

Reference: PHASE I Environmental Site Assessment  
20.1190 Acres Tract of Land located on NEC McCabe Road & Hwy 146 for  
Bayshore Elementary School (La Porte ISD)  
La Porte, Harris County, Texas

Dear Mr. Clausen,

QC Laboratories, Inc., is pleased to submit our Phase I Environmental Site Assessment for the above referenced property. This report supercedes all the previously issued reports, transmittals and memos, if any, related to this project. This project was authorized on January 8, 2009.

This report has been prepared on behalf of, and exclusively for the use of La Porte Independent School District located at 1002 San Jacinto Street in La Porte, Texas, or their assigns. This report represents only those items identified and/or conveyed to us, and are not indicative of adjacent or adjoining sites. This report shall not be reproduced except in its entirety and with the express permission of QC Laboratories, Inc.

*We declare that, to the best of our professional knowledge and belief, we meet the definition of Environmental Professional as defined in the AAI rule. We have the specific qualifications based on education, training, and experience to assess a property of the nature, history, and setting of the subject property. We have developed and performed all of the appropriate inquiries in conformance with the standards and practices set forth in the AAI rule.*

We appreciate the opportunity to work with you on this phase of the project and look forward to the successful completion of the project. If you should have any questions or require additional information, please call us at your convenience.

Very truly yours,  
**QC LABORATORIES, INC.**

Mario Tagavilla  
*Project Manager*

Ray Meyer, P. E.  
*Director of Geotechnical & Environmental Services*

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## **A PHASE ONE ENVIRONMENTAL SITE ASSESSMENT REPORT**

### **20.1190 Acres Tract of Land located on the Northeast corner of McCabe Road & Hwy 146 for Bayshore Elementary School La Porte, Harris County, Texas**

#### **1.0 SUMMARY**

A Phase One, Environmental Site Assessment (ESA) for the above referenced site has been performed by QC Laboratories, Inc. as requested by Mr. Mike Clausen of La Porte Independent School District with office located at 1002 San Jacinto Street in La Porte, Texas.

A site visit was conducted by QC Laboratories, Inc. representative, Mr. Mario Tagavilla on December 8, 2009 for site reconnaissance, to interview tenants or residents if available and to identify visual sources of potential surface contamination. The site was vacant and no interview was conducted at the time of our site visit. The site had been backfilled with approximately 6 feet of soil. The site is generally flat and covered with wild grass. No activity was observed on the site. No septic tank system or underground wells were observed at the site at the time of our visit.

The site consists of approximately 20.1190-acre tract of vacant land in the W. P. Harris Survey, A-30, La Porte, Harris County, Texas, located on the northeast corner of McCabe Road and Highway 146 in La Porte, Harris County, Texas. The site is bounded by the Taylor Bayou on the north and east sides.

Our visual examination of the surface area and surroundings did not reveal specific concerns that might have an environmental impact to the subject area.

#### **2.0 INTRODUCTION**

This Phase I Environmental Site Assessment consisted of visual examination of the site and adjacent properties, historical usage review of the site, review of regulatory agency files within the prescribed search radii, site geology, topography, Flood Insurance Rate Map, groundwater, surface water characteristics, geological map, and Oil & Gas Review. This study has been designed to permit the user to satisfy one of the requirements for landowner liability protections (CERCLA liability) and satisfies the All Appropriate Inquiry rule as defined by ASTM 1527-05.

#### **3.0 SITE DESCRIPTION**

##### **3.1 Location and Legal Description**

The site (**Appendix 16.2**) is located on the northeast corner of the intersection of McCabe Road and Highway 146 in La Porte, Harris County, Texas. No physical address was given. A metes and bounds survey was provided to us by La Porte Independent School District. The site is approximately 20.1190-acre tract of land in the W. P. Harris Survey, A-30, La Porte, Harris County, Texas. The site is vacant and accessible on the west and south sides. The site is bounded by McCabe Road in the south, Hwy 146 in the west and by Taylor Bayou on the north and east sides. The Site (Vicinity) Map can be found in **Appendix 16.1**.

### 3.2 Site and Vicinity General Characteristics

Site and vicinity general characteristics presented on aerial photographs between 1944 and 2006 were reviewed. The historical aerial photographs as shown in **Appendix 16.4.a**.

The following aerial photographs of the referenced project area were reviewed to observe the previous use of the site and its vicinity and to evaluate conditions that may have existed which could have impacted the site.

<b>Aerial Photographs</b>		
<b>Year</b>	<b>Subject Site</b>	<b>Surrounding Areas</b>
1944	Open, undeveloped partly wooded land. Site boundary not defined.	West and south sides are wooded and undeveloped land. Surrounding north and east appears to be barren land and no activity noted.
1953	Open, undeveloped partly wooded land. Site boundary not defined.	West and south sides are wooded and undeveloped land. Surrounding north and east appears to be barren land and no activity. McCabe Road became operational on the south side of property and connects to Powell Road to the west along the railroad tract.
1962	Open, undeveloped partly wooded land. Site boundary not defined.	West and south sides are wooded and undeveloped land. Surrounding north and east appears to be barren land with a minimal activity at far north.
1978	Open, undeveloped, wooded land. The Taylor Bayou became operational running from north to east of the property and crossing McCabe Road on the southeast.	State Highway 146 on the west side became operational. On the north and east across Taylor Bayou is still vacant and undeveloped land. Farther east along McCabe Road appears to be new trailer park area. A land development is also noted on the southeast. New service road constructed on far north.
1989	Open, undeveloped, wooded land.	Additional land development is also noted on the southeast and northeast. Several industrial or commercial buildings appear on the southwest across Hwy 146.

Year	Subject Site	Surrounding Areas
1996	Open, undeveloped, wooded land.	Additional buildings were constructed to the industrial or commercial building on the southwest. New roads development noted on the far south
2004	Open, undeveloped, wooded land.	New land development noted on the far south.
2005	Open, undeveloped, wooded land. Trees appeared to be denser.	No additional ground features noted.
2006	Open, undeveloped, wooded land. Trees appeared to be denser.	Land developments shown on the west across Hwy 146.

### 3.3 Current Uses of the Property

The property was vacant at the time of our visit. No activity was observed.

### 3.4 Description of Structures, Roads, Other Improvements on the Site

The site had been backfilled to approximately 4 to 6 feet with fill materials.

### 3.5 Current Uses of the Adjoining Properties

The current uses of the adjoining properties are as follows:

Location	Adjoining Land Use
North	Taylor Bayou, across Taylor Bayou is vacant land.
East	Taylor Bayou, across Taylor Bayou at northeast is a recreation area (Bay Forest Country Club/Bay Forest Golf Course Ponds), east are residential houses.
West	State Highway 146
South	McCabe Road & across the road is heavily wooded area, no activity.

## 4.0 USER PROVIDED INFORMATION

### 4.1 Title Records

A metes and bounds description of a 20.1190 acre tract of land out of the W. P. Harris Survey, A-30, Harris County, Texas was provided by our client.

A Title of Records was not available but a Historical Chain of Title (provided by Residential Services, Inc. as shown in **Appendix 16.4.d**) provide a detailed ownership record since 1931, easements, rights of way, surface leases, environmental liens and environmental activity use and limitations affecting the surface estate of the subject tract. Physical address given is NEC of Hwy 146 & McCabe Road, La Porte in Texas. According to the data provided to us, the owner of record is 65 LaPorte, Ltd. The subject property was owned primarily by, G. A. Watkins since 1931. Two easements granted to the City of LaPorte on two separate dates were found. The first easement granted on 4/22/1980 was for installation and maintenance of water lines and the second easement granted on 7/19/2002 was for the installation and maintenance of water and wastewater lines. No other easements, right of ways, surface leases, environmental liens and environmental activity use and limitations affecting the surface estate of the subject tract was found.

4.2 Environmental

An Environmental User Questionnaire was sent to our client, Mr. Mike Clausen of La Porte ISD. A copy of the Environmental User Questionnaire is shown in **Appendix 16.6**. The Environmental User Questionnaire did not provide information of hazardous or potential environmental contamination that may impact the property.

4.3 Specialized Knowledge

No specialized knowledge was gathered from our client or from the owner.

4.4 Commonly Known or Reasonably Ascertainable Information

No commonly known or reasonably ascertainable information gathered from our client.

4.5 Valuation Reduction for Environmental Issues

We know of no valuation reduction for environmental issues for this property.

4.6 Owner, Property Manager, and Occupant Information

No information gathered from our client reveal any environmental hazard that may impact the property.

4.7 Reason for Performing Phase I

The objective of a Phase I Environmental Site Assessment (ESA) is to identify and define Recognized Environmental Conditions (REC) with respect to a range of contaminants within the scope of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) and petroleum products. The Phase I ESA is designed to satisfy one of the requirements to qualify for the innocent landowners defense against CERCLA liability which constitute “All Appropriate Inquiry” (AAI) in to the previous ownership and uses of the real estate or property consistent with good commercial or customary practices” as defined in 42 USC § 9601(35) (B).

This study has been designed to permit the user to satisfy one of the requirements for landowner liability protections (CERCLA liability) and satisfies the All Appropriate Inquiry rule as defined by ASTM 1527-05.

4.8 Other

No additional information provided to us by other people who may have an environmental-related knowledge of the site.

## **5.0 RECORDS REVIEW**

### 5.1 Standard Environmental Record Sources

Standard Environmental Record Sources were provided by TelALL Corporation and are included in **Appendix 16.5.a**.

### 5.2 Additional Environmental Record Sources

A review of Oil and Gas lease data obtained from the RRC review search was performed to examine the possibility of any drilling activities on the site and surrounding. Based on 1/2 radius mile review of Oil and Gas review shown in **Appendix 16.5.b**. One dry hole outside the specified radius search located on the southwest area was noted. No additional information gathered on this search.

### 5.3 Physical Setting Source(s)

The Physical Setting Source is based on current USGS 7.5-minute Topographic Map (**Appendix 16.4.c**). It shows the site and surrounding areas are relatively flat with an approximate surface elevation of 10 feet above the mean sea level. The surface gradient in the general vicinity of the area is observed to be gradual and interpreted to be generally directed in the south direction toward the existing concrete canal south of the property along Rankin Road.

Review of the Geologic Atlas of Texas-Houston Sheet, indicates that the uppermost geologic formation underlying the soils at the referenced project falls within the region of the Beaumont Formation.

The Beaumont Formation consists of clay, silt, and sand; includes mainly stream channel, point bar, natural levee, back swamp, and to a lesser extent coastal marsh and mud-flat deposits; concretions of calcium carbonate, iron oxide, and iron manganese oxides in zone of weathering. The surface is almost featureless characterized by relict river channels shown by meander patterns and pimple mounds on meander belt ridges, separated by areas of low, relatively smooth, featureless back swamp deposits without pimple mounds with thickness to 100 feet. The area is predominantly clay of low permeability, high water holding capacity, high compressibility, high shrink swell potential, poor drainage, level to depressed relief, low shear strength, and high plasticity. The geologic units include inter-distributary's mud, abandoned channel-fill mud, and over bank fluvial mud.

### 5.4 Historical Use Information on the Property

No historical use information on the property gathered.

### 5.5 Historical Use Information on Adjoining Properties

No historical use information on the adjoining properties was available.

## **6.0 SITE RECONNAISSANCE**

### 6.1 Methodology and Limiting Conditions

The site is a 20.1190 acres tract of vacant land. A survey map was provided to us by our client and helps define the approximate boundaries of the property. Site photographs depicting the boundaries and adjoining properties are presented in **Appendix 16.3**. The property was

backfilled to approximately 6 feet. The property is bounded by Taylor Bayou on the north and east sides. The site is readily accessible on the west along Hwy 146 and on the south along McCabe Road.

#### 6.2 General Site Setting

The general site area is situated on the northeast corner of Hwy 146 & McCabe Road in LaPorte, Harris County, Texas. The surrounding land area as depicted in the aerial maps shows east and northeast are residential and the Bay Forest Country Club/Bay Forest Golf Course Ponds, on south is heavily wooded. On the north across Taylor Bayou is vacant. West side is Hwy 146 and south side is McCabe Road. The site is within a mixed residential, recreational, industrial and commercial area. As described in Flood Insurance Rate Map (FIRM) of Harris County, Texas, the general site setting is within Zone X to Zone AE Harris County Incorporated Areas located approximately 1 ½ mile north of Shoreacres, Texas along Texas Highway 146.

#### 6.3 Exterior Observations.

No buildings were present.

#### 6.4 Interior Observations

No buildings were present.

### **7.0 INTERVIEWS**

No interview was conducted at the time of our site visit. An environmental user questionnaire form was forwarded to our client. Telephone interviews were conducted on January 13 to Mr. Paul Richardson, the contact person of BASF Corporation of 11200 Bay Area Blvd, Pasadena. The interview was performed in conjunction to a recorded CORRACT database site with EPA IDTXD096618855. A detailed activity of this site was included on the Regulatory database **Appendix 16.5.a**. During the interview, Mr. Richardson clarifies that BASF Corporation activities were limited to be a Generator site only and were not involved in Treatment Storage Or Disposal (TSD). No other information gathered on the interview.

We were unable to contact the three (3) other CORRACT sites. The detailed activities and corrective actions were detailed in **Appendix 6.5.a**.

The information we gathered from our client did not reveal environmental related matters that might impact the property.

### **8.0 FINDINGS**

#### Regulatory Database:

A search of regulatory agency databases for environmentally regulated facilities within specified search radii was conducted for the site location. The following is a summarized list of the regulatory sites determined from a search of various public regulatory agency databases for the subject property.

Database	Acronym	Minimum Search Distance	Findings
National Priority List	NPL	1	0
Comprehensive Environmental Response, Compensation, and Liability Information System	CERCLIS	0.5	0
No Further Remedial Action Planned	NFRAP	0.5	1
Resource Conservation and Recovery Information System – Treatment Storage or Disposal	RCRA TSD	1	3
Corrective Action	CORRACT	1	4
Resource Conservation and Recovery Information System - Generators	RCRA-G	0.25	0
Emergency Response Notification System	ERNS	0.25	0
Texas Voluntary Cleanup Program	TXVCP	0.5	0
Innocent Owner/Operator Program	TXIOP	0.5	0
Texas State Superfund	TXSSF	1	0
TCEQ Solid Waste Facilities	TXLF	1	1
Unauthorized and Unpermitted Landfill Sites	LFUN	0.5	0
Leaking Underground Storage Tanks	TXLUST	0.5	1
Texas Underground Storage Tanks	TXUST	0.25	0
Texas Above Ground Storage Tanks	TXAST	0.25	3
Texas Spills List	TXSPILL	0.25	3
Brownfield	BRNFD	0.5	0
Dry Cleaners	DRYC	0.5	0
Indian Reservation Underground Storage Tanks	IRUST	0.25	0

A search of regulatory agency databases for environmentally regulated facilities within specified search radii was conducted for the site location. The details of regulatory data are presented on **Appendix 16.5.a**. The study indicated ONE (1) NFRAP site, THREE (3) RCRA TSD sites, FOUR (4) CORRACT sites, ONE (1) TXLF facility and ONE (1) TXLUST site within the applicable search radii.

ONE (1) NFRAP site (not mapped) with site Highway 146 (Baytown Tunnel), has a status: Not in the NPL

THREE (3) RCRA TSD facilities were mapped within specified search radii. One (1) RCRA TSD facility (Map No. 1) approximately 0.76 mile southwest of the property is located at 10801 Choate Road in Pasadena, belongs to Lyondell Chemical Company. The TSD activities listed – Storage Unit. According to information provided, several corrective actions (CORRACT) were implemented beginning from RFI imposition to completion of RFA and stabilization measures. Release to GW controlled determination facility does not meet definition. CMI and RFI workplan approved for this facility.

One (1) RCRA TSD facility (Map No. 3) approximately 0.83 mile west of the property is located at 12000 Bay Area Blvd, Pasadena. TSD activities – TSD Type undefined by EPA. No additional information was gathered for this facility.

One (1) RCRA TSD facility (Map No. 2) approximately 1.0 mile southwest of the property is located at 11200 Bay Area Blvd, Pasadena. TSD activities – TSD Type undefined by EPA. No additional information was gathered for this facility.

FOUR (4) CORRACT facilities were mapped within specified search radii. One (1) CORRACT facility (Map No. 1) approximately 0.76 mile southwest of the property is located at 10801 Choate Road in Pasadena belongs to Lyondell Chemical Company. As discussed earlier the implementation of corrective action was done as of this date. No additional information was gathered for this facility.

One (1) CORRACT facility (Map No. 3) approximately 0.83 mile west of the property is located at 12000 Bay Area Blvd. in Pasadena belongs to FMC Corporation. According to information provided, several corrective actions (CORRACT) were implemented beginning from RFI imposition to RFI approval. CA process is terminated due to remedial activities completed. No additional information was gathered for this facility.

One (1) CORRACT facility (Map No. 2) approximately 1.0 mile southwest of the property is located at 11200 Bay Area Blvd. in Pasadena belongs to BASF Corporation. According to information provided, several corrective actions (CORRACT) were implemented beginning from RFI imposition to RFA completion. The CA prioritization - Low CA Priority. No additional information was gathered for this facility.

One (1) CORRACT facility (Map No. 4) approximately 1.0 mile northwest of the property is located at 12801 Bay Area Blvd. in Pasadena belongs to Lubrizol Corporation. The CA prioritization - Medium CA Priority. No additional information was gathered for this facility.

ONE (1) TXLF sites (Map No. 6) approximately 0.75 mile northeast of property located at east of Bay Area Blvd, 2600 feet south of Fairmont Parkway & Bay Area intersection. The site belongs to City of La Porte Landfill. The Status shows this TXLF not constructed, permit revoked.

ONE (1) TXLUST site (Map No. 5) approximately 0.5 mile east of property located at 2823 S Broadway, La Porte belongs to John & Jerry Detailing. The subject tank release was reported on 9/22/1997. This site receive a Status : 6A – Final concurrence issued, Case Closed.

The details of Regulatory Records Documentations are presented on **Appendix 16.5.a**. No known or suspect recognized environmental conditions and or historical recognized environmental conditions.

Oil and Gas Review:

A review of Oil and Gas lease data obtained from the RRC review search was performed to examine the possibility of any drilling activities on the site and surrounding. Based on 1/2 radius mile review of Oil and Gas review shown in **Appendix 16.5.b**, One (1) Dry Well on the southwest was found outside the specified search radius. No additional information was obtained regarding this dry well.

Flood Insurance Rate Map Review:

Based on the review of Federal Emergency Management Act (FEMA) Flood Insurance Rate Maps, Panel 945 of 1150 (Map number 48201C0945L Revised on JUNE 18, 2007), the site is situated in the area of ZONE “AE”. Floodway ZONE “AE” depicted the floodway is the channel of a stream plus any adjacent floodplain areas that must be kept free of encroachment so that the 1% annual chance flood can be carried without substantial increases in flood heights. The Flood Insurance Rate Map (FIRM) panel for the subject site based on FEMA map is presented in **Appendix 16.4.b**

## **9.0 OPINION**

Based on the evaluation of environmentally regulated facilities within the specified search radii conducted for the site location, QC Laboratories is of the professional opinion that the subject property has a low risk for potential contamination from offsite facilities. No further testing is recommended.

## **10.0 CONCLUSION**

We have performed a Phase I Environmental Site Assessment in conformance with scope and limitations of ASTM E 1527-05 for the 20.1190-acre tract. Based upon our site and area reconnaissance, review of the available information obtained specific to this project site area, site geology, current topography, communications with various parties, surface water runoff, information revealed from historical aerial photographs and regulatory databases, QC Laboratories is of the professional opinion that no recognized environmental conditions (REC) were noted. No further testing is recommended.

## **11.0 DEVIATIONS**

No deviation was noted.

## **12.0 ADDITIONAL SERVICES**

No additional testing or services was offered on this Phase I ESA report.

## **13.0 REFERENCES**

1. Texas Department of Water Resources. 1985, Digital Models for Simulation of Groundwater Hydrology of the Chicot and Evangeline Aquifers Along the Gulf Coast of Texas: Texas Department of Water Resources Report 289, Austin. pp 101, Illus.
2. U.S. Geological Survey, 7.5-Minute Series, Texas Topographic Maps: U.S. Geological Survey, Department of the Interior.
3. University of Texas Austin, Bureau of Economic Geology. 1982, Geologic Atlas of Texas: Houston Sheet, University of Texas in, Austin.
4. Rail Road Commission of Texas in, Austin, Texas; Oil and Gas database records.
5. Federal Emergency Management Act, FIRM Maps, Harris County.

## **14.0 SIGNATURES OF ENVIRONMENTAL PROFESSIONALS**

## **15.0 QUALIFICATIONS ON ENVIRONMENTAL PROFESSIONALS** - Appendix 16.8

## **16.0 APPENDICES**

- 16.1 Site Vicinity Map
- 16.2 Site Survey Plan
- 16.3 Site Photographs
  
- 16.4 Historical Research Documentation
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- 16.5 Regulatory Records Documentation and Oil & Gas Review
  - 16.5.a Environmental Data Search - by TelALL Corporation
  - 16.5.b Oil & Gas Review – RRC ½ Mile Review Search
- 16.6 Interview Documentation
- 16.7 Special contractual Conditions between User and Environmental Professional
- 16.8 Qualifications of the Environmental Professionals