

Appendix A: Applicant Certification Clause

The applicant represents and certifies that it has used due diligence to determine that the description of the project site described herein is accurate with respect to the presence or absence of contamination from toxic and hazardous substances. The term "site" includes the entire scope of the project, including future phases of the project and all areas where construction will occur.

1. Is the site currently, or has it in the past 50 years, been used for any of the following operations or activities:
 - a. Generation of hazardous substances or waste?
 Yes No
 - b. Treatment, storage (temporary or permanent), or disposal of solid or hazardous substances or waste?
 Yes No
 - c. Storage of petroleum products?
 Yes No
 - d. Used/waste oil storage or reclamation units?
 Yes No
 - e. Research or testing laboratory?
 Yes No
 - f. Ordinance research, testing, production, use, or storage?
 Yes No
 - g. Chemical manufacturing or storage?
 Yes No
 - h. Weapons or ammunition training, use, or testing?
 Yes No
 - i. Iron works/foundry?
 Yes No
 - j. Railroad yard?
 Yes No
 - k. Industrial or manufacturing operation?
 Yes No

If any of the above operations ever occurred at the site, and if appropriate cleanup or other mitigation actions were performed in accordance with the local, State, and federal laws, please attach documentation of these actions.

2. Do wells draw from an underlying aquifer to provide the local domestic water supply?
 Yes No
3. Has a federal, State, or local regulatory authority ever conducted an environmental assessment, environmental impact statement, or a preliminary assessment/site inspection, or similar environmental surveyor inspection report at the site? If yes, please list here and attach copies of these reports or results.

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_____ Yes X No

4. Have any environmental or OSHA citations or notices of violation been issued to a facility at the site? If yes, please attach copies.

_____ Yes X No

5. Have any unauthorized releases of hazardous substances occurred at any facility at the site which resulted in notification of the EPA's National Response Center?

_____ Yes X No

6. Is any material containing asbestos or lead paint located at the site? If yes, please attach information concerning State and federal regulatory compliance.

_____ Yes X No

7. Is there any equipment (electrical transformers, etc.) containing polychlorinated biphenyls (PCB) on the site? If yes, please attach a description of the equipment.

_____ Yes X No

8. Are there underground or above ground storage tanks on the site? If yes, please attach a detailed description, including the number of underground storage tanks on the site, whether the tanks have been inspected (or removed) and the results of such inspections.

X Yes _____ No (See attached page for Item 8 details.)

9. Has the site been tested for radon? If yes, please attach results.

_____ Yes X No

10. Have there been, or are there now any environmental investigations by federal, State or local government agencies that could affect the site in question? If yes, please attach available information.

_____ Yes X No

The applicant acknowledges that this certification regarding hazardous substances and/or waste is a material representation of fact upon which EDA relies when making and executing an award. EDA reserves the right to terminate any award made in conjunction with the representations contained herein if, at any time during the useful life of the project, EDA becomes aware of the presence of hazardous materials or waste at the site, or that hazardous materials or waste have been inappropriately handled thereon.

Further, if it is determined at any time that the presence of hazardous materials or waste, or handling thereof, has been misrepresented, EDA may pursue other available legal remedies against the applicant.

El Paso County

Applicant's Name

Hon. Ricardo A. Samaniego, El Paso County Judge

Name and Title of Authorized Representative

Signature of Authorized Representative

June 22, 2020

Date

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Item 8 Details

(1 ONLY)

Dimensions:

64" Diameter x 144" Long

Capacity:

2,000 GALLON

Other:

ABOVE GROUND

STEEL CONSTRUCTED

Manufacturer:

KOHLAAS TANK CO, EL PASO TX.