

APPENDIX E  
AGENCY CORRESPONDENCE

## Ramer, Jean L

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**From:** Jon Eagle <j.eagle@standingrock.org>  
**Sent:** Tuesday, February 20, 2024 3:14 PM  
**To:** Ramer, Jean L  
**Cc:** Korosec, Gregory - RD, National Office; Tyrel Iron Eyes  
**Subject:** RE: SE Municipal Solar, LLC – Gering Solar Project

Good afternoon,

Thank you for the notice. We will defer to tribes closer to the project area.

Jon Eagle Sr.,  
Tribal Historic Preservation Officer  
Standing Rock Sioux Tribe

“Tokata wicoicage ki hena wacinniyapi”

(701) 854-8645

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**From:** Ramer, Jean L [mailto:Jean.Ramer@terracon.com]  
**Sent:** Tuesday, February 20, 2024 2:57 PM  
**To:** Jon Eagle <j.eagle@standingrock.org>  
**Cc:** Korosec, Gregory - RD, National Office <Gregory.Korosec@usda.gov>  
**Subject:** SE Municipal Solar, LLC – Gering Solar Project

Dear THPO Eagle,  
Please review the attached finding letter (no historic properties affected) for the subject project. If you have comments, please provide them by March 22, 2024 to:

Greg Korosec  
Cultural Resources Specialist  
USDA – RUS  
[Gregory.korosec@usda.gov](mailto:Gregory.korosec@usda.gov)

Thank you!

Jean Ramer  
Senior Scientist



15080 A Circle | Omaha, NE 68144  
D (402) 384-7046 | F (402) 330-7606 | M (406) 830-7621  
[jean.ramer@terracon.com](mailto:jean.ramer@terracon.com) | [Terracon.com](http://Terracon.com)

Terracon provides environmental, facilities, geotechnical, and materials consulting engineering services delivered with responsiveness, resourcefulness, and reliability.

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*Private and confidential as detailed here ([www.terracon.com/disclaimer](http://www.terracon.com/disclaimer)). If you cannot access the hyperlink, please e-mail sender.*



2/20/2024

Rural Development  
Rural Utilities Service  
1400 Independence  
Ave SW, Room 2230  
Stop 1570,  
Washington, DC,  
20250  
Voice 202.695.2540  
Fax 202.690.0649

Durell Cooper Chairman  
Apache Tribe of Oklahoma  
511 East Colorado  
Anadarko, OK 73005

This finding letter was sent  
to all tribes on the TDAT list  
for Scotts Bluff County, NE

Subject: USDA RD RUS Staff THPO Finding of No Historic Properties Affected  
SE Municipal Solar, LLC – Gering Solar Project  
Gering, Nebraska

Dear Chairman Cooper:

SE Municipal Solar, LLC is seeking financial assistance from the USDA Rural Development (RD), Rural Utilities Service (RUS) under its Powering Affordable Clean Energy Program (PACE) for SE Municipal Solar, LLC. This Project will not be using the NPA.<sup>1</sup>

Project Description: The project(s) involve installation of a 4,700 kW DC ground mounted solar array. The array will be placed generally as shown on the attached site layout. These are estimates and the module placements may vary inside the general layout area. In many cases the potential layout area is larger than the actual array will be. The layout area has generally been previously used for agricultural activities including crop and hay production. Each array will have driven posts for mounting of the racking with cross pieces for the actual module installation. The posts for racking will be in rows with the posts generally 8-10 feet apart and 4-6 feet deep, posts are generally 3 inches in diameter. Each row of racking will be connected by a trench along the edge of the array, the trench will extend to the location of the meter(s) and transformer(s) where the city or village will take control of the energy generated. There will be a cement pad installed to support the transformer(s) and meter(s). The cement pad will be 6 inches thick and of sufficient size to support the equipment. The trench will be 18-24 inches deep and 12 inches wide along the edge of the array, with the trench extending to the transformer(s)/meter(s). The ground disturbance will also include areas for equipment and materials staging as well as vehicle access and parking.

Project purpose: Installation of solar arrays to generate energy to offset a portion of the municipality usage currently supplied by the utility serving the community.

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<sup>1</sup> *Nationwide Programmatic Agreement among the U.S. Department of Agriculture Rural Development Programs, National Conference of State Historic Preservation Officers, Tribal Signatories, and The Advisory Council on Historic Preservation for Sequencing Section 106 (NPA).*

Project Need: The municipality is trying to control their utility costs. This project will allow the community to lower their overall costs which will benefit the community residents. The array will also contribute to a reduction in fossil fuel usage.

If RUS elects to fund the Project, it will become an undertaking subject to review under Section 106 of the National Historic Preservation Act, 54 U.S.C. 306108, and its implementing regulations, 36 CFR Part 800.

RUS defines the area of potential effect (APE), as an area that includes all Project construction and excavation activity required to construct, modify, improve, or maintain any facilities; any right-of-way or easement areas necessary for the construction, operation, and maintenance of the Project; all areas used for excavation of borrow material and habitat creation; all construction staging areas, access routes, utilities, spoil areas, and stockpiling areas. Impacts that come from the undertaking at the same time and place with no intervening causes, are considered “direct” regardless of its specific type (e.g., whether it is visual, physical, auditory, etc.). “Indirect” effects to historic properties are those caused by the undertaking that are later in time or farther removed in distance but are still reasonably foreseeable.

The APE for the referenced project consists of the project footprint including areas for equipment staging, parking, and access. Additionally, The APE does not include any federal and/or tribal lands as defined pursuant to 36 CFR § 800.16(x).

On 5/6/2022 the following Indian tribes were notified about the SE Municipal Solar, LLC: Apache Tribe of Oklahoma; Cheyenne River Sioux Tribe of the Cheyenne River Reservation, South Dakota; Cheyenne and Arapaho Tribes, Oklahoma; Comanche Nation, Oklahoma; Crow Creek Sioux Tribe of the Crow Creek Reservation, South Dakota; Lower Brule Sioux Tribe of the Lower Brule Reservation, South Dakota; Northern Arapaho Tribe of the Wind River Reservation, Wyoming; Northern Cheyenne Tribe of the Northern Cheyenne Indian Reservation, Montana; Oglala Sioux Tribe; Rosebud Sioux Tribe of the Rosebud Indian Reservation, South Dakota; Santee Sioux Nation, Nebraska; and Standing Rock Sioux Tribe of North & South Dakota. One response was received from the Crow Creek Sioux Tribe of the Crow Creek Reservation, noting they had no objections to the project.

The enclosed document titled, SHPO Nebraska email describes the results of a file search of the area of potential effects (APE). The file search found no archaeological sites or standing structures documented in the project area. Based on the findings of the file search, a finding of no historic properties affected in accordance with 36 CFR § 800.4(d)(1) is appropriate for the referenced project.

Accordingly, the RUS is submitting a finding of no historic properties affected in accordance with 36 CFR § 800.4(d)(1) and supporting documentation for review and consideration by the Apache Tribe of Oklahoma. Please provide your concurrence or objection, **electronically** within

30 days of your receipt of this recommended finding. In accordance with 36 CFR § 800.3(c)(4), RUS will proceed to the next step in review if we do not receive a response from you within 30 days. Please direct any questions you may have to Greg Korosec, the RUS reviewer assigned to this project ([gregory.korosec@USDA.gov](mailto:gregory.korosec@USDA.gov); 202-209-2229).

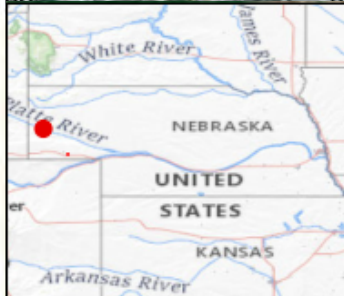
Sincerely,

A handwritten signature in black ink, appearing to read "Greg Korosec", written in a cursive style.

Greg Korosec  
Cultural Resource Specialist  
RUS

Enclosure(s)

Project Map  
Site Layout  
SHPO File Search Results



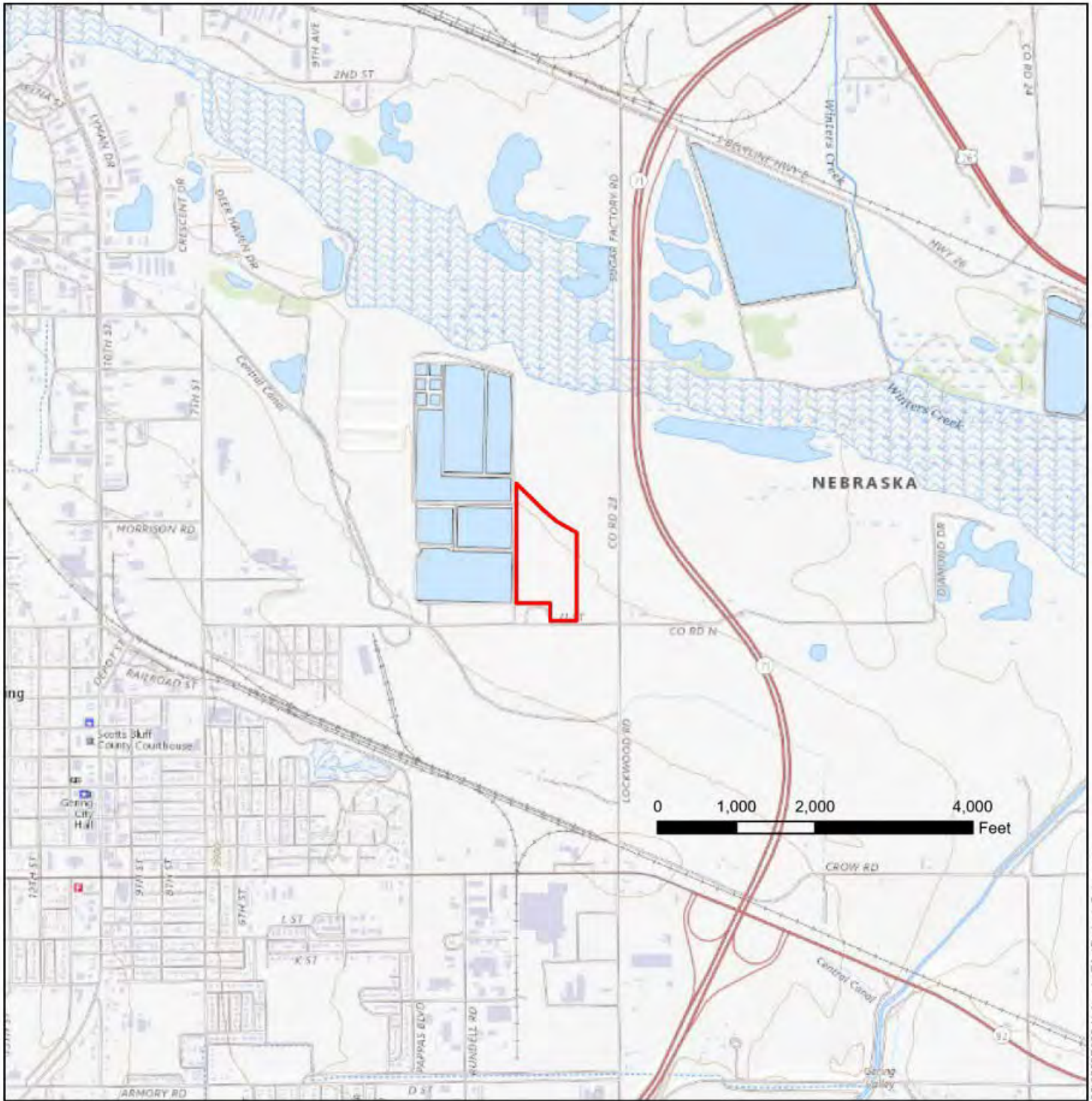
**Legend**

Gering\_2-27-23\_Polygon

DATA SOURCES:  
 ESRI WMS - World Aerial Imagery, OpenStreetMap  
 USGS National Hydrology Dataset

<b>Vicinity Map</b>
SE Municipal Solar, LLC Gering Proposed Solar Project Gering, Scotts Bluff County, NE Center 103.6408°W 41.8391°N

<b>Exhibit</b>
<b>1.0</b>



**Legend**



DATA SOURCES:  
ESRI WMS - World Aerial Imagery, OpenStreetMap

Project No.:
Date: Feb 2023
Drawn By:
Reviewed By:



2501 East Loop 820 North  
Fort Worth, Texas 76118  
PH. (817) 268-8600      terracon.com

<b>USGS Topographic Map</b>
Center 103.6396°W 41.833°N

<b>Exhibit</b>
<b>2.0</b>



E  
 NCRETE LIGHT POLE BASE  
 SIGN  
 /ERT GRATE  
 )

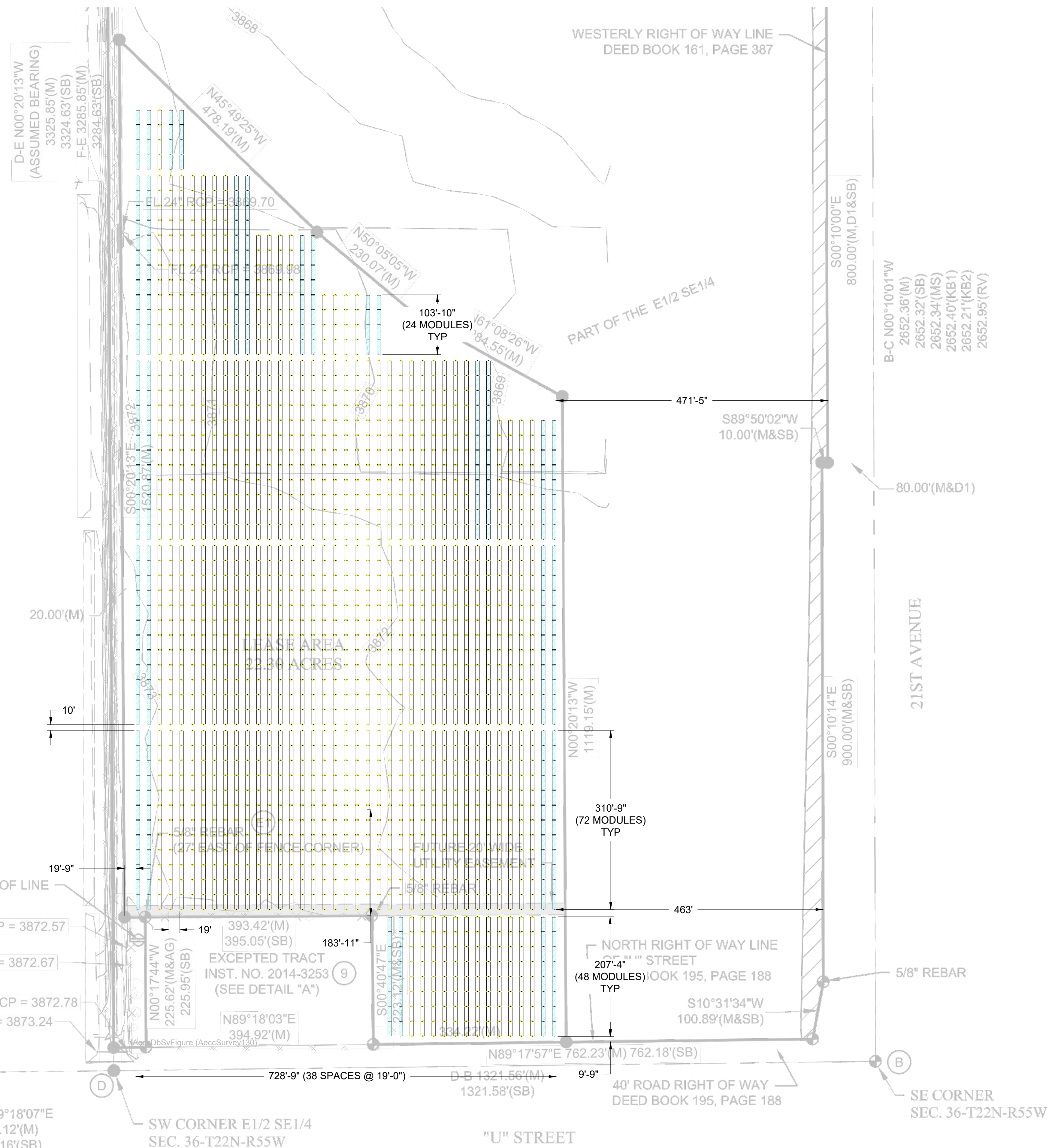
E (1' ABOVE GROUND)  
 (3.5' ABOVE GROUND)  
 E CORNER OF A CONCRETE HEADWALL  
 F A POWER POLE (1.5' ABOVE GROUND)  
 )

3OERTZEN LS 704" SET ON TOP OF A GUARD RAIL POST  
 3OERTZEN LS 704" SET ON TOP OF A GUARD RAIL POST  
 3OERTZEN LS 704" SET ON TOP OF A GUARD RAIL POST  
 3OERTZEN LS 704" SET ON TOP OF A GUARD RAIL POST

AD

USH WITH ASPHALT, MIDWAY AND ON LINE BETWEEN  
 ER FENCE POST  
 3OERTZEN LS 704" SET IN THE SW FACE OF A BRACE

OF A 15" RCP  
 OWER POLE (2' ABOVE GROUND)

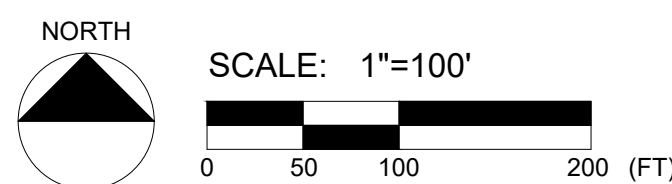


**GENERAL NOTES:**

- THESE DRAWINGS SHOW THE REQUIRED LOCATION OF VALMONT TRJ COMPONENTS FOR THIS PROJECT. THE LAYOUT IS BASED ON EXISTING CONDITION INFORMATION PROVIDED TO VALMONT BY THE CUSTOMER AND HAS NOT BEEN VERIFIED BY VALMONT. VERIFY KEY DIMENSIONS AND EXISTING CONDITIONS IN THE FIELD PRIOR TO BEGINNING INSTALLATION.
- OBTAIN VALMONT APPROVAL BEFORE MODIFYING THE LAYOUT SHOWN, OR RELOCATING, OMITTING, OR MODIFYING ANY VALMONT COMPONENT.
- THE VALMONT TRACKER CAN FOLLOW A MAXIMUM ALLOWABLE GRADE OF 7% IN N-S DIRECTION. SLOPES GREATER THAN 7% MUST BE GRADED TO 7% MAXIMUM.

**PROJECT SPECIFICATIONS**

SYSTEM SIZE MW DC	4.78032
MODULE	FIRST SOLAR SERIES 6 460W
MODULE QTY	10392
MODULES/STRING	24
ROW SPACING	19'-0"
GCR	35%
MODULES PER TRACKER	24, 48, 72
QTY 24 MODULE TABLES	11
QTY 48 MODULE TABLES	28
QTY 72 MODULE TABLES	122



Issue	Date	Drawn By	Checked By	Engineer's Stamp
PR-1 PRELIMINARY LAYOUT	10/11/22	SS		<b>PRELIMINARY - NOT FOR CONSTRUCTION</b>
PR-2 PRELIMINARY LAYOUT	10/12/22	CL		
PR-3 ADD GRADE ANALYSIS SHEET	11/16/22	SS		
PR-4 PRELIMINARY LAYOUT - FULL SITE	11/16/22	CL		
PR-5 PRELIMINARY LAYOUT - FULL SITE V2	11/17/22	CL		
PR-6 PRELIMINARY LAYOUT - FULL SITE V3 (4.78 MW)	11/22/22	CL		

PRELIMINARY - NOT FOR CONSTRUCTION

valmont

SOLAR

VALMONT CORPORATION  
 28800 Ida Street  
 Valley, NE 68064  
 (T) 402-963-1000  
 www.valmont.com

Customer	SANDHILL
Project	GERING SOLAR
Location	U STREET AND 21ST AVENUE GERING, NE

Sheet Title	PROPOSAL LAYOUT
Issue	PR-6
Sheet Number	REF 1

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**Gering USDA RD solar project**

1 message

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**Swigart, John** <John.Swigart@nebraska.gov>  
To: Brad Oeltjenbruns <brad.oeltjenbruns@gmail.com>

Tue, Jan 30, 2024 at 4:04 PM

Hi Brad,

I found the kmz for the project and there are no documented archeological sites of concern in the area. There are two 'sites' about a quarter of a mile to the west, a canal and a transmission line, but neither of these should have been recorded as archeological sites. There have been a couple of transmission line archeological surveys just south of the project area but that's it. There are no standing structures documented in the project area. Please let me know if you would like additional information.

John

**John Swigart**

GIS Specialist



-  
5050 N 32<sup>nd</sup> Street  
Lincoln, Nebraska 68504

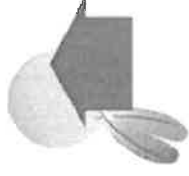
t. 402-560-0574 | f. 402-471-3100  
[john.swigart@nebraska.gov](mailto:john.swigart@nebraska.gov) | [history.nebraska.gov](http://history.nebraska.gov)

Preserving the Past. Building the Future





# Tribal Directory Assessment Information



Download Excel

## Contact Information for Tribes with Interests in Scotts Bluff County, Nebraska

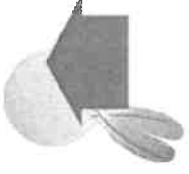
Tribal Name	County Name
+ Apache Tribe of Oklahoma	Scotts Bluff
+ Cheyenne River Sioux Tribe of the Cheyenne River Reservation, South Dakota	Scotts Bluff
+ Cheyenne and Arapaho Tribes, Oklahoma	Scotts Bluff
+ Comanche Nation, Oklahoma	Scotts Bluff
+ Crow Creek Sioux Tribe of the Crow Creek Reservation, South Dakota	Scotts Bluff
+ Lower Brule Sioux Tribe of the Lower Brule Reservation, South Dakota	Scotts Bluff
+ Northern Arapaho Tribe of the Wind River Reservation, Wyoming	Scotts Bluff
+ Northern Cheyenne Tribe of the Northern Cheyenne Indian Reservation, Montana	Scotts Bluff
+ Oglala Sioux Tribe	Scotts Bluff
+ Rosebud Sioux Tribe of the Rosebud Indian Reservation, South Dakota	Scotts Bluff

1 - 10 of 12 results

Download Excel



# Tribal Directory Assessment Information



Download Excel

## Contact Information for Tribes with Interests in Scotts Bluff County, Nebraska

Tribal Name	County Name
+ Santee Sioux Nation, Nebraska	Scotts Bluff
+ Standing Rock Sioux Tribe of North & South Dakota	Scotts Bluff

11 - 12 of 12 results

« < 1 2 > » 10 ▾

Download Excel



# Tribal Directory Assessment Information



## Contact Information for Tribes with Interests in Scotts Bluff County, Nebraska

Tribal Name		County Name				
Contact Name	Title	Mailing Address	Work Phone	Fax Number	Email Address	URL
<b>Apache Tribe of Oklahoma</b>						
Bobby Komardley	Chairman	PO Box 1330, Anadarko, OK - 73005	(405) 247-9493	(405) 247-2763	bkomardley@outlook. com	http://www.apachetrib e.org/
Durrell Cooper	Chairman	511 East Colorado, Anadarko, OK - 73005	(405) 247-9493	(405) 247-2763	durrell.cooper@apach etribe.org	Deliv failed mailbox full 2/20/24
<b>Cheyenne River Sioux Tribe of the Cheyenne River Reservation, South Dakota</b>						
<b>Scotts Bluff</b>						
Contact Name	Title	Mailing Address	Work Phone	Fax Number	Email Address	URL
Ryman Lebeau	Chairman	P.O. Box 590 (24 E. Street), Eagle Butte, SD - 57625	(605) 964-4155	(605) 964-4151		www.sioux.org
Steven Vance	THPO	PO Box 590, Eagle Butte, SD - 57625	(605) 964-7554	(605) 964-7552	Deliv failed mail- box full stevev.crstpres@outlo ok.com	www.sioux.org
<b>Cheyenne and Arapaho Tribes, Oklahoma</b>						
<b>Scotts Bluff</b>						
Contact Name	Title	Mailing Address	Work Phone	Fax Number	Email Address	URL
Reggie Wassana	Governor	100 Red Moon Circle, Concho, OK - 73022	(800) 247-4612	(405) 422-8224	rwassana@c-a- tribes.org	www.c-a-tribes.org
Max Bear	THPO	700 Black Kettle Blvd, Concho, OK - 73022	405-422-7714	405-422-7715	mbear@cheyenneand arapaho-nsn.gov	www.c-a-tribes.org
<b>Comanche Nation, Oklahoma</b>						
<b>Scotts Bluff</b>						

Contact Name	Title	Mailing Address	Work Phone	Fax Number	URL
Martina Minthorn	THPO	6 Sw, Lawton, OK - 73502	580-595-9618	580-595-9733	<span style="border: 1px solid red; padding: 2px;">deliv failed 2/20/24</span> martina.minthorn@comanchenation.com
Mark Woommavovah	Chairman	584 Nw Bingo Road, Lawton, OK - 73507	(580) 492-4988	(580) 492-3796	mark.woommavovah@comanchenation.com
<b>Crow Creek Sioux Tribe of the Crow Creek Reservation, South Dakota</b>					
<b>Scotts Bluff</b>					
Contact Name	Title	Mailing Address	Work Phone	Fax Number	URL
Merle Marks	THPO	P.O. Box 50, Fort Thompson, SD - 57339	605-245-2221	605-245-2470	cchistory@midstatesconnections.net
Peter Lengkeek	Chairman	100 Drifting Goose Street, Fort Thompson, SD - 57339	(605) 245-2221	(605) 245-2470	http://www.crowcreekconnections.org/
<b>Lower Brule Sioux Tribe of the Lower Brule Reservation, South Dakota</b>					
<b>Scotts Bluff</b>					
Contact Name	Title	Mailing Address	Work Phone	Fax Number	URL
Clyde Estes	Chairman	187 Oyate Circle, Lower Brule, SD - 57548	(605) 473-5561	(605) 473-5606	chairman@lbst.org http://www.lbst.org/
<b>Northern Arapaho Tribe of the Wind River Reservation, Wyoming</b>					
<b>Scotts Bluff</b>					
Contact Name	Title	Mailing Address	Work Phone	Fax Number	URL
Ben Ridgley	THPO	PO Box 67, St. Stevens, WY - 82524	(307) 851-1254	(307) 856-4611	benridgley007@gmail.com http://www.northernarapaho.com/
Lee Spoonhunter	Chairperson	PO Box 396, Fort Washakie, WY - 82514-0396	(307) 332-6120	(307) 332-7543	lee.spoonhunter@northernarapaho.com http://www.northernarapaho.com/
<b>Northern Cheyenne Tribe of the Northern Cheyenne Indian Reservation, Montana</b>					
<b>Scotts Bluff</b>					

Contact Name	Title	Mailing Address	Work Phone	Fax Number	Email Address	URL
Serena Wetherelt	Vice-President	600 Cheyenne Avenue South, Lame Deer, MT - 59043	(406) 477-6284	(406) 477-6210	serena.wetherelt@cheyennation.com	www.cheyennation.com
Teanna Limpy	THPO	P.O. Box 128, Lame Deer, MT - 59043	(406) 477-4839	(406) 477-6388	teanna.limpy@cheyennation.com	www.cheyennation.com
Oglala Sioux Tribe Scotts Bluff						
Contact Name	Title	Mailing Address	Work Phone	Fax Number	Email Address	URL
Frank Star Comes Out	President	Highway 18 Main Street, Pine Ridge, SD - 57770	(605) 867-5821	(605) 867-6076		https://www.oglalalakanation.info/
Justin Pourier	Acting THPO	320 Pineridge, Kyle, SD - 57752	605.441.6922	605-867-2818	j.pourier@oglala.org	
Rosebud Sioux Tribe of the Rosebud Indian Reservation, South Dakota Scotts Bluff						
Contact Name	Title	Mailing Address	Work Phone	Fax Number	Email Address	URL
Scott O. Herman	President	11 Legion Avenue, Rosebud, SD - 57570	(605) 747-2381	(605) 747-2905		http://www.rosebudsiouxtribe-nsn.gov
ione Quigley	THPO	P.O. Box 750, Rosebud, SD - 57570	(605) 747-4255	(605) 747-4211	ione.quigley@rst-nsn.gov	http://www.rosebudsiouxtribe-nsn.gov



# Tribal Directory Assessment Information



## Contact Information for Tribes with Interests in Scotts Bluff County, Nebraska

Tribal Name		County Name				
Contact Name	Title	Mailing Address	Work Phone	Fax Number	Email Address	URL
Santee Sioux Nation, Nebraska						
Scotts Bluff						
Alonzo Denney	Chairman	108 Spirit Lake Avenue West, Niobrara, NE - 68760-7219	(402) 857-2772	(402) 857-2779	alonzo.denney@ssndakota.com	http://santeesiouxnati.on.net/index.html
Misty Frazier	THPO	425 Frazier Ave. N. Suite 2, Niobrara, NE - 68760	(402) 857-3568	(402) 857-2779	ssn.thpo@gmail.com	http://santeesiouxnati.on.net/index.html
- Standing Rock Sioux Tribe of North & South Dakota						
Scotts Bluff						
Contact Name	Title	Mailing Address	Work Phone	Fax Number	Email Address	URL
Janet Alkire	Chairperson	North Standing Rock Avenue Building 1, Fort Yates, ND - 58538	(701) 854-8500	(701) 854-8595		http://www.standingrock.org
Jon Eagle	THPO	P.O. Box D, Fort Yates, ND - 58538	(701) 854-8645	(701) 854-2138	j.eagle@standingrock.org	http://www.standingrock.org





Preserving the past. Building the future.

5/20/2022

Brad Oeltjenbruns  
Ebenezer Mgmt, LLC  
VIA EMAIL

RE: HP# 2205-094-01; USDA-RD, Rural Utility Service Applicant SHPO Section 106 Initiation, Municipal Solar Project, Gering, Scotts Bluff County, NE

Mr. Oeltjenbruns:

Thank you for submitting the proposal for the above referenced project for Nebraska State Historic Preservation Office (NeSHPO) review and comment. Our comment on this project and its potential to affect historic properties is required by Section 106 of the National Historic Preservation Act of 1966, as amended, and implementing regulations 36 CFR Part 800.

According on the information provided, the proposed undertaking is unlikely to affect any cultural resources listed on the National Register of Historic Places or eligible for such a listing. Therefore, a determination that there will be **no historic properties affected** is appropriate for this undertaking, and the project should proceed as planned. Should any changes in this project be made, please notify this office of the changes before further project planning continues.

However, because the project occurs within areas that have not been evaluated by professional archeologists, there is the possibility that buried or otherwise obscured cultural or human remains may be discovered during the undertaking. If any such discovery is made, please contact this office immediately for further instruction.

Be advised that this determination does not necessarily reflect the opinion of Native American Tribes who may have an interest in the area, nor does it pertain to Traditional Cultural Properties, if they exist in the area.

Please retain this correspondence and your documented finding in order to show compliance with Section 106 of the National Historic Preservation Act, as amended. Submit this letter to the project's lead federal agency to fulfill the statutory obligation of Section 106 consultation with the NeSHPO. If you have any questions, please contact me at [john.swigart@nebraska.gov](mailto:john.swigart@nebraska.gov) or 402-560-0574.

Sincerely,

A handwritten signature in black ink, appearing to read 'J. Swigart', written over a white background.

John Swigart  
Preservation Archeologist

1500 R Street  
Lincoln, NE 68508-1651  
P: 402.471.3270  
P: 800.833.6747  
F: 402.471.3100  
[history.nebraska.gov](http://history.nebraska.gov)

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## Municipal Solar project

2 messages

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**cchistory@midstatesd.net** <cchistory@midstatesd.net>  
To: brad.oeltjenbruns@gmail.com

Tue, May 24, 2022 at 9:02 AM

The Crow Creek Sioux Tribe THPO has reviewed the proposed solar array project, the CCST has no concerns or objections with the project, any inadvertent discoveries during construction should be reported to the CCST-THPO

Thank you  
Merle Marks  
Crow Creek Sioux Tribe  
THPO - Director  
605.245.2221

---

**Brad Oeltjenbruns** <brad.oeltjenbruns@gmail.com>  
To: "cchistory@midstatesd.net" <cchistory@midstatesd.net>

Wed, May 25, 2022 at 4:59 PM

Thank you!  
Will do.  
BJO  
[Quoted text hidden]

Letter to NRCS requesting  
evaluation of the AD 1006.

**From:** [Brad and Lori](#)  
**To:** ["Villarreal, Carlos - NRCS, Lincoln, NE"](#)  
**Subject:** RE: Farmland Conversion Impact Ratings  
**Date:** Thursday, June 9, 2022 11:49:00 AM  
**Attachments:** [20220602\\_16213904932\\_16\\_Farmland\\_Classification-Alliance.pdf](#)  
[image001.png](#)  
[20220602\\_13152101186\\_20\\_Farmland\\_Classification-Ansley.pdf](#)  
[20220602\\_13261301723\\_1\\_Farmland\\_Classification-Create.pdf](#)  
[20220602\\_13313801400\\_1\\_Farmland\\_Classification-Curtis.pdf](#)  
[20220602\\_16383404215\\_20\\_Farmland\\_Classification-Gering.pdf](#)  
[20220602\\_15160503704\\_18\\_Farmland\\_Classification-Imperial.pdf](#)  
[20220602\\_15231903043\\_18\\_Farmland\\_Classification-Oxford.pdf](#)  
[20220602\\_15283303102\\_21\\_Farmland\\_Classification-Paxton.pdf](#)  
[20220602\\_15321503083\\_10\\_Farmland\\_Classification-pender.pdf](#)  
[20220602\\_15542403065\\_8\\_Farmland\\_Classification-Stuart.pdf](#)  
[20220609\\_10274910956\\_4\\_Sidney\\_Farmland\\_Classification.pdf](#)  
[Nebraska sites parcel numbers legals.docx](#)

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Carlos,  
I've attached a word document with a list of the sites and legal's.  
Also attached the farm ground classification with current area of interest.  
Let me know if you need a KMZ file or something else.  
Thanks for your help.

Brad Oeltjenbruns  
Ebenezer Management, LLC  
2516 380<sup>th</sup> Street  
Dayton, IA 50530  
515-460-0106 cell  
515-547-2251 office  
Fax: 515-547-2254

---

**From:** Petersen, Jamie - NRCS, Lincoln, NE <jamie.petersen@usda.gov>  
**Sent:** Wednesday, June 8, 2022 9:36 AM  
**To:** Brad and Lori <opeople@lvcta.com>  
**Cc:** Villarreal, Carlos - NRCS, Lincoln, NE <carlos.villarreal@usda.gov>; Lawson, Robert - NRCS, Lincoln, NE <robert.lawson@usda.gov>  
**Subject:** RE: Farmland Conversion Impact Ratings

**Good Morning Brad!**

I didn't receive any phone call nor message, but I know Rob Lawson has tasked this to Carlos Villarreal (our State Soil Scientist) and Carlos said he will get back to you today or tomorrow.

I will have Carlos reach out to you as soon as he can.

Thank you

## Jamie Petersen

USDA/NRCS NE - Executive Assistant

100 Centennial Mall North

Lincoln, NE 68508

402.437.4104

402.521.0818 – Work Cell

[jamie.petersen@usda.gov](mailto:jamie.petersen@usda.gov)



THINK GREEN!

Do you really need to print this e-mail

---

**From:** Brad and Lori <[opeople@lvcta.com](mailto:opeople@lvcta.com)>

**Sent:** Wednesday, June 8, 2022 9:03 AM

**To:** Petersen, Jamie - NRCS, Lincoln, NE <[jamie.petersen@usda.gov](mailto:jamie.petersen@usda.gov)>

**Subject** FW: Farmland Conversion Impact Ratings

Jamie,

Just left you a message. Here is the email.

Brad Oeltjenbruns

Ebenezer Management, LLC

2516 380<sup>th</sup> Street

Dayton, IA 50530

515-460-0106 cell

515-547-2251 office

Fax: 515-547-2254

---

**From:** Brad and Lori <[opeople@lvcta.com](mailto:opeople@lvcta.com)>

**Sent:** Friday, June 3, 2022 4:29 PM

**To:** 'robert.lawson@usda.gov' <[robert.lawson@usda.gov](mailto:robert.lawson@usda.gov)>

**Subject:** Farmland Conversion Impact Ratings

Mr. Lawson,

I am working on a USDA Loan for 11 solar installations in NE. We will need Farmland Conversion Impact Ratings completed on all 11 sites I believe; they are in separate counties scattered throughout the state. It was suggested by the one of the County offices I send all of the requests to you and you would divvy up as needed.

Plan on sending you the soil survey farm classification results along w/the AD 1006.  
Is this the proper way to proceed or would you prefer I send to someone else.

Thank you,

Brad Oeltjenbruns  
Ebenezer Management, LLC  
2516 380<sup>th</sup> Street  
Dayton, IA 50530  
515-460-0106 cell  
515-547-2251 office  
Fax: 515-547-2254

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Natural Resources Conservation Service  
Nebraska State Office  
Federal Building, Room 152  
100 Centennial Mall North  
Lincoln, NE 68508-3866  
(402) 437-5300

<http://www.ne.nrcs.usda.gov>

*Subject:* LNU – Farmland Protection  
Proposed Solar Project - Gering  
NEPA/FPPA Evaluation  
Scotts Bluff County, Nebraska

*Date:* June 30, 2022

*To:* Ebenezer Management LLC  
*Attn:* Brad Oeltjenbruns (opeople@lvcta.com)

*File Code:* 310

We have reviewed the information provided in your correspondence dated June 9, 2022, concerning the proposed solar project located in Scotts Bluff County, Nebraska. This review is part of the National Environmental Policy Act (NEPA) evaluation for the U.S. Department of Agriculture, Rural Development (RD). We have evaluated the proposed site as required by the Farmland Protection Policy Act (FPPA).

The proposed site contains areas of Prime Farmland and we have completed the Farmland Conversion Impact Rating form (AD-1006) for the proposed site. The combined rating of the site is 153. The FPPA law states that sites with a rating less than 160 will need no further consideration for protection and no additional evaluation is necessary. We encourage the use of accepted erosion control methods during the construction of this project.

If you have further questions, please contact Carlos Villarreal at 402.437.4105 or by email at [carlos.villarreal@usda.gov](mailto:carlos.villarreal@usda.gov) (preferred).

Sincerely,

CARLOS J. VILLARREAL  
USDA-NRCS Nebraska State Soil Scientist

Attachment: EM Solar Installation Project Gering\_NE157.pdf (AD-1006)



**FARMLAND CONVERSION IMPACT RATING**

<b>PART I</b> <i>(To be completed by Federal Agency)</i>		Date Of Land Evaluation Request			
Name of Project		Federal Agency Involved			
Proposed Land Use		County and State			
<b>PART II</b> <i>(To be completed by NRCS)</i>		Date Request Received By NRCS		Person Completing Form:	
Does the site contain Prime, Unique, Statewide or Local Important Farmland? <i>(If no, the FPPA does not apply - do not complete additional parts of this form)</i>		YES <input type="checkbox"/>	NO <input type="checkbox"/>	Acres Irrigated	Average Farm Size
Major Crop(s)	Farmable Land In Govt. Jurisdiction Acres:                      %		Amount of Farmland As Defined in FPPA Acres:                      %		
Name of Land Evaluation System Used	Name of State or Local Site Assessment System		Date Land Evaluation Returned by NRCS		
<b>PART III</b> <i>(To be completed by Federal Agency)</i>		<b>Alternative Site Rating</b>			
		Site A	Site B	Site C	Site D
A. Total Acres To Be Converted Directly					
B. Total Acres To Be Converted Indirectly					
C. Total Acres In Site					
<b>PART IV</b> <i>(To be completed by NRCS)</i> Land Evaluation Information					
A. Total Acres Prime And Unique Farmland					
B. Total Acres Statewide Important or Local Important Farmland					
C. Percentage Of Farmland in County Or Local Govt. Unit To Be Converted					
D. Percentage Of Farmland in Govt. Jurisdiction With Same Or Higher Relative Value					
<b>PART V</b> <i>(To be completed by NRCS)</i> Land Evaluation Criterion Relative Value of Farmland To Be Converted (Scale of 0 to 100 Points)					
<b>PART VI</b> <i>(To be completed by Federal Agency)</i> Site Assessment Criteria <i>(Criteria are explained in 7 CFR 658.5 b. For Corridor project use form NRCS-CPA-106)</i>		<b>Maximum Points</b>	Site A	Site B	Site C
1. Area In Non-urban Use		(15)			
2. Perimeter In Non-urban Use		(10)			
3. Percent Of Site Being Farmed		(20)			
4. Protection Provided By State and Local Government		(20)			
5. Distance From Urban Built-up Area		(15)			
6. Distance To Urban Support Services		(15)			
7. Size Of Present Farm Unit Compared To Average		(10)			
8. Creation Of Non-farmable Farmland		(10)			
9. Availability Of Farm Support Services		(5)			
10. On-Farm Investments		(20)			
11. Effects Of Conversion On Farm Support Services		(10)			
12. Compatibility With Existing Agricultural Use		(10)			
TOTAL SITE ASSESSMENT POINTS		160			
<b>PART VII</b> <i>(To be completed by Federal Agency)</i>					
Relative Value Of Farmland <i>(From Part V)</i>		100			
Total Site Assessment <i>(From Part VI above or local site assessment)</i>		160			
<b>TOTAL POINTS</b> <i>(Total of above 2 lines)</i>		260			
Site Selected:	Date Of Selection	Was A Local Site Assessment Used? YES <input type="checkbox"/> NO <input type="checkbox"/>			
Reason For Selection:					
Name of Federal agency representative completing this form:					Date:

*(See Instructions on reverse side)*

## STEPS IN THE PROCESSING THE FARMLAND AND CONVERSION IMPACT RATING FORM

- Step 1 - Federal agencies (or Federally funded projects) involved in proposed projects that may convert farmland, as defined in the Farmland Protection Policy Act (FPPA) to nonagricultural uses, will initially complete Parts I and III of the form. For Corridor type projects, the Federal agency shall use form NRCS-CPA-106 in place of form AD-1006. The Land Evaluation and Site Assessment (LESA) process may also be accessed by visiting the FPPA website, <http://fppa.nrcs.usda.gov/lesa/>.
- Step 2 - Originator (Federal Agency) will send one original copy of the form together with appropriate scaled maps indicating location(s) of project site(s), to the Natural Resources Conservation Service (NRCS) local Field Office or USDA Service Center and retain a copy for their files. (NRCS has offices in most counties in the U.S. The USDA Office Information Locator may be found at [http://offices.usda.gov/scripts/ndISAPI.dll/oip\\_public/USA\\_map](http://offices.usda.gov/scripts/ndISAPI.dll/oip_public/USA_map), or the offices can usually be found in the Phone Book under U.S. Government, Department of Agriculture. A list of field offices is available from the NRCS State Conservationist and State Office in each State.)
- Step 3 - NRCS will, within 10 working days after receipt of the completed form, make a determination as to whether the site(s) of the proposed project contains prime, unique, statewide or local important farmland. (When a site visit or land evaluation system design is needed, NRCS will respond within 30 working days.
- Step 4 - For sites where farmland covered by the FPPA will be converted by the proposed project, NRCS will complete Parts II, IV and V of the form.
- Step 5 - NRCS will return the original copy of the form to the Federal agency involved in the project, and retain a file copy for NRCS records.
- Step 6 - The Federal agency involved in the proposed project will complete Parts VI and VII of the form and return the form with the final selected site to the servicing NRCS office.
- Step 7 - The Federal agency providing financial or technical assistance to the proposed project will make a determination as to whether the proposed conversion is consistent with the FPPA.

## INSTRUCTIONS FOR COMPLETING THE FARMLAND CONVERSION IMPACT RATING FORM

*(For Federal Agency)*

**Part I:** When completing the "County and State" questions, list all the local governments that are responsible for local land use controls where site(s) are to be evaluated.

**Part III:** When completing item B (Total Acres To Be Converted Indirectly), include the following:

1. Acres not being directly converted but that would no longer be capable of being farmed after the conversion, because the conversion would restrict access to them or other major change in the ability to use the land for agriculture.
2. Acres planned to receive services from an infrastructure project as indicated in the project justification (e.g. highways, utilities planned build out capacity) that will cause a direct conversion.

**Part VI:** Do not complete Part VI using the standard format if a State or Local site assessment is used. With local and NRCS assistance, use the local Land Evaluation and Site Assessment (LESA).

1. Assign the maximum points for each site assessment criterion as shown in § 658.5(b) of CFR. In cases of corridor-type project such as transportation, power line and flood control, criteria #5 and #6 will not apply and will, be weighted zero, however, criterion #8 will be weighed a maximum of 25 points and criterion #11 a maximum of 25 points.
2. Federal agencies may assign relative weights among the 12 site assessment criteria other than those shown on the FPPA rule after submitting individual agency FPPA policy for review and comment to NRCS. In all cases where other weights are assigned, relative adjustments must be made to maintain the maximum total points at 160. For project sites where the total points equal or exceed 160, consider alternative actions, as appropriate, that could reduce adverse impacts (e.g. Alternative Sites, Modifications or Mitigation).

**Part VII:** In computing the "Total Site Assessment Points" where a State or local site assessment is used and the total maximum number of points is other than 160, convert the site assessment points to a base of 160.

Example: if the Site Assessment maximum is 200 points, and the alternative Site "A" is rated 180 points:

$$\frac{\text{Total points assigned Site A}}{\text{Maximum points possible}} = \frac{180}{200} \times 160 = 144 \text{ points for Site A}$$

For assistance in completing this form or FPPA process, contact the local NRCS Field Office or USDA Service Center.

NRCS employees, consult the FPPA Manual and/or policy for additional instructions to complete the AD-1006 form.





## United States Department of the Interior



FISH AND WILDLIFE SERVICE  
Nebraska Ecological Services Field Office  
9325 B South Alda Rd., Ste B  
Wood River, NE 68883-9565  
Phone: (308) 382-6468 Fax: (308) 384-8835

In Reply Refer To:  
Project Code: 2024-0087423  
Project Name: Gering Solar Facility

05/08/2024 15:43:04 UTC

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

### To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the IPaC website (<https://ipac.ecosphere.fws.gov/>) at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2) (c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may

affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at: <https://www.fws.gov/media/endangered-species-consultation-handbook> or at our Nebraska Field Office webpage (<https://www.fws.gov/office/nebraska-ecological-services/project-planning-and-review-under-endangered-species-act>). We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Project Consultation Code in the header of this letter (i.e., YEAR-XXXXXXX) with any request for consultation or correspondence about your project that you submit to our office.

**Migratory Birds:** In addition to responsibilities to protect threatened and endangered species under the Act, there are additional responsibilities under the Migratory Bird Treaty Act (MBTA) and the Bald and Golden Eagle Protection Act (BGEPA) to protect native birds from project-related impacts. Any activity, intentional or unintentional, resulting in take of migratory birds, including eagles, is prohibited unless otherwise permitted by the U.S. Fish and Wildlife Service (50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)). For more information regarding these Acts and permitting see <https://www.fws.gov/program/migratory-bird-permit>

The MBTA has no provision for allowing take of migratory birds that may be unintentionally killed or injured by otherwise lawful activities. It is the responsibility of the project proponent to comply with these Acts by identifying potential impacts to migratory birds and eagles within applicable NEPA documents (when there is a federal nexus) or a Bird/Eagle Conservation Plan (when there is no federal nexus). Proponents should implement conservation measures to avoid or minimize the production of project-related stressors or minimize the exposure of birds and their resources to the project-related stressors. For more information on avian stressors and recommended conservation measures see <https://www.fws.gov/birds/bird-enthusiasts/threats-to-birds.php>.

In addition to MBTA and BGEPA, Executive Order 13186: *Responsibilities of Federal Agencies to Protect Migratory Birds*, obligates all Federal agencies that engage in or authorize activities that might affect migratory birds, to minimize those effects and encourage conservation measures that will improve bird populations. Executive Order 13186 provides for the protection of both migratory birds and migratory bird habitat. For information regarding the implementation of Executive Order 13186, please visit:

<https://www.federalregister.gov/documents/2012/10/03/2012-24433/migratory-bird-conservation-executive-order-13186>

**Platte River System:** The Platte River, its tributaries, and associated wetland habitats are resources of national importance. Due to the cumulative effect of many water depletion projects

in the Platte River basin, the Service considers any direct or indirect depletion of flows from the Platte River system to be significant and will continue to further deteriorate the already stressed habitat conditions. Federal agencies must consult with the Service under section 7 of the ESA for projects in Nebraska that may lead to water depletions or have the potential to impact water quality in the Platte River system, because these actions may affect threatened and endangered species inhabiting the downstream reaches of these river systems. The federally listed species that could be impacted from Platte River water depletions include the federally endangered Whooping Crane (*Grus americana*), and Pallid Sturgeon (*Scaphirhynchus albus*); the threatened Piping Plover (*Charadrius melodus*) and Western Prairie Fringed Orchid (*Platanthera praeclara*).

In general, depletions include evaporative losses and/or consumptive use of surface or groundwater within the affected basin, often characterized as diversions minus return flows. Project elements that could be associated with depletions include, but are not limited to: borrow sites, ponds, lakes, and reservoirs (e.g., for detention, recreating, irrigation, storage, stock watering, municipal storage, and power generation); hydrostatic testing of pipelines; wells; dust abatement; diversion structures; and water treatment facilities. For more information on consultation requirements for the Platte River species, please visit <https://fws.gov/partner/platte-river-recovery-implementation-program>

**Nebraska Nongame and Endangered Species Conservation Act:** Federally listed species protected under the Endangered Species Act are also state-listed under the Nebraska statute, the Nebraska Nongame and Endangered Species Conservation Act. There may be state-listed species affected by the proposed project that are not federally listed. To determine if the proposed project may affect state-listed species, the Service recommends that the project proponent contact the Nebraska Game and Parks Commission (NGPC) Planning and Program Division located at 2200 North 33<sup>rd</sup> Street Lincoln, Nebraska 68503-0370. For more information and to request an environmental review from the NGPC, visit their Environmental Review website at <http://outdoornebraska.gov/environmentalreview/> for instructions and contact information.

Attachment(s):

- Official Species List
- USFWS National Wildlife Refuges and Fish Hatcheries
- Bald & Golden Eagles
- Migratory Birds
- Wetlands

## OFFICIAL SPECIES LIST

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

**Nebraska Ecological Services Field Office**

9325 B South Alda Rd., Ste B

Wood River, NE 68883-9565

(308) 382-6468

## PROJECT SUMMARY

Project Code: 2024-0087423

Project Name: Gering Solar Facility

Project Type: Power Gen - Solar

Project Description: The Proposed Action will include the construction and operation of a 4.78-MW DC PV solar energy power system for the City of Gering.

Project Location:

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@41.8329389,-103.63953935217607,14z>



Counties: Scotts Bluff County, Nebraska

## ENDANGERED SPECIES ACT SPECIES

There is a total of 6 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species. Note that 1 of these species should be considered only under certain conditions.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries<sup>1</sup>, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

- 
1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

**MAMMALS**

NAME	STATUS
Tricolored Bat <i>Perimyotis subflavus</i> No critical habitat has been designated for this species. This species only needs to be considered under the following conditions: <ul style="list-style-type: none"> <li>This species only needs to be considered if the project includes wind turbine operations.</li> </ul> Species profile: <a href="https://ecos.fws.gov/ecp/species/10515">https://ecos.fws.gov/ecp/species/10515</a>	Proposed Endangered

**BIRDS**

NAME	STATUS
Piping Plover <i>Charadrius melodus</i> Population: [Atlantic Coast and Northern Great Plains populations] - Wherever found, except those areas where listed as endangered. There is <b>final</b> critical habitat for this species. Your location does not overlap the critical habitat. Species profile: <a href="https://ecos.fws.gov/ecp/species/6039">https://ecos.fws.gov/ecp/species/6039</a>	Threatened
Whooping Crane <i>Grus americana</i> Population: Wherever found, except where listed as an experimental population There is <b>final</b> critical habitat for this species. Your location does not overlap the critical habitat. Species profile: <a href="https://ecos.fws.gov/ecp/species/758">https://ecos.fws.gov/ecp/species/758</a>	Endangered

**FISHES**

NAME	STATUS
Pallid Sturgeon <i>Scaphirhynchus albus</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/7162">https://ecos.fws.gov/ecp/species/7162</a>	Endangered

**INSECTS**

NAME	STATUS
Monarch Butterfly <i>Danaus plexippus</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/9743">https://ecos.fws.gov/ecp/species/9743</a>	Candidate

**FLOWERING PLANTS**

NAME	STATUS
Western Prairie Fringed Orchid <i>Platanthera praeclara</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/1669">https://ecos.fws.gov/ecp/species/1669</a>	Threatened

**CRITICAL HABITATS**

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

YOU ARE STILL REQUIRED TO DETERMINE IF YOUR PROJECT(S) MAY HAVE EFFECTS ON ALL ABOVE LISTED SPECIES.

## USFWS NATIONAL WILDLIFE REFUGE LANDS AND FISH HATCHERIES

Any activity proposed on lands managed by the [National Wildlife Refuge](#) system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

THERE ARE NO REFUGE LANDS OR FISH HATCHERIES WITHIN YOUR PROJECT AREA.

## BALD & GOLDEN EAGLES

Bald and golden eagles are protected under the Bald and Golden Eagle Protection Act<sup>1</sup> and the Migratory Bird Treaty Act<sup>2</sup>.

Any person or organization who plans or conducts activities that may result in impacts to bald or golden eagles, or their habitats<sup>3</sup>, should follow appropriate regulations and consider implementing appropriate conservation measures, as described in the links below. Specifically, please review the "[Supplemental Information on Migratory Birds and Eagles](#)".

- 
1. The [Bald and Golden Eagle Protection Act](#) of 1940.
  2. The [Migratory Birds Treaty Act](#) of 1918.
  3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

There are likely bald eagles present in your project area. For additional information on bald eagles, refer to [Bald Eagle Nesting and Sensitivity to Human Activity](#)

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, see the PROBABILITY OF PRESENCE SUMMARY below to see when these birds are most likely to be present and breeding in your project area.

NAME	BREEDING SEASON
Bald Eagle <i>Haliaeetus leucocephalus</i> This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. <a href="https://ecos.fws.gov/ecp/species/1626">https://ecos.fws.gov/ecp/species/1626</a>	Breeds Oct 15 to Jul 31



NAME	BREEDING SEASON
<p><b>Golden Eagle <i>Aquila chrysaetos</i></b>                      This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities.  <a href="https://ecos.fws.gov/ecp/species/1680">https://ecos.fws.gov/ecp/species/1680</a></p>	<p>Breeds Dec 1 to Aug 31</p>

## PROBABILITY OF PRESENCE SUMMARY

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read "[Supplemental Information on Migratory Birds and Eagles](#)", specifically the FAQ section titled "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

### Probability of Presence (■)

Green bars; the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during that week of the year.

### Breeding Season (■)

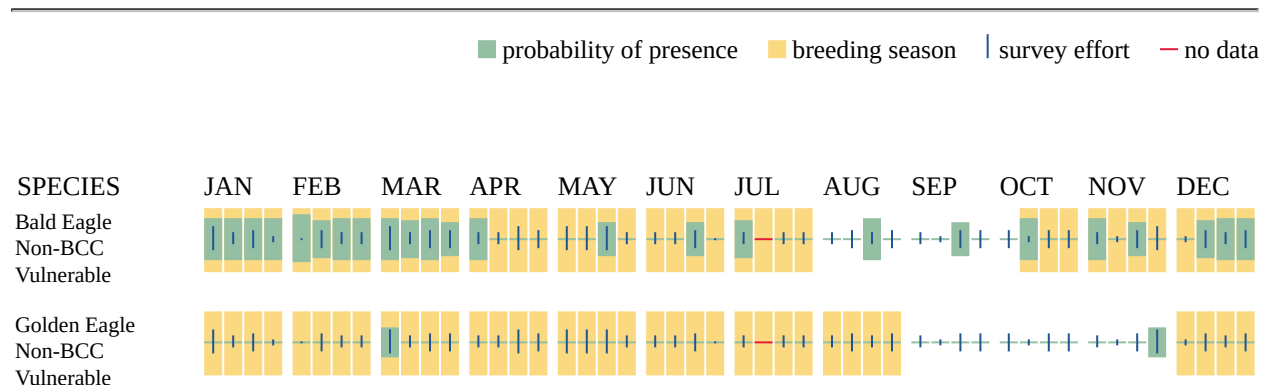
Yellow bars; liberal estimate of the timeframe inside which the bird breeds across its entire range.

### Survey Effort (|)

Vertical black lines; the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps.

### No Data (-)

A week is marked as having no data if there were no survey events for that week.



Additional information can be found using the following links:

- Eagle Management <https://www.fws.gov/program/eagle-management>

- Measures for avoiding and minimizing impacts to birds <https://www.fws.gov/library/collections/avoiding-and-minimizing-incident-take-migratory-birds>
- Nationwide conservation measures for birds <https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf>
- Supplemental Information for Migratory Birds and Eagles in IPaC <https://www.fws.gov/media/supplemental-information-migratory-birds-and-bald-and-golden-eagles-may-occur-project-action>

## MIGRATORY BIRDS

Certain birds are protected under the Migratory Bird Treaty Act<sup>1</sup> and the Bald and Golden Eagle Protection Act<sup>2</sup>.

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats<sup>3</sup> should follow appropriate regulations and consider implementing appropriate conservation measures, as described in the links below. Specifically, please review the "[Supplemental Information on Migratory Birds and Eagles](#)".

- 
1. The [Migratory Birds Treaty Act](#) of 1918.
  2. The [Bald and Golden Eagle Protection Act](#) of 1940.
  3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, see the PROBABILITY OF PRESENCE SUMMARY below to see when these birds are most likely to be present and breeding in your project area.

NAME	BREEDING SEASON
Bald Eagle <i>Haliaeetus leucocephalus</i> This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. <a href="https://ecos.fws.gov/ecp/species/1626">https://ecos.fws.gov/ecp/species/1626</a>	Breeds Oct 15 to Jul 31
Chimney Swift <i>Chaetura pelagica</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. <a href="https://ecos.fws.gov/ecp/species/9406">https://ecos.fws.gov/ecp/species/9406</a>	Breeds Mar 15 to Aug 25
Clark's Grebe <i>Aechmophorus clarkii</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. <a href="https://ecos.fws.gov/ecp/species/10575">https://ecos.fws.gov/ecp/species/10575</a>	Breeds Jun 1 to Aug 31

NAME	BREEDING SEASON
<b>Ferruginous Hawk <i>Buteo regalis</i></b> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA <a href="https://ecos.fws.gov/ecp/species/6038">https://ecos.fws.gov/ecp/species/6038</a>	Breeds Mar 15 to Aug 15
<b>Golden Eagle <i>Aquila chrysaetos</i></b> This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. <a href="https://ecos.fws.gov/ecp/species/1680">https://ecos.fws.gov/ecp/species/1680</a>	Breeds Dec 1 to Aug 31
<b>Lesser Yellowlegs <i>Tringa flavipes</i></b> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. <a href="https://ecos.fws.gov/ecp/species/9679">https://ecos.fws.gov/ecp/species/9679</a>	Breeds elsewhere
<b>Northern Harrier <i>Circus hudsonius</i></b> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA <a href="https://ecos.fws.gov/ecp/species/8350">https://ecos.fws.gov/ecp/species/8350</a>	Breeds Apr 1 to Sep 15
<b>Pectoral Sandpiper <i>Calidris melanotos</i></b> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. <a href="https://ecos.fws.gov/ecp/species/9561">https://ecos.fws.gov/ecp/species/9561</a>	Breeds elsewhere
<b>Red-headed Woodpecker <i>Melanerpes erythrocephalus</i></b> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. <a href="https://ecos.fws.gov/ecp/species/9398">https://ecos.fws.gov/ecp/species/9398</a>	Breeds May 10 to Sep 10

## PROBABILITY OF PRESENCE SUMMARY

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read "[Supplemental Information on Migratory Birds and Eagles](#)", specifically the FAQ section titled "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

### Probability of Presence (■)

Green bars; the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during that week of the year.

### Breeding Season (■)

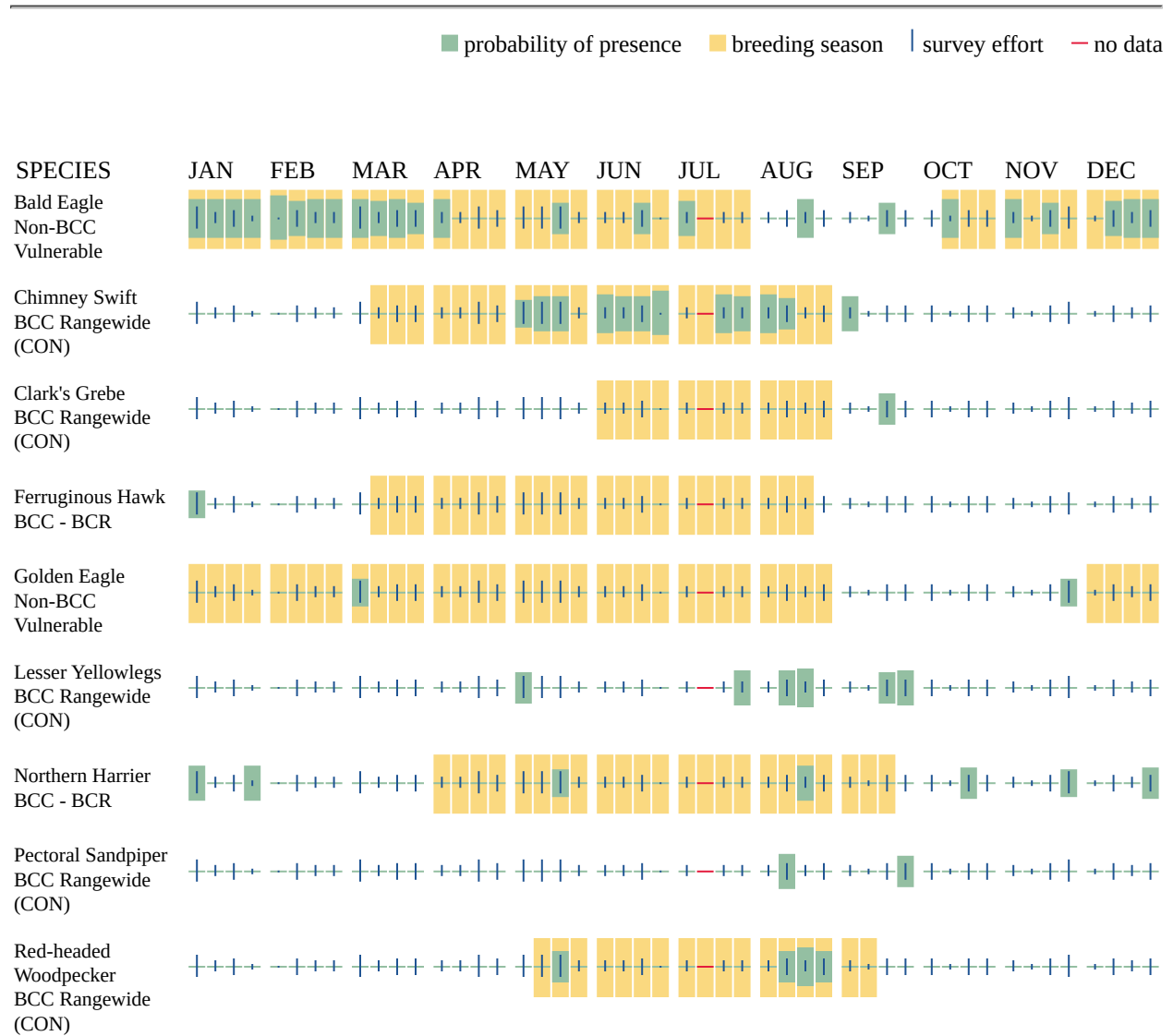
Yellow bars; liberal estimate of the timeframe inside which the bird breeds across its entire range.

### Survey Effort (|)

Vertical black lines; the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps.

**No Data (-)**

A week is marked as having no data if there were no survey events for that week.



Additional information can be found using the following links:

- Eagle Management <https://www.fws.gov/program/eagle-management>
- Measures for avoiding and minimizing impacts to birds <https://www.fws.gov/library/collections/avoiding-and-minimizing-incident-take-migratory-birds>
- Nationwide conservation measures for birds <https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf>

- Supplemental Information for Migratory Birds and Eagles in IPaC <https://www.fws.gov/media/supplemental-information-migratory-birds-and-bald-and-golden-eagles-may-occur-project-action>

## WETLANDS

Impacts to [NWI wetlands](#) and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local [U.S. Army Corps of Engineers District](#).

Please note that the NWI data being shown may be out of date. We are currently working to update our NWI data set. We recommend you verify these results with a site visit to determine the actual extent of wetlands on site.

THERE ARE NO WETLANDS WITHIN YOUR PROJECT AREA.

## **IPAC USER CONTACT INFORMATION**

Agency: Private Entity  
Name: Jean Ramer  
Address: 15080 A Circle  
City: Omaha  
State: NE  
Zip: 68144  
Email: jean.ramer@terracon.com  
Phone: 4068307621

## Ramer, Jean L

---

**From:** Porath, Mark T <mark\_porath@fws.gov> on behalf of Nebraskaes, FW6 <Nebraskaes@fws.gov>  
**Sent:** Saturday, August 26, 2023 7:54 AM  
**To:** Robert.Deems@usda.gov  
**Cc:** Ramer, Jean L; Allen, Reece; Peters, Jennifer T  
**Subject:** USDA EA for Solar Farm near Gering, NE IPaC 2023-0068574 CERT 009988  
**Attachments:** Gering Solar Farm, USDA IPaC 2023-0068574 CERT 009988.pdf

Good morning Robert,

Thank you for contacting us to assist with a review of your project or activity. In addition to the attachment for your administrative records file, we provide the following recommendations.

The Service understands that utility-scale solar facilities must comply with the National Electric and National Fire Protection Codes, which require fencing that is at least seven feet high with the top foot consisting of barbed wire. The Service recommends that the Project consider implementing wildlife-permeable fencing such as Pine Gate Renewables has researched with the Nature Conservancy in North Carolina. Pine Gate installs perimeter fencing with larger holes at the bottom to allow smaller mammals such as raccoons, rabbits, and foxes to pass through. This helps maximize benefits to wildlife from solar development and prevent barriers to wildlife movements.

Avian interactions with photovoltaic (PV) facilities are not well understood. Primary threats are from collisions with PV equipment and transmission lines and electrocutions from the substation and distribution lines. Collisions from PV systems can include direct collisions into guy wires or transmission lines. The Service also recommends the installation of bird flight diverters on transmission lines as suggested by Terracon. Other collisions are less understood such as the "lake effect" theory where migrating waterfowl, songbirds, and shorebirds may be confused by the polarized light reflecting off artificial surfaces from the PV facility and collide with them as they attempt to land on the panels. The Service recommends the Project incorporate measures to prevent avian mortality, such as developing an Avian Protection Plan (APP). An APP is voluntary but outline BMPs that help to minimize avian mortality from utility infrastructure and its operation and management. The Avian Power Line Interaction Committee (APLIC) has some helpful resources (<https://www.aplic.org/mission.php>) and the Project could also utilize existing APPs that have been developed from the Omaha Public Power District (OPPD) or Lincoln Electric as examples too (i.e., <https://www.oppd.com/media/316688/avian-protection-plan.pdf>).

Your interest in protecting and conserving Nebraska's and our Nation's natural resources is deeply appreciated.

Regards,  
Mark

Mark Porath  
Nebraska Project Leader/Field Supervisor  
Ecological Services, Mountain-Prairie Region  
U.S. Fish and Wildlife Service  
Office: 308-382-6468

Cell: 308-216-2077  
[mark\\_porath@fws.gov](mailto:mark_porath@fws.gov)  
[nebraskaes@fws.gov](mailto:nebraskaes@fws.gov)

Nebraska Field Office  
U.S. Fish and Wildlife Service  
9325 South Alda Road  
Wood River, Nebraska 68883  
[NebraskaES@fws.gov](mailto:NebraskaES@fws.gov)

For a species list, visit <https://ecos.fws.gov/ipac/>  
Office information <https://www.fws.gov/nebraskaes/index.php>

---

**From:** Porath, Mark T <mark\_porath@fws.gov>  
**Sent:** Tuesday, August 1, 2023 2:11 PM  
**To:** Nebraskaes, FW6 <Nebraskaes@fws.gov>  
**Subject:** Fwd: [EXTERNAL] EA for Solar Farm near Gering, NE

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**From:** Ramer, Jean L <Jean.Ramer@terracon.com>  
**Sent:** Tuesday, August 1, 2023 11:40:16 AM  
**To:** Porath, Mark T <mark\_porath@fws.gov>  
**Cc:** 'Deems, Robert - RD, National Office' <Robert.Deems@usda.gov>; Allen, Reece <Reece.Allen@terracon.com>; Peters, Jennifer T <jennifer.peters@terracon.com>  
**Subject:** [EXTERNAL] EA for Solar Farm near Gering, NE

**This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.**

Hello Mark,  
Terracon is preparing an EA for our client, SE Municipal Solar LLC, who is seeking federal funding from the USDA to construct a solar power generating facility near the City of Gering, Nebraska. The EA has not gone out for public comment yet. The attached is our evaluation of the project's effects to species listed as threatened/endangered, and proposed for listing.

Terracon and the USDA are requesting your concurrence with the "may affect, not likely to adversely affect" determinations to the piping plover and whooping crane, that may use the ag field to forage.

We look forward to your comments and concurrence. Please feel free to give me a call or reply with any questions.

Jean Ramer, CESCO  
Senior Scientist



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Terracon provides environmental, facilities, geotechnical, and materials consulting engineering services delivered with responsiveness, resourcefulness, and reliability.

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*Private and confidential as detailed here ([www.terracon.com/disclaimer](http://www.terracon.com/disclaimer)). If you cannot access the hyperlink, please e-mail sender.*



15080 A Circle  
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July 20, 2023

United States Fish and Wildlife Service  
Nebraska Ecological Services  
9325 South Alda Road  
Wood River, NE 68883  
P: (308) 382-6468  
E: [nebraskaes@fws.gov](mailto:nebraskaes@fws.gov)

Attn: Mark Porath  
Field Supervisor

The U.S. Fish and Wildlife Service concurs with your determinations that the described project will not adversely affect listed species or critical habitat. Contact this office if changes are made or new information becomes available.

Project Leader, Nebraska Field Office Supervisor

Re: **Threatened and Endangered Species Consultation**  
Proposed Solar Facility  
Gering, Scotts Bluff County, Nebraska  
Terracon Project No. 0522P069

Dear Mr. Porath:

On behalf of SE Municipal Solar, LLC and the U.S. Department of Agriculture (USDA) Rural Utilities Service (RUS), Terracon Consultants (Terracon) is requesting a review of potential impacts to listed threatened and endangered species and critical habitats resulting from proposed future developments in Gering, Scotts Bluff County, Nebraska.

Terracon conducted a preliminary review using the U.S. Fish and Wildlife (USFWS) Information for Planning and Consultation System (IPaC) Endangered Species Act (ESA) species list and Nebraska Game and Parks Commission (NGPC) listed threatened and endangered species to identify species of concern determined by the activities proposed at the site. Based on a review of the lists, seven species are listed by the IPaC and/or NGPC that may occur at the site.

During a site visit on May 31, 2022, the entirety of the site was planted with soybean. Based on comparison of habitats indicated for the listed species and the proposed development of the site, there is potentially suitable habitat for the Piping plover and Whooping crane within or adjacent to site boundaries. It is Terracon's opinion that while the proposed project may impact Piping plover and Whooping crane habitat, the project is unlikely to adversely impact these species.

The attached Threatened and Endangered Species Desktop Review details the impact opinions for federal and state listed species. Terracon would greatly appreciate review of the findings and concurrence or guidance by the USFWS.



Please feel free to contact us at (402) 330-2202 or email [jean.ramer@terracon.com](mailto:jean.ramer@terracon.com) if you need additional information.

Sincerely,

Terracon Consultants, Inc.

A handwritten signature in cursive script that reads 'Jean Ramer'.

Jean Ramer  
Senior Scientist

A handwritten signature in cursive script that reads 'Tim Capps'.

(for) Tim Capps  
Authorized Project Reviewer

# Threatened and Endangered Species Desktop Review

## Proposed Solar Project

## Gering, Scotts Bluff County, Nebraska

July 20, 2023

Terracon Project No. 0522P069



### Prepared for:

U.S. Department of Agriculture  
Rural Development Service

and

SE Municipal Solar, LLC  
1209 Harney Street, #400  
Omaha, NE 68102

### Prepared by:

Terracon Consultants, Inc.  
Omaha, Nebraska

## TABLE OF CONTENTS

	<u>Page</u>
<b>1.0 INTRODUCTION .....</b>	<b>1</b>
<b>2.0 SCOPE OF SERVICES .....</b>	<b>1</b>
<b>3.0 PRELIMINARY DATA GATHERING AND ANALYSIS .....</b>	<b>2</b>
<b>4.0 SUMMARY AND CONCLUSIONS.....</b>	<b>7</b>
<b>5.0 RECOMMENDATIONS.....</b>	<b>8</b>
<b>6.0 GENERAL COMMENTS.....</b>	<b>8</b>

### **APPENDIX A**

Exhibit 1 – Aerial Photograph of the Project Site

Exhibit 2 – 2021 USGS Topographic Map

Exhibit 3 – NWI Map

Exhibit 4 – Nebraska Department of Natural Resources Floodplain Management Interactive Map

Exhibit 5 – NGPC Bald Eagle Nest Locations Map

### **APPENDIX B**

IPaC Report

Nebraska Endangered and Threatened Species List

Nebraska Conservation and Environmental Review Tool (CERT) Report

Threatened and Endangered Animals in Nebraska: Estimated Ranges Map

### **APPENDIX C**

Site Photographs

Site Plan

**THREATENED AND ENDANGERED SPECIES  
DESKTOP REVIEW  
Proposed Solar Facility  
Gering, Scotts Bluff County, Nebraska**

**Terracon Project No. 0522P069  
July 20, 2023**

## **1.0 INTRODUCTION**

Terracon Consultants, Inc. (Terracon) was retained by SE Municipal Solar, LLC (Client) to conduct a Threatened and Endangered (T&E) Species Desktop Review for the property associated with a proposed solar facility (hereafter referred to as “the site”). The site is comprised of 22.6 acres of vacant, undeveloped agricultural land in Gering, Scotts Bluff County, Nebraska. The site is proposed for a future solar facility that includes photo voltaic (PV) panels, associated inverters/transformers, underground cables, a new overhead distribution powerline, and security fencing. A vicinity map depicting the site location is provided as Exhibit 1 of Appendix A. The site plans can be found in Appendix C.

The purpose of this review is to assess potential occurrences of T&E Species and associated habitat that may utilize the site area. This review, conclusions, and determinations of effect will be included in the Environmental Assessment (EA) that is being prepared pursuant to the National Environmental Policy Act (NEPA) 42 U.S.C §§ 4321 *et seq.* and in accordance with Section 7 of the Endangered Species Act of 1973 (ESA), as amended, 16 U.S.C. 1531 *et seq.*

## **2.0 SCOPE OF SERVICES**

In preparing the T&E species and associated habitat review, Terracon conducted the following work scope:

- Reviewed information on federally protected species from U.S Fish and Wildlife Service (USFWS) Information for Planning and Consultation (IPaC) online database.
- Reviewed various available sources (topographic maps, aerials, etc.) for information to determine preliminary habitat conditions.
- Reviewed limited on-site photographs of general habitat types and approximate location and extent of these habitats.
- Reviewed Nebraska Game and Parks Commission (NGPC) state-listed threatened and endangered species in Scotts Bluff County, Nebraska.

## **3.0 PRELIMINARY DATA GATHERING AND ANALYSIS**

### **3.1 Habitat Review**

Terracon reviewed readily available resources to assess habitat conditions and availability in the site area through desktop review. Site specific sources and information gathered from the sources are described below.

#### **3.1.1 Aerial Photographs and Map Reviews**

Terracon reviewed US Geological Survey (USGS) 2021 topographic map quadrangle Scottsbluff South, NE to identify site features (surface waters, topography, etc.). Exhibit 2 in Appendix A illustrates the approximate site boundary overlaid on the topographic map. In addition, Terracon reviewed select Google Earth aerial photographs from 1985 to 2023 to identify general site habitat conditions. Evaluation of these aerials may be limited by photo quality and scale. The National Wetlands Inventory (NWI) maintained by the USFWS was reviewed to determine aquatic feature presence and type (Exhibit 3 in Appendix A). The Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) Panel 3103710005A (effective 02/15/1979) and the Nebraska Department of Natural Resources (NDNR) Floodplain Management Interactive Map indicate the 500-year floodplain boundary approximately 30 feet north of the project site (Exhibit 4 in Appendix A).

Based on review of the topographic map and aerials, the site appears to consist primarily of agricultural cropland since at least 1953. There are no structures, ponds, wetlands, or stream channels depicted within the site boundaries, but the North Platte River and its surrounding areas of inundation and wetlands are located approximately 1,300 feet north of the site. The immediate surrounding properties are agricultural crop fields, roads, and wastewater treatment facility reservoirs.

#### **3.1.2 Site Photographs**

On May 31, 2022 Terracon visited the site to document current conditions. Site photographs generally concur with the topographic and NWI maps and aerial photographs. The entirety of the site was comprised of cropland and was planted with soybean at the time of the visit. In the southern project area surrounding the vacant lot with the abandoned storage shed are several mature trees. Canopy cover was not documented elsewhere within the site. The site photographs are available in Appendix C.

### **3.2 T&E Species Documentation**

Terracon reviewed readily available resources from the USFWS and NGPC to assist with identifying potential protected species in the site area. A copy of the USFWS IPaC report and state species lists are included in Appendix B. Site specific sources and information gathered from the sources are described below.

### 3.2.1 Federally and State Protected Species Lists

Terracon collected information pertaining to federally- and state-listed species protected under the Endangered Species Act (ESA) and the Nebraska Nongame and Endangered Species Conservation Act (NNESCA) that have the potential to occur in the project area. Table 1 below is a list of species identified by the USFWS IPaC report and NGPC range map as potentially occurring within the project area. Included is a brief summary of the habitat these species may utilize, and opinions of presence of suitable habitat and the proposed project’s effects on each species. Following the table are expanded summaries for selected species that the project may affect. Based on the USFWS IPaC report, there are no federally-designated critical habitats identified within the project boundaries.

Table 1. Federal and State Listed Threatened or Endangered Species

Species	Status	Habitat Description	Habitat Present
<b>Mammals</b>			
Swift Fox ( <i>Vulpes velox</i> )	SE	Swift Foxes require open shortgrass prairies or deserts with few shrubs and trees. The Swift Fox prefers areas where there are colonies of prairie dogs as they form a large part of their diet and their dens may be used as shelter.	No; absence of suitable habitat (deserts, prairie dog colonies) within or near the project area. No impact is anticipated.
<b>Birds</b>			
Piping Plover ( <i>Charadrius melodus</i> )	FT, ST	In Nebraska, Piping Plovers breed along the Missouri, Platte, Elkhorn, Loup and Niobrara rivers. Piping Plovers only spend three to four months on their breeding grounds; the other eight to nine months are spent on their wintering grounds along the Gulf of Mexico and southern Atlantic Coast. They nest on river sandbars, sand and gravel mine sandpits, lake shore housing developments and reservoir shorelines.	Yes; Piping Plovers spend three to four months at their breeding grounds (April to June/July). Suitable habitat for the Piping Plover may be present near the Platte River 1,300 feet north of the site; however, based on distance the species is not likely to be present in the project area, but could occasionally forage there.
Whooping Crane ( <i>Grus americana</i> )	FE, SE	Whooping Cranes prefer shallow braided riverine habitats and wetlands for roosting. Nebraska is one of the only places where a considerable amount of time is spent in rivers. They use agricultural fields, wet meadows, marsh habitats, and shallow rivers for feeding. Whooping Cranes typically select sites with wide, open views and those areas that are isolated from human disturbance.	Yes; fields within the vicinity may provide marginal shallow aquatic habitat when flooded by irrigation or rain. However, it is unlikely that the Whooping Crane would occur within the limits of the project area, although they may occasionally forage there.



**T&E Desktop Review**

Proposed Solar Facility | Gering, Scotts Bluff County, Nebraska  
 July 20, 2023 | Terracon Project No. 0522P069



Species	Status	Habitat Description	Habitat Present
<b>Fish</b>			
Pallid Sturgeon ( <i>Scaphirhynchus albus</i> )	FE, SE	Pallid Sturgeon tend to select main channel habitats in the Mississippi River stretch and main channel areas with islands or sand bars in the upper Missouri River system, including the Platte. Pallid Sturgeon have adapted to living close to the bottom of large rivers with high turbidity (muddy) and seasonal fluctuations in water level. Their preferred habitat has a diversity of depths and velocities formed by braided channels, sand bars, islands, sand flats and gravel bars.	No; absence of rivers or tributaries within project boundaries. No impact is anticipated with utilization of BMPs to prevent disturbed soils from leaving the site.
<b>Insects</b>			
Monarch Butterfly ( <i>Danaus plexippus</i> )	FC	Adult Monarchs are seen flying in Nebraska from June through the fall. Adults are found in a variety of habitats including native prairies, pastures, open woodlands and savannas, desert scrub, roadsides, and other habitats with abundant nectar plants, including urbanized areas. Caterpillars are found on various species of the family Asclepiadaceae (occasionally treated as a subfamily Apocynaceae).	Yes; wildflowers in the fields and roadside ditches adjacent to the site may serve as suitable stopover habitat during migration. The Monarch Butterfly is a candidate species and no consultation with USFWS is required at this time.
<b>Plants</b>			
Western Prairie Fringed Orchid ( <i>Platanthera praeclara</i> )	FT, ST	The Western Prairie Fringed Orchid can be found in the tallgrass prairie landscape. In eastern Nebraska they are found in upland prairies and loess soils. In central and northeast Nebraska they occur in wet prairies and meadows. The Western Prairie Fringed Orchid can also be found in the sandy soils of sub-irrigated meadows in the Sandhills.	No; absence of suitable habitat within or near the project area. The fields are in agricultural use and are seasonally planted and harvested. No impact is anticipated.

FE = Federally listed endangered  
 FT = Federally listed threatened  
 FC = Federal candidate

SE = State listed endangered  
 ST = State listed threatened

**Swift fox**

Swift foxes require open shortgrass prairies with few shrubs and trees. The major reason for Swift fox population decline is habitat destruction and eradication efforts for predators. The increase in agriculture has resulted in a significant decrease in shortgrass prairie habitat and prairie dog towns that provide prey and burrows to escape predators.

Due to the lack of shortgrass prairie habitat and prairie dog colonies within project limits, the proposed project would have **no effect** on the Swift fox.

### **Piping plover**

In Nebraska, the Piping plover breeds along the Platte River at shorelines, mud flats, and sand flats. Piping plovers arrive in Nebraska in mid- to late-April for breeding and usually leave the breeding grounds shortly after chicks fledge, by early August. The juveniles depart a few weeks later.

Piping plover populations are threatened by human disturbance, continued habitat loss, pollution and contaminants on their breeding and wintering grounds, disease, and predation. The primary cause of population decline is habitat loss and destruction around large river systems (channelization, irrigation, reservoir construction).

Sand bars and floodplain habitat surrounding the North Platte River 1,300 feet to the north of the proposed project site is potentially suitable habitat for the Piping plover. Due to the site proximity to this habitat, there is potential for the Piping plover to rarely occur within project limits. The proposed project may affect the species by proximity, so a determination of **may affect but not likely to adversely affect** is provided. USFWS concurrence is requested for this species.

### **Whooping crane**

It is estimated that approximately half of the known Whooping crane individuals migrate through Nebraska. They utilize a variety of wetland habitats as stopover sites during spring and fall migration. Whooping cranes prefer shallow braided riverine habitats and wetlands for roosting, and agricultural fields, wet meadows, marsh habitats, and shallow rivers for feeding. They typically select sites with wide, open views and areas isolated from human disturbance.

Population decline was at its peak circa 1942 as a result of shooting and destruction of nesting habitat. In Nebraska, there are efforts to restore and protect roosting and foraging habitat along rivers used by the cranes during migratory stopovers.

There is a possibility for Whooping cranes to occur within site limits due to the species' use of agricultural fields and the proximity of the floodplain that may create seasonally wet fields immediately north of the site. The proposed project **may affect Whooping crane habitat but is not likely to adversely affect** the species due to more suitable habitat north of the site and because the land will continue to be usable to the species after panels have been installed. USFWS concurrence is requested for this species.

### **Pallid sturgeon**

Pallid sturgeon can be found in the Mississippi and Missouri river systems. In Nebraska, a small number have been captured in the lower reaches of the Platte River. Pallid sturgeons appear to prefer a mixture of sand, gravel and rock substrate in the winter, and sand substrate in the summer and fall. Pallid sturgeon can be found in waters ranging widely in depth and velocity but are bottom-oriented and may select areas at least 0.8 m deep.

Alterations to the Missouri and Mississippi rivers (e.g., channeling, damming, etc.) are thought to have caused habitat losses that have resulted in a sharp decline in the population of Pallid sturgeon, and reproduction in the wild has declined to near-zero levels. Pallid sturgeon are also threatened by oxygen depletion, chemical contamination, and competition with non-native fish. The construction and operation of the solar facility will not contribute to these stressors or cause habitat loss.

The project site does not abut the North Platte River. A construction stormwater pollution prevention plan (SWPPP) will be implemented before and during construction of the proposed project and will

## T&E Desktop Review

Proposed Solar Facility | Gering, Scotts Bluff County, Nebraska  
July 20, 2023 | Terracon Project No. 0522P069



include best management practices (BMPs) such as covering loose soil and installing sediment barriers. Although Pallid sturgeon are not sensitive to turbidity, BMPs to prevent sediment from reaching the river will be implemented. Construction and operation of the solar facility is anticipated to have **no effect** on the Pallid sturgeon.

### Monarch butterfly

Monarchs migrate through a travel corridor that spans the entire country and includes Nebraska. The larvae require milkweed species for feeding and adults feed on nectar from flowering plants.

Threats to Monarch butterflies include milkweed and habitat loss. Milkweeds have been significantly reduced in the Midwest due to the use of herbicides, and insecticides and deforestation of the overwintering fir forest habitats impact the Monarchs.

Wildflowers and flowers of planted crops within and around the project area may provide suitable stopover habitat for adult Monarch butterflies. While the project may affect Monarch habitat, the species is a candidate and not formally listed so consultation would not be required. Revegetation between the arrays will include pollinator-friendly species that will have a long-term positive impact on Monarch butterflies.

### Western prairie fringed orchid

The western prairie fringed orchid (WPFO) is found in uncultivated tallgrass prairies west of the Mississippi River in moist soils that are often calcareous. WPFOs require periodic disturbance (e.g., fire, grazing, etc.) to persist. WPFOs are pollinated by Sphinx moths, its seeds are spread by wind or water, and seed germination and nutrition are dependent on mycorrhizal fungi.

The species is primarily threatened by the conversion of tallgrass prairie to developed cropland. The WPFO may also be threatened by pesticide application which harms Sphinx moths, overgrazing, and herbicide spraying.

There is no suitable habitat present in the proposed project area that would support WPFO, as the land is all cropland that is seasonally planted and harvested and treated with pesticides and herbicides. **No effect** to this species would occur.

## 3.2.2 Migratory Bird Treaty Act and the Bald and Golden Eagle Protection Act

Federal regulations including the Migratory Bird Treaty Act (MBTA) and the Bald and Golden Eagle Protection Act (BGEPA) are also in place to protect avian species. The IPaC review identified six species in the project area that are protected under the MBTA or the BGEPA which are listed as follows:

- **Bald eagle** *Haliaeetus leucocephalus*
  - Breeds October 15 to July 31
- **Chimney swift** *Chaetura pelagica*
  - Breeds March 15 to August 25
- **Clark's grebe** *Aechmophorus clarkia*
  - Breeds June 1 to August 31
- **Ferruginous hawk** *Buteo regalis*

## T&E Desktop Review

Proposed Solar Facility | Gering, Scotts Bluff County, Nebraska  
July 20, 2023 | Terracon Project No. 0522P069



- Breeds March 15 to August 15
- **Lesser yellowlegs** *Tringa flavipes*
  - Breeds elsewhere
- **Red-headed woodpecker** *Melanerpes erythrocephalus*
  - Breeds May 10 to September 10

According to the BGEPA, development within 660 feet of a nest is subject to development restrictions and potential mitigation. The nearest Bald eagle nest identified by the NGPC is much further than 660 feet from the site (Exhibit 5 in Appendix A); therefore, potential development regulations would not apply under the BGEPA unless a nest is identified during construction. Furthermore, site development plans consist of the placement of solar panels with maximum heights of 10 feet which removes the potential for panels to be used as vantage point structures for eagles. Potential impacts to Bald eagles that may currently use the site or use the site after completion of construction as a flight corridor are not likely. Superior habitat provided by the North Platte River riparian corridor exists adjacent to the project to the north.

Activities from the Proposed Action are unlikely to impact birds that are protected by the MBTA. There are no trees suitable for nesting in the project area. The current use of the site (cultivation) prevents ground nesters from using the project area during the growing season and the seasonal application of herbicides and pesticides would make the project area undesirable habitat.

Overall, there is the potential for impacts to migratory birds in the form of interactions with PV facilities. The nearest documented Bald eagle nest is much greater than 660 feet away. Aquatic habitats preferred by Clark's grebe and Lesser yellowlegs are absent within the project area. Canopy cover is absent which provides habitat for the Chimney swift and Red-headed woodpecker. There is superior habitat for migratory birds along the North Platte River riparian corridor; therefore, the presence of species that prefer canopy cover is very unlikely within the project area. While the new distribution line that connects the facility to the point of interconnection would be approximately 30 feet tall by 650 feet long, there are existing power and telecommunication lines adjacent to the site, so the new distribution line is not expected to affect bird populations or migrations more than the status quo. Bird diverters may be added to the new overhead distribution line to make it more visible to birds and reduce the likelihood of collisions. Additionally, construction activities within site boundaries would generally be near ground level and not greater than 10 feet high. Therefore, if BMPs for minimizing impacts to migratory birds are adopted and the facility is revegetated with pollinator-friendly species of grasses and forbs, the proposed project may have a long-term positive impact on migratory birds.

## 4.0 SUMMARY AND CONCLUSIONS

Terracon reviewed USFWS and NGPC information regarding species protected under the ESA (USFWS) and those protected under NNECA (NGPC). Terracon also reviewed topographic, NWI, and floodplain maps and aerial photographs to determine what general habitat is present on the site.

Based on the habitat types present, Terracon identified cropland that could be utilized by Piping plovers and Whooping cranes for foraging. The development of the site will likely result in negligible and temporary impacts to protected species. The long-term impacts resulting from revegetation with native species of grasses and forbs may be positive by increasing vegetation diversity and foraging

## **T&E Desktop Review**

Proposed Solar Facility | Gering, Scotts Bluff County, Nebraska  
July 20, 2023 | Terracon Project No. 0522P069



opportunities for birds and other species. The reduction in the use of pesticides and herbicides within the project boundary would have overall positive impacts as well.

## **5.0 RECOMMENDATIONS**

Based on the findings of this review, Terracon recommends the following BMPs and mitigation measures:

- Prepare a SWPPP and implement BMPs to prevent sediment and other construction-related pollutants from leaving the construction site.
- Install bird diverters on the new distribution line.
- Revegetate disturbed areas with pollinator-friendly species of grasses and forbs.

## **6.0 GENERAL COMMENTS**

This desktop review relies on readily available information. The information obtained from various sources for this review is considered current and reliable. However, confirmation of the accuracy of this information is beyond the scope of this review and we do not warrant database or third-party information, or regulatory agency information used in the compilation of reports.

This report has been prepared in accordance with generally accepted scientific and engineering evaluation practices. It did not include species-specific presence/absence surveys or detailed habitat surveys.

# APPENDIX A

**Attachments**

Proposed Solar Facility  
Gering, Scotts Bluff County, Nebraska



Exhibit 1. Aerial Photograph of the Project Site (Project Area Outlined in Red)

**Attachments**

Proposed Solar Facility  
Gering, Scotts Bluff County, Nebraska



Exhibit 2. 2021 USGS Topographic Map (Project Area Outlined in Red)





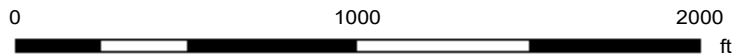
Exhibit 4



Project Site

FEMA, NeDNR | State of Nebraska, Department of Transportation

Exhibit 4



Date Printed: 9/4/2022

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION



## Legend

### \*EXPLANATION OF ZONE DESIGNATIONS

ZONE	EXPLANATION
A	Areas of 100-year flood; base flood elevations and flood hazard factors not determined.
AO	Areas of 100-year shallow flooding where depths are between one (1) and three (3) feet; average depths of inundation are shown, but no flood hazard factors are determined.
AH	Areas of 100-year shallow flooding where depths are between one (1) and three (3) feet; base flood elevations are shown, but no flood hazard factors are determined.
A1-A30	Areas of 100-year flood; base flood elevations and flood hazard factors determined.
AB99	Areas of 100-year flood to be protected by flood protection systems under construction; base flood elevations and flood hazard factors not determined.
B	Areas between limits of the 100-year flood and 500-year flood, or certain areas subject to 100-year flooding with average depths less than one (1) foot or where the contributing drainage area is less than one square mile; or areas protected by levees from the base flood. (Medium shading)
C	Areas of minimal flooding. (No shading)
D	Areas of undetermined, but possible, flood hazards.
V	Areas of 100-year coastal flood with velocity (wave action); base flood elevations and flood hazard factors not determined.
V1-V30	Areas of 100-year coastal flood with velocity (wave action); base flood elevations and flood hazard factors determined.

#### NOTES TO USER

Certain areas not in the special flood hazard areas (zones A and V) may be protected by flood control structures.  
 This map is for flood insurance purposes only; it does not necessarily show all areas subject to flooding in the community or all planimetric features outside special flood hazard areas.  
 For additional map panels, see separately printed Index to Map Panels.

INITIAL IDENTIFICATION  
DECEMBER 27, 1974

CONVERSION TO REGULATORY PROGRAM  
FEBRUARY 15, 1979

## Notes

COMMUNITY-PANEL NUMBER  
310371 0005 A

EFFECTIVE DATE:  
FEBRUARY 15, 1979

**Attachments**

Proposed Solar Facility  
Gering, Scotts Bluff County, Nebraska

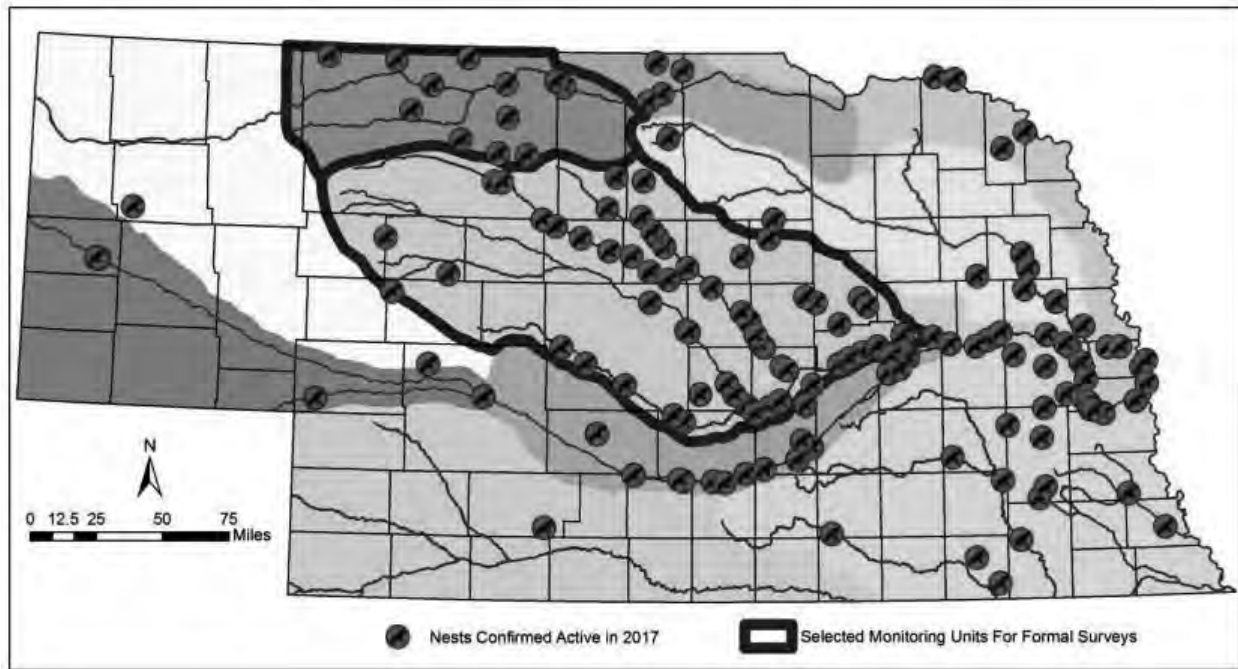


Exhibit 5. NGPC Bald Eagle Nest Locations Map

# APPENDIX B



## United States Department of the Interior



FISH AND WILDLIFE SERVICE  
Nebraska Ecological Services Field Office  
9325 B South Alda Rd., Ste B  
Wood River, NE 68883-9565  
Phone: (308) 382-6468 Fax: (308) 384-8835

In Reply Refer To:  
Project Code: 2023-0068574  
Project Name: Gering

April 13, 2023

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

### To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2)(c)). For projects other than major construction activities, the Service suggests that a biological

evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at: <https://www.fws.gov/media/endangered-species-consultation-handbook> or at our Nebraska Field Office webpage (<https://www.fws.gov/office/nebraska-ecological-services/project-planning-and-review-under-endangered-species-act>).

**Migratory Birds:** In addition to responsibilities to protect threatened and endangered species under the Endangered Species Act (ESA), there are additional responsibilities under the Migratory Bird Treaty Act (MBTA) and the Bald and Golden Eagle Protection Act (BGEPA) to protect native birds from project-related impacts. Any activity, intentional or unintentional, resulting in take of migratory birds, including eagles, is prohibited unless otherwise permitted by the U.S. Fish and Wildlife Service (50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)). For more information regarding these Acts and permitting see <https://www.fws.gov/program/migratory-bird-permit>

The MBTA has no provision for allowing take of migratory birds that may be unintentionally killed or injured by otherwise lawful activities. It is the responsibility of the project proponent to comply with these Acts by identifying potential impacts to migratory birds and eagles within applicable NEPA documents (when there is a federal nexus) or a Bird/Eagle Conservation Plan (when there is no federal nexus). Proponents should implement conservation measures to avoid or minimize the production of project-related stressors or minimize the exposure of birds and their resources to the project-related stressors. For more information on avian stressors and recommended conservation measures see <https://www.fws.gov/birds/bird-enthusiasts/threats-to-birds.php>.

In addition to MBTA and BGEPA, Executive Order 13186: *Responsibilities of Federal Agencies to Protect Migratory Birds*, obligates all Federal agencies that engage in or authorize activities that might affect migratory birds, to minimize those effects and encourage conservation measures that will improve bird populations. Executive Order 13186 provides for the protection of both migratory birds and migratory bird habitat. For information regarding the implementation of Executive Order 13186, please visit:

<https://www.federalregister.gov/documents/2012/10/03/2012-24433/migratory-bird-conservation-executive-order-13186>

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Project Consultation Code

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(YEAR-XXXXXXX) in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

- Official Species List
  - USFWS National Wildlife Refuges and Fish Hatcheries
  - Migratory Birds
  - Wetlands
-

## **OFFICIAL SPECIES LIST**

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

**Nebraska Ecological Services Field Office**

9325 B South Alda Rd., Ste B

Wood River, NE 68883-9565

(308) 382-6468

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## PROJECT SUMMARY

Project Code: 2023-0068574  
Project Name: Gering  
Project Type: Power Gen - Solar  
Project Description: Development  
Project Location:

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@41.83293745,-103.63961061139867,14z>



Counties: Scotts Bluff County, Nebraska

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## ENDANGERED SPECIES ACT SPECIES

There is a total of 5 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries<sup>1</sup>, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

- 
1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

### BIRDS

NAME	STATUS
Piping Plover <i>Charadrius melodus</i> Population: [Atlantic Coast and Northern Great Plains populations] - Wherever found, except those areas where listed as endangered. There is <b>final</b> critical habitat for this species. Your location does not overlap the critical habitat. Species profile: <a href="https://ecos.fws.gov/ecp/species/6039">https://ecos.fws.gov/ecp/species/6039</a>	Threatened
Whooping Crane <i>Grus americana</i> Population: Wherever found, except where listed as an experimental population There is <b>final</b> critical habitat for this species. Your location does not overlap the critical habitat. Species profile: <a href="https://ecos.fws.gov/ecp/species/758">https://ecos.fws.gov/ecp/species/758</a>	Endangered

### FISHES

NAME	STATUS
Pallid Sturgeon <i>Scaphirhynchus albus</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/7162">https://ecos.fws.gov/ecp/species/7162</a>	Endangered

### INSECTS

NAME	STATUS
Monarch Butterfly <i>Danaus plexippus</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/9743">https://ecos.fws.gov/ecp/species/9743</a>	Candidate

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**FLOWERING PLANTS**

NAME	STATUS
Western Prairie Fringed Orchid <i>Platanthera praeclara</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/1669">https://ecos.fws.gov/ecp/species/1669</a>	Threatened

**CRITICAL HABITATS**

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

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# **USFWS NATIONAL WILDLIFE REFUGE LANDS AND FISH HATCHERIES**

Any activity proposed on lands managed by the National Wildlife Refuge system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

THERE ARE NO REFUGE LANDS OR FISH HATCHERIES WITHIN YOUR PROJECT AREA.

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## MIGRATORY BIRDS

Certain birds are protected under the Migratory Bird Treaty Act<sup>1</sup> and the Bald and Golden Eagle Protection Act<sup>2</sup>.

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats should follow appropriate regulations and consider implementing appropriate conservation measures, as described [below](#).

- 
1. The [Migratory Birds Treaty Act](#) of 1918.
  2. The [Bald and Golden Eagle Protection Act](#) of 1940.
  3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

**The birds listed below are birds of particular concern either because they occur on the [USFWS Birds of Conservation Concern \(BCC\) list](#) or warrant special attention in your project location.** To learn more about the levels of concern for birds on your list and how this list is generated, see the [FAQ below](#). This is not a list of every bird you may find in this location, nor a guarantee that every bird on this list will be found in your project area. To see exact locations of where birders and the general public have sighted birds in and around your project area, visit the [E-bird data mapping tool](#) (Tip: enter your location, desired date range and a species on your list). For projects that occur off the Atlantic Coast, additional maps and models detailing the relative occurrence and abundance of bird species on your list are available. Links to additional information about Atlantic Coast birds, and other important information about your migratory bird list, including how to properly interpret and use your migratory bird report, can be found [below](#).

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, click on the **PROBABILITY OF PRESENCE SUMMARY** at the top of your list to see when these birds are most likely to be present and breeding in your project area.

NAME	BREEDING SEASON
Bald Eagle <i>Haliaeetus leucocephalus</i> This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities.	Breeds Oct 15 to Jul 31
Chimney Swift <i>Chaetura pelagica</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds Mar 15 to Aug 25
Clark's Grebe <i>Aechmophorus clarkii</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds Jun 1 to Aug 31

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NAME	BREEDING SEASON
Ferruginous Hawk <i>Buteo regalis</i> This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA <a href="https://ecos.fws.gov/ecp/species/6038">https://ecos.fws.gov/ecp/species/6038</a>	Breeds Mar 15 to Aug 15
Lesser Yellowlegs <i>Tringa flavipes</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. <a href="https://ecos.fws.gov/ecp/species/9679">https://ecos.fws.gov/ecp/species/9679</a>	Breeds elsewhere
Red-headed Woodpecker <i>Melanerpes erythrocephalus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds May 10 to Sep 10

## PROBABILITY OF PRESENCE SUMMARY

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read and understand the FAQ "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

### Probability of Presence (■)

Each green bar represents the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during a particular week of the year. (A year is represented as 12 4-week months.) A taller bar indicates a higher probability of species presence. The survey effort (see below) can be used to establish a level of confidence in the presence score. One can have higher confidence in the presence score if the corresponding survey effort is also high.

How is the probability of presence score calculated? The calculation is done in three steps:

1. The probability of presence for each week is calculated as the number of survey events in the week where the species was detected divided by the total number of survey events for that week. For example, if in week 12 there were 20 survey events and the Spotted Towhee was found in 5 of them, the probability of presence of the Spotted Towhee in week 12 is 0.25.
2. To properly present the pattern of presence across the year, the relative probability of presence is calculated. This is the probability of presence divided by the maximum probability of presence across all weeks. For example, imagine the probability of presence in week 20 for the Spotted Towhee is 0.05, and that the probability of presence at week 12 (0.25) is the maximum of any week of the year. The relative probability of presence on week 12 is  $0.25/0.25 = 1$ ; at week 20 it is  $0.05/0.25 = 0.2$ .
3. The relative probability of presence calculated in the previous step undergoes a statistical conversion so that all possible values fall between 0 and 10, inclusive. This is the probability of presence score.

**Breeding Season (■)**

Yellow bars denote a very liberal estimate of the time-frame inside which the bird breeds across its entire range. If there are no yellow bars shown for a bird, it does not breed in your project area.

**Survey Effort (|)**

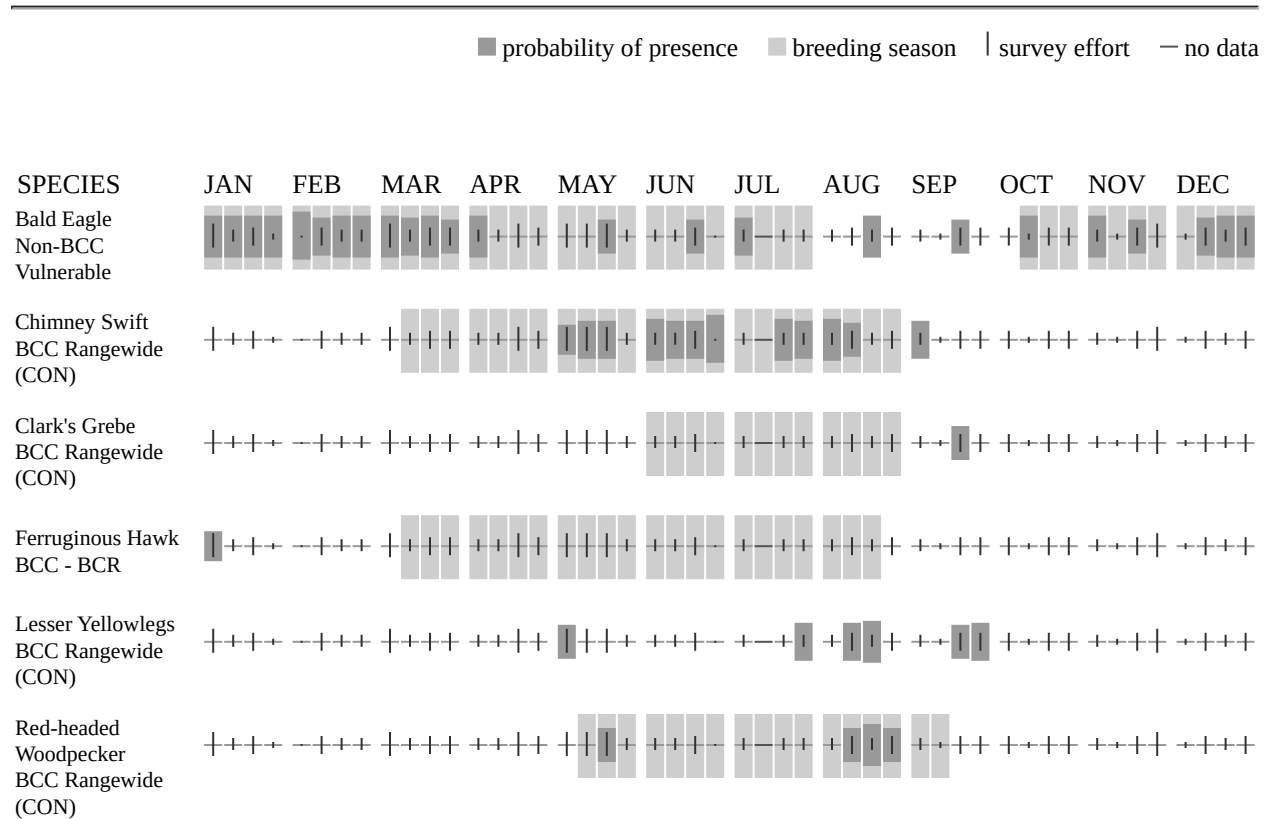
Vertical black lines superimposed on probability of presence bars indicate the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps. The number of surveys is expressed as a range, for example, 33 to 64 surveys.

**No Data (-)**

A week is marked as having no data if there were no survey events for that week.

**Survey Timeframe**

Surveys from only the last 10 years are used in order to ensure delivery of currently relevant information. The exception to this is areas off the Atlantic coast, where bird returns are based on all years of available data, since data in these areas is currently much more sparse.



Additional information can be found using the following links:

- Birds of Conservation Concern <https://www.fws.gov/program/migratory-birds/species>
- Measures for avoiding and minimizing impacts to birds <https://www.fws.gov/library/collections/avoiding-and-minimizing-incident-take-migratory-birds>

- Nationwide conservation measures for birds <https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf>

## **MIGRATORY BIRDS FAQ**

### **Tell me more about conservation measures I can implement to avoid or minimize impacts to migratory birds.**

[Nationwide Conservation Measures](#) describes measures that can help avoid and minimize impacts to all birds at any location year round. Implementation of these measures is particularly important when birds are most likely to occur in the project area. When birds may be breeding in the area, identifying the locations of any active nests and avoiding their destruction is a very helpful impact minimization measure. To see when birds are most likely to occur and be breeding in your project area, view the Probability of Presence Summary. [Additional measures](#) or [permits](#) may be advisable depending on the type of activity you are conducting and the type of infrastructure or bird species present on your project site.

### **What does IPaC use to generate the list of migratory birds that potentially occur in my specified location?**

The Migratory Bird Resource List is comprised of USFWS [Birds of Conservation Concern \(BCC\)](#) and other species that may warrant special attention in your project location.

The migratory bird list generated for your project is derived from data provided by the [Avian Knowledge Network \(AKN\)](#). The AKN data is based on a growing collection of [survey, banding, and citizen science datasets](#) and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle ([Eagle Act](#) requirements may apply), or a species that has a particular vulnerability to offshore activities or development.

Again, the Migratory Bird Resource list includes only a subset of birds that may occur in your project area. It is not representative of all birds that may occur in your project area. To get a list of all birds potentially present in your project area, please visit the [Rapid Avian Information Locator \(RAIL\) Tool](#).

### **What does IPaC use to generate the probability of presence graphs for the migratory birds potentially occurring in my specified location?**

The probability of presence graphs associated with your migratory bird list are based on data provided by the [Avian Knowledge Network \(AKN\)](#). This data is derived from a growing collection of [survey, banding, and citizen science datasets](#).

Probability of presence data is continuously being updated as new and better information becomes available. To learn more about how the probability of presence graphs are produced and how to interpret them, go the Probability of Presence Summary and then click on the "Tell me about these graphs" link.

### **How do I know if a bird is breeding, wintering or migrating in my area?**

To see what part of a particular bird's range your project area falls within (i.e. breeding, wintering, migrating or year-round), you may query your location using the [RAIL Tool](#) and look

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at the range maps provided for birds in your area at the bottom of the profiles provided for each bird in your results. If a bird on your migratory bird species list has a breeding season associated with it, if that bird does occur in your project area, there may be nests present at some point within the timeframe specified. If "Breeds elsewhere" is indicated, then the bird likely does not breed in your project area.

### **What are the levels of concern for migratory birds?**

Migratory birds delivered through IPaC fall into the following distinct categories of concern:

1. "BCC Rangewide" birds are Birds of Conservation Concern (BCC) that are of concern throughout their range anywhere within the USA (including Hawaii, the Pacific Islands, Puerto Rico, and the Virgin Islands);
2. "BCC - BCR" birds are BCCs that are of concern only in particular Bird Conservation Regions (BCRs) in the continental USA; and
3. "Non-BCC - Vulnerable" birds are not BCC species in your project area, but appear on your list either because of the Eagle Act requirements (for eagles) or (for non-eagles) potential susceptibilities in offshore areas from certain types of development or activities (e.g. offshore energy development or longline fishing).

Although it is important to try to avoid and minimize impacts to all birds, efforts should be made, in particular, to avoid and minimize impacts to the birds on this list, especially eagles and BCC species of rangewide concern. For more information on conservation measures you can implement to help avoid and minimize migratory bird impacts and requirements for eagles, please see the FAQs for these topics.

### **Details about birds that are potentially affected by offshore projects**

For additional details about the relative occurrence and abundance of both individual bird species and groups of bird species within your project area off the Atlantic Coast, please visit the Northeast Ocean Data Portal. The Portal also offers data and information about other taxa besides birds that may be helpful to you in your project review. Alternately, you may download the bird model results files underlying the portal maps through the NOAA NCCOS Integrative Statistical Modeling and Predictive Mapping of Marine Bird Distributions and Abundance on the Atlantic Outer Continental Shelf project webpage.

Bird tracking data can also provide additional details about occurrence and habitat use throughout the year, including migration. Models relying on survey data may not include this information. For additional information on marine bird tracking data, see the Diving Bird Study and the nanotag studies or contact Caleb Spiegel or Pam Loring.

### **What if I have eagles on my list?**

If your project has the potential to disturb or kill eagles, you may need to obtain a permit to avoid violating the Eagle Act should such impacts occur.

### **Proper Interpretation and Use of Your Migratory Bird Report**

The migratory bird list generated is not a list of all birds in your project area, only a subset of birds of priority concern. To learn more about how your list is generated, and see options for identifying what other birds may be in your project area, please see the FAQ "What does IPaC use to generate the migratory birds potentially occurring in my specified location". Please be

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aware this report provides the "probability of presence" of birds within the 10 km grid cell(s) that overlap your project; not your exact project footprint. On the graphs provided, please also look carefully at the survey effort (indicated by the black vertical bar) and for the existence of the "no data" indicator (a red horizontal bar). A high survey effort is the key component. If the survey effort is high, then the probability of presence score can be viewed as more dependable. In contrast, a low survey effort bar or no data bar means a lack of data and, therefore, a lack of certainty about presence of the species. This list is not perfect; it is simply a starting point for identifying what birds of concern have the potential to be in your project area, when they might be there, and if they might be breeding (which means nests might be present). The list helps you know what to look for to confirm presence, and helps guide you in knowing when to implement conservation measures to avoid or minimize potential impacts from your project activities, should presence be confirmed. To learn more about conservation measures, visit the FAQ "Tell me about conservation measures I can implement to avoid or minimize impacts to migratory birds" at the bottom of your migratory bird trust resources page.

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## WETLANDS

Impacts to NWI wetlands and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local U.S. Army Corps of Engineers District.

Please note that the NWI data being shown may be out of date. We are currently working to update our NWI data set. We recommend you verify these results with a site visit to determine the actual extent of wetlands on site.

THERE ARE NO WETLANDS WITHIN YOUR PROJECT AREA.

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## **IPAC USER CONTACT INFORMATION**

Agency: Terracon  
Name: Shannon Skaalure  
Address: 1801 Handley Ederville Road  
City: Fort Worth  
State: TX  
Zip: 76118  
Email: shannon.skaalure@terracon.com  
Phone: 5129171929

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**NEBRASKA ENDANGERED AND THREATENED SPECIES**

	<b>Common Name</b>	<b>Scientific Name</b>	<b>State Status</b>	<b>Federal Status</b>
<b>BIRDS</b>	Eskimo Curlew*	<i>Numenius borealis</i>	Endangered	Endangered
	Whooping Crane	<i>Grus americana</i>	Endangered	Endangered
	Interior Least Tern	<i>Sternula antillarum athalassos</i>	Endangered <sup>α</sup>	
	Eastern Black Rail ^	<i>Laterallus jamaicensis jamaicensis</i>	Threatened	Threatened
	Piping Plover	<i>Charadrius melodus</i>	Threatened	Threatened
	Rufa Red Knot ^	<i>Calidris canutus rufa</i>	Threatened	Threatened
	Thick-Billed Longspur	<i>Rhynchophanes mccownii</i>	Threatened	
	Mountain Plover	<i>Charadrius montanus</i>	Threatened	
<b>MAMMALS</b>	Black-footed Ferret*	<i>Mustela nigripes</i>	Endangered	Endangered
	Swift Fox	<i>Vulpes velox</i>	Endangered	
	Gray Wolf ^	<i>Canis lupus</i>	Endangered	Endangered
	Northern Long-eared Bat	<i>Myotis septentrionalis</i>	Threatened	Threatened 4(d) rule
	Southern Flying Squirrel	<i>Glaucomys volans</i>	Threatened	
<b>FISH</b>	Pallid Sturgeon	<i>Scaphirhynchus albus</i>	Endangered	Endangered
	Topeka Shiner	<i>Notropis topeka</i>	Endangered	Endangered
	Sturgeon Chub	<i>Macrhybopsis gelida</i>	Endangered	
	Blacknose Shiner	<i>Notropis heterolepis</i>	Endangered	
	Lake Sturgeon	<i>Acipenser fulvescens</i>	Threatened	
	Northern Redbelly Dace	<i>Chrosomus eos</i>	Threatened	
	Finescale Dace	<i>Chrosomus neogaeus</i>	Threatened	
<b>INSECTS</b>	American Burying Beetle	<i>Nicrophorus americanus</i>	Threatened	Threatened 4(d) rule
	Salt Creek Tiger Beetle	<i>Cicindela nevadica lincolniiana</i>	Endangered	Endangered
<b>REPTILES</b>	Timber Rattlesnake	<i>Crotalus horridus</i>	Threatened	
	Western Massasauga	<i>Sistrurus tergeminus</i>	Threatened	
<b>MUSSELS</b>	Scaleshell Mussel	<i>Leptodea leptodon</i>	Endangered	Endangered
<b>PLANTS</b>	Blowout Penstemon	<i>Penstemon haydenii</i>	Endangered	Endangered
	Colorado Butterfly Plant	<i>Gaura neomexicana ssp. coloradensis</i>	Endangered	
	Saltwort	<i>Salicornia rubra</i>	Endangered	
	Western Prairie Fringed Orchid	<i>Platanthera praeclara</i>	Threatened	Threatened
	Ute Ladies'-tresses	<i>Spiranthes diluvialis</i>	Threatened	Threatened
	American Ginseng	<i>Panax quinquefolius</i>	Threatened	
	Small White Lady's Slipper	<i>Cypripedium candidum</i>	Threatened	

\* There are historical records of these species in Nebraska, but no known recent records or extant populations in Nebraska.

<sup>α</sup> Status in Nebraska is under review.

<sup>^</sup> There are recent (not historical) records of these species in Nebraska. However, there are no known breeding populations and/or Nebraska does not provide an important stopover or migratory path for these species.

**32 State-listed Species:** 9 State & Federal Listed Endangered  
6 State-listed Endangered

7 State & Federal Listed Threatened  
10 State-listed Threatened



# Environmental Review Report

## Project Information

Report Generation Date:	7/20/2023 05:40:46 PM
Project Title:	Gering Solar
User Project Number(s):	0522P069
System Project ID:	NE-CERT-010222
Project Type:	Energy Production/Storage/Transfer, Solar
Project Activities:	None Selected
Project Size:	22.03 acres
County(s):	Scotts Bluff
Watershed(s):	North Platte
Watershed(s) HUC 8:	Middle North Platte-Scotts Bluff
Watershed(s) HUC 12:	Fairfield Seep-North Platte River
Biologically Unique Landscape(s):	North Platte River
Township/Range and/or Section(s):	T22R55WS36
Latitude/Longitude:	41.832772 / -103.639594

## Contact Information

Organization:	Terracon
Contact Name:	Reece Allen
Contact Phone:	4023302202
Contact Email:	Reece.Allen@terracon.com
Contact Address:	15080 A Cir Omaha NE 68144
Prepared By:	
Submitted On Behalf Of:	

## Project Description

The proposed action will include the construction and operation of a 4.78-MW DC PV solar energy power system for the City of Gering. The project involves installation of ground-mounted photo voltaic solar arrays of various kilowatt sizes using single axis trackers.

## Introduction

The Nebraska Game and Parks Commission (Commission) and the U.S. Fish and Wildlife Service (Service) have special concerns for endangered and threatened species, migratory birds, and other fish and wildlife and their habitats. Habitats frequently used by fish and wildlife species are wetlands, streams, riparian areas, woodlands, and grasslands. Special attention is given to proposed projects which modify wetlands, alter streams, result in loss of riparian habitat, convert/remove grasslands, or contaminate habitats. When this occurs, the Commission and Service recommend ways to avoid, minimize, or compensate for adverse effects to fish and wildlife and their habitats.

### CONSULTATION PURSUANT TO THE NEBRASKA NONGAME AND ENDANGERED SPECIES CONSERVATION ACT (NESCA)

The Commission has responsibility for protecting state-listed endangered and threatened species under authority of the Nongame and Endangered Species Conservation Act (NESCA) (Neb. Rev. Stat. § 37-801 to 37-811). Pursuant to § 37-807 (3) of NESCA, all state agencies shall, in consultation with the Commission, ensure projects they authorize (i.e., issue a permit for), fund or carry out do not jeopardize the continued existence of state-listed endangered or threatened species or result in the destruction or modification of habitat of such species which is determined by the Commission to be critical. If a proposed project may affect state-listed species or designated critical habitat, further consultation with the Commission is required.

Informal consultation pursuant to NESCA can be completed by using the Conservation and Environmental Review Tool (CERT). The CERT analyzes the project type and location, and based on the analysis, provides information about potential impacts to listed species, habitat questions and/or conservation conditions.

- If project proponents agree to implement conservation conditions, as outlined in the report and applicable to the project type, then this document serves as documentation of consultation and the following actions can be taken to move forward with the project:
  - Sign the report in the designated areas.
  - Upload the signed PDF as part of their "final" project submittal.
  - By agreeing to and implementing the conservation conditions as outlined (if applicable), then further consultation with the Commission is not required.
- If the report indicates the project may have impacts on state-listed species, then the following actions must be taken:
  - Project proponent is required to contact and consult with the Commission. Contact information can be found within this document.

### TECHNICAL ASSISTANCE AND CONSULTATION PURSUANT TO THE ENDANGERED SPECIES ACT (ESA)

The Service has responsibility for conservation and management of fish and wildlife resources for the benefit of the American public under the following authorities: 1) Endangered Species Act of 1973 (ESA); 2) Fish and Wildlife Coordination Act; 3) Bald and Golden Eagle Protection Act; and 4) Migratory Bird Treaty Act. The National Environmental Policy Act (NEPA) requires compliance with all of these statutes and regulations.

Pursuant to section 7(a)(2) of ESA, every federal agency, shall in consultation with the Service, ensure that an action they authorize, fund, or carry out is not likely to jeopardize the continued existence of a listed species or result in the destruction or adverse modification of designated critical habitat.

If a proposed project may affect federally listed species or designated critical habitat, Section 7 consultation is required with the Service. It is the responsibility of the lead federal action agency to fully evaluate all potential effects (direct and indirect) that may occur to federally listed species and critical habitat in the action area. The lead federal agency provides their effect determination to the Service for concurrence. If federally listed species and/or designated/proposed critical habitat would be adversely affected by implementation of the project, the lead federal agency will need to formally request further section 7 consultation with the Service prior to making any irretrievable or

irreversible commitment of federal funds (section 7(d) of ESA), or issuing any federal permits or licenses.

**The information generated in this report DOES NOT satisfy consultation obligations between the lead federal agency and the Service pursuant to ESA.** For the purposes of ESA, the information in this report should be considered as TECHNICAL ASSISTANCE, and does not serve as the Service's concurrence letter, even if the user signs and agrees to implement conservation conditions in order to satisfy the consultation requirements of NESCA.

## Overall Results

The following result is based on a detailed analysis of your project.

- Potential impacts on listed species may occur as a result of this project. Please proceed with the following: Sign and date the certification section. Upload the document as "final." Email a copy of the report with a request for review to the Nebraska Game and Parks Commission ([ngpc.envreview@nebraska.gov](mailto:ngpc.envreview@nebraska.gov)) and copy the U.S. Fish and Wildlife Service ([nebraskaes@fws.gov](mailto:nebraskaes@fws.gov)) for further consultation.

## Additional Information

**Potential impacts on listed species may occur as a result of this project. Further consultation with the Nebraska Game and Parks Commission and the U.S. Fish and Wildlife Service is required.**

## Certification

I certify that ALL of the project information in this report (including project location, project size/configuration, project type, project activities, answers to questions) is true, accurate, and complete. If the project type, activities, location, size, or configuration of the project change, or if any of the answers to any questions asked in this report change, then this information is no longer valid and we recommend running the revised project through CERT to get an updated report.



7/20/2023

Applicant/project proponent signature

Date

## Additional Considerations

### **Bald and Golden Eagle Protection Act**

The federal Bald and Golden Eagle Protection Act (Eagle Act) (16 U.S.C. 668-668c) provides for the protection of the bald eagle (*Haliaeetus leucocephalus*) and golden eagle (*Aquila chrysaetos*). Under the Eagle Act, "take" of eagles, their parts, nests or eggs is prohibited. Disturbance resulting in injury to an eagle or a decrease in productivity or nest abandonment by substantially interfering with normal breeding, feeding, or sheltering behavior is a form of "take."

Bald eagles use mature, forested riparian areas near rivers, streams, lakes, and wetlands and occur along all the major river systems in Nebraska. The bald eagle southward migration begins as early as October and the wintering period extends from December-March. The golden eagle is found in arid open country with grassland for foraging in western Nebraska and usually near buttes or canyons which serve as nesting sites. Golden eagles are often a permanent resident in the Pine Ridge area of Nebraska. Additionally, many bald and golden eagles nest in Nebraska from mid-February through mid-July. Disturbances within 0.5-miles of an active nest or within line-of-sight of the nest could cause adult eagles to discontinue nest building or to abandon eggs. Both bald and golden eagles frequent river systems in Nebraska during the winter where open water and forested corridors provide feeding, perching, and roosting habitats, respectively. The frequency and duration of eagle use of these habitats in the winter depends upon ice and weather conditions. Human disturbances and loss of wintering habitat can cause undue stress leading to cessation of feeding and failure to meet winter thermoregulatory requirements. These affects can reduce the carrying



capacity of preferred wintering habitat and reproductive success for the species.

To comply with the Eagle Act, it is recommended that the project proponent determine if the proposed project would impact bald or golden eagles or their habitats. This can be done by conducting a habitat assessment, surveying nesting habitat for active and inactive nests, and surveying potential winter roosting habitat to determine if it is being used by eagles. The area to be surveyed is dependent on the type of project; however for most projects we recommend surveying the project area and a ½ mile buffer around the project area. If it is determined that either species could be affected by the proposed project, the Commission recommends that the project proponent notify the Nebraska Game and Parks Commission as well as the Nebraska Field Office, U.S. Fish and Wildlife Service for recommendations to avoid “take” of bald and golden eagles.

#### **Migratory Bird Treaty Act and Nebraska Revised Statute §37-540**

We recommend the project proponent comply with the Migratory Bird Treaty Act (16 U.S.C. 703-712: Ch. 128 as amended) (MBTA). The project proponent should also comply with Nebraska Revised Statute §37-540, which prohibits take and destruction of nests or eggs of protected birds (as defined in Nebraska Revised Statute §37-237.01). Construction activities in grassland, wetland, stream, woodland, and river bank habitats that would result in impacts on birds, their nests or eggs protected under these laws should be avoided. Although the provisions of these laws are applicable year-round, most migratory bird nesting activity in Nebraska occurs during the period of May 1 to July 15. However, some migratory birds are known to nest outside of the aforementioned primary nesting season period. For example, raptors can be expected to nest in woodland habitats during February 1 through July 15, whereas sedge wrens, which occur in some wetland habitats, normally nest from July 15 to September 10. If development in this area is planned to occur during the primary nesting season or at any other time which may result in impacts to birds, their nests or eggs protected under these laws, we request that the project proponent arrange to have a qualified biologist conduct a field survey of the affected habitats to determine the absence or presence of nesting migratory birds. If a field survey identifies the existence of one or more active bird nests that cannot be avoided by the planned construction activities, the Nebraska Game and Parks Commission and the Nebraska Field Office, U.S. Fish and Wildlife Service should be contacted immediately. For more information on avoiding impacts to migratory birds, their nests and eggs, or to report active bird nests that cannot be avoided by planned construction activities, please contact the U.S. Fish and Wildlife Service and/or the Nebraska Game and Parks Commission (contact information within report). Adherence to these guidelines will help avoid unnecessary impacts on migratory birds.

#### **Fish and Wildlife Coordination Act**

The Fish and Wildlife Coordination Act (FWCA) requires consultation with the U.S. Fish and Wildlife Service (Service) and the State fish and wildlife agency (i.e., Nebraska Game and Parks Commission) for the purpose of preventing loss of and damage to fish and wildlife resources in the planning, implementation, and operation of federal and federally funded, permitted, or licensed water resource development projects. This statute requires that federal agencies take into consideration the effect that the water related project would have on fish and wildlife resources, to take action to prevent loss or damage to these resources, and to provide for the development and improvement of these resources. The comments in this letter are provided as technical assistance only and are not the document required of the Secretary of the Interior pursuant to Section 2(b) of FWCA on any required federal environmental review or permit. This technical assistance is valid only for the described conditions and will have to be revised if significant environmental changes or changes in the proposed project take place. In order to determine whether the effects to fish and wildlife resources from the proposed project are being considered under FWCA, the lead federal agency must notify the Service in writing of how the comments and recommendations in this technical assistance letter are being considered into the proposed project.

#### **Section 404 of the Clean Water Act**

In general, the Nebraska Game and Parks Commission and the U.S. Fish and Wildlife Service have concerns for impacts to wetlands, streams and riparian habitats. We recommend that impacts to wetlands, streams, and associated riparian corridors be avoided and minimized, and that any unavoidable impacts to these habitats be mitigated. If any fill materials will be placed into waterways or wetlands, the U.S. Army Corps of Engineers Regulatory Office in Omaha should be contacted to determine if a 404 permit is needed.

## Agency Contact Information

### **Nebraska Game and Parks Commission**

Environmental Review Team

2200 North 33rd Street

Lincoln, NE 68503

phone: (402) 471-5423

email: [ngpc.envreview@nebraska.gov](mailto:ngpc.envreview@nebraska.gov)

### **U.S. Fish and Wildlife Service**

Nebraska Ecological Services

9325 South Alda Road

Wood River, NE 68883

phone: (308) 382-6468

email: [nebraskaes@fws.gov](mailto:nebraskaes@fws.gov)

# Gering Solar

## Aerial Image Basemap With Locator Map



- 3-mile Information Buffer Boundary
- Project Review Boundary
- Project Boundary

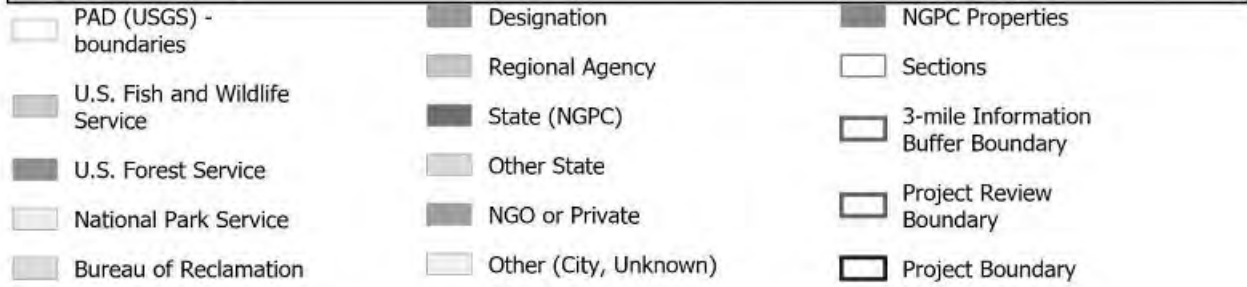
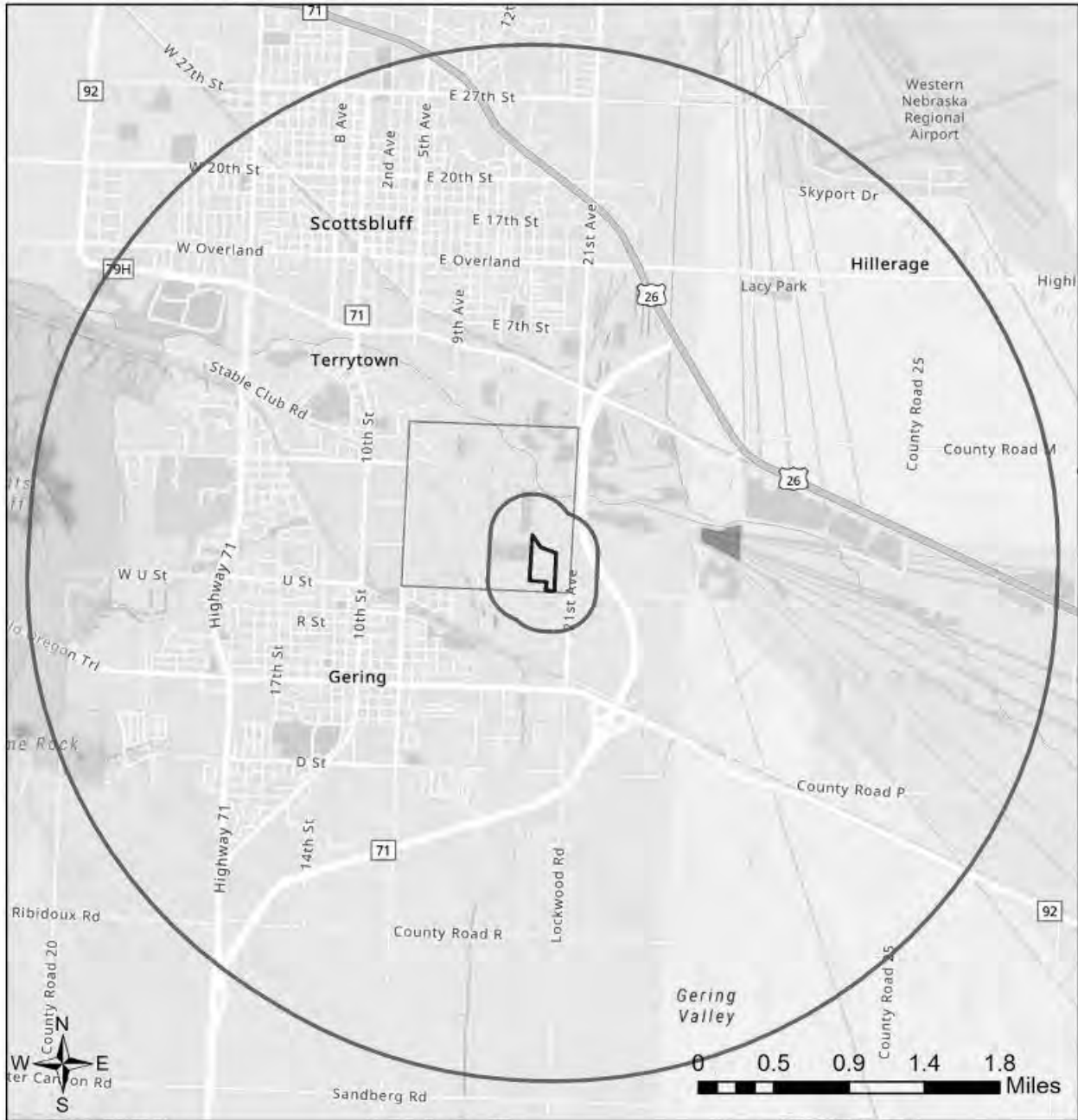
Project Size (acres): 22.03  
 Lat/Long (DD): 41.8328 / -103.6396  
 County(s): Scotts Bluff  
 BUL(s): North Platte River  
 Township/Range/Section(s): T22R55WS36



Sources: Esri, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodatastyrelsen, Rijkswaterstaat, GSA, Geoland, FEMA, Intermap and the GIS user community  
 Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community

# Gering Solar

## Topographic Basemap With Sections and Protected Areas





Sources: Esri, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodalastreisen, Rijkswaterstaat, GSA, Geoland, FEMA, Intermap and the GIS user community  
 Sources: Esri, HERE, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

# Gering Solar

## Web Map As Submitted By User



-  Project Review Boundary
-  Project Boundary

Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community

**Table 1**  
**Protected Areas in Immediate Vicinity of Project (project review area)**

This table has no results.

**Table 2**  
**Documented Occurrences in Immediate Vicinity of Project (project review area):**  
**Natural communities and selected special areas**

Name	Other Information	SRank	GRank
North Platte River Biologically Unique Landscape	<a href="#">Link to BUL document</a>		

**Table 3**  
**Regional Documented Occurrences of Species within 1 Mile of Project Review Area:**  
**Tier 1 and 2 at-risk species and additional S1-S3 plants**

Scientific Name	Common Name	USFWS	State	SGCN	SRank	GRank	Taxonomic Group
<i>Aeronautes saxatalis</i>	White-throated Swift			Tier 2	S3	G5	Vertebrate Animal - Birds
<i>Astragalus kentrophyta</i> var. <i>kentrophyta</i>	Nuttall's Kentrophyta				S3S4	G5T4	Vascular Plant - Dicots
<i>Astragalus pectinatus</i>	Tine-leaf Milk-vetch			Tier 2	S1	G5	Vascular Plant - Dicots
<i>Athene cucularia</i>	Burrowing Owl			Tier 1	S2	G4	Vertebrate Animal - Birds
<i>Brickellia grandiflora</i>	Tassel-flower				S2S4	G5	Vascular Plant - Dicots
<i>Catostomus catostomus</i>	Longnose Sucker			Tier 2	S2	G5	Vertebrate Animal - Fishes
<i>Ericameria parryi</i> var. <i>howardii</i>	Parry's Rabbit-brush				S2S3	G5T5	Vascular Plant - Dicots
<i>Falco mexicanus</i>	Prairie Falcon			Tier 2	S2	G5	Vertebrate Animal - Birds
<i>Fritillaria atropurpurea</i>	Leopard-lily			Tier 2	S2	G5	Vascular Plant - Monocots
<i>Fundulus sciadicus</i>	Plains Topminnow			Tier 1	S3	G4	Vertebrate Animal - Fishes
<i>Hybognathus placitus</i>	Plains Minnow			Tier 1	S2	G4	Vertebrate Animal - Fishes
<i>Ipomopsis congesta</i>	Ball-head Ipomopsis				S2S4	G5	Vascular Plant - Dicots
<i>Lappula fremontii</i>	Fremont's Stickseed				S2S4	GNR	Vascular Plant - Dicots
<i>Linanthus caespitosus</i>	Matted Prickly-phlox			Tier 1	S1	G4	Vascular Plant - Dicots
<i>Lomatium nuttallii</i>	Dog-parsley			Tier 1	S2	G3	Vascular Plant - Dicots
<i>Luxilus cornutus</i>	Common Shiner			Tier 2	S2	G5	Vertebrate Animal - Fishes
<i>Neotoma cinerea</i>	Bushy-tailed Woodrat			Tier 2	S3	G5	Vertebrate Animal - Mammals
<i>Phacelia hastata</i> var. <i>hastata</i>	Scorpion-weed			Tier 2	S2S3	G5T5	Vascular Plant - Dicots

**Table 3**  
**Regional Documented Occurrences of Species within 1 Mile of Project Review Area:**  
**Tier 1 and 2 at-risk species and additional S1-S3 plants**

Scientific Name	Common Name	USFWS	State	SGCN	SRank	GRank	Taxonomic Group
<i>Physaria brassicoides</i>	Great Plains Twinpod			Tier 2	S1	G5	Vascular Plant - Dicots
<i>Physaria montana</i>	Mountain Bladder-pod			Tier 2	S2	G5	Vascular Plant - Dicots
<i>Platygobio gracilis</i>	Flathead Chub			Tier 1	S2	G5	Vertebrate Animal - Fishes
<i>Stephanomeria runcinata</i>	Wire-lettuce			Tier 2	S2	G5	Vascular Plant - Dicots
<i>Thelypodium integrifolium</i>	Entire-leaf Thelypody				S2S4	G5	Vascular Plant - Dicots

**Table 4**  
**Potential Occurrences in Immediate Vicinity of Project (project review area):**  
**Special status species (Tier 1 at-risk species and Bald and Golden Eagle), based on models or range maps**

Scientific Name	Common Name	Data Type	USFWS	State	SGCN	SRank	GRank	Taxonomic Group
<i>Asio flammeus</i>	Short-eared Owl	Range			Tier 1	S2	G5	Vertebrate Animal - Birds
<i>Athene cunicularia</i>	Burrowing Owl	Range			Tier 1	S2	G4	Vertebrate Animal - Birds
<i>Boloria selene sabulocollis</i>	Kohler's Fritillary	Range			Tier 1	S1S2	G5T3	Invertebrate Animal - Butterflies and Skippers
<i>Cicindela limbata limbata</i>	Sandy Tiger Beetle	Range			Tier 1	S4	G5T3T4	Invertebrate Animal - Beetles
<i>Coccinella novemnotata</i>	Nine-spotted Ladybird Beetle	Range			Tier 1	S1	G5	Invertebrate Animal - Beetles
<i>Dalea cylindriceps</i>	Large-spike Prairie-clover	Range			Tier 1	S2	G3	Vascular Plant - Flowering Plants
<i>Danaus plexippus</i>	Monarch	Range			Tier 1	S2	G4	Invertebrate Animal - Butterflies and Skippers
<i>Ellipsoptera lepida</i>	Ghost Tiger Beetle	Range			Tier 1	S2	G3G4	Invertebrate Animal - Beetles
<i>Euphyes bimaculata illinois</i>	Two-spotted Skipper	Range			Tier 1	S3	G4T1T2	Invertebrate Animal - Butterflies and Skippers
<i>Fundulus sciadicus</i>	Plains Topminnow	Range			Tier 1	S3	G4	Vertebrate Animal - Fishes
<i>Haliaeetus leucocephalus</i>	Bald Eagle	Range			Tier 2	S3	G5	Vertebrate Animal - Birds
<i>Hesperia ottoe</i>	Ottoe Skipper	Range			Tier 1	S2	G3	Invertebrate Animal - Butterflies and Skippers
<i>Hybognathus placitus</i>	Plains Minnow	Range			Tier 1	S2	G4	Vertebrate Animal - Fishes
<i>Lanius ludovicianus</i>	Loggerhead Shrike	Range			Tier 1	S3	G4	Vertebrate Animal - Birds
<i>Lasionycteris noctivagans</i>	Silver-haired Bat	Range			Tier 1	S3	G3G4	Vertebrate Animal - Mammals

**Table 4**  
**Potential Occurrences in Immediate Vicinity of Project (project review area):**  
**Special status species (Tier 1 at-risk species and Bald and Golden Eagle), based on models or range maps**

Scientific Name	Common Name	Data Type	USFWS	State	SGCN	SRank	GRank	Taxonomic Group
<u>Lasiurus borealis</u>	Eastern Red Bat	Range			Tier 1	S3	G3G4	Vertebrate Animal - Mammals
<u>Lasiurus cinereus</u>	Hoary Bat	Range			Tier 1	S3	G3G4	Vertebrate Animal - Mammals
<u>Lethe eurydice fumosus</u>	Smoky-eyed Brown	Range			Tier 1	S3	G5T3T4	Invertebrate Animal - Butterflies and Skippers
<u>Lomatium nuttallii</u>	Dog-parsley	Range			Tier 1	S2	G3	Vascular Plant - Flowering Plants
<u>Myotis lucifugus</u>	Little Brown Myotis	Range			Tier 1	SNR	G3	Vertebrate Animal - Mammals
<u>Myotis thysanodes pahasapensis</u>	Fringed Myotis	Range			Tier 1	S1	G4T3	Vertebrate Animal - Mammals
<u>Perimyotis subflavus</u>	Tricolored Bat	Range			Tier 1	S3	G2G3	Vertebrate Animal - Mammals
<u>Pica hudsonia</u>	Black-billed Magpie	Range			Tier 1	S2	G5	Vertebrate Animal - Birds
<u>Platygobio gracilis</u>	Flathead Chub	Range			Tier 1	S2	G5	Vertebrate Animal - Fishes
<u>Speyeria idalia</u>	Regal Fritillary	Range			Tier 1	S3	G3?	Invertebrate Animal - Butterflies and Skippers
<u>Trimerotropis saxatilis</u>	Lichen Grasshopper	Range			Tier 1	S1	G3	Invertebrate Animal - Grasshoppers
<u>Vulpes velox</u>	Swift Fox	Range		E	Tier 1	S2	G3	Vertebrate Animal - Mammals





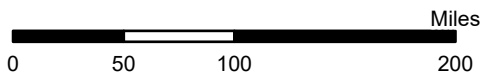
Gering, Nebraska



Layer

### T&E Species Range

- American Burying Beetle
- American Ginseng
- Blacknose Shiner
- Blowout Penstemon
- Colorado Butterfly Plant
- Finescale Dace
- Interior Least Tern
- Lake Sturgeon
- Mountain Plover
- Northern Long-eared Myotis
- Northern Redbelly Dace
- Pallid Sturgeon
- Piping Plover
- Salt Creek Tiger Beetle
- Saltwort
- Scaleshell Mussel
- Small White Lady's Slipper
- Southern Flying Squirrel
- Sturgeon Chub
- Swift Fox
- Thick-billed Longspur
- Timber Rattlesnake
- Topeka Shiner
- Ute Ladies'-tresses
- Western Massasauga
- Western Prairie Fringed Orchid
- Whooping Crane



Project No.:  
0522P069

Date:  
Jun 2023

Drawn By:  
RHA

Reviewed By:  
JR



15080 A Cir  
Omaha, NE

PH. 402-330-2202

terracon.com

### T&E Species Range Map

Proposed Solar Facility  
Gering, Scotts Bluff County, Nebraska

### Exhibit

# T&E

# APPENDIX C

Project Name: SE Municipal Solar - Gering  
Terracon Project No. 0522P061  
Date Photos Taken: May 31, 2022



**Photo #1** View of adjoining property to the southwest from site.



**Photo #2** View of adjoining property to the west, from the western boundary of the site.



**Photo #3** View of the site, looking north from the middle of the site.



**Photo #4** View of the site, looking north from the middle of the site.



**Photo #5** View of the eastern portion of the site, looking east from the middle of the site.



**Photo #6** View of the southern portion of the site, looking south from the middle of the site.

Project Name: SE Municipal Solar - Gering  
Terracon Project No. 0522P061  
Date Photos Taken: May 31, 2022



**Photo #7** View of the western portion of the site.



**Photo #8** View of southern adjoining property, looking southwest.



**Photo #9** View of abandoned cars on adjoining property to the south.



**Photo #10** View of dilapidated storage shed on southern adjoining property.



**Photo #11** View of fallen tree on southern adjoining property.



**Photo #12** View of site access road looking south.

Project Name: SE Municipal Solar - Gering  
Terracon Project No. 0522P061  
Date Photos Taken: May 31, 2022



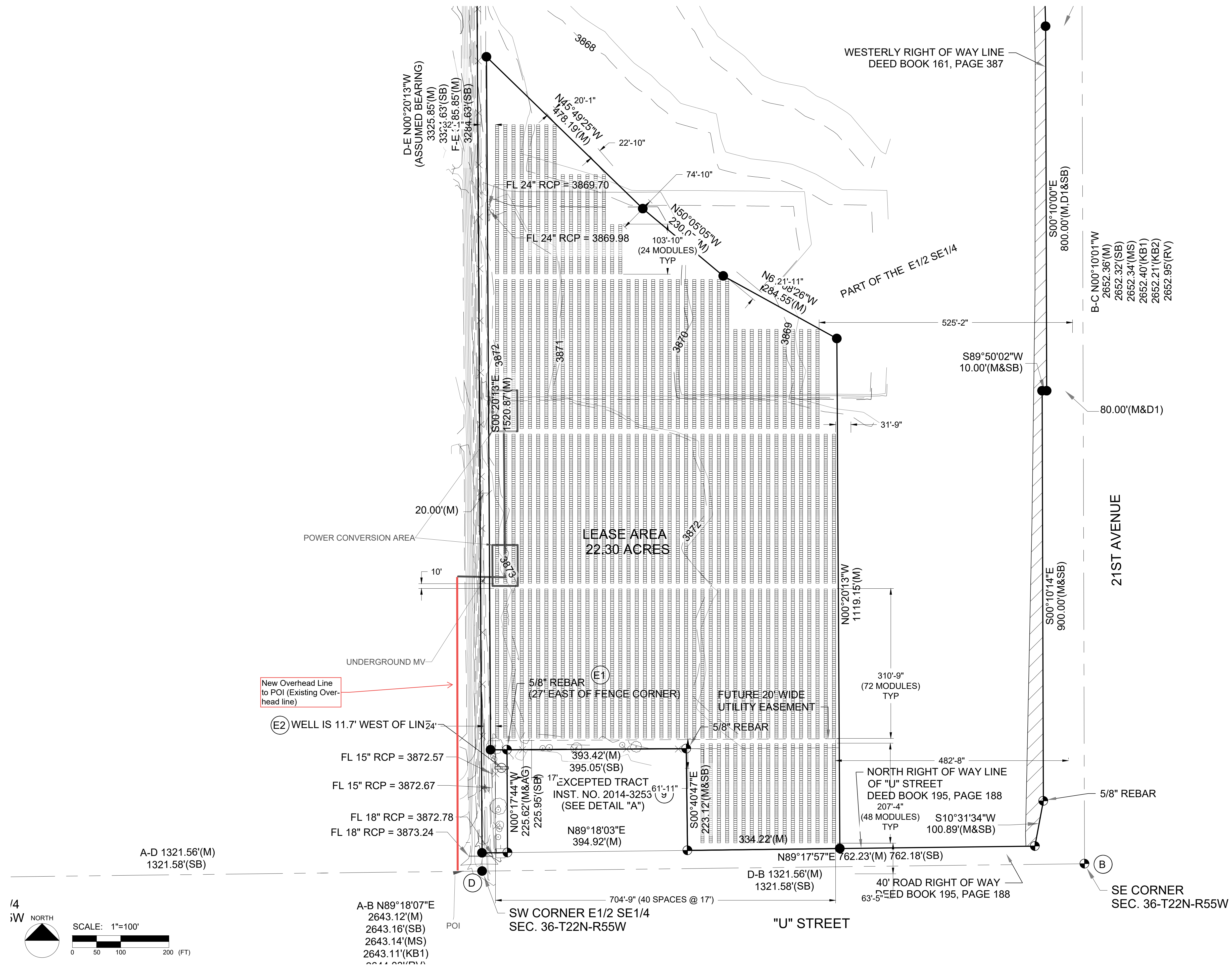
**Photo #13** View of site and site access road looking north.



**Photo #14** View of U Street looking west from the site entrance.



**Photo #15** View of U Street looking east from the site entrance.



- GENERAL NOTES:**
1. THESE DRAWINGS SHOW THE REQUIRED LOCATION OF VALMONT TRJ COMPONENTS FOR THIS PROJECT. THE LAYOUT IS BASED ON EXISTING CONDITION INFORMATION PROVIDED TO VALMONT BY THE CUSTOMER AND HAS NOT BEEN VERIFIED BY VALMONT. VERIFY KEY DIMENSIONS AND EXISTING CONDITIONS IN THE FIELD PRIOR TO BEGINNING INSTALLATION.
  2. OBTAIN VALMONT APPROVAL BEFORE MODIFYING THE LAYOUT SHOWN, OR RELOCATING, OMITTING, OR MODIFYING ANY VALMONT COMPONENT.
  3. THE VALMONT TRACKER CAN FOLLOW A MAXIMUM ALLOWABLE GRADE OF 7% IN N-S DIRECTION. SLOPES GREATER THAN 7% MUST BE GRADED TO 7% MAXIMUM.

PROJECT SPECIFICATIONS	
SYSTEM SIZE MW DC	4.78032
MODULE	FIRST SOLAR SERIES 6460W
MODULE QTY	10392
MODULES/STRING	24
ROW SPACING	17'-0"
GCR	39.0%
MODULES PER TRACKER	24, 48, 72
QTY 24 MODULE TABLES	2
QTY 48 MODULE TABLES	34
QTY 72 MODULE TABLES	121

PROPOSAL LAYOUT



August 1, 2023

Mr. Reece Allen  
Terracon  
15080 A Circle  
Omaha, NE 68144

**Re: Gering Solar Array, CERT-009988 (NGPC Proj SOLR22012), Scotts Bluff County, Nebraska**

Dear Mr. Allen:

Please make reference to your email and associated CERT Environmental Review Report (ERR), dated June 20, 2023. This letter is in response to a request for a review of this project location's potential impacts to endangered and threatened species in Scotts Bluff County, Nebraska. As we understand it, the project would involve the installation of a Solar Array for renewable energy generation of approximately 4.78 MW and associated collection and interconnection lines. The Nebraska Game and Parks Commission has responsibility for protecting endangered and threatened species under authority of the Nongame and Endangered Species Conservation Act (NESCA) (Neb. Rev. Stat. § 37-801 to 37-811). We have reviewed the project pursuant to NESCA and offer the following comments. This letter should be used in combination with the CERT ERR to constitute a complete environmental review for this project.

This project is within the range of the state listed endangered swift fox (*Vulpes velox*). There are no known records of any state-listed species within the immediate vicinity of the project area. The proposed project location consists of a regularly tilled agricultural area directly adjacent to wastewater lagoons. Based on the highly disturbed nature, it does not appear that any suitable habitat exists within or adjacent to the project area for the aforementioned species. Due to the lack of suitable habitat, it is unlikely this project would have an adverse impact on any state-listed threatened or endangered species.

Based on the information provided and the absence of suitable habitat for listed species, we acknowledge your determination that the Project would have “**no effect**” to state-listed endangered or threatened species. There is no requirement under the state statute and implementing regulations of the Nebraska Nongame and Endangered Species Conservation Act (Neb. Rev. Stat. § 37-807 (3); Title 163 Chap. 4 Sec. 012.02B8) for action agencies to receive Commission concurrence with “no effect” determinations; therefore, the responsibility for “no effect” determinations remain with the State agency responsible for approval, funding, permitting, or carrying out the proposed action. We recommend you retain the documentation for this conclusion in your decisional record.

This information is being provided based on a review of the material you sent, aerial photographs, and our Nebraska Natural Heritage Database. If the proposed project moves

forward or is changed, then we recommend further coordination with the Nebraska Game and Parks Commission Planning & Programming Division.

We also strongly recommend that solar project developers plan, construct, and operate their project in such a way as to avoid adverse impacts to all at-risk species, particularly pollinator species, such as monarch butterfly (*Danaus plexippus*) and regal fritillary (*Speyeria idalia*). The Commission encourages cooperative conservation efforts for Tier 1 At-Risk species, as identified in Table 4 of the ERR, on renewable energy projects. The Rights-of-Way as Habitat Working Group has identified a number of best management practices (BMPs) for pollinator-friendly solar energy located here: <http://rightofway.erc.uic.edu/resources/best-management-practices/>.

For an assessment of potential impacts to habitats and species protected under federal wildlife laws, including federally listed, candidate or proposed endangered or threatened species, please contact the Nebraska Field Office (nebraskaes@fws.gov), U.S. Fish and Wildlife Service, 9325 South Alda Road, Wood River, NE 68883.

Thank you for the opportunity to comment. If you have any questions or need additional information, please feel free to contact me at (402) 471-5422 or [melissa.marinovich@nebraska.gov](mailto:melissa.marinovich@nebraska.gov).

Sincerely,

A handwritten signature in black ink that reads "Melissa Marinovich". The signature is written in a cursive style.

Melissa Marinovich  
Assistant Division Administrator  
Planning and Programming Division

ec: USFWS (nebraskaes@fws.gov)





August 1, 2023

Mr. Reece Allen  
Terracon  
15080 A Circle  
Omaha, NE 68144

**Re: Gering Solar Array, CERT-009988 (NGPC Proj SOLR22012), Scotts Bluff County, Nebraska**

Dear Mr. Allen:

Please make reference to your email and associated CERT Environmental Review Report (ERR), dated June 20, 2023. This letter is in response to a request for a review of this project location's potential impacts to endangered and threatened species in Scotts Bluff County, Nebraska. As we understand it, the project would involve the installation of a Solar Array for renewable energy generation of approximately 4.78 MW and associated collection and interconnection lines. The Nebraska Game and Parks Commission has responsibility for protecting endangered and threatened species under authority of the Nongame and Endangered Species Conservation Act (NESCA) (Neb. Rev. Stat. § 37-801 to 37-811). We have reviewed the project pursuant to NESCA and offer the following comments. This letter should be used in combination with the CERT ERR to constitute a complete environmental review for this project.

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Based on the information provided and the absence of suitable habitat for listed species, we acknowledge your determination that the Project would have **"no effect"** to state-listed endangered or threatened species. There is no requirement under the state statute and implementing regulations of the Nebraska Nongame and Endangered Species Conservation Act (Neb. Rev. Stat. § 37-807 (3); Title 163 Chap. 4 Sec. 012.02B8) for action agencies to receive Commission concurrence with "no effect" determinations; therefore, the responsibility for "no effect" determinations remain with the State agency responsible for approval, funding, permitting, or carrying out the proposed action. We recommend you retain the documentation for this conclusion in your decisional record.

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Thank you for the opportunity to comment. If you have any questions or need additional information, please feel free to contact me at (402) 471-5422 or [melissa.marinovich@nebraska.gov](mailto:melissa.marinovich@nebraska.gov).

Sincerely,



Melissa Marinovich  
Assistant Division Administrator  
Planning and Programming Division

ec: USFWS (nebraskaes@fws.gov)



# Environmental Review Report

## Project Information

Report Generation Date:	7/20/2023 05:40:46 PM
Project Title:	Gering Solar
User Project Number(s):	0522P069
System Project ID:	NE-CERT-010222
Project Type:	Energy Production/Storage/Transfer, Solar
Project Activities:	None Selected
Project Size:	22.03 acres
County(s):	Scotts Bluff
Watershed(s):	North Platte
Watershed(s) HUC 8:	Middle North Platte-Scotts Bluff
Watershed(s) HUC 12:	Fairfield Seep-North Platte River
Biologically Unique Landscape(s):	North Platte River
Township/Range and/or Section(s):	T22R55WS36
Latitude/Longitude:	41.832772 / -103.639594

## Contact Information

Organization:	Terracon
Contact Name:	Reece Allen
Contact Phone:	4023302202
Contact Email:	Reece.Allen@terracon.com
Contact Address:	15080 A Cir Omaha NE 68144
Prepared By:	
Submitted On Behalf Of:	

## Project Description

The proposed action will include the construction and operation of a 4.78-MW DC PV solar energy power system for the City of Gering. The project involves installation of ground-mounted photo voltaic solar arrays of various kilowatt sizes using single axis trackers.

## Introduction

The Nebraska Game and Parks Commission (Commission) and the U.S. Fish and Wildlife Service (Service) have special concerns for endangered and threatened species, migratory birds, and other fish and wildlife and their habitats. Habitats frequently used by fish and wildlife species are wetlands, streams, riparian areas, woodlands, and grasslands. Special attention is given to proposed projects which modify wetlands, alter streams, result in loss of riparian habitat, convert/remove grasslands, or contaminate habitats. When this occurs, the Commission and Service recommend ways to avoid, minimize, or compensate for adverse effects to fish and wildlife and their habitats.

### CONSULTATION PURSUANT TO THE NEBRASKA NONGAME AND ENDANGERED SPECIES CONSERVATION ACT (NESCA)

The Commission has responsibility for protecting state-listed endangered and threatened species under authority of the Nongame and Endangered Species Conservation Act (NESCA) (Neb. Rev. Stat. § 37-801 to 37-811). Pursuant to § 37-807 (3) of NESCA, all state agencies shall, in consultation with the Commission, ensure projects they authorize (i.e., issue a permit for), fund or carry out do not jeopardize the continued existence of state-listed endangered or threatened species or result in the destruction or modification of habitat of such species which is determined by the Commission to be critical. If a proposed project may affect state-listed species or designated critical habitat, further consultation with the Commission is required.

Informal consultation pursuant to NESCA can be completed by using the Conservation and Environmental Review Tool (CERT). The CERT analyzes the project type and location, and based on the analysis, provides information about potential impacts to listed species, habitat questions and/or conservation conditions.

- If project proponents agree to implement conservation conditions, as outlined in the report and applicable to the project type, then this document serves as documentation of consultation and the following actions can be taken to move forward with the project:
  - Sign the report in the designated areas.
  - Upload the signed PDF as part of their "final" project submittal.
  - By agreeing to and implementing the conservation conditions as outlined (if applicable), then further consultation with the Commission is not required.
- If the report indicates the project may have impacts on state-listed species, then the following actions must be taken:
  - Project proponent is required to contact and consult with the Commission. Contact information can be found within this document.

### TECHNICAL ASSISTANCE AND CONSULTATION PURSUANT TO THE ENDANGERED SPECIES ACT (ESA)

The Service has responsibility for conservation and management of fish and wildlife resources for the benefit of the American public under the following authorities: 1) Endangered Species Act of 1973 (ESA); 2) Fish and Wildlife Coordination Act; 3) Bald and Golden Eagle Protection Act; and 4) Migratory Bird Treaty Act. The National Environmental Policy Act (NEPA) requires compliance with all of these statutes and regulations.

Pursuant to section 7(a)(2) of ESA, every federal agency, shall in consultation with the Service, ensure that an action they authorize, fund, or carry out is not likely to jeopardize the continued existence of a listed species or result in the destruction or adverse modification of designated critical habitat.

If a proposed project may affect federally listed species or designated critical habitat, Section 7 consultation is required with the Service. It is the responsibility of the lead federal action agency to fully evaluate all potential effects (direct and indirect) that may occur to federally listed species and critical habitat in the action area. The lead federal agency provides their effect determination to the Service for concurrence. If federally listed species and/or designated/proposed critical habitat would be adversely affected by implementation of the project, the lead federal agency will need to formally request further section 7 consultation with the Service prior to making any irretrievable or

irreversible commitment of federal funds (section 7(d) of ESA), or issuing any federal permits or licenses.

**The information generated in this report DOES NOT satisfy consultation obligations between the lead federal agency and the Service pursuant to ESA.** For the purposes of ESA, the information in this report should be considered as TECHNICAL ASSISTANCE, and does not serve as the Service's concurrence letter, even if the user signs and agrees to implement conservation conditions in order to satisfy the consultation requirements of NESCA.

## Overall Results

The following result is based on a detailed analysis of your project.

- Potential impacts on listed species may occur as a result of this project. Please proceed with the following: Sign and date the certification section. Upload the document as "final." Email a copy of the report with a request for review to the Nebraska Game and Parks Commission ([ngpc.envreview@nebraska.gov](mailto:ngpc.envreview@nebraska.gov)) and copy the U.S. Fish and Wildlife Service ([nebraskaes@fws.gov](mailto:nebraskaes@fws.gov)) for further consultation.

## Additional Information

**Potential impacts on listed species may occur as a result of this project. Further consultation with the Nebraska Game and Parks Commission and the U.S. Fish and Wildlife Service is required.**

## Certification

I certify that ALL of the project information in this report (including project location, project size/configuration, project type, project activities, answers to questions) is true, accurate, and complete. If the project type, activities, location, size, or configuration of the project change, or if any of the answers to any questions asked in this report change, then this information is no longer valid and we recommend running the revised project through CERT to get an updated report.



7/20/2023

Applicant/project proponent signature

Date

## Additional Considerations

### **Bald and Golden Eagle Protection Act**

The federal Bald and Golden Eagle Protection Act (Eagle Act) (16 U.S.C. 668-668c) provides for the protection of the bald eagle (*Haliaeetus leucocephalus*) and golden eagle (*Aquila chrysaetos*). Under the Eagle Act, "take" of eagles, their parts, nests or eggs is prohibited. Disturbance resulting in injury to an eagle or a decrease in productivity or nest abandonment by substantially interfering with normal breeding, feeding, or sheltering behavior is a form of "take."

Bald eagles use mature, forested riparian areas near rivers, streams, lakes, and wetlands and occur along all the major river systems in Nebraska. The bald eagle southward migration begins as early as October and the wintering period extends from December-March. The golden eagle is found in arid open country with grassland for foraging in western Nebraska and usually near buttes or canyons which serve as nesting sites. Golden eagles are often a permanent resident in the Pine Ridge area of Nebraska. Additionally, many bald and golden eagles nest in Nebraska from mid-February through mid-July. Disturbances within 0.5-miles of an active nest or within line-of-sight of the nest could cause adult eagles to discontinue nest building or to abandon eggs. Both bald and golden eagles frequent river systems in Nebraska during the winter where open water and forested corridors provide feeding, perching, and roosting habitats, respectively. The frequency and duration of eagle use of these habitats in the winter depends upon ice and weather conditions. Human disturbances and loss of wintering habitat can cause undue stress leading to cessation of feeding and failure to meet winter thermoregulatory requirements. These affects can reduce the carrying

capacity of preferred wintering habitat and reproductive success for the species.

To comply with the Eagle Act, it is recommended that the project proponent determine if the proposed project would impact bald or golden eagles or their habitats. This can be done by conducting a habitat assessment, surveying nesting habitat for active and inactive nests, and surveying potential winter roosting habitat to determine if it is being used by eagles. The area to be surveyed is dependent on the type of project; however for most projects we recommend surveying the project area and a ½ mile buffer around the project area. If it is determined that either species could be affected by the proposed project, the Commission recommends that the project proponent notify the Nebraska Game and Parks Commission as well as the Nebraska Field Office, U.S. Fish and Wildlife Service for recommendations to avoid “take” of bald and golden eagles.

#### **Migratory Bird Treaty Act and Nebraska Revised Statute §37-540**

We recommend the project proponent comply with the Migratory Bird Treaty Act (16 U.S.C. 703-712: Ch. 128 as amended) (MBTA). The project proponent should also comply with Nebraska Revised Statute §37-540, which prohibits take and destruction of nests or eggs of protected birds (as defined in Nebraska Revised Statute §37-237.01). Construction activities in grassland, wetland, stream, woodland, and river bank habitats that would result in impacts on birds, their nests or eggs protected under these laws should be avoided. Although the provisions of these laws are applicable year-round, most migratory bird nesting activity in Nebraska occurs during the period of May 1 to July 15. However, some migratory birds are known to nest outside of the aforementioned primary nesting season period. For example, raptors can be expected to nest in woodland habitats during February 1 through July 15, whereas sedge wrens, which occur in some wetland habitats, normally nest from July 15 to September 10. If development in this area is planned to occur during the primary nesting season or at any other time which may result in impacts to birds, their nests or eggs protected under these laws, we request that the project proponent arrange to have a qualified biologist conduct a field survey of the affected habitats to determine the absence or presence of nesting migratory birds. If a field survey identifies the existence of one or more active bird nests that cannot be avoided by the planned construction activities, the Nebraska Game and Parks Commission and the Nebraska Field Office, U.S. Fish and Wildlife Service should be contacted immediately. For more information on avoiding impacts to migratory birds, their nests and eggs, or to report active bird nests that cannot be avoided by planned construction activities, please contact the U.S. Fish and Wildlife Service and/or the Nebraska Game and Parks Commission (contact information within report). Adherence to these guidelines will help avoid unnecessary impacts on migratory birds.

#### **Fish and Wildlife Coordination Act**

The Fish and Wildlife Coordination Act (FWCA) requires consultation with the U.S. Fish and Wildlife Service (Service) and the State fish and wildlife agency (i.e., Nebraska Game and Parks Commission) for the purpose of preventing loss of and damage to fish and wildlife resources in the planning, implementation, and operation of federal and federally funded, permitted, or licensed water resource development projects. This statute requires that federal agencies take into consideration the effect that the water related project would have on fish and wildlife resources, to take action to prevent loss or damage to these resources, and to provide for the development and improvement of these resources. The comments in this letter are provided as technical assistance only and are not the document required of the Secretary of the Interior pursuant to Section 2(b) of FWCA on any required federal environmental review or permit. This technical assistance is valid only for the described conditions and will have to be revised if significant environmental changes or changes in the proposed project take place. In order to determine whether the effects to fish and wildlife resources from the proposed project are being considered under FWCA, the lead federal agency must notify the Service in writing of how the comments and recommendations in this technical assistance letter are being considered into the proposed project.

#### **Section 404 of the Clean Water Act**

In general, the Nebraska Game and Parks Commission and the U.S. Fish and Wildlife Service have concerns for impacts to wetlands, streams and riparian habitats. We recommend that impacts to wetlands, streams, and associated riparian corridors be avoided and minimized, and that any unavoidable impacts to these habitats be mitigated. If any fill materials will be placed into waterways or wetlands, the U.S. Army Corps of Engineers Regulatory Office in Omaha should be contacted to determine if a 404 permit is needed.

## Agency Contact Information

### **Nebraska Game and Parks Commission**

Environmental Review Team

2200 North 33rd Street

Lincoln, NE 68503

phone: (402) 471-5423

email: [ngpc.envreview@nebraska.gov](mailto:ngpc.envreview@nebraska.gov)

### **U.S. Fish and Wildlife Service**

Nebraska Ecological Services

9325 South Alda Road

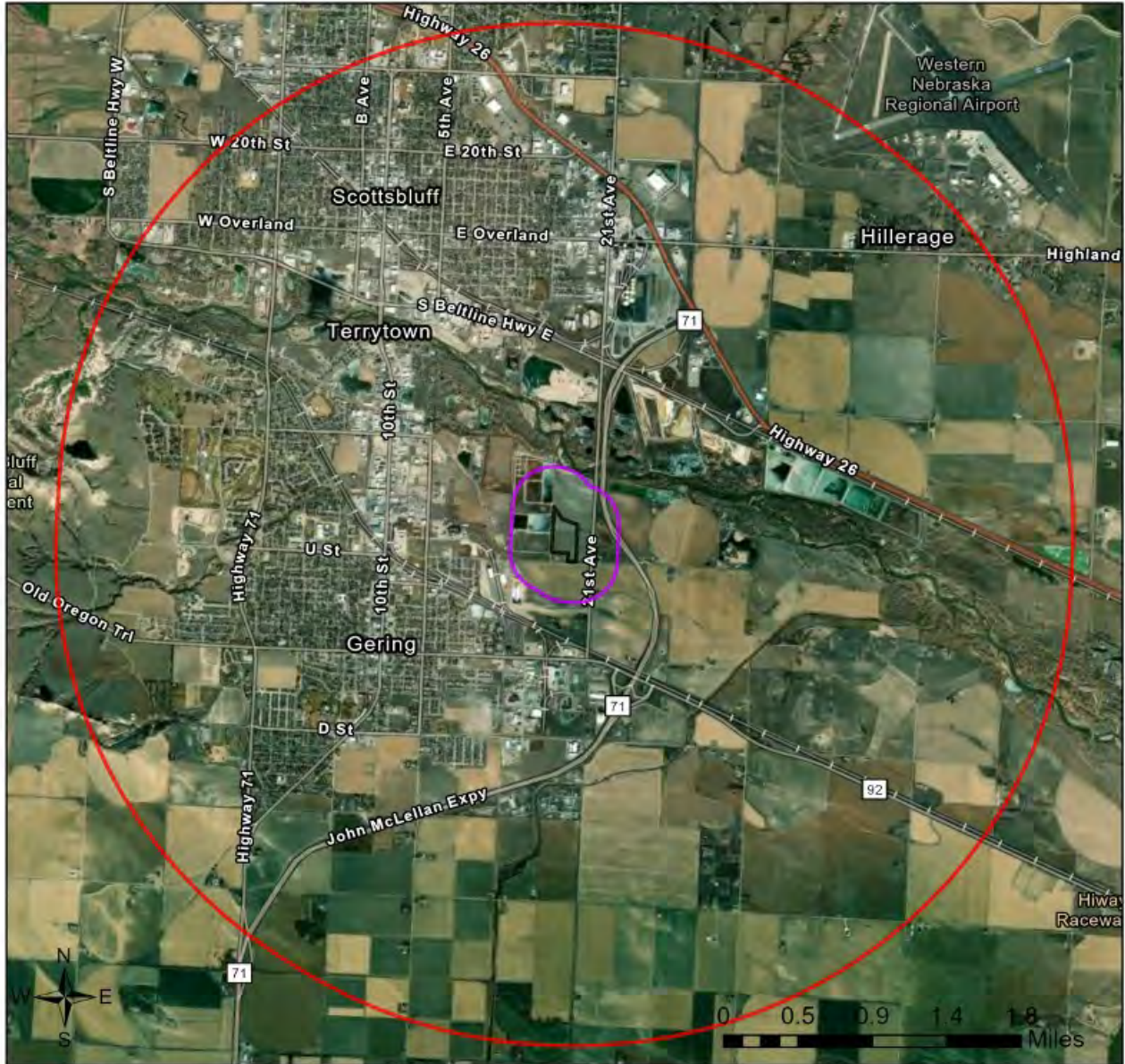
Wood River, NE 68883

phone: (308) 382-6468

email: [nebraskaes@fws.gov](mailto:nebraskaes@fws.gov)

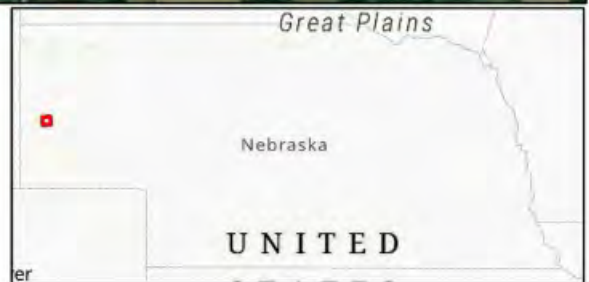
# Gering Solar

## Aerial Image Basemap With Locator Map



- 3-mile Information Buffer Boundary
- Project Review Boundary
- Project Boundary

Project Size (acres): 22.03  
 Lat/Long (DD): 41.8328 / -103.6396  
 County(s): Scotts Bluff  
 BUL(s): North Platte River  
 Township/Range/Section(s): T22R55WS36

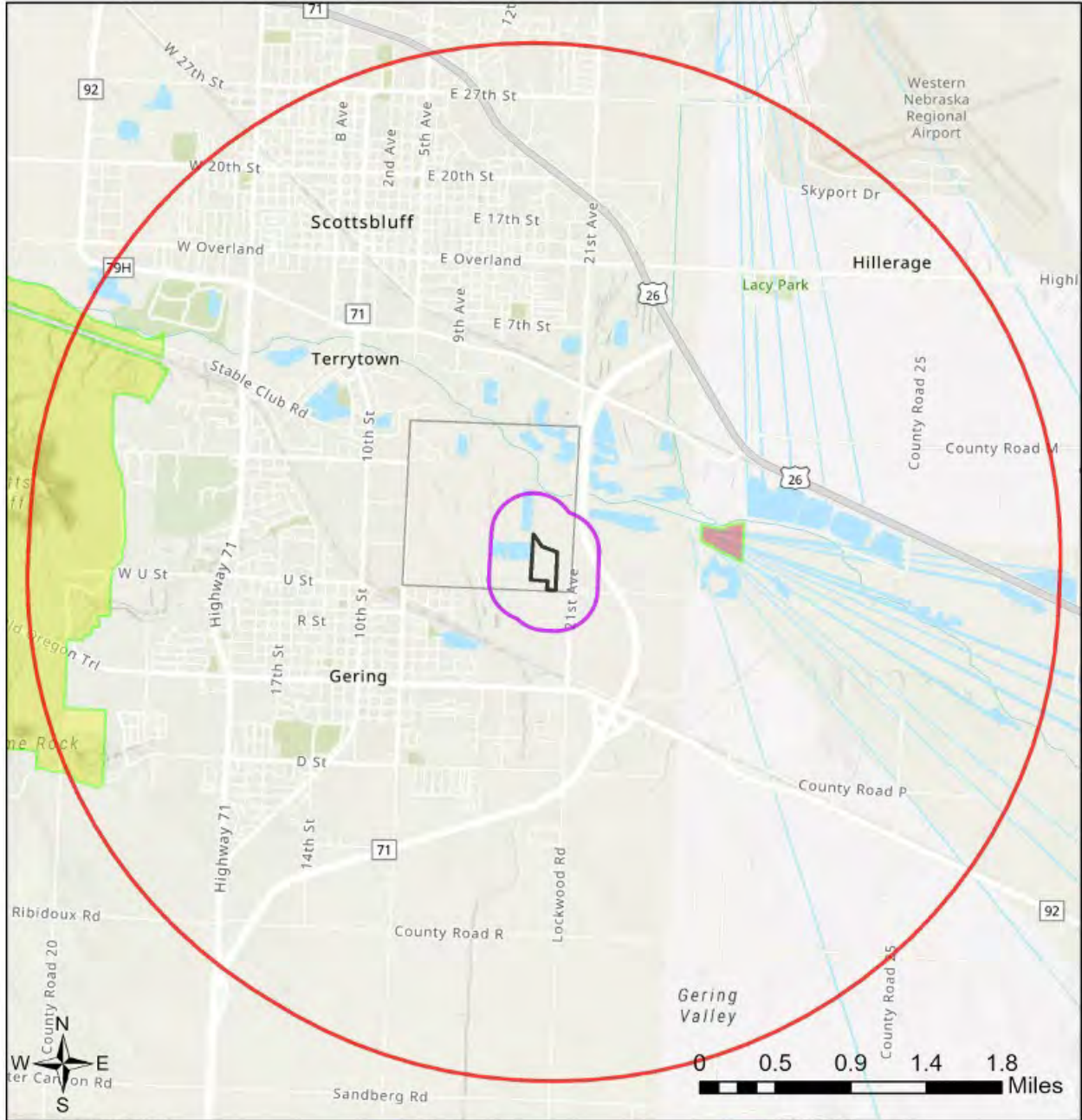


Sources: Esri, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodastystyrelsen, Rijkswaterstaat, GSA, Geoland, FEMA, Intermap and the GIS user community  
 Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community



# Gering Solar

## Topographic Basemap With Sections and Protected Areas





- |                                |                       |                                    |
|--------------------------------|-----------------------|------------------------------------|
| PAD (USGS) - boundaries        | Designation           | NGPC Properties                    |
| U.S. Fish and Wildlife Service | Regional Agency       | Sections                           |
| U.S. Forest Service            | State (NGPC)          | 3-mile Information Buffer Boundary |
| National Park Service          | Other State           | Project Review Boundary            |
| Bureau of Reclamation          | NGO or Private        | Project Boundary                   |
|                                | Other (City, Unknown) |                                    |

Sources: Esri, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodatasyrisen, Rijkswaterstaat, GSA, Geoland, FEMA, Intermap and the GIS user community  
Sources: Esri, HERE, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

# Gering Solar

## Web Map As Submitted By User



-  Project Review Boundary
-  Project Boundary

Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community

**Table 1**  
**Protected Areas in Immediate Vicinity of Project (project review area)**

This table has no results.

**Table 2**  
**Documented Occurrences in Immediate Vicinity of Project (project review area):**  
**Natural communities and selected special areas**

Name	Other Information	SRank	GRank
North Platte River Biologically Unique Landscape	<a href="#">Link to BUL document</a>		

**Table 3**  
**Regional Documented Occurrences of Species within 1 Mile of Project Review Area:**  
**Tier 1 and 2 at-risk species and additional S1-S3 plants**

Scientific Name	Common Name	USFWS	State	SGCN	SRank	GRank	Taxonomic Group
<i>Aeronautes saxatalis</i>	White-throated Swift			Tier 2	S3	G5	Vertebrate Animal - Birds
<i>Astragalus kentrophyta</i> var. <i>kentrophyta</i>	Nuttall's Kentrophyta				S3S4	G5T4	Vascular Plant - Dicots
<i>Astragalus pectinatus</i>	Tine-leaf Milk-vetch			Tier 2	S1	G5	Vascular Plant - Dicots
<i>Athene cucularia</i>	Burrowing Owl			Tier 1	S2	G4	Vertebrate Animal - Birds
<i>Brickellia grandiflora</i>	Tassel-flower				S2S4	G5	Vascular Plant - Dicots
<i>Catostomus catostomus</i>	Longnose Sucker			Tier 2	S2	G5	Vertebrate Animal - Fishes
<i>Ericameria parryi</i> var. <i>howardii</i>	Parry's Rabbit-brush				S2S3	G5T5	Vascular Plant - Dicots
<i>Falco mexicanus</i>	Prairie Falcon			Tier 2	S2	G5	Vertebrate Animal - Birds
<i>Fritillaria atropurpurea</i>	Leopard-lily			Tier 2	S2	G5	Vascular Plant - Monocots
<i>Fundulus sciadicus</i>	Plains Topminnow			Tier 1	S3	G4	Vertebrate Animal - Fishes
<i>Hybognathus placitus</i>	Plains Minnow			Tier 1	S2	G4	Vertebrate Animal - Fishes
<i>Ipomopsis congesta</i>	Ball-head Ipomopsis				S2S4	G5	Vascular Plant - Dicots
<i>Lappula fremontii</i>	Fremont's Stickseed				S2S4	GNR	Vascular Plant - Dicots
<i>Linanthus caespitosus</i>	Matted Prickly-phlox			Tier 1	S1	G4	Vascular Plant - Dicots
<i>Lomatium nuttallii</i>	Dog-parsley			Tier 1	S2	G3	Vascular Plant - Dicots
<i>Luxilus cornutus</i>	Common Shiner			Tier 2	S2	G5	Vertebrate Animal - Fishes
<i>Neotoma cinerea</i>	Bushy-tailed Woodrat			Tier 2	S3	G5	Vertebrate Animal - Mammals
<i>Phacelia hastata</i> var. <i>hastata</i>	Scorpion-weed			Tier 2	S2S3	G5T5	Vascular Plant - Dicots

**Table 3**  
**Regional Documented Occurrences of Species within 1 Mile of Project Review Area:**  
**Tier 1 and 2 at-risk species and additional S1-S3 plants**

Scientific Name	Common Name	USFWS	State	SGCN	SRank	GRank	Taxonomic Group
Physaria brassicoides	Great Plains Twinpod			Tier 2	S1	G5	Vascular Plant - Dicots
Physaria montana	Mountain Bladder-pod			Tier 2	S2	G5	Vascular Plant - Dicots
Platygobio gracilis	Flathead Chub			Tier 1	S2	G5	Vertebrate Animal - Fishes
Stephanomeria runcinata	Wire-lettuce			Tier 2	S2	G5	Vascular Plant - Dicots
Thelypodium integrifolium	Entire-leaf Thelypody				S2S4	G5	Vascular Plant - Dicots

**Table 4**  
**Potential Occurrences in Immediate Vicinity of Project (project review area):**  
**Special status species (Tier 1 at-risk species and Bald and Golden Eagle), based on models or range maps**

Scientific Name	Common Name	Data Type	USFWS	State	SGCN	SRank	GRank	Taxonomic Group
<a href="#">Asio flammeus</a>	Short-eared Owl	Range			Tier 1	S2	G5	Vertebrate Animal - Birds
<a href="#">Athene cunicularia</a>	Burrowing Owl	Range			Tier 1	S2	G4	Vertebrate Animal - Birds
<a href="#">Boloria selene sabulocollis</a>	Kohler's Fritillary	Range			Tier 1	S1S2	G5T3	Invertebrate Animal - Butterflies and Skippers
<a href="#">Cicindela limbata limbata</a>	Sandy Tiger Beetle	Range			Tier 1	S4	G5T3T4	Invertebrate Animal - Beetles
<a href="#">Coccinella novemnotata</a>	Nine-spotted Ladybird Beetle	Range			Tier 1	S1	G5	Invertebrate Animal - Beetles
<a href="#">Dalea cylindriceps</a>	Large-spike Prairie-clover	Range			Tier 1	S2	G3	Vascular Plant - Flowering Plants
<a href="#">Danaus plexippus</a>	Monarch	Range			Tier 1	S2	G4	Invertebrate Animal - Butterflies and Skippers
<a href="#">Ellipsoptera lepida</a>	Ghost Tiger Beetle	Range			Tier 1	S2	G3G4	Invertebrate Animal - Beetles
<a href="#">Euphyes bimaculata illinois</a>	Two-spotted Skipper	Range			Tier 1	S3	G4T1T2	Invertebrate Animal - Butterflies and Skippers
<a href="#">Fundulus sciadicus</a>	Plains Topminnow	Range			Tier 1	S3	G4	Vertebrate Animal - Fishes
<a href="#">Haliaeetus leucocephalus</a>	Bald Eagle	Range			Tier 2	S3	G5	Vertebrate Animal - Birds
<a href="#">Hesperia ottoe</a>	Ottoe Skipper	Range			Tier 1	S2	G3	Invertebrate Animal - Butterflies and Skippers
<a href="#">Hybognathus placitus</a>	Plains Minnow	Range			Tier 1	S2	G4	Vertebrate Animal - Fishes
<a href="#">Lanius ludovicianus</a>	Loggerhead Shrike	Range			Tier 1	S3	G4	Vertebrate Animal - Birds
<a href="#">Lasionycteris noctivagans</a>	Silver-haired Bat	Range			Tier 1	S3	G3G4	Vertebrate Animal - Mammals

**Table 4**  
**Potential Occurrences in Immediate Vicinity of Project (project review area):**  
**Special status species (Tier 1 at-risk species and Bald and Golden Eagle), based on models or range maps**

Scientific Name	Common Name	Data Type	USFWS	State	SGCN	SRank	GRank	Taxonomic Group
<a href="#">Lasiurus borealis</a>	Eastern Red Bat	Range			Tier 1	S3	G3G4	Vertebrate Animal - Mammals
<a href="#">Lasiurus cinereus</a>	Hoary Bat	Range			Tier 1	S3	G3G4	Vertebrate Animal - Mammals
<a href="#">Lethe eurydice fumosus</a>	Smoky-eyed Brown	Range			Tier 1	S3	G5T3T4	Invertebrate Animal - Butterflies and Skippers
<a href="#">Lomatium nuttallii</a>	Dog-parsley	Range			Tier 1	S2	G3	Vascular Plant - Flowering Plants
<a href="#">Myotis lucifugus</a>	Little Brown Myotis	Range			Tier 1	SNR	G3	Vertebrate Animal - Mammals
<a href="#">Myotis thysanodes pahasapensis</a>	Fringed Myotis	Range			Tier 1	S1	G4T3	Vertebrate Animal - Mammals
<a href="#">Perimyotis subflavus</a>	Tricolored Bat	Range			Tier 1	S3	G2G3	Vertebrate Animal - Mammals
<a href="#">Pica hudsonia</a>	Black-billed Magpie	Range			Tier 1	S2	G5	Vertebrate Animal - Birds
<a href="#">Platygobio gracilis</a>	Flathead Chub	Range			Tier 1	S2	G5	Vertebrate Animal - Fishes
<a href="#">Speyeria idalia</a>	Regal Fritillary	Range			Tier 1	S3	G3?	Invertebrate Animal - Butterflies and Skippers
<a href="#">Trimerotropis saxatilis</a>	Lichen Grasshopper	Range			Tier 1	S1	G3	Invertebrate Animal - Grasshoppers
<a href="#">Vulpes velox</a>	Swift Fox	Range		E	Tier 1	S2	G3	Vertebrate Animal - Mammals

APPENDIX F  
PHASE I ENVIRONMENTAL  
SITE ASSESSMENT

# Phase I Environmental Site Assessment

MEAN Solar Sites Portfolio

SE Municipal Solar - Gering

Country Rd N & Lockwood Rd 23

Gering, Scotts Bluff County, Nebraska

July 11, 2022

Terracon Project No. 0522P061 Task 4



**Prepared for:**

Sandhills Energy LLC

Omaha, Nebraska

**Prepared by:**

Terracon Consultants, Inc.

Omaha, Nebraska

[terracon.com](http://terracon.com)

**Terracon**

Environmental



Facilities



Geotechnical



Materials



July 11, 2022

Sandhills Energy LLC  
1209 Harney St, #400  
Omaha, NE 68102

Attn: Mr. Michael Knapp  
P: (402) 389-1668  
E: michael@sandhillsenergyco.com

Re: Phase I Environmental Site Assessment  
MEAN Solar Sites Portfolio  
SE Municipal Solar - Gering  
County Road N & Lockwood Rd 23  
Gering, Scotts Bluff County, Nebraska  
Terracon Project No. 0522P061 Task 4

Dear Mr. Knapp:

Terracon Consultants, Inc. (Terracon) is pleased to submit the enclosed Phase I Environmental Site Assessment (ESA) report for the above-referenced site. This assessment was performed in accordance with Terracon Proposal No. P05227217 dated May 10, 2022 and Master Services Agreement dated January 7, 2022.

We appreciate the opportunity to be of service to you on this project. In addition to Phase I services, our professionals provide geotechnical, environmental, construction materials, and facilities services on a wide variety of projects locally, regionally and nationally. For more detailed information on all of Terracon's services please visit our website at [www.terracon.com](http://www.terracon.com). If there are any questions regarding this report or if we may be of further assistance, please do not hesitate to contact us.

Sincerely,  
**Terracon Consultants, Inc.**

Mandy Carlson  
Assistant Scientist

Megan R. Hughes  
Senior Associate

Attachments

Terracon Consultants Inc. 15080 A Cir Omaha, NE 68144-5558

P 402-330-2202 F 402-330-7606 [terracon.com](http://terracon.com)



Environmental

Facilities

Geotechnical

Materials



## TABLE OF CONTENTS

	Page No.
<b>EXECUTIVE SUMMARY</b> .....	<b>i</b>
Findings and Opinions .....	i
Significant Data Gaps .....	ii
Conclusions .....	ii
Recommendations .....	ii
<b>1.0 INTRODUCTION</b> .....	<b>1</b>
1.1 Site Description .....	1
1.2 Scope of Services .....	1
1.3 Standard of Care .....	2
1.4 Additional Scope Limitations, ASTM Deviations and Data Gaps .....	2
1.5 Reliance .....	3
1.6 Client Provided Information .....	3
<b>2.0 PHYSICAL SETTING</b> .....	<b>4</b>
<b>3.0 HISTORICAL USE INFORMATION</b> .....	<b>5</b>
3.1 Historical Topographic Maps, Aerial Photographs, Sanborn Maps .....	5
3.2 Historical City Directories .....	6
3.3 Site Ownership .....	7
3.4 Title Search .....	7
3.5 Environmental Liens and Activity and Use Limitations .....	7
3.6 Interviews Regarding Current and Historical Site Uses .....	7
3.7 Prior Report Review .....	8
3.8 Historical Use Information Summary .....	<b>Error! Bookmark not defined.</b>
<b>4.0 RECORDS REVIEW</b> .....	<b>8</b>
4.1 Federal and State/Tribal Databases .....	8
4.2 Local Agency Inquiries .....	9
4.3 Records Review Summary .....	<b>Error! Bookmark not defined.</b>
<b>5.0 SITE RECONNAISSANCE</b> .....	<b>10</b>
5.1 General Site Information .....	10
5.2 Overview of Current Site Occupants .....	10
5.3 Overview of Current Site Operations .....	<b>Error! Bookmark not defined.</b>
5.4 Site Observations .....	10
5.5 condition.Site Reconnaissance Summary .....	<b>Error! Bookmark not defined.</b>
<b>6.0 ADJOINING PROPERTY RECONNAISSANCE</b> .....	<b>12</b>
6.1 Adjoining Property Summary .....	<b>Error! Bookmark not defined.</b>
<b>7.0 ADDITIONAL SERVICES</b> .....	<b>13</b>
<b>8.0 DECLARATION</b> .....	<b>13</b>

TABLE OF CONTENTS (continued)

**APPENDICES**

APPENDIX A	Exhibit 1 - Topographic Map, Exhibit 2 - Site Diagram
APPENDIX B	Site Photographs
APPENDIX C	Historical Documentation and User Questionnaire
APPENDIX D	Environmental Database Information
APPENDIX E	Credentials
APPENDIX F	Description of Terms and Acronyms

## **EXECUTIVE SUMMARY**

This Phase I Environmental Site Assessment (ESA) was performed in accordance with Terracon Proposal No. P05227217 dated May 10, 2022 and Master Services Agreement dated January 7, 2022 and was conducted consistent with the procedures included in ASTM E1527-13, *Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process*. The ESA was conducted under the supervision or responsible charge of Megan R. Hughes, Environmental Professional. Matthew A. Harbeck performed the site reconnaissance on May 31, 2022.

### **Findings and Opinions**

A summary of findings is provided below. It should be recognized that details were not included or fully developed in this section, and the report must be read in its entirety for a comprehensive understanding of the items contained herein.

#### Site Description and Use

The site is addressed as County Road North and Lockwood Road 23, Gering, Scotts Bluff County, Nebraska. The approximate 39.2-acre site is currently a vacant field. The proposed future use of the site is a commercial solar farm.

#### Historical Information

The site has historically been undeveloped vacant land. The historic use of the site does not represent a recognized environmental condition (REC) at this time. Further discussion in Section 4.1.

#### Records Review

The regulatory review did identify one facility within the specified search radii. Based on distance (3,615 feet south of the site) the regulated facility does not represent a REC to the site.

#### Site Reconnaissance

The site consists of agricultural cropland currently planted with soybeans. No drums, ASTs, totes, pad-mounted transformers were noticed on the site, nor on the adjoining properties. There is a wastewater treatment facility to the west of the site. Some older abandoned vehicles were observed on the south adjacent property, but no fluid leaks were seen at that time. The site reconnaissance did not reveal RECs associated with the site.

## Phase I Environmental Site Assessment

SE Municipal Solar - Alliance ■ Alliance, NE  
July 11, 2022 ■ Terracon Project No. 0522P061 Task 4



### Adjoining Properties

The current day adjoining properties included the following:

- A wastewater treatment facility to the west
- Abandoned vehicles, dilapidated storage shed, and land debris, followed by U Street and vacant land to the south
- The east adjoining is vacant land followed by County Road 23 and Highway 71; and
- The north adjoining land is vacant with trees followed by a river.

### **Significant Data Gaps**

Significant data gaps were not identified.

### **Conclusions**

We have performed a Phase I ESA consistent with the procedures included in ASTM Practice E 1527-13 at County Road N & Lockwood Rd 23, Scotts Bluff County, Nebraska, the site. Recognized Environmental Conditions (RECs) or Controlled RECs (CRECs) were not identified in connection with the site.

### **Recommendations**

Based on the scope of services, limitations, and conclusions of this assessment, Terracon did not identify RECs or CRECs. As such, no additional investigation is warranted at this time.

## 1.0 INTRODUCTION

### 1.1 Site Description

<b>Site Name</b>	SE Municipal Solar - Gering
<b>Site Location/Address</b>	County Road N & Lockwood Road 23, Gering, Scotts Bluff County, Nebraska
<b>Land Area</b>	Approximately 39.2 acres.
<b>Site Improvements</b>	The site is currently planted with soybeans.
<b>Anticipated Future Site Use</b>	Redevelopment for commercial use (solar farm)
<b>Reason for the ESA</b>	Due diligence in support of a lease.

The location of the site is depicted on Exhibit 1 of Appendix A, which was reproduced from a portion of the USGS 7.5-minute series topographic map. The site and adjoining properties are depicted on the Site Diagram, which is included as Exhibit 2 of Appendix A. Acronyms and terms used in this report are described in Appendix F.

### 1.2 Scope of Services

This Phase I ESA was performed in accordance with Terracon Proposal No. P05227217 dated May 10, 2022 and Master Services Agreement dated January 7, 2022 and was conducted consistent with the procedures included in ASTM E1527-13, *Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process*. The purpose of this ESA was to assist the client in developing information to identify RECs in connection with the site as reflected by the scope of this report. This purpose was undertaken through user-provided information, a regulatory database review, historical and physical records review, interviews, including local government inquiries, as applicable, and a visual noninvasive reconnaissance of the site and adjoining properties. Limitations, ASTM deviations, and significant data gaps (if identified) are noted in the applicable sections of the report.

ASTM E1527-13 contains a new definition of "migrate/migration," which refers to "the movement of hazardous substances or petroleum products in any form, including, for example, solid and liquid at the surface or subsurface, and vapor in the subsurface." By including this explicit reference to migration in ASTM E1527-13, the Standard clarifies that the potential for vapor migration should be addressed as part of a Phase I ESA. This Phase I ESA has considered vapor migration in evaluation of RECs associated with the site.

### **1.3 Standard of Care**

This ESA was performed in accordance with generally accepted practices of this profession, undertaken in similar studies at the same time and in the same geographical area. We have endeavored to meet this standard of care, but may be limited by conditions encountered during performance, a client-driven scope of work, or inability to review information not received by the report date. Where appropriate, these limitations are discussed in the text of the report, and an evaluation of their significance with respect to our findings has been conducted.

Phase I ESAs, such as the one performed at this site, are of limited scope, are noninvasive, and cannot eliminate the potential that hazardous, toxic, or petroleum substances are present or have been released at the site beyond what is identified by the limited scope of this ESA. In conducting the limited scope of services described herein, certain sources of information and public records were not reviewed. It should be recognized that environmental concerns may be documented in public records that were not reviewed. No ESA can wholly eliminate uncertainty regarding the potential for RECs in connection with a property. Performance of this practice is intended to reduce, but not eliminate, uncertainty regarding the potential for RECs. No warranties, express or implied, are intended or made. The limitations herein must be considered when the user of this report formulates opinions as to risks associated with the site or otherwise uses the report for any other purpose. These risks may be further evaluated – but not eliminated – through additional research or assessment. We will, upon request, advise you of additional research or assessment options that may be available and associated costs.

### **1.4 Additional Scope Limitations, ASTM Deviations and Data Gaps**

Based upon the agreed-on scope of services, this ESA did not include subsurface or other invasive assessments, vapor intrusion assessments or indoor air quality assessments (i.e., evaluation of the presence of vapors within a building structure), business environmental risk evaluations, or other services not particularly identified and discussed herein. Pertinent documents are referred to in the text of this report, and a separate reference section has not been included. Reasonable attempts were made to obtain information within the scope and time constraints set forth by the client; however, in some instances, information requested is not, or was not, received by the issuance date of the report. Information obtained for this ESA was received from several sources that we believe to be reliable; nonetheless, the authenticity or reliability of these sources cannot and is not warranted hereunder. This ESA was further limited by the following:

- A response has not been received from the local fire department or the local health department. The limitation does not represent a significant datagap.

An evaluation of the significance of limitations and missing information with respect to our findings has been conducted, and where appropriate, significant data gaps are identified and discussed in the text of the report. However, it should be recognized that an evaluation of significant data gaps is based on the information available at the time of report issuance, and an evaluation of

information received after the report issuance date may result in an alteration of our conclusions, recommendations, or opinions. We have no obligation to provide information obtained or discovered by us after the issuance date of the report, or to perform any additional services, regardless of whether the information would affect any conclusions, recommendations, or opinions in the report. This disclaimer specifically applies to any information that has not been provided by the client.

This report represents our service to you as of the report date and constitutes our final document; its text may not be altered after final issuance. Findings in this report are based upon the site's current utilization, information derived from the most recent reconnaissance and from other activities described herein; such information is subject to change. Certain indicators of the presence of hazardous substances or petroleum products may have been latent, inaccessible, unobservable, or not present during the most recent reconnaissance and may subsequently become observable (such as after site renovation or development). Further, these services are not to be construed as legal interpretation or advice.

**1.5 Reliance**

This ESA report is prepared for the exclusive use and reliance of Sandhills Energy LLC. Use or reliance by any other party is prohibited without the written authorization of Sandhills Energy LLC and Terracon Consultants, Inc. (Terracon).

Reliance on the ESA by the client and all authorized parties will be subject to the terms, conditions and limitations stated in the proposal, ESA report, and Terracon's Master Services Agreement. The limitation of liability defined in the Master Services Agreement is the aggregate limit of Terracon's liability to the client and all relying parties.

Continued viability of this report is subject to ASTM E1527-13 Sections 4.6 and 4.8. If the ESA will be used by a different user (third party) than the user for whom the ESA was originally prepared, the third party must also satisfy the user's responsibilities in Section 6 of ASTM E1527-13.

**1.6 Client Provided Information**

Prior to the site visit, Mr. Michael Knapp, client's representative, was asked to provide the following user questionnaire information as described in ASTM E1527-13 Section 6.

**Client Questionnaire Responses**

Client Questionnaire Item	Client Did Not Respond	Client's Response	
		Yes	No
Specialized Knowledge or Experience that is material to a REC in connection with the site.			X

Client Questionnaire Item	Client Did Not Respond	Client's Response	
		Yes	No
Actual Knowledge of Environmental Liens or Activity Use Limitations (AULs) that may encumber the site.			X
Actual Knowledge of a Lower Purchase Price because contamination is known or believed to be present at the site.			X
Commonly Known or Reasonably Ascertainable Information that is material to a REC in connection with the site.		X	
Obvious Indicators of Contamination at the site.			X

The client answered the User Questionnaire via email. Client stated there is a water treatment facility adjacent to the site. Terracon's consideration of the client provided information did not identify RECs.

## 2.0 PHYSICAL SETTING

Physical Setting Information		Source
<b>Topography</b>		
Site Elevation	Approximately 3,870 feet above sea level.	USGS Topographic Map, Scottsbluff (1976) and Minatare, (1965)
Topographic Gradient	Sloping toward the north-northeast	
Closest Surface Water	Site Closest Water, approximately 100 ft to the west	
<b>Soil Characteristics</b>		
Soil Type	5834 - Mitchell Silt loam, 0-1 percent slopes 5852 – Mitchell silt loam, wet variant, 0-1 percent slope	Scottsbluff County, NE USDA-NRCS Web Soil Survey accessed July 2022
Description	5834 - Mitchell silt loam is well drained with a negligible runoff class. The typical profile for this soil is as follows: H1 - 0 to 11 in. silt loam, H2 - 11 to 60 in. silt loam 5852 – Mitchell silt loam, wet variant is somewhat poorly drained with a negligible runoff class. The typical profile for this soil is as follows: H1 – 0 to 20 in. silt loam, H2 – 20 to 60 in. silt loam	



Physical Setting Information		Source
<b>Geology/Hydrogeology</b>		
Formation	White River Group (Oligocene)	USGS Database, accessed on July 2022
Description	Clay, some claystone, silt, and sandstone. Predominantly greenish gray volcanoclastic. Other occurrences are greenish gray to white and bentonitic. Local channel sandstone at base. Approximately 195 ft.	
Estimated Depth to First Occurrence of Groundwater	Static water level on-site may vary. Based on review of available Nebraska Department of Natural Resources (NDNR) Water Well records, static water in an off-site irrigation well located approximately 1500 ft east of the site is reported at approximately 5 feet below ground surface (bgs).	NDNR Water Well Records <a href="https://dnr.nebraska.gov/groundwater">https://dnr.nebraska.gov/groundwater</a> Accessed July 2022
*Hydrogeologic Gradient	Not known - may be inferred to be parallel to topographic gradient (primarily to the north-northeast).	

\* The groundwater flow direction and the depth to shallow, unconfined groundwater, if present, would likely vary depending upon seasonal variations in rainfall and other hydrogeological features. Without the benefit of on-site groundwater monitoring wells surveyed to a datum, groundwater depth and flow direction beneath the site cannot be directly ascertained.

### 3.0 HISTORICAL USE INFORMATION

Terracon reviewed the following historical sources to develop a history of the previous uses of the site and surrounding area, to help identify RECs associated with past uses. Copies of selected historical documents are included in Appendix C.

#### 3.1 Historical Topographic Maps, Aerial Photographs, Sanborn Maps

Readily available historical USGS topographic maps and selected historical aerial photographs (at approximately 10-to-15-year intervals) were reviewed to evaluate land development and obtain information concerning the history of development on and near the site. Reviewed historical topographic maps and aerial photographs are summarized below.

Historical fire insurance maps produced by the Sanborn Map Company were requested from EDR to evaluate past uses and relevant characteristics of the site and surrounding properties. Based upon inquiries to the above-listed Sanborn provider, Sanborn maps were not available for the site.

- Topographic map: Scottsbluff South, Nebraska, published **1898, 1963, 1976, 2014, and 2017**; aerial photo revised **1962 and 1976** (1:24,000)

- Topographic map: Minatare, Nebraska, published **1965**, **2014**, and **2017**; aerial photo revised **1963** (1:24,000)
- Aerial photograph: USGS, **1953**, **1963**, and **1976** (1" =500)
- Aerial photograph: USDA, **1984** (1" =500)
- Aerial photograph: USGS/DOQQ, **1993** and **1999** (1" =500)
- Aerial photograph: USDA/NAIP, **2006**, **2009**, **2012**, and **2016** (1" =500)

### Historical Maps and Aerial Photographs

Direction	Description
Site	Aerial photographs from 1953-2016 show vacant undeveloped land.
North	Aerial photographs from 1952-2016 show vacant undeveloped land with a creek running through.
East	Aerial photographs show vacant undeveloped land in 1953 and 1963. However, by 1976 aerial photographs depict the development of a road and vacant land beyond until 1999. By 2006, aerial photographs show a double lane highway with vacant land beyond until 2016.
South	1953 aerial photographs show vacant undeveloped land with a road beyond. By 1963 a residence appears south southwest (from site) with vacant land beyond and the, road. The further southern land remains vacant land until 2016.
West	Land was largely undeveloped except for a residence west southwest (from site) in 1953. By 1963, a large lagoon was developed and vacant land beyond. The 1976 aerial photograph shows two lagoons and vacant land. Aerial photographs from 1984 to approximately 2006 shows the adjoining west property was entirely made up of separate lagoons and vacant land beyond. By 2009, three of the lagoons seem to have dried up. The 2012 and 2016, aerial photographs show only three remaining lagoons to the west.

### 3.2 Historical City Directories

The EDR Digital Archive and Polk Directory Co. city directories used in this study were made available through EDR (selected years reviewed: 1963-2017) and were reviewed at approximate five-year intervals, if readily available. Street listings not available prior to 2005. The current street address for the site was identified as County Road N and Lockwood Road 23.

#### Historical City Directories

Direction	Description
Site	Not listed.
North	Not listed.
East	<u>230008 County Road N</u> : <b>Residence</b> (2014, 2005)
South	Not listed: Historically residential and undeveloped land

Direction	Description
West	Not listed: Historically developed as a wastewater treatment facility

### 3.3 Site Ownership

Based on a review of information obtained from the Scottsbluff County assessor’s records, the current site owner is the City of Gering.

### 3.4 Title Search

At the direction of the client, a title search was not included as part of the scope of services. The client provided a Commitment for Title Insurance prepared by Chicago Title Insurance Company. According to the Commitment for Title Insurance the current owner of the property is the City of Gering. The Commitment for Title Insurance also states there is a Right of Way Agreement for Irrigation Lateral as contained in the Warranty Deed, filed September 25, 1970. The Commitment for Title Insurance also states an easement for Urban Electric Transmission Line granted to Nebraska Public Power District, filed March 18, 2016.

### 3.5 Environmental Liens and Activity and Use Limitations

The EDR regulatory database report included a review of both Federal and State Engineering Control (EC) and Institutional Control (IC) databases. Based on a review of the database report, the site was not listed on the EC or IC databases. Please note that in addition to these federal and state listings, AULs can be recorded at the county and municipal level that may not be listed in the regulatory database report. Environmental lien and activity and use limitation records recorded against the site were not provided by the client. At the direction of the client, performance of a review of these records was not included as part of the scope of services. The client provided a Commitment for Title Insurance prepared by Chicago Title Insurance Company. The Commitment for Title Insurance did not indicate environmental lien records recorded against the site.

### 3.6 Interviews Regarding Current and Historical Site Uses

The following individual was interviewed regarding the current and historical use of the site.

#### Interviews

Interviewer	Name / Phone #	Title	Date/Time
Mandy Carlson	Annie Folck, (308) 436-6845	City Engineer	July 11, 2022, 9:30am

Terracon interviewed Annie Folck, City Engineer with the City of Gering. Ms. Folck indicated that they have been familiar with the site for five years, as the site is located within the industrial park

area of Gering. Ms. Folck indicated the site has been used for the planting of crops only; therefore, she didn't believe there were any environmental concerns. There are no storage barrels of any kind, no wells, or septic systems/draining fluids, according to Ms. Folck. She also indicated there are no former or current environmental litigations associated with the property.

### 3.7 Prior Report Review

Terracon requested the client provide any previous environmental reports, permits, registrations, and geotechnical reports they are aware of for the site. Previous reports were not provided by the client to Terracon for review.

## 4.0 RECORDS REVIEW

Regulatory database information was provided by EDR, a contract information services company. The purpose of the records review was to identify RECs in connection with the site. Information in this section is subject to the accuracy of the data provided by the information services company and the date at which the information is updated. The scope herein did not include confirmation of facilities listed as "unmappable" by regulatory databases.

In some of the following subsections, the words up-gradient, cross-gradient and down-gradient refer to the topographic gradient in relation to the site. As stated previously, the groundwater flow direction and the depth to shallow groundwater, if present, would likely vary depending upon seasonal variations in rainfall and the depth to the soil/bedrock interface. Without the benefit of on-site groundwater monitoring wells surveyed to a datum, groundwater depth and flow direction beneath the site cannot be directly ascertained.

### 4.1 Federal and State/Tribal Databases

Listed below are the facility listings identified on federal and state/tribal databases within the ASTM-required search distances from the approximate site boundaries. Database definition, descriptions, and the database search report are included in Appendix D.

#### Federal Databases

Database	Description	Distance (miles)	Listings
CERCLA	Comprehensive Environmental Response, Compensation, & Liability Information System	0.5	0
CERCLA / NFRAP	Comprehensive Environmental Response, Compensation, & Liability Information System/No Further Remedial Action Planned	0.5	0
ERNS	Emergency Response Notification System	Site	0
IC / EC	Institutional Control/Engineering Control	Site	0
NPL	National Priorities List	1	0

Database	Description	Distance (miles)	Listings
NPL (Delisted)	National Priorities Delisted List	0.5	0
RCRA CORRACTS/ TSD	RCRA Corrective Action Activity	1	1
RCRA Generators	Resource Conservation and Recovery Act	Site and adjoining properties	0
RCRA Non-CORRACTS/ TSD	RCRA Non-Corrective Action Activity	0.5	0

### State/Tribal Databases

Database	Description	Distance (miles)	Listings
Brownfields	Brownfields Inventory Listing	0.5	0
IC	Institutional Control Registry	Site	0
LUST	Leaking Underground Storage Tanks	0.5	0
SHWS	State Hazardous Waste Sites	1	1
SWF/LF	Solid Waste Facilities/Landfills	0.5	0
UST	Underground Storage Tank	Site and adjoining properties	0
VCP	Voluntary Cleanup Program	0.5	0

In addition to the above ASTM-required listings, Terracon reviewed other federal, state, local, and proprietary databases provided by the database firm. A list of the additional reviewed databases is included in the regulatory database report included in Appendix D.

The regulatory database review listed Agromac International Inc. as a regulated facility. This facility is located approximately 3,615 feet south of the site property. Based on the distance of this facility from the site, the listing does not represent a REC.

The orphan summary lists seven (7) facilities in the unmapped section. The listed facilities do not appear to be the site or the immediate adjoining properties.

## 4.2 Local Agency Inquiries

Agency Contacted/ Contact Method	Response
Scottsbluff Health Department / Via email	At the issuance of this report, a response had not been received from the Health Department.

Agency Contacted/ Contact Method	Response
City of Gering Fire Department/ Via email	At the issuance of this report, a response had not been received from the Fire Department.

## 5.0 SITE RECONNAISSANCE

### 5.1 General Site Information

Information contained in this section is based on a visual reconnaissance conducted while walking through the site and the accessible interior areas of structures, if any, located on the site. The site and adjoining properties are depicted on the Site Diagram, which is included in Exhibit 2 of Appendix A. Photo documentation of the site at the time of the visual reconnaissance is provided in Appendix B. Credentials of the individuals planning and conducting the site visit are included in Appendix E.

#### General Site Information

Site Reconnaissance	
Field Personnel	Matthew A. Harbeck
Reconnaissance Date	May 31, 2022
Weather Conditions	Cloudy Conditions and 70°F
Site Contact/Title	Annie Folck, City Engineer

### 5.2 Overview of Current Site Occupants

The site is undeveloped with no current occupants.

### 5.3 Site Observations

The following table summarizes site observations and interviews. Affirmative responses (designated by an “X”) are discussed in more detail following the table.

#### Site Characteristics

Category	Item or Feature	Observed or Identified
Site Operations, Processes, and Equipment	Emergency generators	
	Elevators	
	Air compressors	

Category	Item or Feature	Observed or Identified
	Hydraulic lifts	
	Dry cleaning	
	Photo processing	
	Ventilation hoods and/or incinerators	
	Waste treatment systems and/or water treatment systems	
	Heating and/or cooling systems	
	Paint booths	
	Sub-grade mechanic pits	
	Wash-down areas or carwashes	
	Pesticide/herbicide production or storage	
	Printing operations	
	Metal finishing (e.g., electroplating, chrome plating, galvanizing, etc.)	
	Salvage operations	
	Oil, gas, or mineral production	
	Other processes or equipment	
Aboveground Chemical or Waste Storage	Aboveground storage tanks	
	Drums, barrels and/or containers ≥ 5 gallons	
	MSDS or SDS	
Underground Chemical or Waste Storage, Drainage or Collection Systems	Underground storage tanks or ancillary UST equipment	
	Sumps, cisterns, French drains, catch basins and/or dry wells	
	Grease traps	
	Septic tanks and/or leach fields	
	Oil/water separators, clarifiers, sand traps, triple traps, interceptors	
	Pipeline markers	
	Interior floor drains	
Electrical Transformers/ PCBs	Transformers and/or capacitors	
	Other equipment	

Category	Item or Feature	Observed or Identified
Releases or Potential Releases	Stressed vegetation	
	Stained soil	
	Stained pavement or similar surface	
	Leachate and/or waste seeps	
	Trash, debris and/or other waste materials	
	Dumping or disposal areas	
	Construction/demolition debris and/or dumped fill dirt	
	Surface water discoloration, odor, sheen, and/or free-floating product	
	Strong, pungent, or noxious odors	
	Exterior pipe discharges and/or other effluent discharges	
Other Notable Site Features	Surface water bodies	
	Quarries or pits	
	Wastewater lagoons	
	Wells	

Site features listed in the table above were not observed at the site during the site reconnaissance.

## 6.0 ADJOINING PROPERTY RECONNAISSANCE

Visual observations of adjoining properties (from site boundaries) are summarized below.

### Adjoining Properties

Direction	Description
North	Adjoining north property is vacant land with trees visible followed by a river.
East	The adjoining east property is vacant land.
South	The adjoining south property has sitting vehicles, a dilapidated storage shed, large items of debris/trash and fallen down trees.
West	The adjoining west property is a wastewater treatment facility.

RECs were not observed with the adjoining properties.



## **7.0 ADDITIONAL SERVICES**

Per the agreed scope of services specified in the proposal, additional services (e.g., asbestos sampling, lead-based paint sampling, wetlands evaluation, lead in drinking water testing, radon testing, vapor encroachment screening, etc.) were not conducted.

## **8.0 DECLARATION**

I, Megan R. Hughes, declare that, to the best of my professional knowledge and belief, I meet the definition of Environmental Professional as defined in Section 312.10 of 40 CFR 312; and I have the specific qualifications based on education, training, and experience to assess a property of the nature, history, and setting of the site. I have developed and performed the All-Appropriate Inquiries in conformance with the standards and practices set forth in 40 CFR Part 312.

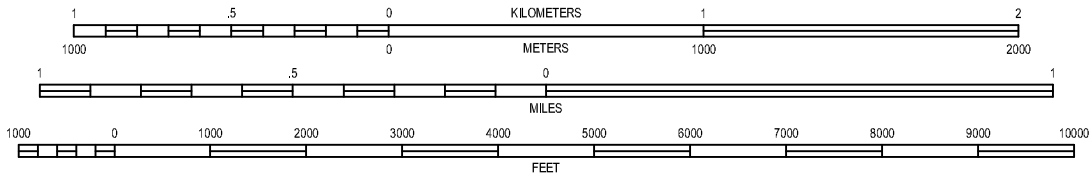
---

Megan R. Hughes  
Senior Associate

**APPENDIX A**  
**EXHIBIT 1 – TOPOGRAPHIC MAP**  
**EXHIBIT 2 – SITE DIAGRAM**



SCALE 1:24 000



CONTOUR INTERVAL 10 FEET  
NATIONAL GEODETIC VERTICAL DATUM OF 1929

GERING SOUTH, NEBRASKA  
QUADRANGLE  
2021  
7.5 MINUTE SERIES (TOPOGRAPHIC)



Project Mngr: MRH	Project No. 0522P061	 15080 A CIRCLE OMAHA, NE 68144 PH. (402) 330-2202 FAX. (402) 330-7606	TOPOGRAPHIC / LOCATION MAP	EXHIBIT
Drawn By: PAI	Scale: AS SHOWN		SE MUNICIPAL SOLAR – GERING U STREET / LOCKWOOD ROAD GERING, SCOTTSBLUFF COUNTY NEBRASKA	1
Checked By: MRH	File No. 0522P061T04			
Approved By: MRH	Date: 5/24/22			



**APPENDIX B**  
**SITE PHOTOGRAPHS**

Project Name: SE Municipal Solar - Gering  
Terracon Project No. 0522P061  
Date Photos Taken: May 31, 2022



**Photo #1** View of adjoining property to the southwest from site.



**Photo #2** View of adjoining property to the west, from the western boundary of the site.



**Photo #3** View of the site, looking north from the middle of the site.



**Photo #4** View of the site, looking north from the middle of the site.



**Photo #5** View of the eastern portion of the site, looking east from the middle of the site.



**Photo #6** View of the southern portion of the site, looking south from the middle of the site.

Project Name: SE Municipal Solar - Gering  
Terracon Project No. 0522P061  
Date Photos Taken: May 31, 2022



**Photo #7** View of the western portion of the site.



**Photo #8** View of southern adjoining property, looking southwest.



**Photo #9** View of abandoned cars on adjoining property to the south.



**Photo #10** View of dilapidated storage shed on southern adjoining property.



**Photo #11** View of fallen tree on southern adjoining property.



**Photo #12** View of site access road looking south.

Project Name: SE Municipal Solar - Gering  
Terracon Project No. 0522P061  
Date Photos Taken: May 31, 2022



**Photo #13** View of site and site access road looking north.



**Photo #14** View of U Street looking west from the site entrance.



**Photo #15** View of U Street looking east from the site entrance.



**APPENDIX C**  
**HISTORICAL DOCUMENTATION AND USER QUESTIONNAIRE**

SE Municipal Solar - Gering

NW Corner of County Road N & Lockwood Road 23

Gering, NE 69341

Inquiry Number: 6985975.30

May 18, 2022

## Certified Sanborn® Map Report



6 Armstrong Road, 4th floor  
Shelton, CT 06484  
Toll Free: 800.352.0050  
[www.edrnet.com](http://www.edrnet.com)

# Certified Sanborn® Map Report

05/18/22

**Site Name:**

SE Municipal Solar - Gering  
NW Corner of County Road N &  
Gering, NE 69341  
EDR Inquiry # 6985975.30

**Client Name:**

Terracon  
15080 A Circle  
Omaha, NE 68144  
Contact: Andrew Herman



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The Sanborn Library is continually enhanced with newly identified map archives. This report accesses all maps in the collection as of the day this report was generated.

## Certified Sanborn Results:

**Certification #** 8EC3-49C0-B1BD  
**PO #** NA  
**Project** 0522P061 Task 4



Sanborn® Library search results

Certification #: 8EC3-49C0-B1BD

### UNMAPPED PROPERTY

This report certifies that the complete holdings of the Sanborn Library, LLC collection have been searched based on client supplied target property information, and fire insurance maps covering the target property were not found.

The Sanborn Library includes more than 1.2 million fire insurance maps from Sanborn, Bromley, Perris & Browne, Hopkins, Barlow and others which track historical property usage in approximately 12,000 American cities and towns. Collections searched:

- Library of Congress
- University Publications of America
- EDR Private Collection

*The Sanborn Library LLC Since 1866™*

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**SE Municipal Solar - Gering**

NW Corner of County Road N & Lockwood Road 23

Gering, NE 69341

Inquiry Number: 6985975.36

May 20, 2022

## The EDR Aerial Photo Decade Package



6 Armstrong Road, 4th floor  
Shelton, CT 06484  
Toll Free: 800.352.0050  
[www.edrnet.com](http://www.edrnet.com)

# EDR Aerial Photo Decade Package

05/20/22

**Site Name:**

SE Municipal Solar - Gering  
NW Corner of County Road N &  
Gering, NE 69341  
EDR Inquiry # 6985975.36

**Client Name:**

Terracon  
15080 A Circle  
Omaha, NE 68144  
Contact: Andrew Herman



Environmental Data Resources, Inc. (EDR) Aerial Photo Decade Package is a screening tool designed to assist environmental professionals in evaluating potential liability on a target property resulting from past activities. EDR's professional researchers provide digitally reproduced historical aerial photographs, and when available, provide one photo per decade.

## Search Results:

<u>Year</u>	<u>Scale</u>	<u>Details</u>	<u>Source</u>
2016	1"=500'	Flight Year: 2016	USDA/NAIP
2012	1"=500'	Flight Year: 2012	USDA/NAIP
2009	1"=500'	Flight Year: 2009	USDA/NAIP
2006	1"=500'	Flight Year: 2006	USDA/NAIP
1999	1"=500'	Acquisition Date: January 01, 1999	USGS/DOQQ
1993	1"=500'	Acquisition Date: May 03, 1993	USGS/DOQQ
1984	1"=500'	Flight Date: May 23, 1984	USDA
1976	1"=500'	Flight Date: May 27, 1976	USGS
1963	1"=500'	Flight Date: June 27, 1963	USGS
1953	1"=500'	Flight Date: September 26, 1953	USGS

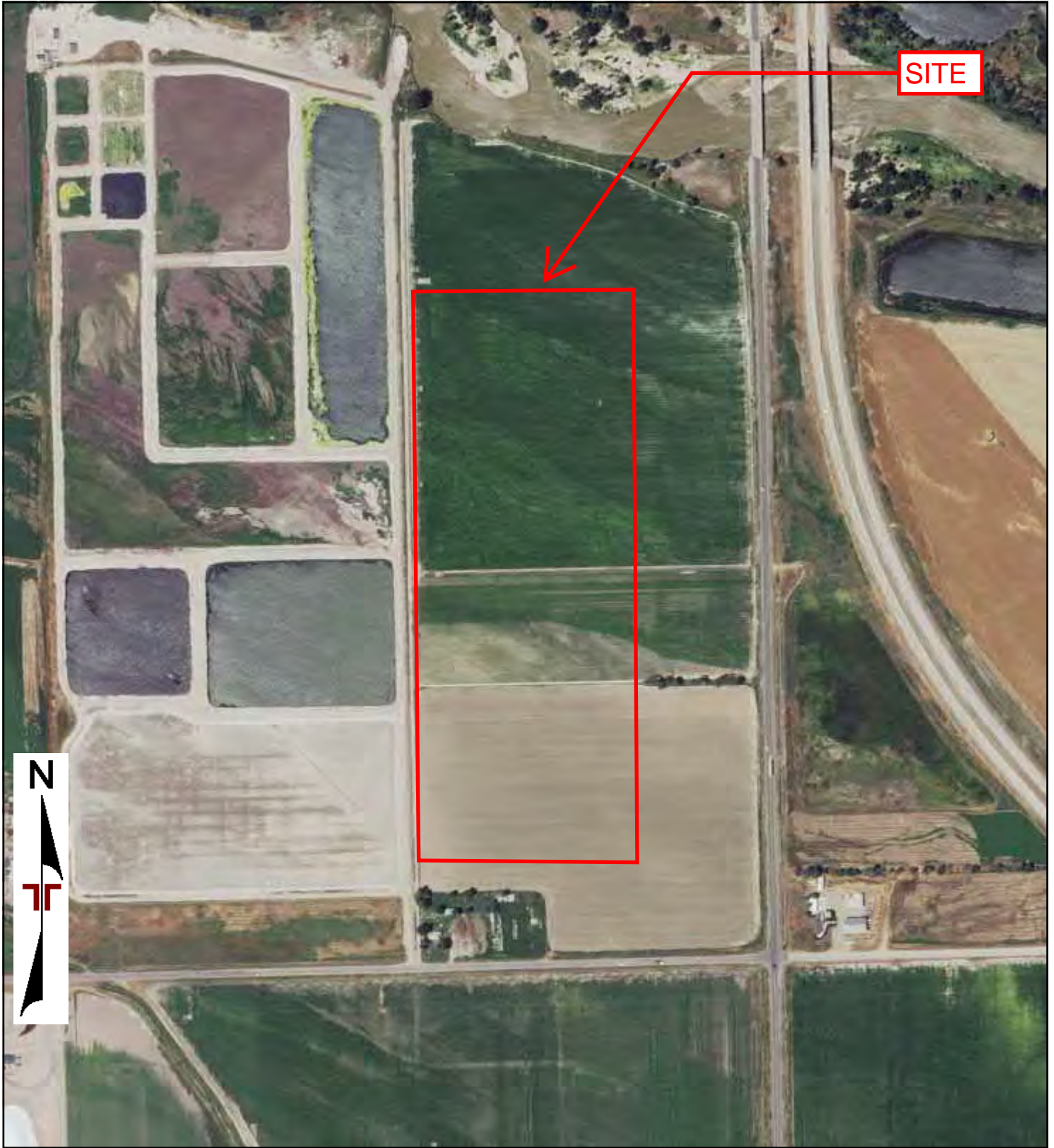
**When delivered electronically by EDR, the aerial photo images included with this report are for ONE TIME USE ONLY. Further reproduction of these aerial photo images is prohibited without permission from EDR. For more information contact your EDR Account Executive.**

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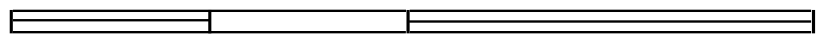
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SITE



0 Feet

500

1000

2000

Project Manager:	Project No:
Drawn By:	Scale:
Checked By:	File Name:
Approved By:	Date: 2016



2016 AERIAL PHOTOGRAPH	



SITE

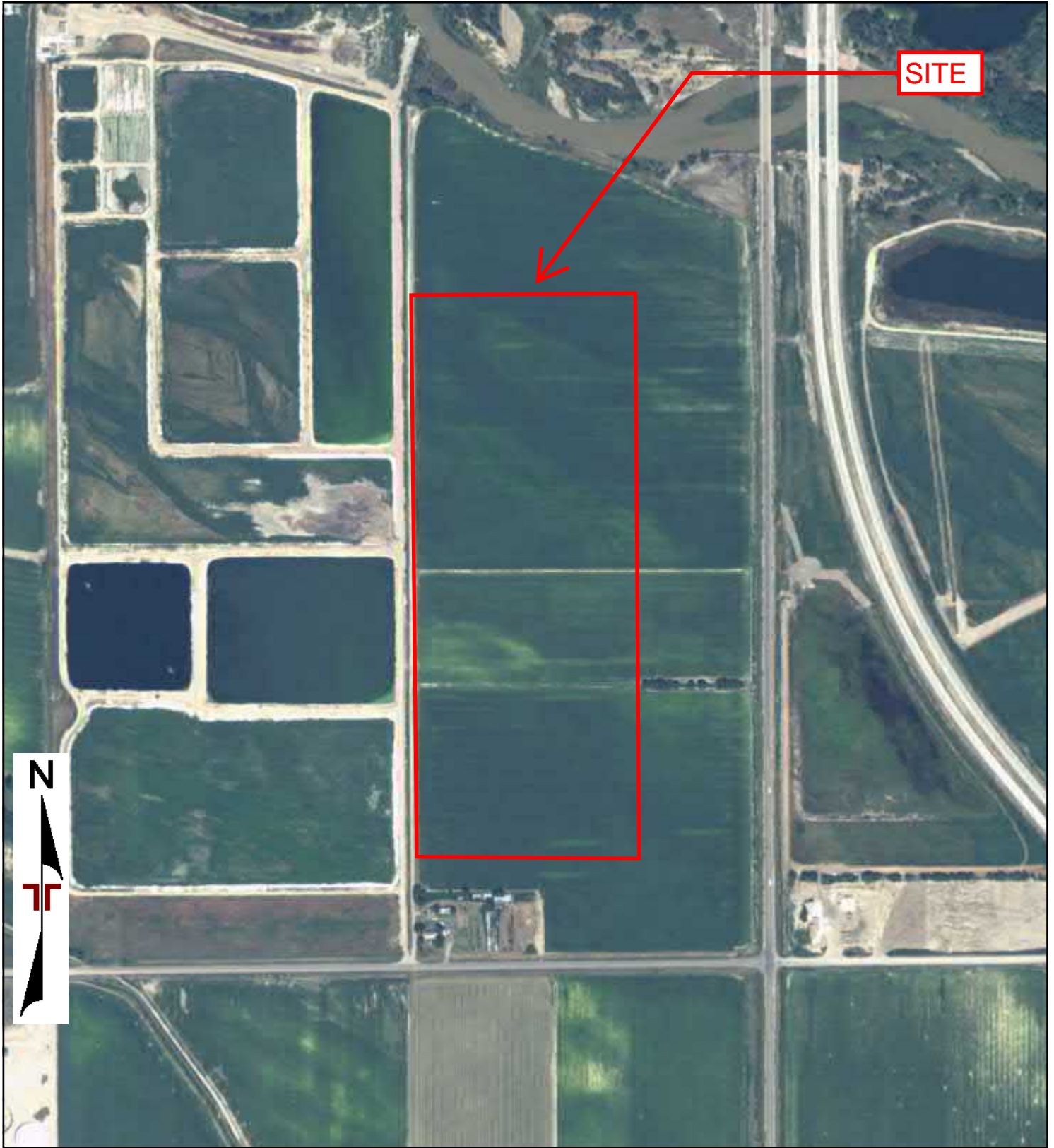


0 Feet                      500                      1000                      2000

Project Manager:	Project No:
Drawn By:	Scale:
Checked By:	File Name:
Approved By:	Date: 2012



2012 AERIAL PHOTOGRAPH

**SITE**



0 Feet

500

1000

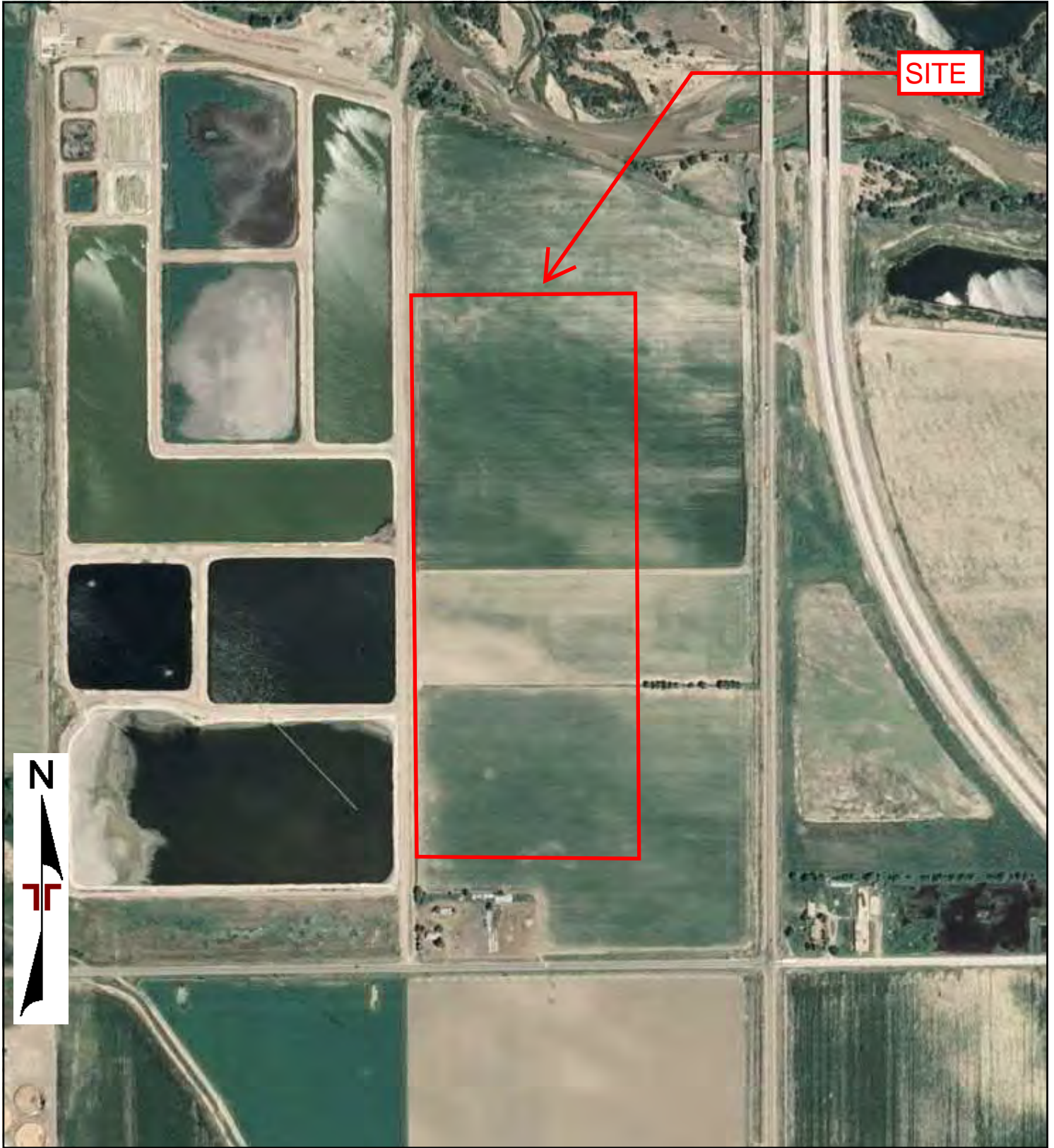
2000

Project Manager:	Project No:
Drawn By:	Scale:
Checked By:	File Name:
Approved By:	Date: 2009



2009 AERIAL PHOTOGRAPH	





0 Feet

500

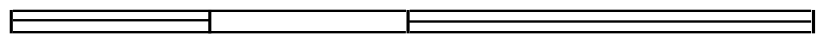
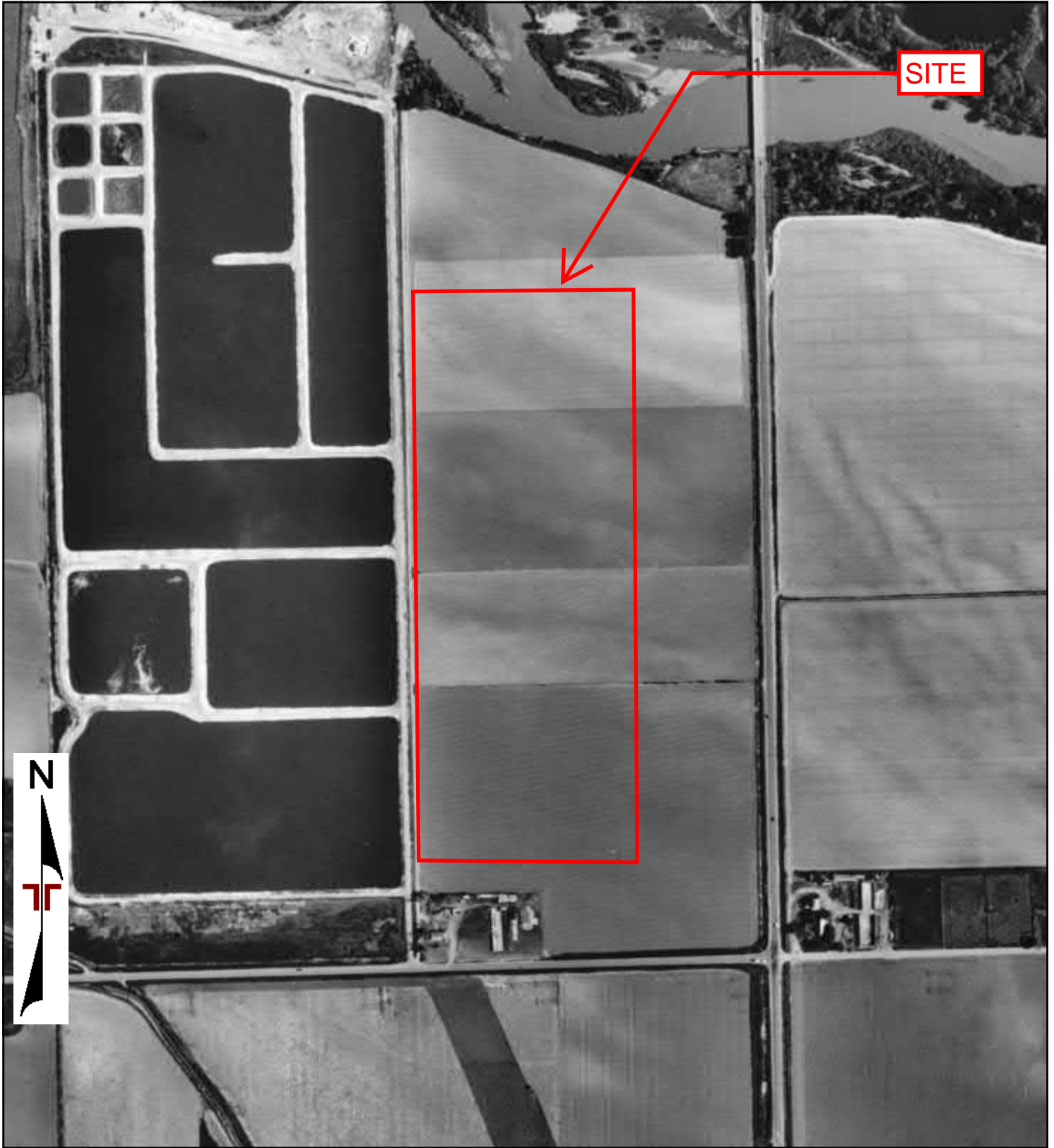
1000

2000

Project Manager:	Project No:
Drawn By:	Scale:
Checked By:	File Name:
Approved By:	Date: 2006



2006 AERIAL PHOTOGRAPH	



0 Feet

500

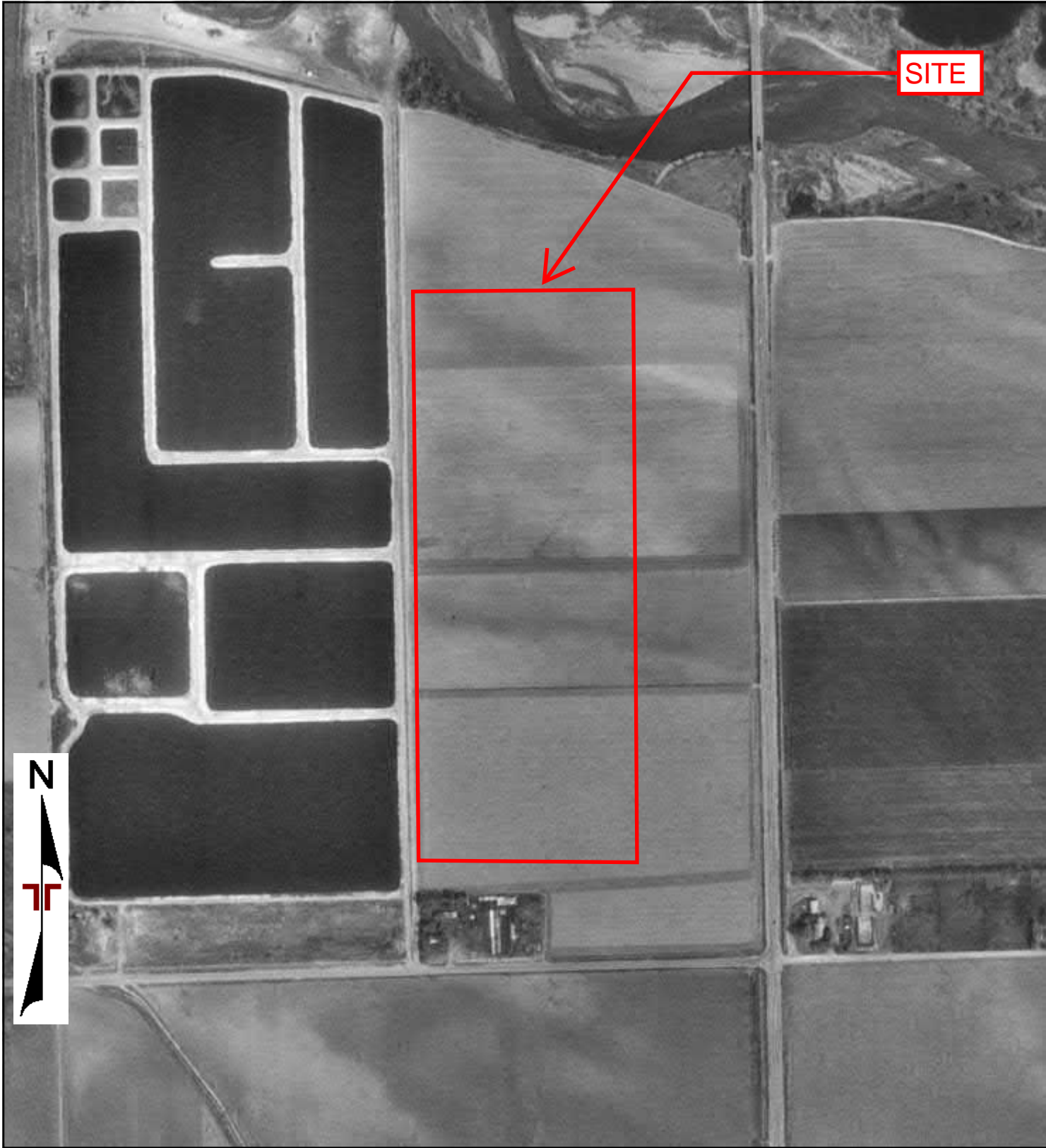
1000

2000

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Drawn By:	Scale:
Checked By:	File Name:
Approved By:	Date: 1999



1999 AERIAL PHOTOGRAPH	



SITE

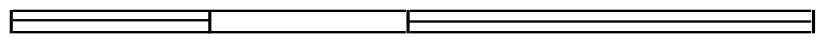
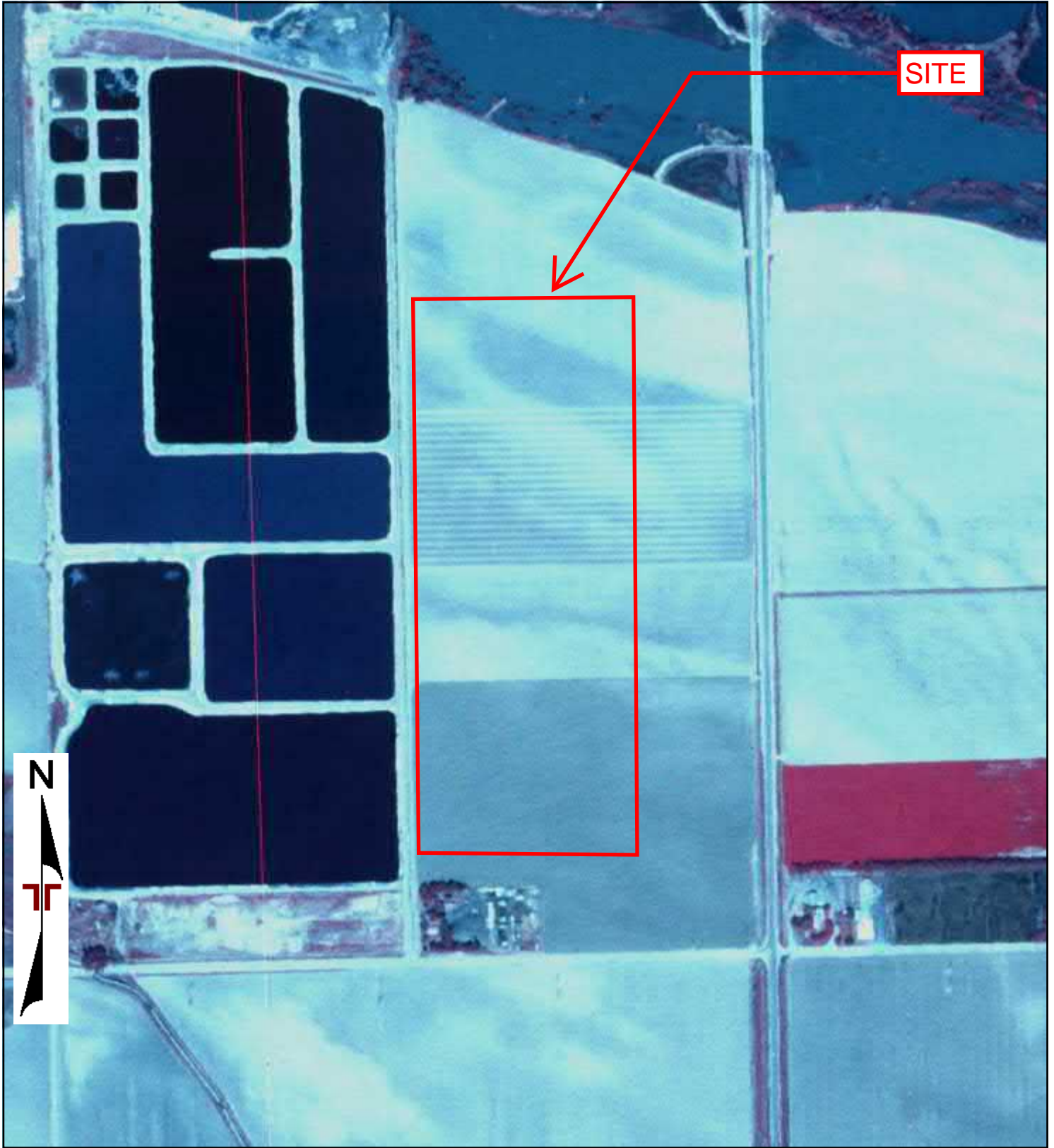


0 Feet                      500                      1000                      2000

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Drawn By:	Scale:
Checked By:	File Name:
Approved By:	Date: 1993



1993 AERIAL PHOTOGRAPH

0 Feet

500

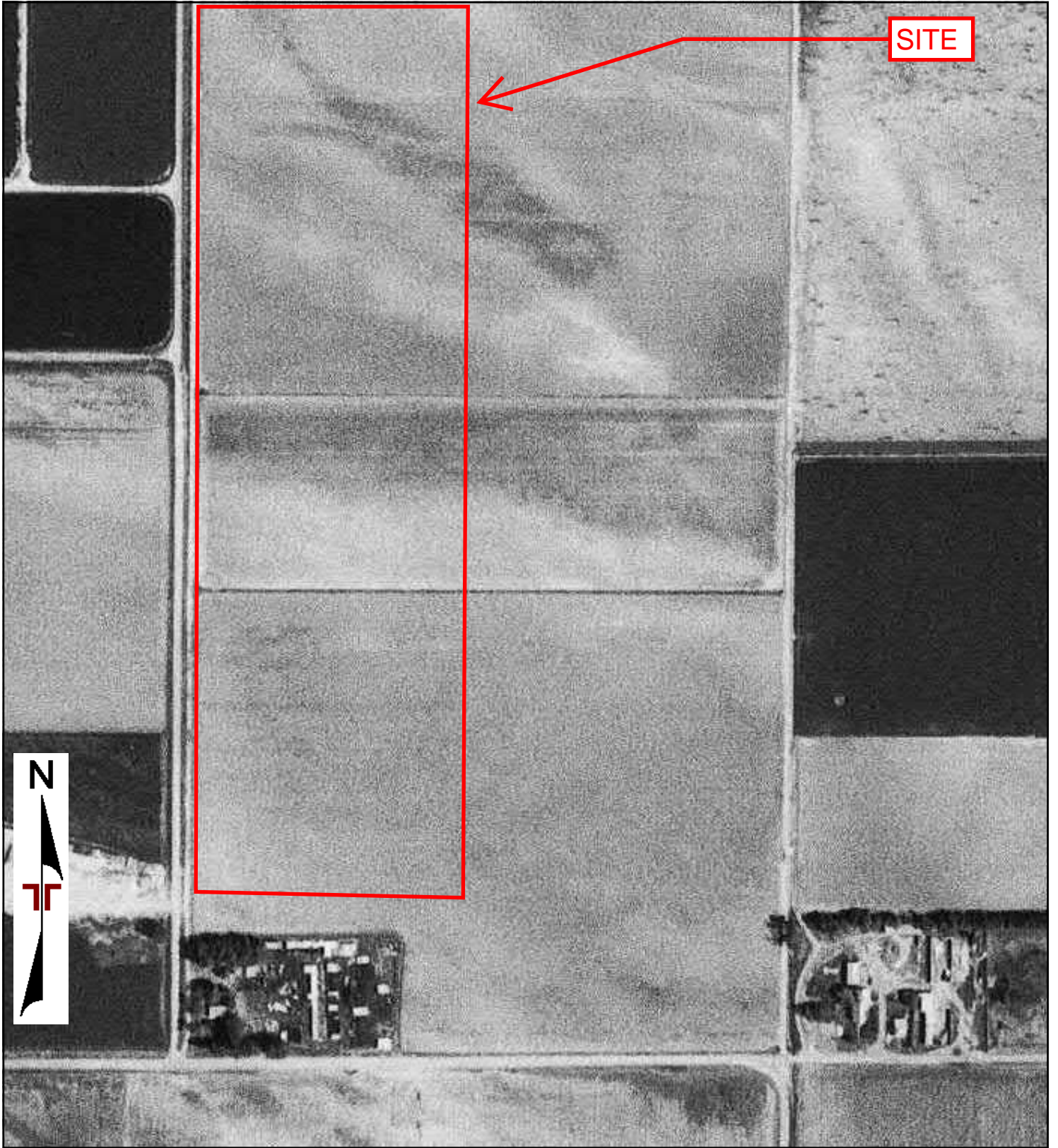
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2000

Project Manager:	Project No:
Drawn By:	Scale:
Checked By:	File Name:
Approved By:	Date: 1984



1984 AERIAL PHOTOGRAPH	



0 Feet

500

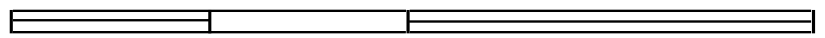
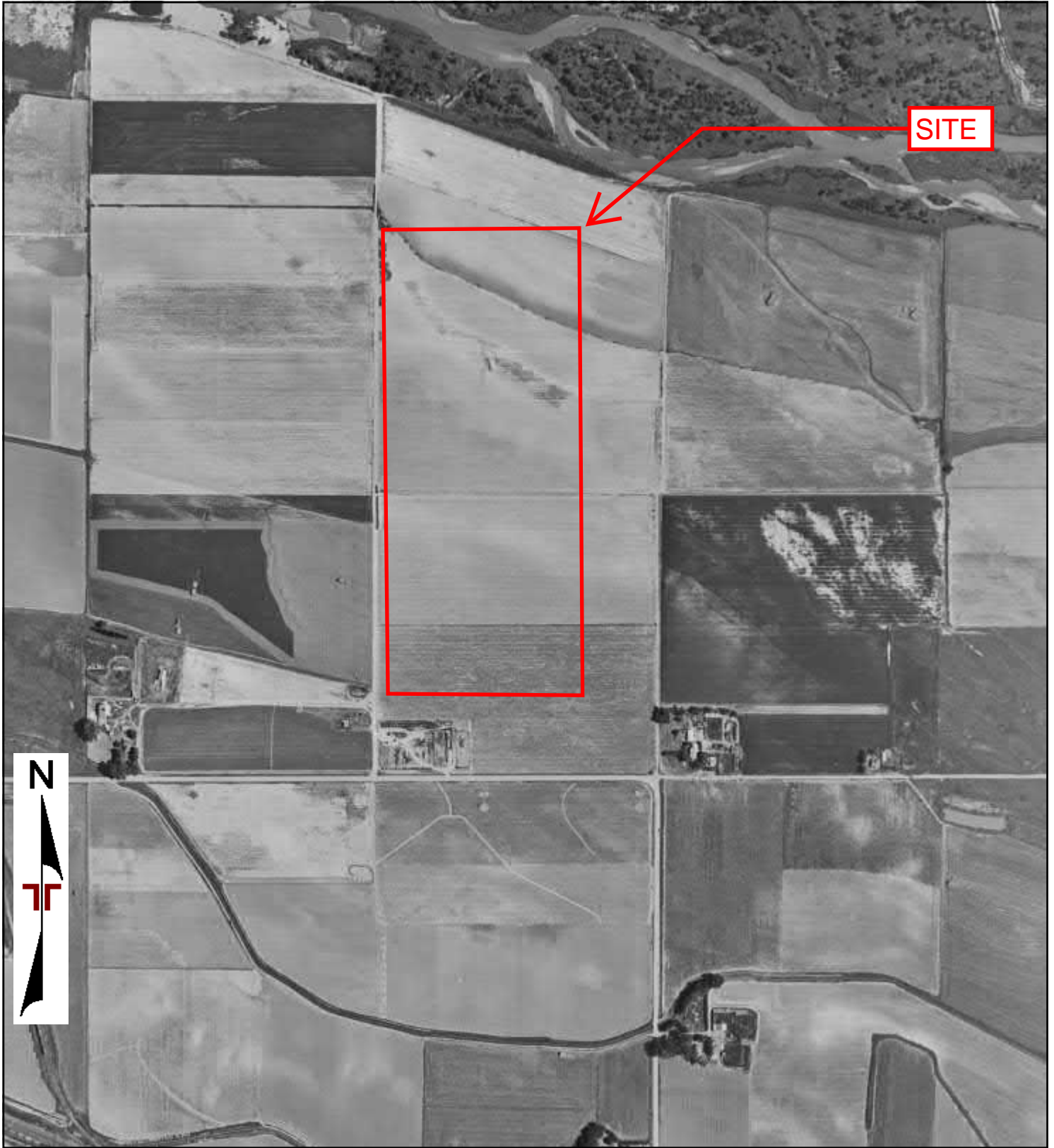
1000

2000

Project Manager:	Project No:
Drawn By:	Scale:
Checked By:	File Name:
Approved By:	Date: 1976



1976 AERIAL PHOTOGRAPH

0 Feet

500

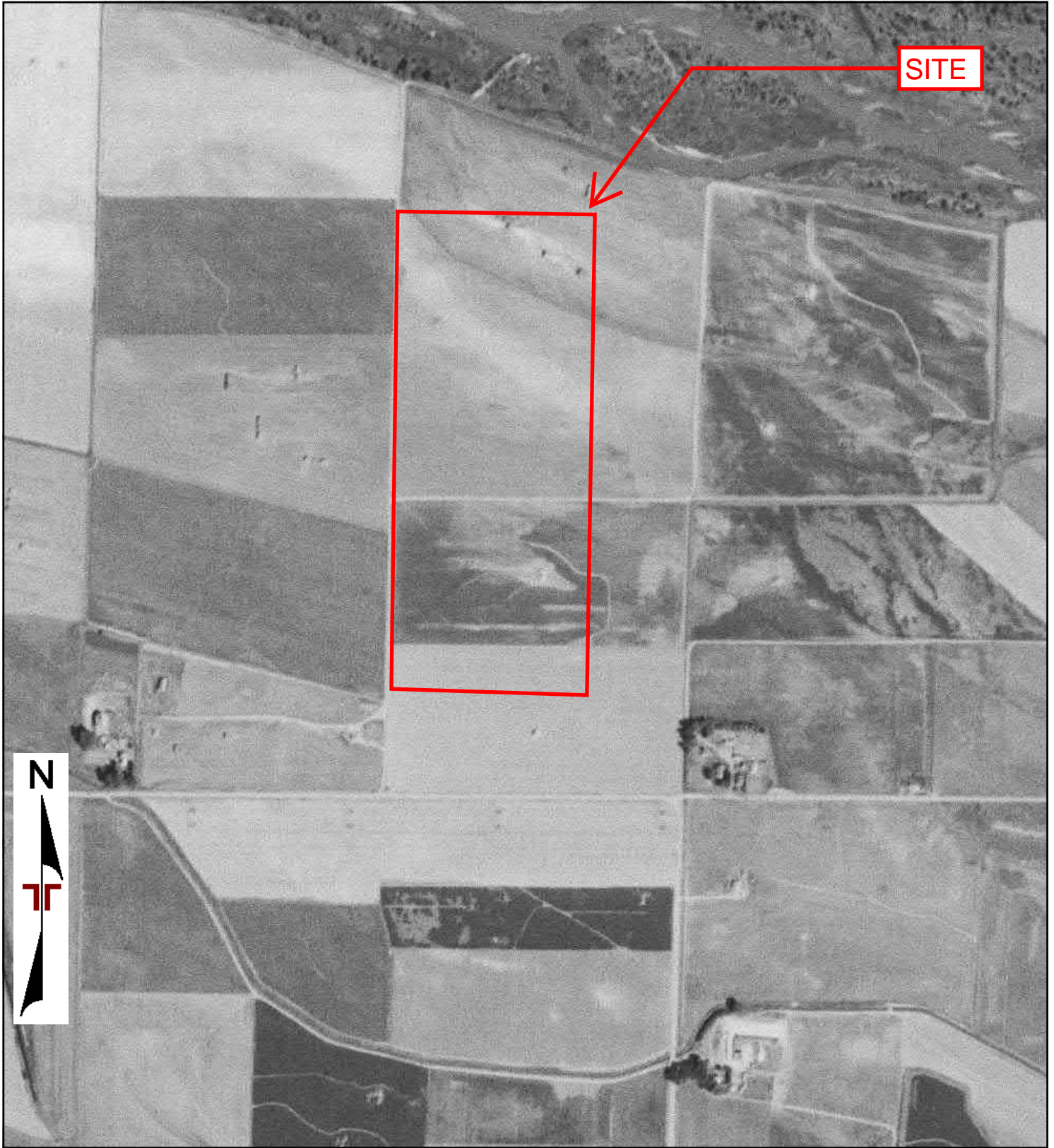
1000

2000

Project Manager:	Project No:
Drawn By:	Scale:
Checked By:	File Name:
Approved By:	Date: 1963



1963 AERIAL PHOTOGRAPH	



**SITE**



0 Feet

500

1000

2000

Project Manager:	Project No:
Drawn By:	Scale:
Checked By:	File Name:
Approved By:	Date: 1953



1953 AERIAL PHOTOGRAPH	

SE Municipal Solar - Gering

NW Corner of County Road N & Lockwood Road 23

Gering, NE 69341

Inquiry Number: 6985975.31

May 18, 2022

# EDR Historical Topo Map Report

with QuadMatch™



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# EDR Historical Topo Map Report

05/18/22

**Site Name:**

SE Municipal Solar - Gering  
NW Corner of County Road N  
Gering, NE 69341  
EDR Inquiry # 6985975.31

**Client Name:**

Terracon  
15080 A Circle  
Omaha, NE 68144  
Contact: Andrew Herman



EDR Topographic Map Library has been searched by EDR and maps covering the target property location as provided by Terracon were identified for the years listed below. EDR's Historical Topo Map Report is designed to assist professionals in evaluating potential liability on a target property resulting from past activities. EDR's Historical Topo Map Report includes a search of a collection of public and private color historical topographic maps, dating back to the late 1800s.

**Search Results:****Coordinates:**

<b>P.O.#</b>	NA	<b>Latitude:</b>	41.833931 41° 50' 2" North
<b>Project:</b>	0522P061 Task 4	<b>Longitude:</b>	-103.6399 -103° 38' 24" West
		<b>UTM Zone:</b>	Zone 13 North
		<b>UTM X Meters:</b>	612933.84
		<b>UTM Y Meters:</b>	4632232.16
		<b>Elevation:</b>	3870.00' above sea level

**Maps Provided:**

2017  
2014  
1976  
1963, 1965  
1898

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## Topo Sheet Key

This EDR Topo Map Report is based upon the following USGS topographic map sheets.

### 2017 Source Sheets



Scottsbluff South  
2017  
7.5-minute, 24000



Minatare  
2017  
7.5-minute, 24000

### 2014 Source Sheets



Scottsbluff South  
2014  
7.5-minute, 24000



Minatare  
2014  
7.5-minute, 24000

### 1976 Source Sheets



Scottsbluff South  
1976  
7.5-minute, 24000  
Aerial Photo Revised 1976

### 1963, 1965 Source Sheets



Scottsbluff South  
1963  
7.5-minute, 24000  
Aerial Photo Revised 1962



Minatare  
1965  
7.5-minute, 24000  
Aerial Photo Revised 1963

## ***Topo Sheet Key***

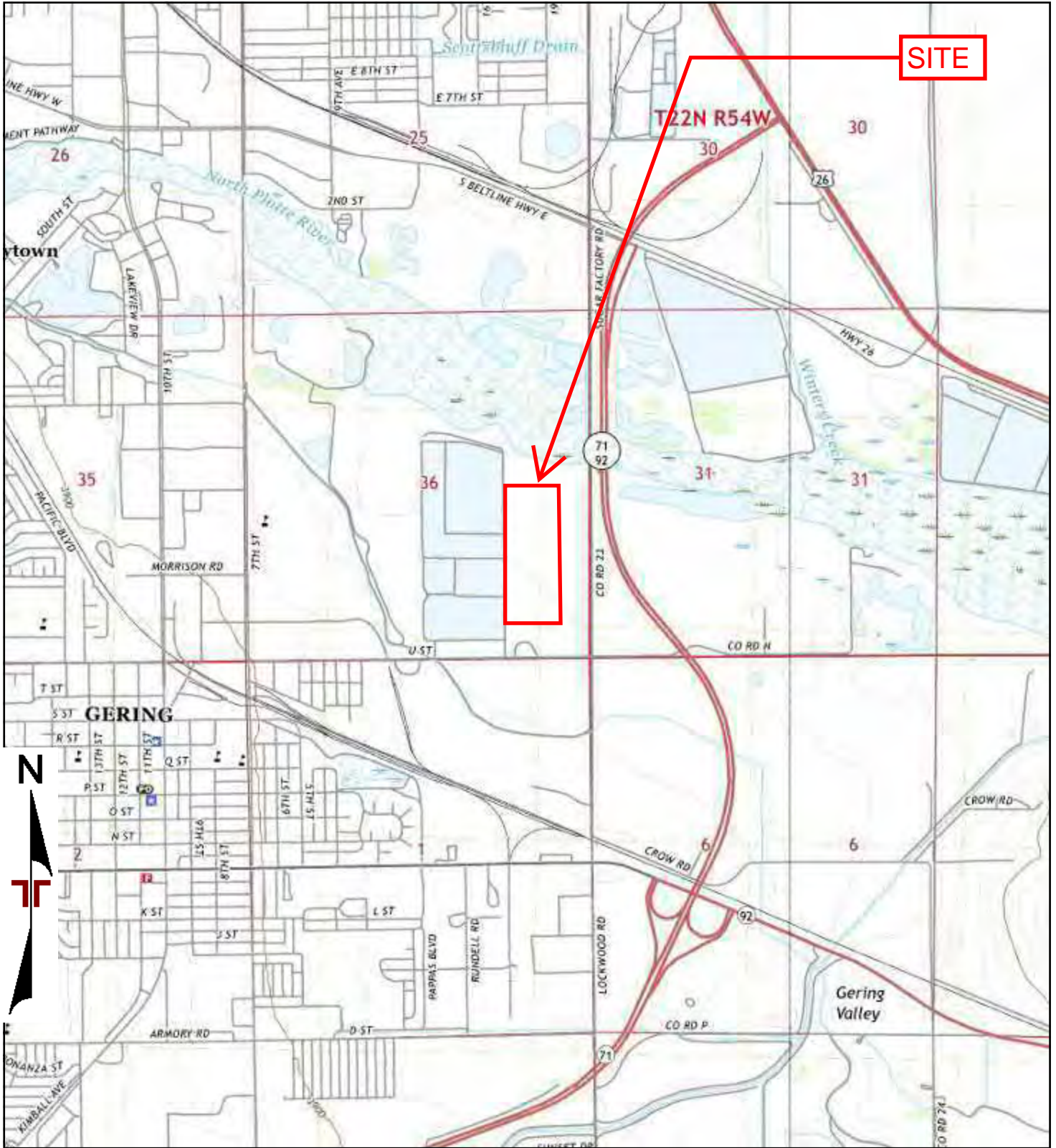
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This EDR Topo Map Report is based upon the following USGS topographic map sheets.

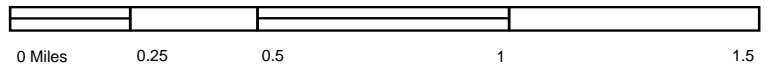
### **1898 Source Sheets**



Scotts Bluff  
1898  
30-minute, 125000



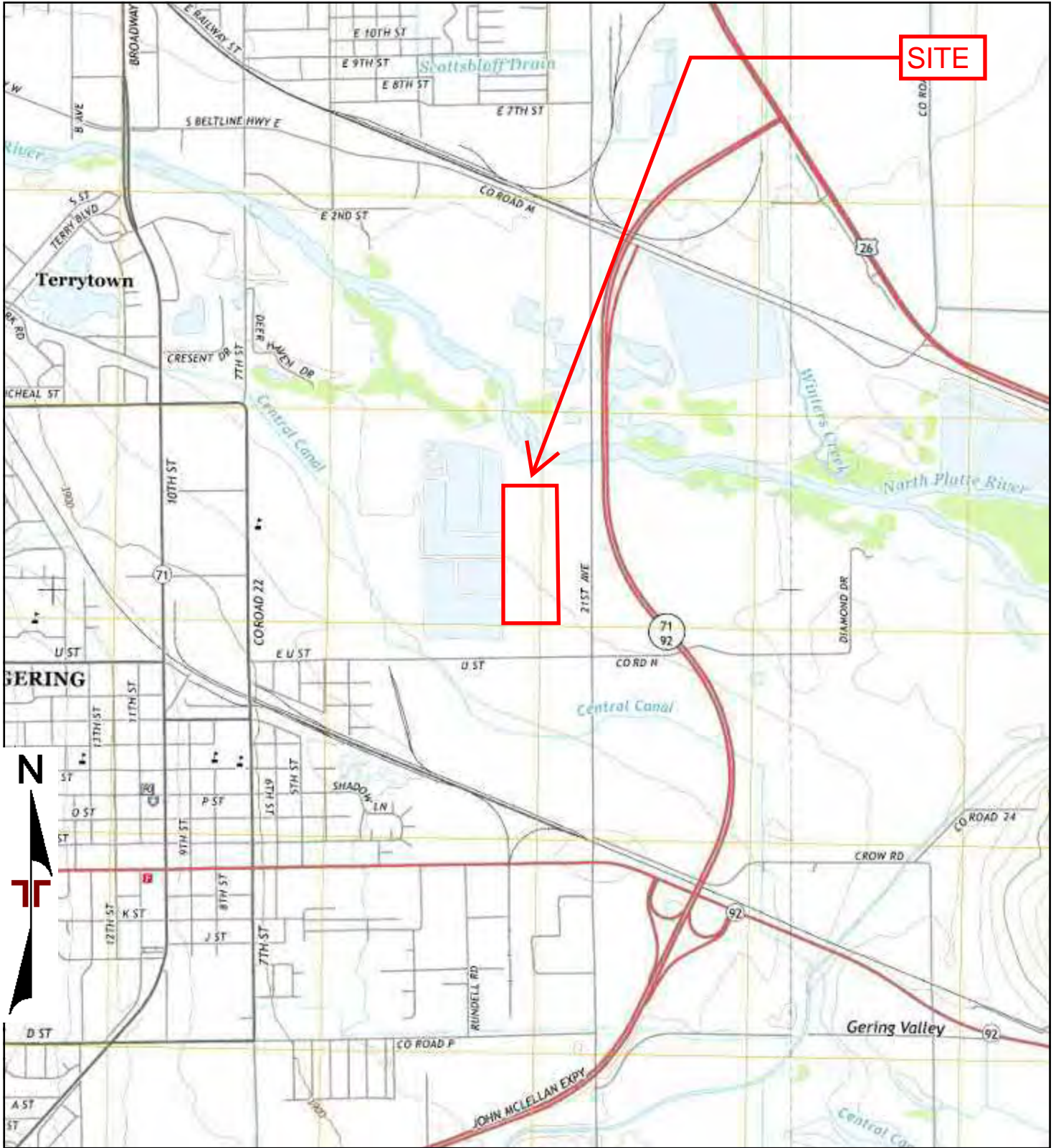
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 E, Minatare, 2017, 7.5-minute



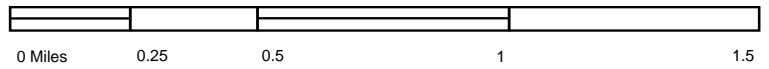
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Drawn by:	Scale:
Checked by:	File Name:
Approved by:	Date: 2017



2017 TOPOGRAPHIC MAP	



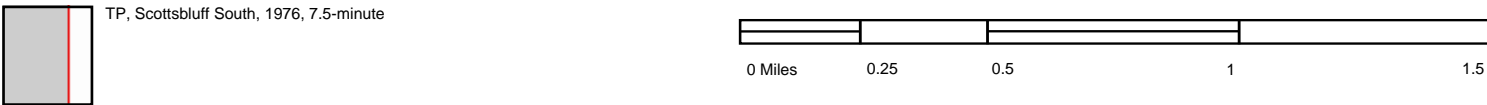
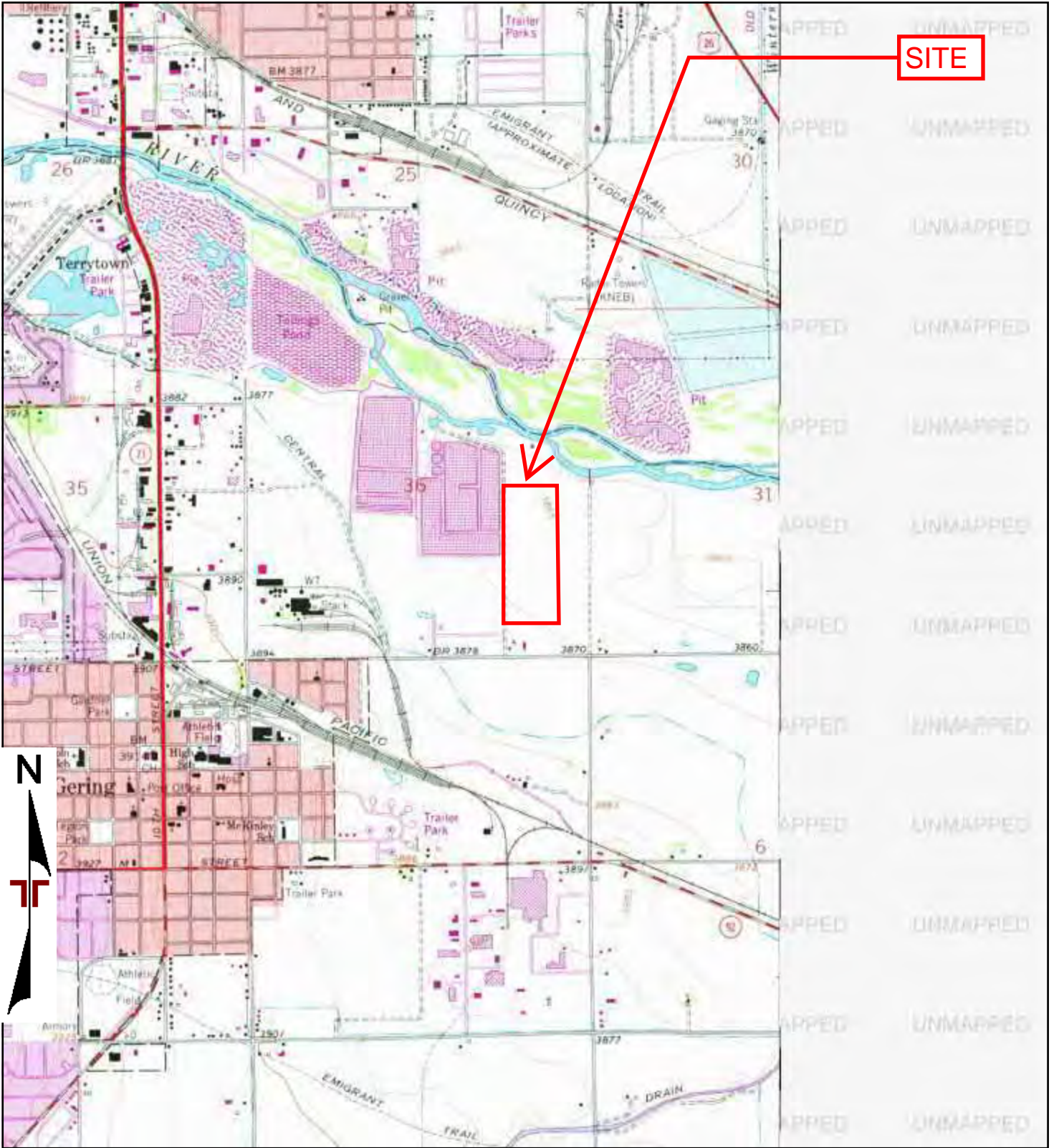
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 E, Minatare, 2014, 7.5-minute



Project Manager:	Project No.
Drawn by:	Scale:
Checked by:	File Name:
Approved by:	Date: 2014



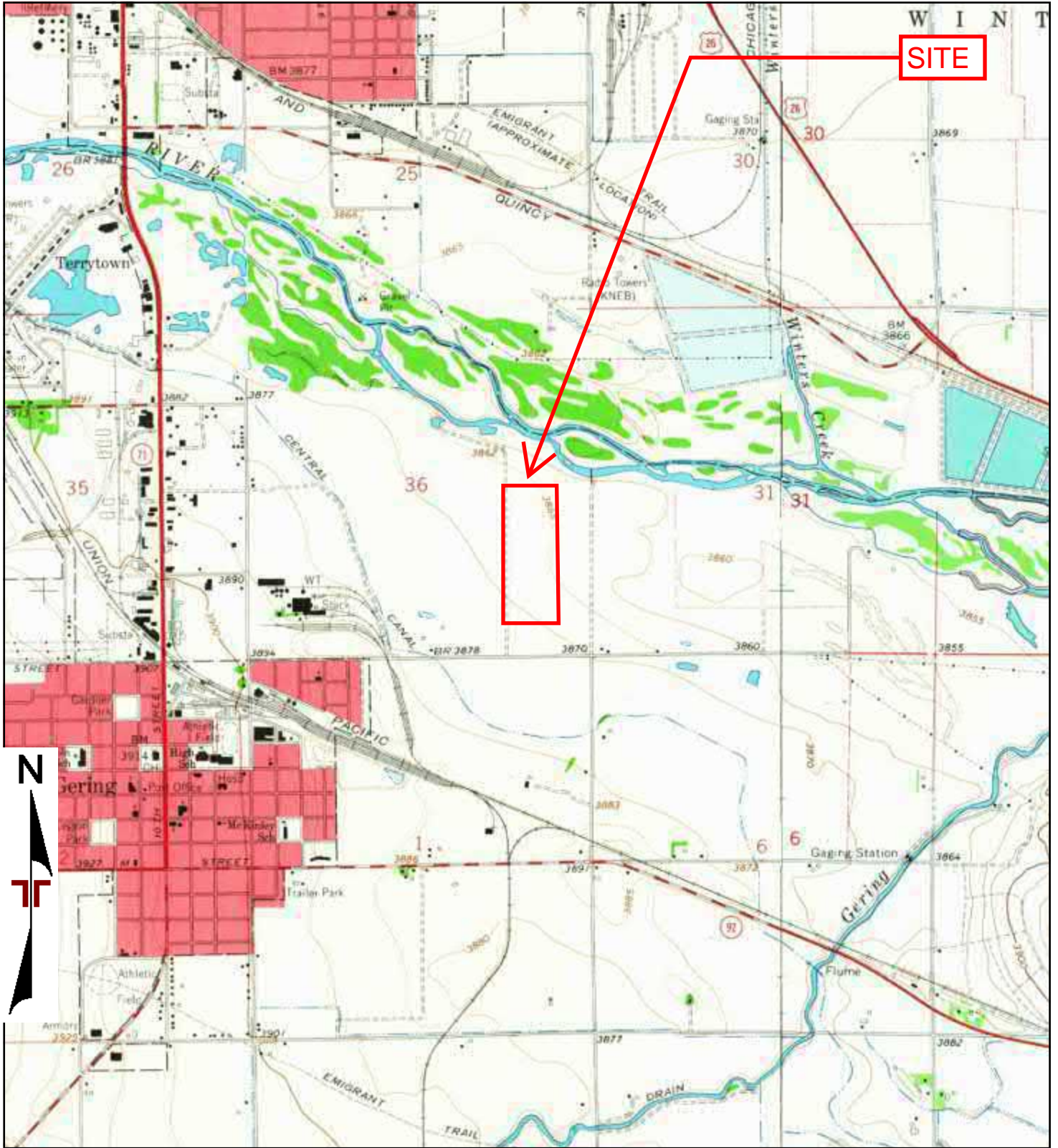
2014 TOPOGRAPHIC MAP	



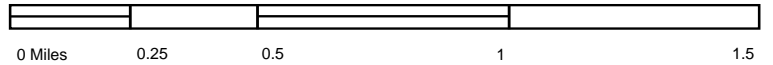
Project Manager:	Project No.
Drawn by:	Scale:
Checked by:	File Name:
Approved by:	Date: 1976



1976 TOPOGRAPHIC MAP	



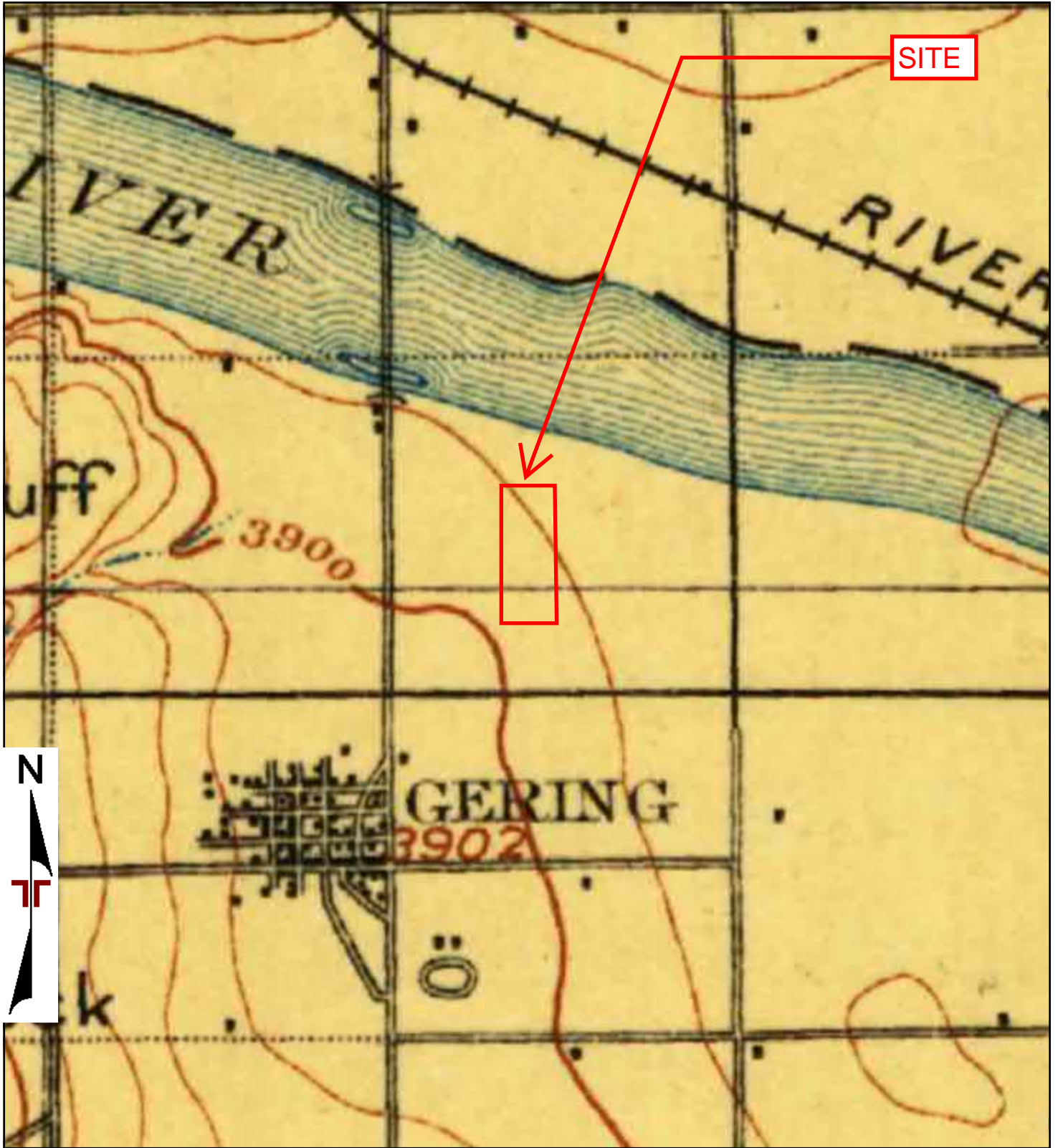
TP, Scottsbluff South, 1963, 7.5-minute  
E, Minatare, 1965, 7.5-minute



Project Manager:	Project No.
Drawn by:	Scale:
Checked by:	File Name:
Approved by:	Date: 1963, 1965



1963, 1965 TOPOGRAPHIC MAP	



TP, Scotts Bluff, 1898, 30-minute

0 Miles 0.25 0.5 1 1.5

Project Manager:	Project No.
Drawn by:	Scale:
Checked by:	File Name:
Approved by:	Date: 1898



1898 TOPOGRAPHIC MAP	



**SE Municipal Solar - Gering**

NW Corner of County Road N & Lockwood Road 23  
Gering, NE 69341

Inquiry Number: 6985975.33

May 23, 2022

# The EDR-City Directory Image Report

## TABLE OF CONTENTS

### SECTION

Executive Summary

Findings

City Directory Images

***Thank you for your business.***

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with any questions or comments.

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## EXECUTIVE SUMMARY

### DESCRIPTION

Environmental Data Resources, Inc.'s (EDR) City Directory Report is a screening tool designed to assist environmental professionals in evaluating potential liability on a target property resulting from past activities. EDR's City Directory Report includes a search of available city directory data at 5 year intervals.

### RECORD SOURCES

EDR's Digital Archive combines historical directory listings from sources such as Cole Information and Dun & Bradstreet. These standard sources of property information complement and enhance each other to provide a more comprehensive report.

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### RESEARCH SUMMARY

The following research sources were consulted in the preparation of this report. A check mark indicates where information was identified in the source and provided in this report.

<u>Year</u>	<u>Target Street</u>	<u>Cross Street</u>	<u>Source</u>
2017	<input type="checkbox"/>	<input checked="" type="checkbox"/>	EDR Digital Archive
2014	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	EDR Digital Archive
2010	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	EDR Digital Archive
2005	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	EDR Digital Archive
2000	<input type="checkbox"/>	<input checked="" type="checkbox"/>	EDR Digital Archive
1995	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	EDR Digital Archive
1992	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	EDR Digital Archive
	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	POLK DIRECTORY CO
1987	<input checked="" type="checkbox"/>	<input type="checkbox"/>	POLK DIRECTORY CO
1982	<input checked="" type="checkbox"/>	<input type="checkbox"/>	POLK DIRECTORY CO
1977	<input type="checkbox"/>	<input checked="" type="checkbox"/>	POLK DIRECTORY CO
1972	<input type="checkbox"/>	<input checked="" type="checkbox"/>	POLK DIRECTORY CO
1967	<input type="checkbox"/>	<input checked="" type="checkbox"/>	POLK DIRECTORY CO
1963	<input type="checkbox"/>	<input checked="" type="checkbox"/>	POLK DIRECTORY CO

## EXECUTIVE SUMMARY

Year      Target Street      Cross Street      Source

## FINDINGS

### TARGET PROPERTY STREET

NW Corner of County Road N & Lockwood Road 23  
Gering, NE 69341

Year            CD Image            Source

### COUNTY RD N

2017	-	EDR Digital Archive	Target and Adjoining not listed in Source
2014	pg A4	EDR Digital Archive	
2010	pg A8	EDR Digital Archive	
2005	pg A12	EDR Digital Archive	
2000	-	EDR Digital Archive	Target and Adjoining not listed in Source
1995	pg A19	EDR Digital Archive	
1992	-	POLK DIRECTORY CO	Street not listed in Source
1987	-	POLK DIRECTORY CO	Street not listed in Source
1982	-	POLK DIRECTORY CO	Street not listed in Source
1977	-	POLK DIRECTORY CO	Street not listed in Source
1972	-	POLK DIRECTORY CO	Street not listed in Source
1967	-	POLK DIRECTORY CO	Street not listed in Source
1963	-	POLK DIRECTORY CO	Street not listed in Source

## FINDINGS

### CROSS STREETS

<u>Year</u>	<u>CD Image</u>	<u>Source</u>	
<b><u>COUNTY ROAD 23</u></b>			
2017	pg. A1	EDR Digital Archive	
2014	pg. A5	EDR Digital Archive	
2010	pg. A9	EDR Digital Archive	
2005	pg. A13	EDR Digital Archive	
2000	pg. A16	EDR Digital Archive	
1995	pg. A20	EDR Digital Archive	
1992	-	POLK DIRECTORY CO	Street not listed in Source
1987	-	POLK DIRECTORY CO	Street not listed in Source
1982	-	POLK DIRECTORY CO	Street not listed in Source
1977	-	POLK DIRECTORY CO	Street not listed in Source
1972	-	POLK DIRECTORY CO	Street not listed in Source
1967	-	POLK DIRECTORY CO	Street not listed in Source
1963	-	POLK DIRECTORY CO	Street not listed in Source

### LOCKWOOD RD

2017	pg. A2	EDR Digital Archive	
2014	pg. A6	EDR Digital Archive	
2010	pg. A10	EDR Digital Archive	
2005	pg. A14	EDR Digital Archive	
2000	pg. A17	EDR Digital Archive	
1995	pg. A21	EDR Digital Archive	
1977	pg. A30	POLK DIRECTORY CO	
1977	pg. A31	POLK DIRECTORY CO	
1972	pg. A33	POLK DIRECTORY CO	
1967	-	POLK DIRECTORY CO	Street not listed in Source
1963	-	POLK DIRECTORY CO	Street not listed in Source

## FINDINGS

<u>Year</u>	<u>CD Image</u>	<u>Source</u>
<u>U ST</u>		
2017	pg. A3	EDR Digital Archive
2014	pg. A7	EDR Digital Archive
2010	pg. A11	EDR Digital Archive
2005	pg. A15	EDR Digital Archive
2000	pg. A18	EDR Digital Archive
1995	pg. A22	EDR Digital Archive
1992	pg. A25	EDR Digital Archive
1977	pg. A32	POLK DIRECTORY CO
1972	pg. A34	POLK DIRECTORY CO
1967	pg. A35	POLK DIRECTORY CO
1963	pg. A36	POLK DIRECTORY CO

## **City Directory Images**



**COUNTY ROAD 23    2017**

160114 ENGELHAUPT, EVAN  
160492 VICK, PAUL K  
160593 ARMSTRONG, BRUCE E  
160720 BROST, TIMOTHY F  
160787 STRICKER, FRED E  
170020 WILLIS, BILL E  
170540 STRICKER, RYAN  
170719 STRICKER, RYAN J

**LOCKWOOD RD 2017**

130615 SHELLITO, GALE L  
130824 PROGRESS RAIL SERVICES  
130853 GRECKEL RON CONSTRUCTION & SALES  
130897 ROBISON, NELDA M  
130900 OMEGA CAPITAL LLC  
131041 DATEL, JAMES  
140028 C S PRECISION MANUFACTURING  
140206 GROW, LANAYA  
140208 WHEELER, SAM E  
140586 KEENER, LUKE  
150567 ADRIAN, ROBERT L

**U ST      2017**

635	GUEL, DEBRA A
1025	PANHANDLE PLUMBING
1030	UNITED STATES GOVERNMENT
1245	AHLERS, SETH E
1345	YURK, HELMUT M
1520	SNYDER, MATTHEW D
1525	SEVERSON, WILLIAM L

**COUNTY RD N 2014**

230008 OCCUPANT UNKNOWN,  
230306 GURNSEY, ALBERT

**COUNTY ROAD 23    2014**

160114 ENGELHAUPT, EVAN  
160492 VICK, PAUL K  
160593 ARMSTRONG, BRUCE E  
160720 BROST, TIMOTHY F  
160787 STRICKER, FRED E  
170020 CAUBLE, WILLIAM D  
170540 STRICKER, RYAN  
170719 STRICKER, RYAN J

**LOCKWOOD RD 2014**

130615 SHELLITO, GALE L  
130816 SHELLITO, GALE  
130824 PROGRESS RAIL SERVICES  
130853 OCCUPANT UNKNOWN,  
130897 ROBISON, NELDA M  
130900 ADVANCED TECHNOLOGY REPAIR  
OMEGA CAPITAL LLC  
131015 HIGEL, JERRY E  
131041 OCCUPANT UNKNOWN,  
140028 C S PRECISION MANUFACTURING  
140206 SCHULTZ, NICK  
140208 OCCUPANT UNKNOWN,  
140210 STRONG, FRANK  
140586 KEENER, LUKE  
150567 ADRIAN, ROBERT L

**U ST      2014**

535	FERGUSON, COURTNEY V
635	GUEL, DEBRA A
1025	PANHANDLE PLUMBING
1030	UNITED STATES GOVERNMENT
1245	ALLEN, JEFFREY L
1345	YURK, HELMUT M
1520	SNYDER, MATTHEW D
1525	HAMER, RUSSELL D

**COUNTY RD N 2010**

230306 GURNSEY, ALBERT



**COUNTY ROAD 23    2010**

160492 CLEAYS, ROD G  
160593 ARMSTRONG, BRUCE E  
160787 FRE JO INC  
          STRICKER, FRED E  
170549 STRICKER, PRESTON  
170719 STRICKER, RYAN J

**LOCKWOOD RD 2010**

130615 SHELLITO, GALE L  
130853 GRECKEL, RON E  
RON GRECKEL CONSTRUCTION  
130897 ROBISON, STEVE C  
130900 ADVANCED TECHNOLOGY REPAIR  
131015 HIGEL, JERRY E  
131041 JOHNSON, STARLA  
140028 C S PRECISION MFG  
140206 BANKS, LARRY K  
140208 SEYMOUR, CYNTHIA  
140210 STRONG, FRANK  
150567 ADRIAN, ROBERT L  
150672 RAHMIG, CHAD D

**U ST 2010**

11 US WESTERN AREA POWER ADMIN  
535 LODERMEIER, KACY  
635 GUEL, DEBRA A  
1030 US ENERGY DEPT  
1245 AHLERS, SETH E  
1345 OCCUPANT UNKNOWN,  
1500 GERING HIGH SCHOOL  
KNEB RADIO  
1520 SNYDER, MATTHEW D  
1525 HAMER, RUSSELL D



-

**COUNTY RD N 2005**

230008 ENGLEMAN, LYNN R

**COUNTY ROAD 23    2005**

160114 CARR, CALVIN J  
160492 CLEAYS, ROD G  
160593 OUDERKIRK, JAMES D  
160720 MCBRIDE, WILL  
160787 STRICKER, FRED E  
170549 STRICKER, PRESTON

**LOCKWOOD RD 2005**

130615 JODY SHELLITO  
SHELLITO, GALE L  
130617 AMES CONSTRUCTION INC  
130853 GRECKEL RON CONSTRUCTION & SALES  
GRECKEL, RON E  
130897 ROBISON, STEVE C  
131015 HIGEL, JERRY  
131041 LINDEMANN, DAVID L  
140028 C S PRECISION MANUFACTURING  
140206 BANKS, LARRY K  
140208 SCHONEMAN, CYNTHIA  
140586 COFFMAN, A  
150567 ADRIAN, ROBERT L  
150672 RAHMIG, CHAD D

**U ST 2005**

535 FERGUSON, ED J  
635 OCCUPANT UNKNOWN,  
950 MIKE BOONE OFFICE  
WYO BRASKA NATURAL HISTORY MUSEUM  
WYOBASKA WILDLIFE MUSEUM  
1030 US DEPT OF ENERGY  
WESTERN AREA POWER AUTHORITY  
1245 CATHCART, RYAN C  
1345 VANDERMATE, LEONARD R  
1500 BEALL CHAIR  
GERING PUBLIC SCHOOLS  
1520 SCHNYER, WILLIAM N  
1525 HAMER, RUSSELL D  
220435 CROSSROADS COOPERATIVE ASSN

**COUNTY ROAD 23      2000**

160114 BERNHARDT, MARLENE L  
160492 CLEAYS, ROD  
160593 OUDERKIRK, JAMES  
160720 MCBRIDE, CYNTHIA A  
160787 STRICKER, FRED  
170020 SCHWAB, DANNY L  
170549 STRICKER, FRED  
170719 JERGER, RODNEY



**LOCKWOOD RD 2000**

905 ENGLEMAN FLOYD L SHOP  
ENGLEMAN, FLOYD L  
925 RICHS WRECKING & SALVAGE  
130615 SHELLITO, GALE  
130853 GRECKEL RON CONSTRUCTION & SALES  
GRECKEL, RON  
130897 ROBISON, NELDA  
131015 HIGEL, JERRY  
140208 BAQUET, BOB  
140586 DOLBERG, NATHAN

**U ST      2000**

635      OCCUPANT UNKNOWN,  
950      OREGON TRAIL ARTS & HUMANITIES LEAGUE  
            WYO BRASKA NATURAL HISTORY MUSEUM  
1030     US DEPARTMENT OF ENERGY  
1245     STAUFFER, JANINE  
1345     OCCUPANT UNKNOWN,  
1500     SCHOOLS GERING PUBLIC SCHOOLS  
1520     OCCUPANT UNKNOWN,  
1525     HAMER, RUSSELL

**COUNTY RD N 1995**

230738 LORE, GLEN K

**COUNTY ROAD 23 1995**

160114 ROBINSON, PATRICK  
160593 OUDERKIRK, JAMES  
160787 STRICKER, FRED JR  
170020 SCHWAB, DANNY L  
170549 STRICKER, FRED  
170719 JERGER, RODNEY

### LOCKWOOD RD 1995

925 SCOTTSBLUFF AUTO SALVAGE  
130853 GRECKEL, RON C  
131015 UTTER, L L  
140208 BAQUET, BOB  
140237 MURS, SHELLY  
140586 SMITH, WAYNE D  
150672 BUCY, STAN  
SCHWAB, DAN

**U ST 1995**

635	PIKE, JUSTINE
1230	PRECISION SERVICES WARREN, MIKE
1345	HULBERT, MYRT
1350	HAMANN, ROBERT L
1500	GERING HIGH SCHOOL
1520	FREEL, JIMMY C
1525	OCCUPANT UNKNOWNN RICHTER PLUMBING INC

LOCKWOOD RD 1992

2010 Division City 400-1112

**LOCKWOOD RD -FROM 2560 N 10TH ST EAST** **25**

ZIP CODE 69341

905 Packerland Packing Co (Trk Gar)  
632-2500

925 Scottsbluff Auto Salvage 632-7625

**M ST FROM 1000 4TH ST WEST** **22**

U ST 1992

---

21**U ST -FROM CITY LIMITS WEST**

ZIP CODE 69341

535 No Return

635 Luz Joe M 436-4462

23

## 12TH ST INTERSECTS

1230 Hydrotex 635-1985

1245 Cervantes Cristina 436-7229

## 13TH ST INTERSECTS

1345 Hulbert Keith L © 436-4024

1350 Hamann Robt L © 436-5113

1500 Gering Senior High School 436-3121

1515 Butler H &amp; H Radiator Service 436-5068

1515½ Alkire Richd © 436-5594

1525 Richter John E © 436-4784

1920 Otte Elaine 436-7627

1940 Eckerle Janelle 436-4377

1970 Reisig Jas R © 436-7550

2055 Faith Lutheran Church 436-4307

---

25**VALENCIA DR -FROM BEVERLY BLVD**



**U ST 1992**

635 LUZ, JOE  
1230 WARREN, MIKE  
1345 HULBERT, KEITH L  
1350 HAMANN, ROBERT L  
1525 RICHTER, JOHN E  
151512 ALKIRE, RICHARD

LOCKWOOD RD 1987

2070★Dishman C

25

**LOCKWOOD RD -FROM 2560  
N 10TH ST EAST**

ZIP CODE 69341

4

905 Packerland Packing Co (Trk  
Gar) 632-2361

925 Scottsbluff Auto Salvage  
632-7625

22

U ST 1987

**21****U ST -FROM CITY LIMITS  
WEST**

ZIP CODE 69341

**23**

1025 Grassmick Warehouse

12TH ST INTERSECTS

1230 Vacant

1245★Cervantes Cristina 436-7229

13TH ST INTERSECTS

1345 Hulbert Keith L © 436-4024

1345½ Vacant

1350 Hamann Robt © 436-5113

1500 Gering Senior High School

436-3121

1515 Butler Radiator Service

436-5068

1520 Huckfeldt Charles R ©

436-4945

1525 Vacant

1920 Otte Elaine M 436-7627

1940 Vacant

1955 Vacant

1970★Reisig Jas ©

2055 Faith Lutheran Church

436-4307

LOCKWOOD RD 1982

POLK & CO'S

25

LOCKWOOD RD —FROM 2560  
N 10TH ST EAST

ZIP CODE 69341

905 Nebraska Express Garage  
truck serv for stanko pkg  
632-2361

925 Scottsbluff Auto Salvage  
632-7625

22

M ST FROM 1200 5TH WEST

U ST 1982

21

---

**U ST —FROM CITY LIMITS  
WEST**

**ZIP CODE 69341**

23

1025 Grassmick Warehouse

12TH ST INTERSECTS

1230 Gillette Quality Chekd Dairy  
436-3141

1245 No Return

13TH ST INTERSECTS

1345 Hulbert Keith L © 436-4024

1345½ Brian Beverly

1350 Christian Mary 436-7362

1500 Gering Senior High School  
436-3121

1515 H & H Radiator Service  
436-5068

1520 Huckfeldt Charles R

1525 No Return

1920 No Return

1940 No Return

2055 Faith Lutheran Church  
436-4307

---

LOCKWOOD RD 1977

2845 Cosda Joe

---

25

LOCKWOOD RD —FROM 2560  
N 10TH ST EAST

ZIP CODE 69341

905 Luken's Tool & Die 635-3737

LOCKWOOD RD 1977

R L POLK

---

**LOCKWOOD RD (G)—Contd**

905½ Vacant

925 Scottsbluff Auto Salvage

632-7625

---

22

U ST 1977

Inc 436-3376

21

U ST —FROM CITY LIMITS  
WEST

ZIP CODE 69341

23

1025 Herron & Herron excavating  
436-2838

1230 Gillette Quality Chekd Dairy  
436-3141

1245 Dobrovolny Fred © 436-5696

1345 Hulbert Keith L © 436-4024

1350 No Return

1500 Gering Senior High School

1515 H & H Radiator Service  
436-5068

1515½ No Return

1700 Northfield Assembly Of God  
436-5405

2055 Faith Lutheran Church  
436-4307

25



LOCKWOOD RD 1972

25

---

**LOCKWOOD RD —FROM 2560  
N 10TH ST EAST**

**ZIP CODE 69341**

**905 Luken's Tool & Die 635-3737**

**905½ W R S Corp 635-0421**

**925 Rickett's Used Cars & Parts  
632-7625**

## U ST 1972

## TOLUCA LA (G)—Contd

- 4 Johnson Raymond L ☉ 632-4244  
 5 Springer John F ☉ 635-0574  
 6 Varvel Gerald L ☉ 635-1705  
 7 Skrdlant Vernon H ☉ 632-2265  
 8 Hamburg Danl M ☉ 632-6452  
 9 Frank E B ☉ 632-3878  
 10 Hanson Eug E ☉ 635-3564  
 11 \* Unzecher Bob  
 12 Hessler Edward L 632-3178  
 13 Specht Harold L ☉ 632-8797  
 14 Preferred Risk Insurance Co  
 632-8932  
 Knaub Alexander ☉ 632-8932  
 15 Miller Herman E ☉ 632-8735  
 16 Armstrong Eldon E ☉  
 632-8731  
 17 Morehouse Boyd J ☉ 632-6864  
 18 Graves Charles W ☉ 632-4432  
 19 Hanson Charles G ☉ 635-2807  
 20 Kay Dale R grain dlr & trader  
 ☉ 632-8981  
 22 Schmunk John ☉ 635-1945  
 23 Keller Donald D ☉ 632-8729  
 24 Heimbouch Martha R Mrs ☉  
 635-2283  
 25 Vacant  
 26 Lehl John C ☉ 632-6330  
 65 Hillman Kenneth E ☉  
 632-2550  
 78 Harden Gerald R ☉ 635-3698  
 79 Schwartzkopf Le Roy W ☉  
 632-2803  
 80 Nation Raymond W ☉  
 632-8985  
 81 Painter Carl R ☉ 632-2768  
 82 Dutenhoeffer Duane J ☉  
 632-7751

21

U ST —FROM CITY LIMITS  
WEST

ZIP CODE 69341  
 635 No Return

23

- 1025 Herron & Herron excavating  
 436-2838  
 1230 Bluffs Dairy & Bar 436-5151  
 1345 Hulbert Keith L ☉ 436-4024  
 1345½ Vacant  
 1350 \* Rogers Wm Keith 436-5457  
 1515 Huckfeldt Cliff J ☉ 436-5467

H & H Radiator Shop  
 436-5068

- 1515½ \* Klutts Charles L  
 \* Tolle Greg  
 1525 Brill Terri L  
 1535 \* Blue Douglas  
 1700 Northfield Assembly Of God  
 436-5405  
 2055 Faith Lutheran Church  
 436-4307

11

VALLEY HI CT —FROM W  
21ST ST WEST

ZIP CODE 69341

- 1 Valley Hi Mobile Court  
 632-4030  
 Bellevue Homes Inc real est  
 632-4030  
 Hise Kenneth G ☉ 632-4030  
 2 Vilmur Merle D ☉ 632-4726  
 3 Lacey Harold K ☉ 635-2886  
 4 \* Ernst Curtis ☉ 632-5346  
 5 Johnson Donald R ☉ 632-8994  
 6 Fertig Fred Jr ☉ 632-2875  
 7 Ernst Ulysses S ☉ 632-2360  
 8 Beles Carl E ☉ 635-3664  
 9 Anderson Kenneth F ☉  
 632-2416  
 10 Geffs Harold C ☉ 632-8314  
 11 \* Couch Larry E ☉ 635-1339  
 12 Norine Irvin Jr ☉ 632-4226  
 13 Larson Gary ☉ 632-4812  
 14 Seger Charles N ☉ 632-3028  
 15 \* Field Fay ☉ 635-3709  
 16 \* Van Noy Jane E ☉ 632-2779  
 17 \* Hammel John B ☉ 632-3420  
 18 \* Allison Scott E ☉  
 31 Reed Glenn E ☉ 632-2862  
 32 Mc Carty Jack 632-4070  
 33 \* Barr Charles L ☉ 635-0950  
 34 Clapp W Dale ☉ 632-8630  
 35 Hale Edwin K ☉ 635-0877  
 36 Johnson Richd ☉  
 37 Higel Harry J ☉ 635-0475

11

WEST ST —FROM SOUTH ST  
NORTHWEST

ZIP CODE 69341

- 37 Terry's Trailer Park  
 Nelson Kae E ☉ 632-4326

U ST 1967

---ZIP CODE 56341

635 PALOMO DOMINGO

436-2205

1025 HERRON &amp; HERRON

EXCAVATING ●

436-2838

1350 WILSON VERNE L

436-4539

1515 HUCKFELDT CLIFF J ●

436-5067

1515½ CARPENTER JERRY

2055 FAITH LUTHERAN

CHURCH 436-4307

-----  
25

## U ST 1963

1000 Steb Ben © 436-2491

1805 Abel Victor © 436-4964

1  
U-From city limits west to  
city limits, 1 north of T  
635 Ybarra Maria

3  
1025 Herron & Herron contr  
436-2838

end Huckfeldt Cliff J © 436-  
5244

H&H Radlator Shop  
436-5244

Faith Luth Ch



# CHICAGO TITLE INSURANCE COMPANY

Commitment No.: 2230464

Issuing Agent: DRI Title & Escrow

## SCHEDULE A

1. Commitment Date: March 25, 2022 at 8:00 A.M.

2. Policy to be issued:

		Amount	Premium
(a) Owner's Policy	(ALTA Owners Policy (06/17/06))	\$5,000.00	\$150.00
Proposed Insured:	Purchaser with contractual rights under a proposed lease agreement with the vested owner identified at Item 4 below.		
(b) Loan Policy	(ALTA Loan Policy (06/17/06))	\$1.00	\$75.00
Proposed Insured:	Lender with contractual obligations under a loan agreement with the Proposed Insured identified at Schedule A, Item 2 (a).		

3. The estate or interest in the Land described or referred to in this Commitment is Fee Simple.

4. Title to the Fee Simple estate or interest in the Land is at the Commitment Date vested in:

City of Gering, Nebraska, a Municipal Corporation

5. The Land is described as follows:

The E ½ SE ¼ and Government Lot 5 of Section 36, Township 22 North, Range 55 West of the 6<sup>th</sup> P.M., Scotts Bluff County, Nebraska, EXCEPT a part of the E ½ SE ¼ of Section 36, Township 22 North, Range 55 West of the 6<sup>th</sup> P.M., Scotts Bluff County, Nebraska, more particularly described as follows: Beginning at a point on the South line of said E ½ SE ¼; said point being 56.05 feet East of the Southwest corner of said E ½ SE ¼; thence North at right angles to the South line of said E ½ SE ¼, a distance of 265.95 feet; thence a deflection angle right of 90°25', a distance of 395.05 feet; thence a deflection angle right 89°35', a distance of 263.5 feet to the South line of said E ½ SE ¼; thence West on the South line of said E ½ SE ¼, a distance of 395.0 feet to the point of beginning, AND EXCEPT that part condemned by the County of Scotts Bluff of the State of Nebraska as disclosed by Report of Appraisers filed Deed Book 161 at Page 387; AND EXCEPT that part conveyed to Scotts Bluff County, Nebraska as disclosed by Deed filed in Book 195 at Page 188.

NOTE: For each policy to be issued as identified in Schedule A, Item 2, the Company shall not be liable under this commitment until it receives a specific designation of a Proposed Insured, and has revised this commitment identifying that Proposed Insured by name. As provided in Commitment Condition 4, the Company may amend this Commitment to add, among other things, additional exceptions or requirements after the designation of the Proposed Insured.

*This page is only a part of a 2016 ALTA® Commitment for Title Insurance issued by Chicago Title Insurance Company. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I—Requirements; and Schedule B, Part II—Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.*

72C276B27

ALTA Commitment for Title Insurance 8-1-16 w- NE Mod

2230464

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# CHICAGO TITLE INSURANCE COMPANY

Commitment No.: 2230464

BY:

\_\_\_\_\_  
Troy Podraza, Authorized Signatory

*This page is only a part of a 2016 ALTA® Commitment for Title Insurance issued by Chicago Title Insurance Company. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I—Requirements; and Schedule B, Part II—Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.*

72C276B27

ALTA Commitment for Title Insurance 8-1-16 w- NE Mod

2230464

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Commitment No.: 2230464

**SCHEDULE B, PART I  
Requirements**

All of the following Requirements must be met:

1. Proper instrument(s) creating the estate or interest to be insured must be executed and duly filed for record, to-wit:
  - a) An authentic copy of the lease and any agreements which affect or amend it must be produced for our examination and recordation in the office of the Register of Deeds. In lieu of such recording, it is permissible to record a short form memorandum of lease only, so long as it, standing alone, constitutes an enforceable lease and it refers to the full lease. In such event, we m must be furnished a recordable counterpart of the full lease to retain in our file. After reviewing the lease, we reserve the right to make additional requirements and/or exceptions:  
  
Lease Agreement to be executed by the authorized signor for the City of Gering, Nebraska, a Municipal Corporation, as Lessor(s) to \_\_\_\_\_, as Lessee.
2. Pay the full consideration to, or for the account of, the grantors or mortgagors.
3. Pay all taxes, charges, assessments, levied and assessed against subject premises, which are due and payable.
4. Satisfactory evidence should be had that improvements and/or repairs or alterations thereto are completed; that contractor, sub-contractors, labor and materialmen are all paid; and have released of record all liens or notices of intent to perfect a lien for labor or material.
5. NOTE: An ALTA 13-06 Owner's Leasehold Endorsement will be furnished with the policy to be issued herein.
6. Title Company requires it be furnished with a current ALTA/NSPS Survey covering the premises in question which must be certified to the title company and it's underwriter. We reserve the right to make additional requirements and/or exceptions upon review.
7. Title Company requires a Resolution approving the Lease executed by the mayor of the City of Gering, Nebraska, a Municipal Corporation.
8. Title Company requires a Verbal Update to be performed prior to close to detect any matters appearing of record after the effective date of commitment.

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Commitment No.: 2230464

## SCHEDULE B, PART II Exceptions

THIS COMMITMENT DOES NOT REPUBLISH ANY COVENANT, CONDITION, RESTRICTION, OR LIMITATION CONTAINED IN ANY DOCUMENT REFERRED TO IN THIS COMMITMENT TO THE EXTENT THAT THE SPECIFIC COVENANT, CONDITION, RESTRICTION, OR LIMITATION VIOLATES STATE OR FEDERAL LAW BASED ON RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, GENDER IDENTITY, HANDICAP, FAMILIAL STATUS, OR NATIONAL ORIGIN.

The Policy will not insure against loss or damage resulting from the terms and provisions of any lease or easement identified in Schedule A, and will include the following Exceptions unless cleared to the satisfaction of the Company:

1. Any defect, lien, encumbrance, adverse claim, or other matter that appears for the first time in the Public Records or is created, attaches, or is disclosed between the Commitment Date and the date on which all of the Schedule B, Part I—Requirements are met.
2. Rights or claims of parties in possession not shown by the public records.
3. Easements or claims of easements, not shown by the public records
4. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land.
5. Any lien or right to a lien, for services, labor, or material heretofore or hereafter furnished, imposed by law and not shown by the public records.
6. Taxes or special assessments which are not shown as existing liens by the public records.

## SPECIAL EXCEPTIONS

(Special Exceptions are those defects disclosed by a search of the title to this property for which no coverage is provided by the policy to be issued.)

7. 2021 Taxes total \$3,895.18, Paid in Full. (Key No. 010016716) Assessed as E/2 SE/4 and Gov Lot 5 in 36-22-55, Gering, NE.
8. NOTE: No open mortgages have been found of record, please verify this information and if this is incorrect notify the title department immediately.

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ALTA Commitment for Title Insurance 8-1-16 w- NE Mod

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# CHICAGO TITLE INSURANCE COMPANY

Commitment No.: 2230464

9. Right of Way for Irrigation Lateral as contained in the Warranty Deed, filed September 25, 1970, in Book 133, Page 373.
10. Easement for Urban Electric Transmission Line granted to Nebraska Public Power District, filed March 18, 2016, as Document No. 2016-1334.
11. Terms and conditions contained in Ordinance No. 2050, annexing certain real property to the City of Gering, filed September 17, 2018, Document No. 2018-4193.
12. The final policy when issued will contain the following notice to the insured: NOTE: Included within matters excluded by Exclusions from Coverage, Paragraph 1(a) are the consequences of any action brought under the Perishable Agricultural Commodities Act of 1930, as amended 7 U.S.C. 499 et seq., the Packers and Stockyard Act of 1921, as amended, 7 U.S.C. § 181 et. Seq., or any similar federal or state laws.
13. No Certification is made as to special assessments except those certified to the Office of the County Treasurer.
14. CHAIN OF TITLE: Warranty Deed, dated 12/22/2016, filed 12/22/2016, Document No. 2016-6953, executed by Leo Hoehn, a single person, as Grantor(s), in favor of City of Gering, Nebraska, a Municipal Corporation, as Grantee(s). NOTE: This chain of title is for informational purposes only and will not appear on the final policy to be issued hereafter.

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ALTA Commitment for Title Insurance 8-1-16 w- NE Mod

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**Title &  
Escrow**

13057 W Center Rd, Ste 1  
Omaha, NE 68144  
(866) 932-4670 · FAX (866) 750-7285  
www.drititle.com

**Order No. 1654001**

## Informational Report

DRI Title & Escrow does hereby declare that we have carefully examined the records in Omaha, NE, with reference to the title to:

**PROPERTY ADDRESS:** E/2 SE/4 and Gov Lot 5 in 36-22-55  
Gering, NE

### **LEGAL DESCRIPTION AND TITLE HOLDER:**

THE FOLLOWING DESCRIBED REAL PROPERTY IN SCOTTS BLUFF COUNTY, NEBRASKA

**VESTED AS: City of Gering, Nebraska, a Municipal Corporation**

DESCRIBED AS:

**The E ½ SE ¼ and Government Lot 5 of Section 36, Township 22 North, Range 55 West of the 6<sup>th</sup> P.M., Scotts Bluff County, Nebraska, EXCEPT a part of the E ½ SE ¼ of Section 36, Township 22 North, Range 55 West of the 6<sup>th</sup> P.M., Scotts Bluff County, Nebraska, more particularly described as follows: Beginning at a point on the South line of said E ½ SE ¼; said point being 56.05 feet East of the Southwest corner of said E ½ SE ¼; thence North at right angles to the South line of said E ½ SE ¼, a distance of 265.95 feet; thence a deflection angle right of 90°25', a distance of 395.05 feet; thence a deflection angle right 89°35', a distance of 263.5 feet to the South line of said E ½ SE ¼; thence West on the South line of said E ½ SE ¼, a distance of 395.0 feet to the point of beginning, AND EXCEPT that part condemned by the County of Scotts Bluff of the State of Nebraska as disclosed by Report of Appraisers filed Deed Book 161 at Page 387; AND EXCEPT that part conveyed to Scotts Bluff County, Nebraska as disclosed by Deed filed in Book 195 at Page 188.**

### **LIENS OF RECORD:**

None

### **EASEMENTS, COVENANTS, RESTRICTIONS AND OTHER MATTERS CONCERNING TITLE:**

Right of Way for Irrigation Lateral as contained in the Warranty Deed, filed September 25, 1970, in Book 133, Page 373.

Easement for Urban Electric Transmission Line granted to Nebraska Public Power District, filed March 18, 2016, as Document No. 2016-1334.

Terms and conditions contained in Ordinance No. 2050, annexing certain real property to the City of Gering, filed September 17, 2018, Document No. 2018-4193.

**JUDGMENTS/LIENS/PENDING SUITS:**

None

**CURRENT TAXES:**

2021 taxes total \$3,895.18. Paid in Full (Parcel No. 010016716). Assessed as E/2 SE/4 and Gov Lot 5 in 36-22-55, Gering, NE.

**SPECIAL ASSESSMENTS:**

None

**EFFECTIVE DATE OF SEARCH:** March 25, 2022

DRI Title & Escrow, Inc. does hereby certify that we have diligently examined the records in said county with reference to the property as set out and displayed above including the judgment index in the District Court, Probate Records in the County Court, the office of the Register of Deeds, the County Treasurer, United States District Court and the United State Bankruptcy Court for the District of said state. This title search is not a guaranty of title, nor a statement as to the legality or sufficiency of any instrument or proceeding in the chain of title to said real estate. The liability of DRI Title & Escrow is for reasonable care in preparing this search and shall in no case exceed the amount paid for said search. For full protection, a title insurance policy should be secured.

Date April 28, 2022

DRI Title & Escrow

A handwritten signature in black ink, appearing to read "Troy Podraza", written in a cursive style.

Troy Podraza, Licensed Abstractor



WHEN THIS COPY CARRIES THE RAISED SEAL OF THE STATE OF NEBRASKA, IT CERTIFIES THE DOCUMENT BELOW TO BE A TRUE COPY OF THE ORIGINAL RECORD ON FILE WITH THE NEBRASKA DEPARTMENT OF HEALTH AND HUMAN SERVICES, VITAL RECORDS OFFICE, WHICH IS THE LEGAL DEPOSITORY FOR VITAL RECORDS

DATE OF ISSUANCE

12/8/2016  
LINCOLN, NEBRASKA

*Stanley S. Cooper*  
STANLEY S. COOPER  
ASSISTANT STATE REGISTRAR  
DEPARTMENT HEALTH AND  
HUMAN SERVICES



STATE OF NEBRASKA - DEPARTMENT OF HEALTH AND HUMAN SERVICES FINANCE AND SUPPORT  
VITAL STATISTICS  
CERTIFICATE OF DEATH

02 00502

1. OCCASION - NAME <b>Russell William Northman</b>		2. SEX <b>Male</b>	3. DATE OF DEATH (Month Day Year) <b>January 16, 2002</b>
4. CITY AND COUNTY OF BIRTH (State of U.S.A. Name optional) <b>Scottsbluff, Nebraska</b>		5a. AGE - Last Birthday (Yrs.) <b>68</b>	5b. UNDER 1 YEAR UNDER 1 DAY 5c. HOURS 5d. MINUTE
6. SOCIAL SECURITY NUMBER <b>505-48-8279</b>		7. DATE OF BIRTH (Month Day Year) <b>March 23, 1933</b>	
8a. FACILITY - Name (If not institution, give street and number) <b>180208 GFL Road</b>		8b. PLACE OF DEATH HOSPITAL <input type="checkbox"/> Private <input type="checkbox"/> OTHER <input type="checkbox"/> Nursing Home <input type="checkbox"/> ER Outpatient <input checked="" type="checkbox"/> Residence <input checked="" type="checkbox"/> DCA <input type="checkbox"/> Other (Specify) _____	
9. CITY, TOWN OR LOCATION OF DEATH <b>Gering</b>		10. INSIDE CITY LIMITS Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	11. COUNTY OF DEATH <b>Scotts Bluff</b>
12. RESIDENCE - STATE <b>Nebraska</b>	13. COUNTY <b>Scotts Bluff</b>	14. CITY, TOWN OR LOCATION <b>Gering</b>	15. STREET AND NUMBER (Including Zip Code) <b>180208 GFL Road 69341</b>
16. RACE (e.g. White, Black, American Indian, etc.) (Specify) <b>White</b>	17. ANCESTRY (e.g. Italian, Mexican, German, etc.) (Specify) <b>American</b>	18. MARRIED <input checked="" type="checkbox"/> WIDOWED <input type="checkbox"/> NEVER MARRIED <input type="checkbox"/> DIVORCED <input type="checkbox"/>	19. NAME OF SPOUSE (If wife, give maiden name) <b>Joan Buhrdorf</b>
20. USUAL OCCUPATION (Give kind of work done during most of working life, state if retired) <b>Farmer</b>	21. KIND OF BUSINESS INDUSTRY <b>Agriculture</b>	22. EDUCATION (Specify only highest grade completed) Elementary or Secondary 10-12 _____ College 11-4 or 5-11 <b>12</b>	
23. FATHER - NAME (FIRST MIDDLE LAST) <b>Arthur William Northman</b>	24. MOTHER - FIRST MIDDLE MAIDEN SURNAME <b>Renata Jens</b>	25. WAS DECEASED EVER IN U.S. ARMED FORCES (If yes, give year and cause of service) <b>Yes 6-17-53/3-17-55 U.S. Army Korean Conflict</b>	
26. INFORMANT - MAILING ADDRESS <b>180208 GFL Road Gering, Nebraska 69341</b>		27. INFORMANT - NAME <b>Joan Northman (Wife)</b>	
28. SIGNATURE & LICENSE NO. <i>Tommy L. Hys</i> <b>1217</b>	29. METHOD OF DISPOSITION <input checked="" type="checkbox"/> Burial <input type="checkbox"/> Removal <input type="checkbox"/> Cremation <input type="checkbox"/> Donation	30. DATE <b>Jan. 21, 2002</b>	31. CEMETERY OR CREMATORY NAME <b>West Lawn Cemetery</b>
32. FUNERAL HOME - NAME <b>Gering Memorial</b>		33. CEMETERY OR CREMATORY LOCATION <b>Gering, Nebraska</b>	
34. FUNERAL HOME ADDRESS (STREET OR R.F.D. NO. CITY OR TOWN, STATE, ZIP) <b>1755 11th Street Gering, Nebraska 69341</b>		35. PART I - IMMEDIATE CAUSE (ENTER ONLY ONE CAUSE PER LINE FOR (a), (b), AND (c)) <b>RESPIRATORY ARREST</b>	
36. DUE TO, OR AS A CONSEQUENCE OF <b>DIFFUSE MEDICINE DISEASE / PNEUMIA (LUS INFEST)</b>		37. DUE TO, OR AS A CONSEQUENCE OF <b>Stage II Lung Cancer</b>	
38. OTHER SIGNIFICANT CONDITIONS - Conditions contributing to the death but not related <b>None</b>		39. PART III - IF FEMALE, WAS THERE A PREGNANCY IN THE PAST 3 MONTHS? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	40. 24. AUTOPSY Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
41. 25. WAS CASE REFERRED TO MEDICAL EXAMINER OR CORONER? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		42. 26. DESCRIBE HOW INJURY OCCURRED <b>None</b>	
43. 27a. DATE OF INJURY (Mo. Day Yr.)	44. 27b. HOUR OF INJURY	45. 27c. PLACE OF INJURY - At home, farm, street, factory, office, building, etc. (Specify)	
46. 28a. ACCIDENT <input type="checkbox"/> UNDETERMINED <input type="checkbox"/> SUICIDE <input type="checkbox"/> PENDING <input type="checkbox"/> HOMICIDE <input type="checkbox"/> INVESTIGATION <input type="checkbox"/>		47. 28b. INJURY AT WORK Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	48. 28c. LOCATION STREET OR R.F.D. NO. CITY OR TOWN STATE
49. 27d. DATE OF DEATH (Mo. Day Yr.) <b>January 16, 2002</b>		50. 27e. DATE SIGNED (Mo. Day Yr.)	51. 27f. TIME OF DEATH
52. 27f. DATE SIGNED (Mo. Day Yr.) <b>Jan 18 '02</b>		53. 27g. TIME OF DEATH <b>7:40 P. M.</b>	54. 28d. PRONOUNCED DEAD (Mo. Day Yr.)
55. 27g. SIGNATURE AND TITLE (To the best of my knowledge, death occurred at the time, date and place and due to the causes stated) <i>William Packard M.D.</i>		56. 28e. PRONOUNCED DEAD (Hour) <b>M</b>	
57. 28. On the basis of examination and/or investigation, in my opinion death occurred at the time, date and place and due to the cause(s) stated. Signature and Title: _____		58. 29. On the basis of examination and/or investigation, in my opinion death occurred at the time, date and place and due to the cause(s) stated. Signature and Title: _____	
59. 29. DID TOBACCO USE CONTRIBUTE TO THE DEATH? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNKNOWN		60. 30. HAS ORGAN OR TISSUE DONATION BEEN CONSIDERED? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
61. 30. WAS CONSENT GRANTED? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		62. 31. NAME AND ADDRESS OF CERTIFIER (PHYSICIAN, CORONER'S PHYSICIAN OR COUNTY ATTORNEY) (Type or Print) <b>William Packard, M.D. 3911 Avenue B Suite 1110 Scottsbluff, NE 69361</b>	
63. 32. REGISTRAR <i>Stanley S. Cooper</i>		64. 32. DATE FILED BY REGISTRAR (Mo. Day Yr.) <b>JAN 24 2002</b>	

0236587

IN THE COUNTY COURT OF SCOTTS BLUFF COUNTY, NEBRASKA

COUNTY OF SCOTTS BLUFF OF THE )  
 STATE OF NEBRASKA, )  
 )  
 ) Condemner, )  
 )  
 ) VS )  
 )  
 ) LYLE FRY and HILDA FRY, Husband and )  
 ) Wife; and RUSSELL W. WORTHAM and )  
 ) JOAN H. WORTHAM, Husband and Wife, )  
 )  
 ) Condemnees. )

P E T I T I O N  
 Case No. *U 79-105*

To the Honorable \_\_\_\_\_, County Judge of Scotts Bluff County, Nebraska:

Comes now your petitioner, County of Scotts Bluff of the State of Nebraska, and shows to the Court:

I.

That it is duly constituted county to the State of Nebraska.

II.

That the following described real estate, to-wit:

**FILED**  
 FEB 20 1979 *Jst*

Beginning at the Southeast corner of Section 36, Township 22 North, Range 55 West of the 6th P.M., Scotts Bluff County, Nebraska. Thence westerly along the South line of the Southeast Quarter a distance of 110 x 0 feet. Thence right 90°30'40" in Northerly direction parallel to and 110 x 0 feet westerly of the East line of the Southeast Quarter a distance of 33 x 0 feet, thence right 10°40'02" in a Northerly direction a distance of 108 x 03 feet. Thence right 10°40'02" in a northerly direction parallel to and 90x0 feet westerly of said east line a distance of 900x0 feet, thence right 90°00' in an easterly direction perpendicular to said east line a distance of 10x0' feet. Thence left 90°00' in a northerly direction parallel to and 80x0 feet westerly of said east line a distance of 800x0 feet thence left 01°14'10x5" in a northerly direction a distance of 927x01 feet. Thence left 73°45'49x5" in a westerly direction a distance of 465x87' feet. Thence right 75°00' in a northerly direction parallel to and 550x0 feet westerly of the east line of the northeast quarter a distance of 361x74 feet to a point on the thread of stream of Platte River thence right 92°26'41" in an easterly direction a distance of 83x88 feet thence right 59°18'02" a distance of 411,75 feet thence left 47°22'51" a distance of 280x03' feet to a point on the east line of the northeast quarter thence right 75'38'08" in a southerly direction along the east line of the northeast quarter a distance of 2811x57 feet to the point of beginning and containing 7x75 acres of which 7.67 acres is being secured.

COUNTY JUDGE

is required for the improvement of county road described as:  
 A County road running along the East line of the Southeast Quarter and the East Line of the Northeast Quarter of Section 36, Township 22 North, Range 55 West of the 6th P.M. in Scotts Bluff County, Nebraska.

State of Nebraska, Scotts Bluff County ss.  
 Entered in Numerical Index and filed for  
 record the *29* day of *March*, 19 *79*  
 at *4:03* o'clock *P.* M., and recorded in  
 Book *161* of *Deeds*  
 on page *387*  
*Mary J. Collins*  
 Register of Deeds



MICROFILM  
 FEB 27 1979



real estate. Those appearing were Russell W. Worthman, and Joan H. Worthman, and David Nuttleman.

5. The amount of damages that will be sustained by the owner of said real estate by reason of the taking thereof by the Condemner for road purposes is as hereinafter found and assessed.

Therefore the undersigned appraisers do hereby find and assess damages that will be suffered by reason of the taking of the real estate by the owners thereof for the purposes of the Condemner as follows:

AMOUNT AWARDED FOR ACQUISITION OF FEE SIMPLE TITLE	\$15,275.00
TOTAL AMOUNT AWARDED	\$15,275.00

Amount to be distributed as follows:  
To: LYLE FRY and HILDA FRY, Husband and Wife, Joint Tenants, and RUSSEL W. WORTHAM and JOAN H. WORTHAM, Husband and Wife, Joint Tenants.

\$15,275.00

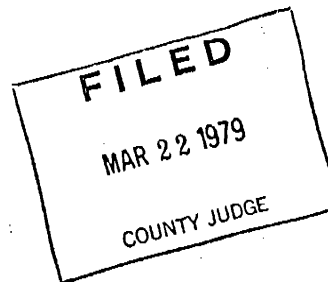
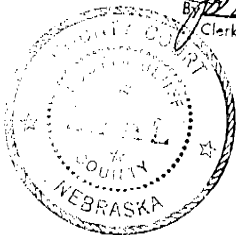
APPRAISERS

*George M. Moore*  
*Orville Brandt*  
*Bernard L. Luebke*

MJJ:lr

STATE OF NEBRASKA, SCOTT BLUFF COUNTY:  
I certify that this is a true copy of the original on file in the County Court of Scotts Bluff County, Nebraska.

Dated: 3/29/79  
*James L. Macken*  
County Judge  
*John and Dee Fisher*  
Clerk of the County Court

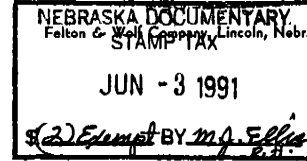




EXCEPTION FROM LEGAL

2333

2.1--WARRANTY DEED



WARRANTY DEED

Russell W. Worthman and Joan H. Worthman  
Husband and Wife, , herein called the grantor whether one or more,

in consideration of Twelve Hundred Dollars (\$1,200.00)

received from grantee, does grant, bargain, sell, convey and confirm unto

Scotts Bluff County

herein called the grantee whether one or more, the following described real property in

..... Scotts Bluff ..... County, Nebraska: The Southeast Quarter of Section 36,  
Township 22 North, Range 55 West of the 6th P.M., Scotts Bluff County, Nebraska, for a  
roadway improvement project, described as follows:

The South 40.0 feet of the East half of the Southeast Quarter of Section 36, with the  
exception of the following described tract of land;

Beginning at a point on the South line of the East Half of the Southeast Quarter,  
such point being 56.05 feet East of the Southwest corner of such East half of the  
Southeast Quarter, thence northerly at right angles to the South line of such  
East half of the Southeast Quarter a distance of 40.0 feet thence a deflection  
angle right of 90 degrees 00 minutes a distance of 395.0 feet, thence a deflection  
angle right of 90 degrees 00 minutes a distance of 40.0 feet to the point of inter-  
section with the South line of said Southeast Quarter, thence westerly on said  
South line a distance of 395.0 feet to the point of beginning containing an area  
of 0.36 acres more or less.

That the tract being conveyed contains an area of 0.85 acres, 0.425 acres of which  
was previously occupied as county road right of way and 0.425 acres is newly acquired  
county road right of way.

To have and to hold the above described premises together with all tenements, hereditaments  
and appurtenances thereto belonging unto the grantee and to grantee's heirs and assigns forever.

And the grantor does hereby covenant with the grantee and with grantee's heirs and assigns  
that grantor is lawfully seized of said premises; that they are free from encumbrance

that grantor has good right and lawful authority to convey the same; and that grantor warrants and will  
defend the title to said premises against the lawful claims of all persons whomsoever.

Dated MAY 28 19 91

*Russell W. Worthman*  
*Joan H. Worthman*

State of Nebraska, Scotts Bluff County ss.  
Entered in Numerical Index and filed for .....  
record the 3 day of June, 19 91  
at 2:40 o'clock P. M., and recorded in  
Book 195 of Deeds .....  
on page 188 .....  
*May J. Ellis*  
Register of Deeds

By ..... Deputy

STATE OF NEBRASKA, County of *Scotts Bluff* :

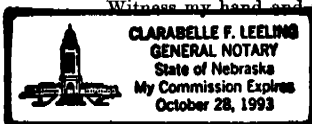
Before me, a notary public qualified for said county, personally came

*Russell W. Worthman*  
*Joan H. Worthman*

*Scotts Bluff County*  
NUM. *B*  
GEN. *28*  
PICT. \_\_\_\_\_  
COMPARED \_\_\_\_\_

known to me to be the identical person or persons who signed the foregoing instrument and acknowledged  
the execution thereof to be his, her or their voluntary act and deed.

Witness my hand and notarial seal on *May 28*, 19 *91*



*Clara Belle F. Leeling* Notary Public.

My commission expires *10-28*, 19 *93*

2333



2016-1334

RECORDED  
SCOTTS BLUFF COUNTY, NE

Date 3-18-16 Time 10:17am

INST. 2016 1334  
*Jean A. Bauer*

NUM PAGES 4  
DOC TAX \_\_\_\_\_ PD \_\_\_\_\_ CHG \_\_\_\_\_ RET \_\_\_\_\_  
FEES 28.00 PD \_\_\_\_\_ CHG  RET \_\_\_\_\_  
TOTAL 28.00  
REC'D Nebr. Public Power Dist.  
RET

COMPUTER CR  
PICTURED a  
IMAGED \_\_\_\_\_

REGISTER OF DEEDS

NPPD  
PO Box 499  
Columbus, NE  
68602-0499

**Nebraska Public Power District  
EASEMENT FOR URBAN ELECTRIC TRANSMISSION LINE**

That Leo Hoehn, a Single Person, Grantor of SCOTTS BLUFF County, Nebraska, in consideration of \$11,676.80, receipt of which is hereby acknowledged, do(es) hereby grant and convey unto Nebraska Public Power District (hereinafter called District), a public corporation and political subdivision of the State of Nebraska, its lessees, successors, and assigns, the perpetual right, privilege, and easement for a right-of-way to survey, construct, operate, maintain, inspect, repair, remove, alter, relocate and reconstruct an electric transmission line, including all necessary structures, electric wires, shield wires, optical ground wires, communication cables and wires, guys, and any other equipment used in connection therewith, (hereinafter collectively called the electric transmission line), along a route described herein. The centerline of the electric transmission line shall be established by the actual location of the electric transmission line as originally constructed over, under, upon and across the premises described as follows:

PART OF THE EAST HALF OF THE SOUTHEAST QUARTER, AND PART OF GOVERNMENT LOT 5, ALL IN FRACTIONAL SECTION 36, TOWNSHIP 22 NORTH, RANGE 55 WEST OF THE SIXTH P.M., SCOTTS BLUFF COUNTY, NEBRASKA, AS DESCRIBED IN INSTRUMENT 2014-3253 AND RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS FOR SCOTTS BLUFF COUNTY, NEBRASKA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

SECTION 36: EAST HALF OF THE SOUTHEAST QUARTER AND GOVERNMENT LOT 5 EXCEPT A PART OF THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 36, TOWNSHIP 22 NORTH, RANGE 55 WEST OF THE 6<sup>TH</sup> P.M., SCOTTS BLUFF COUNTY, NEBRASKA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE SOUTH LINE OF SAID EAST HALF OF THE SOUTHEAST QUARTER; SAID POINT BEING 56.05 FEET EAST OF THE SOUTHWEST CORNER OF SAID EAST HALF OF THE SOUTHEAST QUARTER; THENCE NORTH AT RIGHT ANGLES TO THE SOUTH LINE OF SAID EAST HALF OF THE SOUTHEAST QUARTER, A DISTANCE OF 265.95 FEET; THENCE A DEFLECTION ANGLE RIGHT OF 90°25', A DISTANCE OF 395.05 FEET; THENCE A DEFLECTION ANGLE RIGHT 89°35', A DISTANCE OF 263.5 FEET TO THE SOUTH LINE OF SAID EAST HALF OF THE SOUTHEAST; THENCE WEST ON THE SOUTH LINE OF SAID EAST HALF OF THE SOUTHEAST QUARTER, A DISTANCE OF 395.0 FEET TO THE POINT OF BEGINNING, CONTAINING AN AREA OF 2.401 ACRES, MORE OR LESS; **EXCEPT** THAT PART CONDEMNED BY THE COUNTY OF SCOTTS BLUFF OF THE STATE OF NEBRASKA AS DISCLOSED BY REPORT OF APPRAISERS FILED IN DEED BOOK 161 AT PAGE 387; **AND EXCEPT** THAT PART CONVEYED TO SCOTTS BLUFF COUNTY, NEBRASKA AS DISCLOSED BY DEED FILED IN BOOK 195 AT PAGE 188.

THE RIGHT-OF-WAY FOR THE ELECTRIC TRANSMISSION LINE IS SHOWN ON EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN.

The District shall have the right of ingress and egress across and along the property within the right-of-way for any purpose in connection with the survey, construction, operation, maintenance, inspection, repair, removal, alteration, relocation, and reconstruction of the District's electric transmission line.

The District, in its sole discretion, shall have the perpetual right, but not the obligation, to trim, and cut trees. All refuse from such tree cutting or trimming shall be disposed of in any manner deemed suitable by District.

The District agrees to pay the Grantor(s) for any damage to land and personal property caused by the survey and original construction of the District's electric transmission line. The District agrees to take all reasonable steps to restore, as nearly as possible to the condition it was in prior to construction, any land and personal property which is damaged as a result of said construction. Final payment shall be made on or before 60 days after completion of the original construction.

The District agrees to pay the Grantor(s) for any damage to land and personal property and to take all reasonable steps to restore any land and personal property which is damaged after the original construction of the District's electric transmission line resulting from the survey, operation, maintenance, inspection, repair, removal, alteration, relocation and reconstruction of the District's electric transmission line. It is further agreed that all claims for such damages must be submitted to the District in writing within 90 days of such occurrence; otherwise, it is agreed that said claim for damages shall have been waived.

The Grantor(s) may use and enjoy the land within the right-of-way, provided that such use shall not be a hazard to or prevent the District from surveying, constructing, operating, maintaining, inspecting, repairing, removing, altering, relocating or reconstructing the District's electric transmission line.

The District recognizes that the right-of-way described herein is located in an urban setting, and may already contain existing buildings, structures, canopies, signs, or billboards that will be in close proximity to the District's electric transmission line. Grantor(s) may replace any existing buildings, structures, canopies, signs, or billboards in the same location with the exact or smaller size, after providing written notice to the District.

In order to protect the safety of the Grantor(s) and the public, the following activities are prohibited within the right-of-way, until the Grantor(s) notifies the District of such activity in writing, so the District can analyze the safety of the Grantor(s) and the public before any changes to the personal property of the Grantor(s) are made within the right-of-way area and written permission is granted by the District: (a) Grantor(s) shall not construct new buildings, structures, canopies, signs, or billboards; (b) Grantor(s) shall not enlarge the exterior size of existing buildings, structures, canopies, signs, or billboards; (c) Grantor(s) shall not store flammable material; (d) Grantor(s) shall not install new wells; (e) Grantor(s) shall not plant any trees; (f) Grantor(s) shall not burn any type of material or vegetation; and (g) Grantor(s) shall not change or alter the grade of the terrain.

The District agrees that if the right-of-way is not used for the purposes stated herein, or if any electric transmission line constructed hereunder is removed and not replaced by another electric transmission line, for a period of five years, the right-of-way or easement acquired for its construction shall revert to the owner of the property affected.

The undersigned agrees and represents that he/she has read and understands the Easement for Urban Electric Transmission Line and that this document contains all agreements and understandings between the parties, and the undersigned has not relied upon any promises, inducements, covenants, oral statements, or agreements of any kind or nature which are not expressly set forth herein.

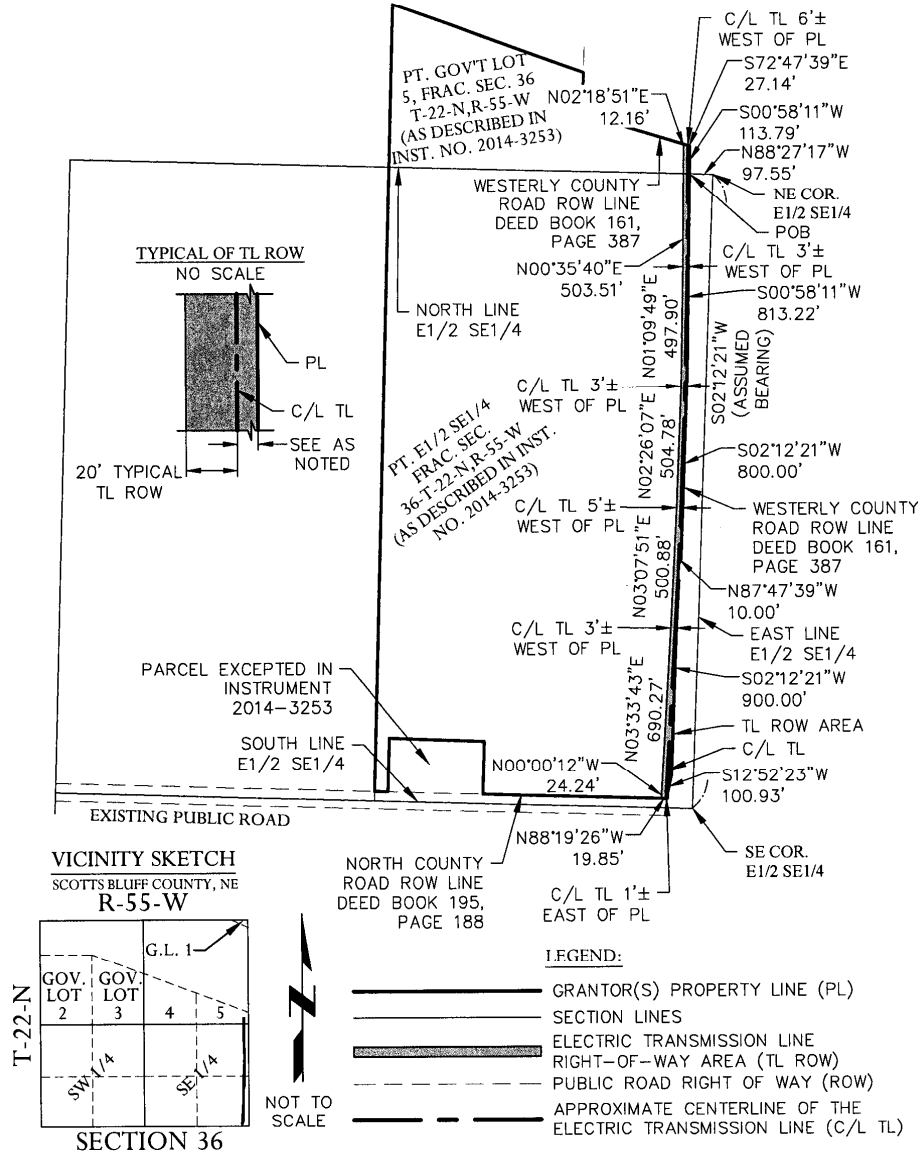
Signed the 11 day of NOVEMBER, 2015.

SIGNATURE



Leo Hoehn





**ELECTRIC TRANSMISSION LINE RIGHT-OF-WAY:**  
 THE RIGHT-OF-WAY FOR THE ELECTRIC TRANSMISSION LINE IS LOCATED IN PART OF THE EAST HALF OF THE SOUTHEAST QUARTER AND PART OF GOVERNMENT LOT 5, ALL IN FRACTIONAL SECTION 36, TOWNSHIP 22 NORTH, RANGE 55 WEST OF THE SIXTH P.M., SCOTT'S BLUFF COUNTY, NEBRASKA, SAID RIGHT-OF-WAY BEING DESCRIBED AS FOLLOWS: REFERRING TO THE NORTHEAST CORNER OF THE EAST HALF OF THE SOUTHEAST QUARTER OF SAID FRACTIONAL SECTION 36; THENCE N88°27'17"W (ASSUMING THE EAST LINE OF SAID EAST HALF OF THE SOUTHEAST QUARTER TO HAVE A BEARING OF S02°12'21"W) ON THE NORTH LINE OF SAID EAST HALF OF THE SOUTHEAST QUARTER, A DISTANCE OF 97.55 FEET TO THE POINT OF BEGINNING (POB), SAID POINT ALSO BEING ON THE WESTERLY RIGHT OF WAY LINE OF A COUNTY ROAD DESCRIBED IN DEED BOOK 161, PAGE 387, AND RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS FOR SCOTT'S BLUFF COUNTY, NEBRASKA; THENCE SOUTHERLY ON SAID WESTERLY RIGHT OF WAY LINE THE FOLLOWING DESCRIBED COURSES: S00°58'11"W, A DISTANCE OF 813.22 FEET; S02°12'21"W, PARALLEL WITH AND 80.00 FEET DISTANT FROM SAID EAST LINE, A DISTANCE OF 800.00 FEET; N87°47'39"W, A DISTANCE OF 10.00 FEET; S02°12'21"W, PARALLEL WITH AND 90.00 FEET DISTANT FROM SAID EAST LINE, A DISTANCE OF 900.00 FEET; S12°52'23"W, A DISTANCE OF 100.93 FEET TO THE NORTH RIGHT OF WAY LINE OF A COUNTY ROAD DESCRIBED IN DEED BOOK 195, PAGE 188, AND RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS FOR SCOTT'S BLUFF COUNTY, NEBRASKA; THENCE N88°19'26"W ON SAID NORTH RIGHT OF WAY LINE, PARALLEL WITH AND 40.00 FEET DISTANT FROM THE SOUTH LINE OF SAID EAST HALF OF THE SOUTHEAST QUARTER, A DISTANCE OF 19.85 FEET; THENCE N00°00'12"W, A DISTANCE OF 24.24 FEET; THENCE N03°33'43"E, A DISTANCE OF 690.27 FEET; THENCE N03°07'51"E, A DISTANCE OF 500.88 FEET; THENCE N02°26'07"E, A DISTANCE OF 504.78 FEET; THENCE N01°09'49"E, A DISTANCE OF 497.90 FEET; THENCE N00°35'40"E, A DISTANCE OF 503.51 FEET; THENCE N02°18'51"E, A DISTANCE OF 12.16 FEET TO SAID WESTERLY RIGHT OF WAY LINE; THENCE S72°47'39"E ON SAID WESTERLY RIGHT OF WAY LINE, A DISTANCE OF 27.14 FEET; THENCE S00°58'11"W CONTINUING ON SAID WESTERLY RIGHT OF WAY LINE, A DISTANCE OF 113.79 FEET TO THE POINT OF BEGINNING, CONTAINING 1.61 ACRES, MORE OR LESS.

<b>Nebraska Public Power District</b> NPPD T.L. 1224 PT. E1/2 SE1/4 & PT. GOV. LOT 5 FRAC. SEC. 36-T-22-N,R-55-W	DRAWN BY: AWH DATE: 10-28-2015	REVISED BY: DATE:	EXHIBIT "A" TRACT NO. 21-0940-012240 Page 4 of 4
	REVIEWED BY: JAS DATE: 10-28-2015	APPROVED BY: JJV DATE: 11/5/15	



2018-4193

RECORDED  
SCOTTS BLUFF COUNTY, NE

Date 9-17-18 Time 4:16pm

**INST. 2018 4193**

*Jean A. Bauer*

REGISTER OF DEEDS

COMPUTER EN  
PICTURED C  
IMAGED \_\_\_\_\_

NUM PAGES 3  
DCC TAX \_\_\_\_\_ PD \_\_\_\_\_ CHG \_\_\_\_\_ RET \_\_\_\_\_  
FEES 22.00 PD \_\_\_\_\_ CHG  RET \_\_\_\_\_  
TOTAL 22.00  
REC'D City of Gering  
RET City of Gering - call for pick up

**ORDINANCE NO. 2050**

**AN ORDINANCE OF THE CITY OF GERING, NEBRASKA FINDING THAT CERTAIN LANDS, LOTS, TRACTS, STREETS AND HIGHWAYS SITUATED IN A PORTION OF THE NORTHEAST QUARTER OF SECTION 1, TOWNSHIP 21 NORTH, RANGE 55 WEST OF THE 6<sup>TH</sup> PRINCIPAL MERIDIAN AND A PORTION OF THE EAST HALF OF SECTION 36, TOWNSHIP 22 NORTH, RANGE 55 WEST OF THE 6<sup>TH</sup> PRINCIPAL MERIDIAN, SCOTTS BLUFF COUNTY, NEBRASKA AS DESCRIBED HEREIN, AND ARE SUBJECT TO ANNEXATION TO AND INCLUSION WITHIN THE CORPORATE LIMITS OF THE CITY; ANNEXING TO AND INCLUDING WITHIN THE CORPORATE LIMITS OF THE CITY SUCH LANDS, LOTS, TRACTS, STREETS, AND HIGHWAYS; PROVIDING THAT THE INHABITANTS THEREOF SHALL BE ENTITLED TO THE RIGHTS AND PRIVILEGES AND SUBJECT TO THE LAWS, ORDINANCES, RULES AND REGULATIONS OF THE CITY, AND RECEIVE SUBSTANTIALLY THE BENEFITS OF OTHER INHABITANTS THEREOF; REPEALING CONFLICTING ORDINANCES AND PARTS OF ORDINANCES; AND, PROVIDING FOR RECORDING AND PUBLICATION OF THE ORDINANCE AND FOR ITS EFFECTIVE DATE.**

**BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF GERING, NEBRASKA:**

**Section 1.** The following lands, lots, tracts, streets and highways situated in Scotts Bluff County, Nebraska, are hereby found and declared to be contiguous and adjacent to the corporate limits of the City of Gering, Nebraska, to be urban and suburban in character in relation to such city and not to be agricultural lands which are rural in character, to wit:

**Property located in Section 1, Township 21 North, Range 55 West of the 6<sup>th</sup> Principal Meridian as described as follows:**

**Northeast Quarter of Section 1, Township 21 North, Range 55 West of the 6<sup>th</sup> Principal Meridian, Scotts Bluff County, Nebraska lying North of the UPRR Right-of-Way.**

**EXCEPTING:**

**A tract of land as described in Instrument Number 2016-2173 as recorded with the Scotts Bluff County Register of Deeds and also excepting Lot 1, Block 1, Bar-T-Ranch Subdivision as platted and recorded as Instrument Number 2017-3022 with the Scotts Bluff County Register of Deeds.**

**Property located in Section 36, Township 22 North, Range 55 West of the 6<sup>th</sup> Principal Meridian as described as follows:**

**Government Lots 4 and 5 located in the Northeast Quarter of Section 36, Township 22 North, Range 55 West of the 6<sup>th</sup> Principal Meridian, Scotts**

Bluff County, Nebraska and the accreted lands thereto and the Southeast Quarter of Section 36, Township 22 North, Range 55 West of the 6<sup>th</sup> Principal Meridian, Scotts Bluff County, Nebraska.

**EXCEPTING:**

Part of the E1/2SE1/4 of Section 36, Township 22 North, Range 55 West of the 6<sup>th</sup> Principal Meridian, Scotts Bluff County, Nebraska, more particularly described as follows: Beginning at a point on the South Line of said E1/2SE1/4; said point being 56.05 feet east of the Southwest corner of said E1/2SE1/4; thence North at right angles to the South Line of said E1/2SE1/4, a distance of 265.95 feet; thence a deflection angle right of 90°25', a distance of 395.05 feet; thence a deflection angle right 89°35', a distance of 263.5 feet to the South Line of said E1/2SE1/4; thence West on the South line of said E1/2SE1/4, a distance of 395.0 feet to the point of beginning, containing 2.4 acres, more or less; AND EXCEPT that part conveyed to Scotts Bluff County, Nebraska as disclosed by Deed filed in Book 195, Page 188; AND EXCEPTING the East 250 feet of the accreted lands of said Government Lot 5 lying West of the Road Right-of-Way of Lockwood Road (21<sup>st</sup> Avenue).

**AND INCLUDING:**

The Road Right-of-Way of Lockwood Road (21<sup>st</sup> Avenue) adjacent to the above described annexation of property located in Section 1, Township 21 North, Range 55 West of the 6<sup>th</sup> Principal Meridian and the Southeast Quarter of Section 36, Township 22 North, Range 55 West of the 6<sup>th</sup> Principal Meridian, Scotts Bluff County, Nebraska.

**Section 2.** Such lands, lots, tracts, streets and highways are hereby annexed to and included within the corporate limits of the City of Gering, Nebraska and hereafter shall be and remain a part of such City for all purposes whatsoever.

**Section 3.** The inhabitants of such lands, lots, and tracts shall hereafter be entitled to all of the rights and privileges and be subject to all of the laws, ordinances, rules and regulations of such City. Such inhabitants shall receive substantially the benefits of other inhabitants of such City as soon as practicable and adequate plans and necessary City Council action to furnish such benefits as police, fire, snow removal and water service shall be adopted as provided by the laws of the State of Nebraska.

**Section 4.** All other ordinances and parts of ordinances in conflict with this ordinance are, to the extent of the conflict, repealed.

**Section 5.** If any provisions of this ordinance shall be held invalid by any court of competent jurisdiction, such provisions shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the other

parts thereof. If this Ordinance, or any provisions hereof, shall be held invalid with respect to any particular land, lot, or tract of land as shown of record in either the office of the Register of Deeds or the office of the County Assessor of Scotts Bluff County, Nebraska with respect to any street or highway as shown of record in such County or as actually existing at the time of passage of this Ordinance or with respect to any part of a particular land, lot, tract, street, or highway, this Ordinance or, as the case may be, such provision shall be deemed to be, as to such land, lot, tract, street, or highway, or part thereof, a separate, distinct and independent provision, and such holding shall not affect the validity of this Ordinance or, as the case may be, of such provisions as to the other lands, lots, tracts, streets, highways, or parts thereof, described in this Ordinance.

Section 6. The City Clerk shall cause a certified copy of this Ordinance to be filed and recorded in the office of the Register of Deeds of Scotts Bluff County, Nebraska, forthwith after passage and approval of this Ordinance by the Mayor and City Council.

Section 7. The City Clerk shall cause a copy of this Ordinance to be published forthwith in the Gering Courier, a newspaper published within such City.

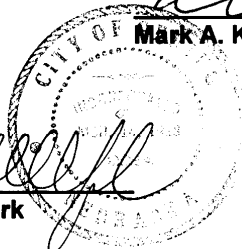
Section 8. This Ordinance shall become effective upon its passage, approval and publication as provided by law.

Passed and approved this 11<sup>th</sup> day of September, 2017.

  
Mark A. Kaufman, Mayor

ATTEST:

  
Kathy Welf, City Clerk





**APPENDIX D**  
**ENVIRONMENTAL DATABASE INFORMATION**

**SE Municipal Solar - Gering**

NW Corner of County Road N & Lockwood Road 23  
Gering, NE 69341

Inquiry Number: 6985975.29s

May 18, 2022

# The EDR Radius Map™ Report



6 Armstrong Road, 4th floor  
Shelton, CT 06484  
Toll Free: 800.352.0050  
[www.edrnet.com](http://www.edrnet.com)

# TABLE OF CONTENTS

<u>SECTION</u>	<u>PAGE</u>
Executive Summary .....	ES1
Overview Map .....	2
Detail Map .....	3
Map Findings Summary .....	4
Map Findings .....	8
Orphan Summary .....	78
Government Records Searched/Data Currency Tracking .....	GR-1

## GEOCHECK ADDENDUM

GeoCheck - Not Requested

***Thank you for your business.***  
Please contact EDR at 1-800-352-0050  
with any questions or comments.

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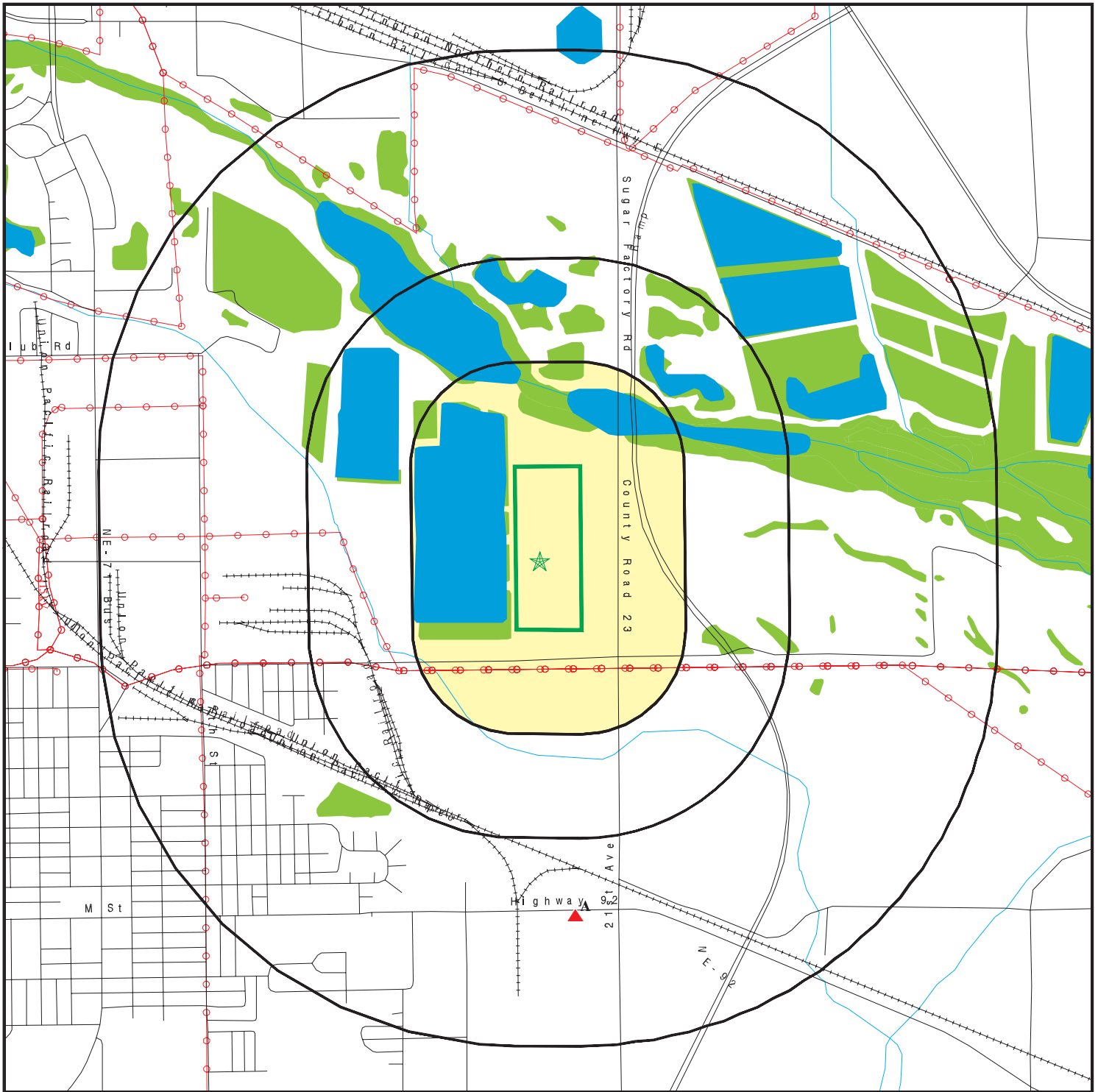
MAPPED SITES SUMMARY







Target Property Address:  
NW CORNER OF COUNTY ROAD N & LOCKWOOD ROAD 23  
GERING, NE 69341





Click on Map ID to see full detail.

MAP ID	SITE NAME	ADDRESS	DATABASE ACRONYMS	RELATIVE ELEVATION	DIST (ft. & mi.) DIRECTION
<a href="#">A1</a>	AGROMAC INTERNATIONAL	220757 HIGHWAY 92	SHWS, INST CONTROL, AIRS, NPDES	Higher	3615, 0.685, South
<a href="#">A2</a>	AGROMAC - LOCKWOOD S	220757 HWY 92 EAST	CORRACTS, RCRA-TSDF, LUST, RCRA NonGen / NLR, US...	Higher	3615, 0.685, South

# OVERVIEW MAP - 6985975.29S



-  Target Property
-  Sites at elevations higher than or equal to the target property
-  Sites at elevations lower than the target property
-  Manufactured Gas Plants
-  National Priority List Sites
-  Dept. Defense Sites

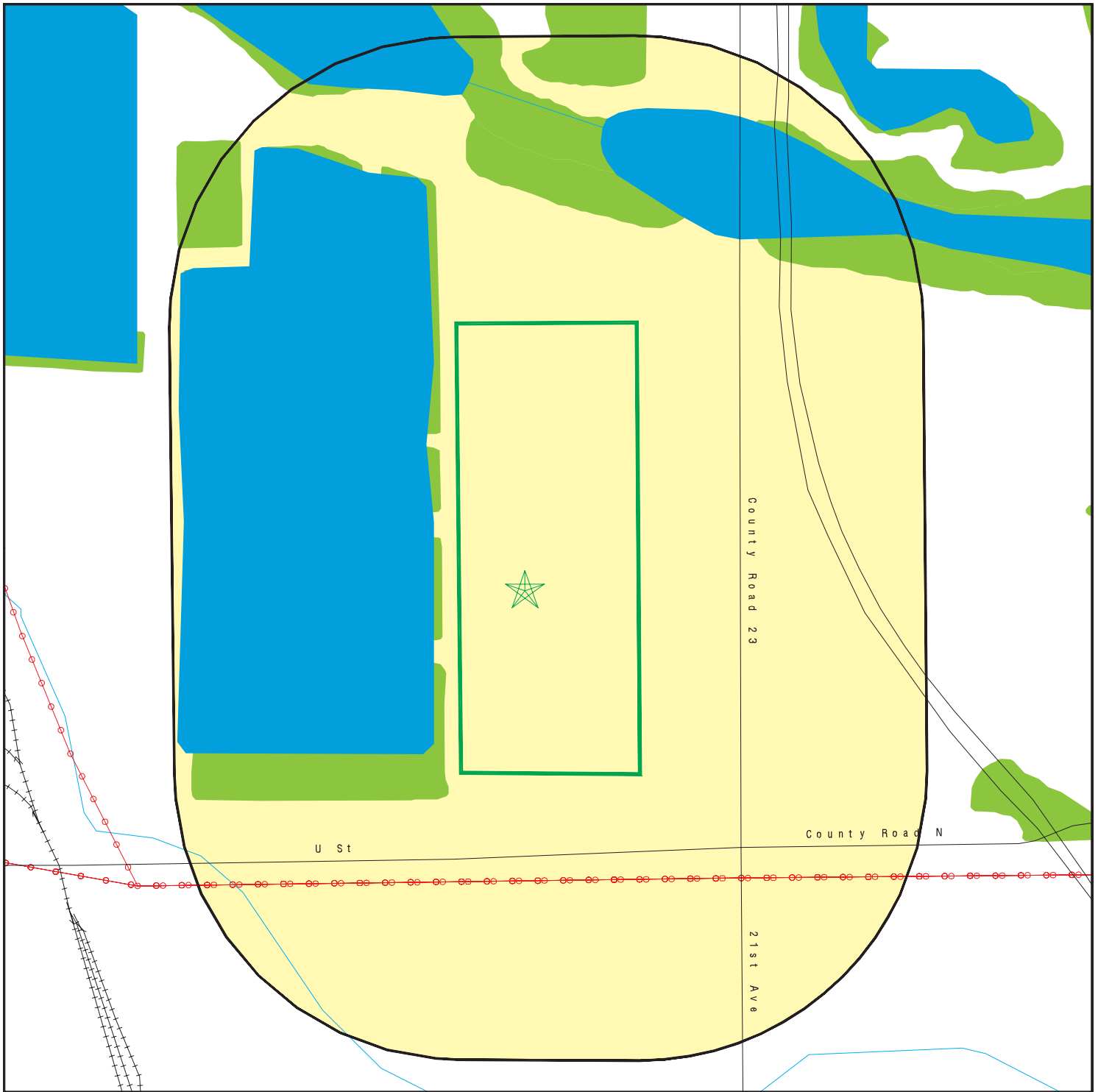
-  Indian Reservations BIA
-  Power transmission lines
-  National Wetland Inventory
-  State Wetlands








This report includes Interactive Map Layers to display and/or hide map information. The legend includes only those icons for the default map view.





SITE NAME: SE Municipal Solar - Gering  
 ADDRESS: NW Corner of County Road N & Lockwood Road 23  
 Gering NE 69341  
 LAT/LONG: 41.833931 / 103.6399

CLIENT: Terracon  
 CONTACT: Andrew Herman  
 INQUIRY #: 6985975.29s  
 DATE: May 18, 2022 7:12 pm

# DETAIL MAP - 6985975.29S



-  Target Property
-  Sites at elevations higher than or equal to the target property
-  Sites at elevations lower than the target property
-  Manufactured Gas Plants
-  Sensitive Receptors
-  National Priority List Sites
-  Dept. Defense Sites

-  Indian Reservations BIA
-  Power transmission lines
-  National Wetland Inventory
-  State Wetlands



This report includes Interactive Map Layers to display and/or hide map information. The legend includes only those icons for the default map view.

<p>SITE NAME: SE Municipal Solar - Gering          ADDRESS: NW Corner of County Road N &amp; Lockwood Road 23          Gering NE 69341          LAT/LONG: 41.833931 / 103.6399</p>	<p>CLIENT: Terracon          CONTACT: Andrew Herman          INQUIRY #: 6985975.29s          DATE: May 18, 2022 7:14 pm</p>
--	---

## MAP FINDINGS SUMMARY

Database	Search Distance (Miles)	Target Property	< 1/8	1/8 - 1/4	1/4 - 1/2	1/2 - 1	> 1	Total Plotted
<b>STANDARD ENVIRONMENTAL RECORDS</b>								
<b><i>Lists of Federal NPL (Superfund) sites</i></b>								
NPL	1.000		0	0	0	0	NR	0
Proposed NPL	1.000		0	0	0	0	NR	0
NPL LIENS	1.000		0	0	0	0	NR	0
<b><i>Lists of Federal Delisted NPL sites</i></b>								
Delisted NPL	1.000		0	0	0	0	NR	0
<b><i>Lists of Federal sites subject to CERCLA removals and CERCLA orders</i></b>								
FEDERAL FACILITY	0.500		0	0	0	NR	NR	0
SEMS	0.500		0	0	0	NR	NR	0
<b><i>Lists of Federal CERCLA sites with NFRAP</i></b>								
SEMS-ARCHIVE	0.500		0	0	0	NR	NR	0
<b><i>Lists of Federal RCRA facilities undergoing Corrective Action</i></b>								
CORRACTS	1.000		0	0	0	1	NR	1
<b><i>Lists of Federal RCRA TSD facilities</i></b>								
RCRA-TSDF	0.500		0	0	0	NR	NR	0
<b><i>Lists of Federal RCRA generators</i></b>								
RCRA-LQG	0.250		0	0	NR	NR	NR	0
RCRA-SQG	0.250		0	0	NR	NR	NR	0
RCRA-VSQG	0.250		0	0	NR	NR	NR	0
<b><i>Federal institutional controls / engineering controls registries</i></b>								
LUCIS	0.500		0	0	0	NR	NR	0
US ENG CONTROLS	0.500		0	0	0	NR	NR	0
US INST CONTROLS	0.500		0	0	0	NR	NR	0
<b><i>Federal ERNS list</i></b>								
ERNS	TP		NR	NR	NR	NR	NR	0
<b><i>Lists of state- and tribal hazardous waste facilities</i></b>								
SHWS	1.000		0	0	0	1	NR	1
<b><i>Lists of state and tribal landfills and solid waste disposal facilities</i></b>								
SWF/LF	0.500		0	0	0	NR	NR	0
<b><i>Lists of state and tribal leaking storage tanks</i></b>								
LUST	0.500		0	0	0	NR	NR	0

## MAP FINDINGS SUMMARY

Database	Search Distance (Miles)	Target Property	< 1/8	1/8 - 1/4	1/4 - 1/2	1/2 - 1	> 1	Total Plotted
LAST	0.500		0	0	0	NR	NR	0
INDIAN LUST	0.500		0	0	0	NR	NR	0
<b><i>Lists of state and tribal registered storage tanks</i></b>								
FEMA UST	0.250		0	0	NR	NR	NR	0
UST	0.250		0	0	NR	NR	NR	0
AST	0.250		0	0	NR	NR	NR	0
INDIAN UST	0.250		0	0	NR	NR	NR	0
<b><i>State and tribal institutional control / engineering control registries</i></b>								
INST CONTROL	0.500		0	0	0	NR	NR	0
<b><i>Lists of state and tribal voluntary cleanup sites</i></b>								
INDIAN VCP	0.500		0	0	0	NR	NR	0
VCP	0.500		0	0	0	NR	NR	0
<b><i>Lists of state and tribal brownfield sites</i></b>								
BROWNFIELDS	0.500		0	0	0	NR	NR	0
<b><u>ADDITIONAL ENVIRONMENTAL RECORDS</u></b>								
<b><i>Local Brownfield lists</i></b>								
US BROWNFIELDS	0.500		0	0	0	NR	NR	0
<b><i>Local Lists of Landfill / Solid Waste Disposal Sites</i></b>								
SWRCY	0.500		0	0	0	NR	NR	0
INDIAN ODI	0.500		0	0	0	NR	NR	0
DEBRIS REGION 9	0.500		0	0	0	NR	NR	0
ODI	0.500		0	0	0	NR	NR	0
IHS OPEN DUMPS	0.500		0	0	0	NR	NR	0
<b><i>Local Lists of Hazardous waste / Contaminated Sites</i></b>								
US HIST CDL	TP		NR	NR	NR	NR	NR	0
US CDL	TP		NR	NR	NR	NR	NR	0
<b><i>Local Lists of Registered Storage Tanks</i></b>								
HIST UST	0.250		0	0	NR	NR	NR	0
HIST AST	TP		NR	NR	NR	NR	NR	0
<b><i>Local Land Records</i></b>								
LIENS 2	TP		NR	NR	NR	NR	NR	0
<b><i>Records of Emergency Release Reports</i></b>								
HMIRS	TP		NR	NR	NR	NR	NR	0
SPILLS	TP		NR	NR	NR	NR	NR	0
SPILLS 90	TP		NR	NR	NR	NR	NR	0
SPILLS 80	TP		NR	NR	NR	NR	NR	0



## MAP FINDINGS SUMMARY

Database	Search Distance (Miles)	Target Property	< 1/8	1/8 - 1/4	1/4 - 1/2	1/2 - 1	> 1	Total Plotted
<b>Other Ascertainable Records</b>								
RCRA NonGen / NLR	0.250		0	0	NR	NR	NR	0
FUDS	1.000		0	0	0	0	NR	0
DOD	1.000		0	0	0	0	NR	0
SCRD DRYCLEANERS	0.500		0	0	0	NR	NR	0
US FIN ASSUR	TP		NR	NR	NR	NR	NR	0
EPA WATCH LIST	TP		NR	NR	NR	NR	NR	0
2020 COR ACTION	0.250		0	0	NR	NR	NR	0
TSCA	TP		NR	NR	NR	NR	NR	0
TRIS	TP		NR	NR	NR	NR	NR	0
SSTS	TP		NR	NR	NR	NR	NR	0
ROD	1.000		0	0	0	0	NR	0
RMP	TP		NR	NR	NR	NR	NR	0
RAATS	TP		NR	NR	NR	NR	NR	0
PRP	TP		NR	NR	NR	NR	NR	0
PADS	TP		NR	NR	NR	NR	NR	0
ICIS	TP		NR	NR	NR	NR	NR	0
FTTS	TP		NR	NR	NR	NR	NR	0
MLTS	TP		NR	NR	NR	NR	NR	0
COAL ASH DOE	TP		NR	NR	NR	NR	NR	0
COAL ASH EPA	0.500		0	0	0	NR	NR	0
PCB TRANSFORMER	TP		NR	NR	NR	NR	NR	0
RADINFO	TP		NR	NR	NR	NR	NR	0
HIST FTTS	TP		NR	NR	NR	NR	NR	0
DOT OPS	TP		NR	NR	NR	NR	NR	0
CONSENT	1.000		0	0	0	0	NR	0
INDIAN RESERV	1.000		0	0	0	0	NR	0
FUSRAP	1.000		0	0	0	0	NR	0
UMTRA	0.500		0	0	0	NR	NR	0
LEAD SMELTERS	TP		NR	NR	NR	NR	NR	0
US AIRS	TP		NR	NR	NR	NR	NR	0
US MINES	0.250		0	0	NR	NR	NR	0
ABANDONED MINES	0.250		0	0	NR	NR	NR	0
FINDS	TP		NR	NR	NR	NR	NR	0
DOCKET HWC	TP		NR	NR	NR	NR	NR	0
UXO	1.000		0	0	0	0	NR	0
ECHO	TP		NR	NR	NR	NR	NR	0
FUELS PROGRAM	0.250		0	0	NR	NR	NR	0
AIRS	TP		NR	NR	NR	NR	NR	0
ASBESTOS	TP		NR	NR	NR	NR	NR	0
DRYCLEANERS	0.250		0	0	NR	NR	NR	0
Financial Assurance	TP		NR	NR	NR	NR	NR	0
NPDES	TP		NR	NR	NR	NR	NR	0
TIER 2	TP		NR	NR	NR	NR	NR	0
UIC	TP		NR	NR	NR	NR	NR	0
MINES MRDS	TP		NR	NR	NR	NR	NR	0

### **EDR HIGH RISK HISTORICAL RECORDS**

#### ***EDR Exclusive Records***

EDR MGP	1.000		0	0	0	0	NR	0
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## MAP FINDINGS SUMMARY

Database	Search Distance (Miles)	Target Property	< 1/8	1/8 - 1/4	1/4 - 1/2	1/2 - 1	> 1	Total Plotted
EDR Hist Auto	0.125		0	NR	NR	NR	NR	0
EDR Hist Cleaner	0.125		0	NR	NR	NR	NR	0
<b><u>EDR RECOVERED GOVERNMENT ARCHIVES</u></b>								
<b><i>Exclusive Recovered Govt. Archives</i></b>								
RGA HWS	TP		NR	NR	NR	NR	NR	0
RGA LUST	TP		NR	NR	NR	NR	NR	0
- Totals --		0	0	0	0	2	0	2

**NOTES:**

TP = Target Property

NR = Not Requested at this Search Distance

Sites may be listed in more than one database

MAP FINDINGS

Map ID  
 Direction  
 Distance  
 Elevation

Site

Database(s)

EDR ID Number  
 EPA ID Number

**A1**            **AGROMAC INTERNATIONAL INC**  
**South**        **220757 HIGHWAY 92**  
**1/2-1**         **GERING, NE 69341**  
**0.685 mi.**  
**3615 ft.**       **Site 1 of 2 in cluster A**

**SHWS**    **S107687391**  
**INST CONTROL**    **N/A**  
**AIRS**  
**NPDES**

**Relative:**  
**Higher**  
**Actual:**  
**3889 ft.**

**SHWS:**  
 Name:                    AGROMAC INTERNATIONAL INC  
 Address:                220757 HIGHWAY 92  
 City,State,Zip:        GERING, NE 69341  
 DEQ ID:                 43565  
 Program Acronym:     SF  
 Directions to Facility:    Bd:N-Hwy92E,E-Rd23(Lockwood Rd),S-D St,W-UPRR Spur

**NE INSTUTIONAL CONTROL:**

Name:                    AGROMAC INTERNATIONAL  
 City,State,Zip:        GERING, NE 69341  
 Lat/Long:               41.8154 -103.6403  
 Category:               Proprietary  
 Type:                    Restrictive Covenant  
 Media:                   GroundWater,Soil  
 Compliance Reporting: Annual reporting by the then-current fee simple owner.  
 Geographic Area:       A tract of land situated in the Southeast Quarter (SE1/4) of Section One (1), Township Twenty-one (21) North, Range Fifty-five (55) West of the 6th P.M., Scotts Bluff County, Nebraska, more particularly described as follows: Beginning at the Southeast corner of Section 1, thence Westerly on the South line of the SE1/4, a distance of 1,259.80 feet, thence a deflection angle right of 90 31'38", a distance of 129.66 feet to the true point of beginning, thence continuing Northerly on the last-described course, a distance of 276.80 feet, thence a deflection angle right of 91 36'18", a distance of 176.76 feet, thence a deflection angle right of 89 41'24", a distance of 269.59 feet, thence a deflection angle right of 87 55'21", a distance of 170.61 feet to the true point of beginning, containing an area of 1.09 acres, more or less. (Attachment A).

**Text:**  
 The Property is subject to the following activity and use limitations: (a) The Property shall not be used for residential purposes, which for purposes of this Covenant include but are not limited to: single family homes, duplexes, multiplexes, apartments, condominiums, schools, dormitories, retirement or senior/child-care centers, or any land use where persons can be expected to reside. (b) The construction or installation of any new wells on the Property is prohibited. (c) The existing surface impoundment cover shall not be disturbed without both Agencies approval, except in the case of emergency utility repair activities or other subsurface work necessary for human health and safety. In these cases, the Agencies shall be notified within 10 working days after initiation of emergency work at the Property. For all other cases, prior written approval from the Agencies is required for any demolition/removal of the surface impoundment cover. (d) The existing surface impoundment cover shall not be allowed to deteriorate. Plant root damage, tree growth, wind or water erosion, ponding or improper drainage, or use of heavy tired equipment on the cover is prohibited. (e) Existing monitoring wells, including caps, casing, riser pipes, and locks, must not fall into disrepair nor be abandoned without prior written approval from the Agencies. (f) The fence, gates and hazardous waste warning signs shall not be allowed to fall into disrepair to prohibit the entry of unauthorized persons.

**Restrictions:**                    Limit future land use. Prohibit new wells. Prior approval needed

Map ID  
Direction  
Distance  
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number  
EPA ID Number

**AGROMAC INTERNATIONAL INC (Continued)**

**S107687391**

before any disturbance to the surface cover. Maintain protective cover. Maintain monitoring wells and receive prior approval before abandonment. Maintain entrance barriers and warning signs.

**NE AIRS:**

Name: AGROMAC INTERNATIONAL INC  
Address: 220757 HIGHWAY 92  
City,State,Zip: GERING, NE 69341  
Facility ID: 43565  
Directions to Facility: Bd:N-Hwy92E,E-Rd23(Lockwood Rd),S-D St,W-UPRR Spur

**NE NPDES:**

Name: AGROMAC INTERNATIONAL INC  
Address: 220757 HIGHWAY 92  
City,State,Zip: GERING, NE 69341  
Facility ID: 43565  
Directions to Facility: Bd:N-Hwy92E,E-Rd23(Lockwood Rd),S-D St,W-UPRR Spur  
Program Acronym: PCS

**A2**  
**South**  
**1/2-1**  
**0.685 mi.**  
**3615 ft.**  
**Relative:**  
**Higher**  
**Actual:**  
**3889 ft.**

**AGROMAC - LOCKWOOD SITE**  
**220757 HWY 92 EAST**  
**GERING, NE 69341**

**Site 2 of 2 in cluster A**

**CORRACTS** **1000273311**  
**RCRA-TSDF** **NED044101442**  
**LUST**  
**RCRA NonGen / NLR**  
**US FIN ASSUR**  
**2020 COR ACTION**

**CORRACTS:**

Name: AGROMAC - LOCKWOOD SITE  
Address: 220757 HWY 92 EAST  
EPA ID: NED044101442  
Area Name: ENTIRE FACILITY  
Corrective Action: RFA COMPLETED-ASSESSMENT WAS A RFA  
Actual Date: 19880930  
Air Release Indicator: N  
Groundwater Release Indicator: Y  
Soil Release Indicator: Y  
Surface Water Release Indicator: N

Name: AGROMAC - LOCKWOOD SITE  
Address: 220757 HWY 92 EAST  
EPA ID: NED044101442  
Area Name: ENTIRE FACILITY  
Corrective Action: DETERMINATION OF NEED FOR AN INVESTIGATION-INVESTIGATION IS NECESSARY  
Actual Date: 19880930  
Air Release Indicator: N  
Groundwater Release Indicator: Y  
Soil Release Indicator: Y  
Surface Water Release Indicator: N

Name: AGROMAC - LOCKWOOD SITE  
Address: 220757 HWY 92 EAST  
EPA ID: NED044101442  
Area Name: ENTIRE FACILITY  
Corrective Action: CA PRIORITIZATION-HIGH CA PRIORITY  
Actual Date: 19920128  
Air Release Indicator: N  
Groundwater Release Indicator: Y

Map ID  
Direction  
Distance  
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number  
EPA ID Number

**AGROMAC - LOCKWOOD SITE (Continued)**

**1000273311**

Soil Release Indicator: Y  
Surface Water Release Indicator: N

Name: AGROMAC - LOCKWOOD SITE  
Address: 220757 HWY 92 EAST  
EPA ID: NED044101442  
Area Name: ENTIRE FACILITY  
Corrective Action: INVESTIGATION IMPOSITION  
Actual Date: 19891030  
Air Release Indicator: N  
Groundwater Release Indicator: Y  
Soil Release Indicator: Y  
Surface Water Release Indicator: N

Name: AGROMAC - LOCKWOOD SITE  
Address: 220757 HWY 92 EAST  
EPA ID: NED044101442  
Area Name: ENTIRE FACILITY  
Corrective Action: INVESTIGATION WORKPLAN NOTICE OF DEFICIENCY ISSUED  
Actual Date: 19910402  
Air Release Indicator: N  
Groundwater Release Indicator: Y  
Soil Release Indicator: Y  
Surface Water Release Indicator: N

Name: AGROMAC - LOCKWOOD SITE  
Address: 220757 HWY 92 EAST  
EPA ID: NED044101442  
Area Name: ENTIRE FACILITY  
Corrective Action: INVESTIGATION WORKPLAN APPROVED  
Actual Date: 19920316  
Air Release Indicator: N  
Groundwater Release Indicator: Y  
Soil Release Indicator: Y  
Surface Water Release Indicator: N

Name: AGROMAC - LOCKWOOD SITE  
Address: 220757 HWY 92 EAST  
EPA ID: NED044101442  
Area Name: ENTIRE FACILITY  
Corrective Action: INVESTIGATION COMPLETE  
Actual Date: 20020322  
Air Release Indicator: N  
Groundwater Release Indicator: Y  
Soil Release Indicator: Y  
Surface Water Release Indicator: N

Name: AGROMAC - LOCKWOOD SITE  
Address: 220757 HWY 92 EAST  
EPA ID: NED044101442  
Area Name: CERCLA REMOVAL  
Corrective Action: REFERRED TO A NON-RCRA AUTHORITY-REFERRED TO CERCLA  
Actual Date: 19990818  
Groundwater Release Indicator: Y  
Soil Release Indicator: Y

Name: AGROMAC - LOCKWOOD SITE

Map ID  
Direction  
Distance  
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number  
EPA ID Number

**AGROMAC - LOCKWOOD SITE (Continued)**

**1000273311**

Address: 220757 HWY 92 EAST  
EPA ID: NED044101442  
Area Name: ENTIRE FACILITY  
Corrective Action: STABILIZATION MEASURES EVALUATION-FURTHER INVESTIGATION NECESSARY  
Actual Date: 19920207  
Air Release Indicator: N  
Groundwater Release Indicator: Y  
Soil Release Indicator: Y  
Surface Water Release Indicator: N

Name: AGROMAC - LOCKWOOD SITE  
Address: 220757 HWY 92 EAST  
EPA ID: NED044101442  
Area Name: ENTIRE FACILITY  
Corrective Action: REMEDY DECISION  
Actual Date: 20070928  
Air Release Indicator: N  
Groundwater Release Indicator: Y  
Soil Release Indicator: Y  
Surface Water Release Indicator: N

Name: AGROMAC - LOCKWOOD SITE  
Address: 220757 HWY 92 EAST  
EPA ID: NED044101442  
Area Name: ENTIRE FACILITY  
Corrective Action: REMEDY CONSTRUCTION-REMEDY CONSTRUCTED  
Actual Date: 20070928  
Air Release Indicator: N  
Groundwater Release Indicator: Y  
Soil Release Indicator: Y  
Surface Water Release Indicator: N

[Click this hyperlink](#) while viewing on your computer to access  
21 additional CORRACTS: record(s) in the EDR Site Report.

RCRA NonGen / NLR:

Date Form Received by Agency: 20070614  
Handler Name: AGROMAC - LOCKWOOD SITE  
Handler Address: 220757 HWY 92 EAST  
Handler City,State,Zip: GERING, NE 69341  
EPA ID: NED044101442  
Contact Name: JOSEPH G SCHON  
Contact Address: HWY 92 EAST  
Contact City,State,Zip: GERING, NE 69341  
Contact Telephone: 308-641-5140  
Contact Email: JSCHON@AGROMAC.COM  
EPA Region: 07  
Land Type: Private  
Federal Waste Generator Description: Not a generator, verified  
Active Site Indicator: Permitting Activities, Corrective Action Activities  
Mailing Address: PO BOX 100  
Mailing City,State,Zip: SCOTTSBLUFF, NE 69363-0100  
Owner Name: LOCKWOOD CORPORATION  
Owner Type: Private  
Operator Name: AGROMAC INTERNATIONAL INC  
Operator Type: Private  
Short-Term Generator Activity: No

Map ID  
 Direction  
 Distance  
 Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number  
 EPA ID Number

**AGROMAC - LOCKWOOD SITE (Continued)**

**1000273311**

Importer Activity:	No
Mixed Waste Generator:	No
Transporter Activity:	No
Transfer Facility Activity:	No
Recycler Activity with Storage:	No
Small Quantity On-Site Burner Exemption:	No
Smelting Melting and Refining Furnace Exemption:	No
Underground Injection Control:	No
Off-Site Waste Receipt:	No
Universal Waste Indicator:	No
Universal Waste Destination Facility:	No
Federal Universal Waste:	No
Active Site Fed-Reg Treatment Storage and Disposal Facility:	Solid Waste Management Unit
Active Site State-Reg Handler:	---
Hazardous Secondary Material Indicator:	NN
Commercial TSD Indicator:	No
Treatment Storage and Disposal Type:	Land Disposal
2018 GPRA Permit Baseline:	Not on the Baseline
2018 GPRA Renewals Baseline:	Not on the Baseline
Permit Progress Universe:	Land Disposal
202 GPRA Corrective Action Baseline:	Yes
Corrective Action Workload Universe:	Yes
Subject to Corrective Action Universe:	No
Non-TSDs Where RCRA CA has Been Imposed Universe:	Yes
TSDs Potentially Subject to CA Under 3004 (u)/(v) Universe:	No
TSDs Only Subject to CA under Discretionary Auth Universe:	No
Corrective Action Priority Ranking:	High
Environmental Control Indicator:	True
Institutional Control Indicator:	True
Human Exposure Controls Indicator:	Yes
Groundwater Controls Indicator:	Yes
Significant Non-Complier Universe:	No
Unaddressed Significant Non-Complier Universe:	No
Addressed Significant Non-Complier Universe:	No
Significant Non-Complier With a Compliance Schedule Universe:	No
Handler Date of Last Change:	20070618
Recognized Trader-Importer:	No
Recognized Trader-Exporter:	No
Importer of Spent Lead Acid Batteries:	No
Exporter of Spent Lead Acid Batteries:	No
Sub-Part P Indicator:	No

Hazardous Waste Summary:

Waste Code:	D002
Waste Description:	CORROSIVE WASTE

Handler - Owner Operator:

Owner/Operator Indicator:	Owner
Owner/Operator Name:	LOCKWOOD CORPORATION
Legal Status:	Private
Owner/Operator Address:	220757 HIGHWAY 92
Owner/Operator City,State,Zip:	GERING, NE 69341
Owner/Operator Telephone:	308-436-5051

Owner/Operator Indicator:	Operator
---------------------------	----------

Map ID  
Direction  
Distance  
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number  
EPA ID Number

**AGROMAC - LOCKWOOD SITE (Continued)**

**1000273311**

Owner/Operator Name: AGROMAC INTERNATIONAL INC  
Legal Status: Private  
Date Became Current: 20041029

Owner/Operator Indicator: Owner  
Owner/Operator Name: LOCKWOOD CORPORATION  
Legal Status: Private  
Owner/Operator Address: 220757 HWY 92  
Owner/Operator City,State,Zip: GERING, NE 69341  
Owner/Operator Telephone: 308-436-5051

Owner/Operator Indicator: Owner  
Owner/Operator Name: LOCKWOOD CORPORATION  
Legal Status: Private  
Owner/Operator Address: 220757 HIGHWAY 92  
Owner/Operator City,State,Zip: GERING, NE 69341  
Owner/Operator Telephone: 308-436-5051

Owner/Operator Indicator: Owner  
Owner/Operator Name: AGROMAC INTERNATIONAL INC  
Legal Status: Private  
Date Became Current: 20041029

Owner/Operator Indicator: Owner  
Owner/Operator Name: LOCKWOOD CORPORATION  
Legal Status: Private  
Owner/Operator Address: 220757 HWY 92  
Owner/Operator City,State,Zip: GERING, NE 69341  
Owner/Operator Telephone: 308-436-5051

Owner/Operator Indicator: Owner  
Owner/Operator Name: LOCKWOOD CORPORATION  
Legal Status: Private  
Owner/Operator Address: 220757 HWY 92  
Owner/Operator City,State,Zip: GERING, NE 69341  
Owner/Operator Telephone: 308-436-5051

Owner/Operator Indicator: Operator  
Owner/Operator Name: AGROMAC INTERNATIONAL INC  
Legal Status: Private  
Date Became Current: 20041029

Owner/Operator Indicator: Owner  
Owner/Operator Name: LOCKWOOD CORPORATION  
Legal Status: Private  
Owner/Operator Address: 220757 HIGHWAY 92  
Owner/Operator City,State,Zip: GERING, NE 69341  
Owner/Operator Telephone: 308-436-5051

Owner/Operator Indicator: Owner  
Owner/Operator Name: AGROMAC INTERNATIONAL INC  
Legal Status: Private  
Date Became Current: 20041029

Historic Generators:  
Receive Date: 19790101  
Handler Name: LOCKWOOD CORPORATION



Map ID  
Direction  
Distance  
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number  
EPA ID Number

**AGROMAC - LOCKWOOD SITE (Continued)**

**1000273311**

Federal Waste Generator Description: Not a generator, verified  
Large Quantity Handler of Universal Waste: No  
Recognized Trader Importer: No  
Recognized Trader Exporter: No  
Spent Lead Acid Battery Importer: No  
Spent Lead Acid Battery Exporter: No  
Current Record: No

Receive Date: 20041101  
Handler Name: AGROMAC - LOCKWOOD CORPORATION  
Large Quantity Handler of Universal Waste: No  
Recognized Trader Importer: No  
Recognized Trader Exporter: No  
Spent Lead Acid Battery Importer: No  
Spent Lead Acid Battery Exporter: No  
Current Record: No

Receive Date: 20070614  
Handler Name: AGROMAC - LOCKWOOD SITE  
Federal Waste Generator Description: Not a generator, verified  
Large Quantity Handler of Universal Waste: No  
Recognized Trader Importer: No  
Recognized Trader Exporter: No  
Spent Lead Acid Battery Importer: No  
Spent Lead Acid Battery Exporter: No  
Current Record: Yes

Receive Date: 19790101  
Handler Name: LOCKWOOD CORPORATION  
Federal Waste Generator Description: Large Quantity Generator  
Large Quantity Handler of Universal Waste: No  
Recognized Trader Importer: No  
Recognized Trader Exporter: No  
Spent Lead Acid Battery Importer: No  
Spent Lead Acid Battery Exporter: No  
Current Record: No

Receive Date: 19790101  
Handler Name: LOCKWOOD CORPORATION  
Federal Waste Generator Description: Large Quantity Generator  
Large Quantity Handler of Universal Waste: No  
Recognized Trader Importer: No  
Recognized Trader Exporter: No  
Spent Lead Acid Battery Importer: No  
Spent Lead Acid Battery Exporter: No  
Current Record: No

Receive Date: 20000228  
Handler Name: LOCKWOOD CORPORATION  
Federal Waste Generator Description: Not a generator, verified  
Large Quantity Handler of Universal Waste: No  
Recognized Trader Importer: No  
Recognized Trader Exporter: No  
Spent Lead Acid Battery Importer: No  
Spent Lead Acid Battery Exporter: No  
Current Record: No

Map ID  
Direction  
Distance  
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number  
EPA ID Number

**AGROMAC - LOCKWOOD SITE (Continued)**

**1000273311**

Receive Date: 20001211  
Handler Name: LOCKWOOD CORPORATION  
Federal Waste Generator Description: Large Quantity Generator  
Large Quantity Handler of Universal Waste: No  
Recognized Trader Importer: No  
Recognized Trader Exporter: No  
Spent Lead Acid Battery Importer: No  
Spent Lead Acid Battery Exporter: No  
Current Record: No

Receive Date: 20001212  
Handler Name: LOCKWOOD CORPORATION  
Large Quantity Handler of Universal Waste: No  
Recognized Trader Importer: No  
Recognized Trader Exporter: No  
Spent Lead Acid Battery Importer: No  
Spent Lead Acid Battery Exporter: No  
Current Record: No

Receive Date: 19900327  
Handler Name: LOCKWOOD CORPORATION  
Federal Waste Generator Description: Large Quantity Generator  
Large Quantity Handler of Universal Waste: No  
Recognized Trader Importer: No  
Recognized Trader Exporter: No  
Spent Lead Acid Battery Importer: No  
Spent Lead Acid Battery Exporter: No  
Current Record: No

Receive Date: 19920826  
Handler Name: LOCKWOOD CORPORATION  
Federal Waste Generator Description: Large Quantity Generator  
Large Quantity Handler of Universal Waste: No  
Recognized Trader Importer: No  
Recognized Trader Exporter: No  
Spent Lead Acid Battery Importer: No  
Spent Lead Acid Battery Exporter: No  
Current Record: No

Receive Date: 19940217  
Handler Name: LOCKWOOD CORPORATION  
Federal Waste Generator Description: Large Quantity Generator  
Large Quantity Handler of Universal Waste: No  
Recognized Trader Importer: No  
Recognized Trader Exporter: No  
Spent Lead Acid Battery Importer: No  
Spent Lead Acid Battery Exporter: No  
Current Record: No

List of NAICS Codes and Descriptions:

NAICS Code: 333111  
NAICS Description: FARM MACHINERY AND EQUIPMENT MANUFACTURING

NAICS Code: 336211  
NAICS Description: MOTOR VEHICLE BODY MANUFACTURING

NAICS Code: 53112

Map ID  
Direction  
Distance  
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number  
EPA ID Number

**AGROMAC - LOCKWOOD SITE (Continued)**

**1000273311**

NAICS Description: LESSORS OF NONRESIDENTIAL BUILDINGS (EXCEPT MINIWAREHOUSES)  
NAICS Code: 53119  
NAICS Description: LESSORS OF OTHER REAL ESTATE PROPERTY

Facility Has Received Notices of Violation:

Found Violation: No

Found Violation: Yes  
Agency Which Determined Violation: State  
Violation Short Description: Generators - General  
Date Violation was Determined: 19910206  
Actual Return to Compliance Date: 19910426  
Return to Compliance Qualifier: Observed  
Violation Responsible Agency: State  
Scheduled Compliance Date: 19910430  
Enforcement Identifier: 000  
Date of Enforcement Action: 19910326  
Enforcement Responsible Agency: State  
Corrective Action Component: No  
Enforcement Type: WRITTEN INFORMAL  
Enforcement Responsible Person: NEJJH

Found Violation: Yes  
Agency Which Determined Violation: State  
Violation Short Description: TSD - General  
Date Violation was Determined: 19860602  
Actual Return to Compliance Date: 19860724  
Return to Compliance Qualifier: Observed  
Violation Responsible Agency: State  
Scheduled Compliance Date: 19860804  
Enforcement Identifier: 004  
Date of Enforcement Action: 19860630  
Enforcement Responsible Agency: State  
Corrective Action Component: No  
Enforcement Type: WRITTEN INFORMAL

Found Violation: Yes  
Agency Which Determined Violation: State  
Violation Short Description: TSD IS-Ground-Water Monitoring  
Date Violation was Determined: 19880526  
Actual Return to Compliance Date: 19880608  
Return to Compliance Qualifier: Observed  
Violation Responsible Agency: State  
Scheduled Compliance Date: 19880527  
Enforcement Identifier: 012  
Date of Enforcement Action: 19880526  
Enforcement Responsible Agency: State  
Corrective Action Component: No  
Enforcement Type: WRITTEN INFORMAL  
Enforcement Responsible Person: NERJT

Found Violation: No

Found Violation: No

Found Violation: No

Map ID  
Direction  
Distance  
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number  
EPA ID Number

**AGROMAC - LOCKWOOD SITE (Continued)**

**1000273311**

Found Violation:	Yes
Agency Which Determined Violation:	State
Violation Short Description:	TSD IS-Ground-Water Monitoring
Date Violation was Determined:	19860930
Actual Return to Compliance Date:	19870219
Return to Compliance Qualifier:	Observed
Violation Responsible Agency:	State
Enforcement Identifier:	007
Date of Enforcement Action:	19861113
Enforcement Responsible Agency:	State
Corrective Action Component:	No
Enforcement Type:	WRITTEN INFORMAL
Found Violation:	No
Found Violation:	Yes
Agency Which Determined Violation:	State
Violation Short Description:	TSD - General
Date Violation was Determined:	19880608
Actual Return to Compliance Date:	19881115
Return to Compliance Qualifier:	Observed
Violation Responsible Agency:	State
Found Violation:	No
Found Violation:	No
Found Violation:	Unknown
Found Violation:	Yes
Agency Which Determined Violation:	EPA
Violation Short Description:	Permit Condition or Requirement
Date Violation was Determined:	20140521
Actual Return to Compliance Date:	20140905
Return to Compliance Qualifier:	Documented
Violation Responsible Agency:	EPA
Enforcement Identifier:	001
Date of Enforcement Action:	20140821
Enforcement Responsible Agency:	EPA
Corrective Action Component:	No
Disposition Status Date:	20140922
Disposition Status:	AS
Disposition Status Description:	ACTION SATISFIED (CASE CLOSED)
Enforcement Type:	WRITTEN INFORMAL
Enforcement Responsible Person:	R7KDS
Enforcement Responsible Sub-Organization:	WEMM
Found Violation:	Yes
Agency Which Determined Violation:	EPA
Violation Short Description:	Permit Condition or Requirement
Date Violation was Determined:	20140521
Actual Return to Compliance Date:	20140905
Return to Compliance Qualifier:	Documented
Violation Responsible Agency:	EPA
Enforcement Identifier:	001
Date of Enforcement Action:	20140821

Map ID  
Direction  
Distance  
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number  
EPA ID Number

**AGROMAC - LOCKWOOD SITE (Continued)**

**1000273311**

Enforcement Responsible Agency: EPA  
Corrective Action Component: No  
Disposition Status Date: 20140922  
Disposition Status: AS  
Disposition Status Description: ACTION SATISFIED (CASE CLOSED)  
Enforcement Type: WRITTEN INFORMAL  
Enforcement Responsible Person: R7KDS  
Enforcement Responsible Sub-Organization: WEMM

Found Violation: No

Found Violation: Yes  
Agency Which Determined Violation: State  
Violation Short Description: TSD IS-Ground-Water Monitoring  
Date Violation was Determined: 19840307  
Actual Return to Compliance Date: 19851016  
Return to Compliance Qualifier: Observed  
Violation Responsible Agency: State  
Enforcement Identifier: 002  
Date of Enforcement Action: 19840314  
Enforcement Responsible Agency: State  
Corrective Action Component: No  
Enforcement Type: WRITTEN INFORMAL

Found Violation: Yes  
Agency Which Determined Violation: State  
Violation Short Description: Generators - Pre-transport  
Date Violation was Determined: 19910206  
Actual Return to Compliance Date: 19910426  
Return to Compliance Qualifier: Observed  
Violation Responsible Agency: State  
Scheduled Compliance Date: 19910430  
Enforcement Identifier: 000  
Date of Enforcement Action: 19910326  
Enforcement Responsible Agency: State  
Corrective Action Component: No  
Enforcement Type: WRITTEN INFORMAL  
Enforcement Responsible Person: NEJH

Found Violation: Yes  
Agency Which Determined Violation: State  
Violation Short Description: TSD - Financial Requirements  
Date Violation was Determined: 19890929  
Actual Return to Compliance Date: 19901207  
Return to Compliance Qualifier: Observed  
Violation Responsible Agency: State  
Scheduled Compliance Date: 19891127  
Enforcement Identifier: 023  
Date of Enforcement Action: 19891025  
Enforcement Responsible Agency: State  
Corrective Action Component: No  
Enforcement Type: WRITTEN INFORMAL

Found Violation: No

Found Violation: No

Map ID  
Direction  
Distance  
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number  
EPA ID Number

**AGROMAC - LOCKWOOD SITE (Continued)**

**1000273311**

Found Violation:	No
Found Violation:	Yes
Agency Which Determined Violation:	State
Violation Short Description:	TSD - General
Date Violation was Determined:	19890816
Actual Return to Compliance Date:	19891127
Return to Compliance Qualifier:	Observed
Violation Responsible Agency:	State
Scheduled Compliance Date:	19901231
Enforcement Identifier:	017
Date of Enforcement Action:	19891027
Enforcement Responsible Agency:	State
Corrective Action Component:	No
Enforcement Type:	WRITTEN INFORMAL
Found Violation:	Yes
Agency Which Determined Violation:	State
Violation Short Description:	TSD - General
Date Violation was Determined:	19870422
Actual Return to Compliance Date:	19870915
Return to Compliance Qualifier:	Observed
Violation Responsible Agency:	State
Scheduled Compliance Date:	19870824
Enforcement Identifier:	008
Date of Enforcement Action:	19870723
Enforcement Responsible Agency:	State
Corrective Action Component:	No
Enforcement Type:	WRITTEN INFORMAL
Found Violation:	No
Found Violation:	Yes
Agency Which Determined Violation:	State
Violation Short Description:	TSD - General
Date Violation was Determined:	19890816
Actual Return to Compliance Date:	19891127
Return to Compliance Qualifier:	Observed
Violation Responsible Agency:	State
Scheduled Compliance Date:	19901231
Enforcement Identifier:	017
Date of Enforcement Action:	19891027
Enforcement Responsible Agency:	State
Corrective Action Component:	No
Enforcement Type:	WRITTEN INFORMAL
Found Violation:	No
Found Violation:	Yes
Agency Which Determined Violation:	EPA
Violation Short Description:	TSD - Surface Impoundment Standards
Date Violation was Determined:	19990505
Actual Return to Compliance Date:	19991022
Return to Compliance Qualifier:	Observed
Violation Responsible Agency:	EPA
Scheduled Compliance Date:	19990818
Enforcement Identifier:	000

Map ID  
Direction  
Distance  
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number  
EPA ID Number

**AGROMAC - LOCKWOOD SITE (Continued)**

**1000273311**

Date of Enforcement Action: 19990714  
Enforcement Responsible Agency: EPA  
Enforcement Attorney: R7  
Corrective Action Component: No  
Enforcement Type: WRITTEN INFORMAL  
Enforcement Responsible Person: R7KDS

Found Violation: No

Found Violation: Yes  
Agency Which Determined Violation: State  
Violation Short Description: TSD - Financial Requirements  
Date Violation was Determined: 19891025  
Actual Return to Compliance Date: 19901207  
Return to Compliance Qualifier: Observed  
Violation Responsible Agency: State  
Enforcement Identifier: 027  
Date of Enforcement Action: 19900502  
Enforcement Responsible Agency: State  
Corrective Action Component: No  
Enforcement Type: WRITTEN INFORMAL

Found Violation: No

Found Violation: Yes  
Agency Which Determined Violation: EPA  
Violation Short Description: Permit Condition or Requirement  
Date Violation was Determined: 20140326  
Actual Return to Compliance Date: 20140905  
Return to Compliance Qualifier: Documented  
Violation Responsible Agency: EPA  
Scheduled Compliance Date: 20140410  
Enforcement Identifier: 001  
Date of Enforcement Action: 20140326  
Enforcement Responsible Agency: EPA  
Corrective Action Component: No  
Enforcement Type: WRITTEN INFORMAL  
Enforcement Responsible Person: R7DLG  
Enforcement Responsible Sub-Organization: ENSV

Found Violation: Yes  
Agency Which Determined Violation: State  
Violation Short Description: TSD - General  
Date Violation was Determined: 19840307  
Actual Return to Compliance Date: 19941227  
Return to Compliance Qualifier: Documented  
Violation Responsible Agency: State

Found Violation: Yes  
Agency Which Determined Violation: EPA  
Violation Short Description: Permit Condition or Requirement  
Date Violation was Determined: 20140326  
Actual Return to Compliance Date: 20140514  
Return to Compliance Qualifier: Documented  
Violation Responsible Agency: EPA  
Scheduled Compliance Date: 20140410  
Enforcement Identifier: 001

Map ID  
Direction  
Distance  
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number  
EPA ID Number

**AGROMAC - LOCKWOOD SITE (Continued)**

**1000273311**

Date of Enforcement Action: 20140326  
Enforcement Responsible Agency: EPA  
Corrective Action Component: No  
Enforcement Type: WRITTEN INFORMAL  
Enforcement Responsible Person: R7DLG  
Enforcement Responsible Sub-Organization: ENSV

Found Violation: No

Found Violation: Yes  
Agency Which Determined Violation: EPA  
Violation Short Description: Permit Condition or Requirement  
Date Violation was Determined: 20140326  
Actual Return to Compliance Date: 20140905  
Return to Compliance Qualifier: Documented  
Violation Responsible Agency: EPA  
Scheduled Compliance Date: 20140410  
Enforcement Identifier: 001  
Date of Enforcement Action: 20140821  
Enforcement Responsible Agency: EPA  
Corrective Action Component: No  
Disposition Status Date: 20140922  
Disposition Status: AS  
Disposition Status Description: ACTION SATISFIED (CASE CLOSED)  
Enforcement Type: WRITTEN INFORMAL  
Enforcement Responsible Person: R7KDS  
Enforcement Responsible Sub-Organization: WEMM

Found Violation: No

Found Violation: No

Found Violation: No

Found Violation: No

Found Violation: No

Found Violation: Yes  
Agency Which Determined Violation: EPA  
Violation Short Description: Permit Condition or Requirement  
Date Violation was Determined: 20140326  
Actual Return to Compliance Date: 20140905  
Return to Compliance Qualifier: Documented  
Violation Responsible Agency: EPA  
Scheduled Compliance Date: 20140410  
Enforcement Identifier: 001  
Date of Enforcement Action: 20140821  
Enforcement Responsible Agency: EPA  
Corrective Action Component: No  
Disposition Status Date: 20140922  
Disposition Status: AS  
Disposition Status Description: ACTION SATISFIED (CASE CLOSED)  
Enforcement Type: WRITTEN INFORMAL  
Enforcement Responsible Person: R7KDS  
Enforcement Responsible Sub-Organization: WEMM



Map ID  
Direction  
Distance  
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number  
EPA ID Number

**AGROMAC - LOCKWOOD SITE (Continued)**

**1000273311**

Found Violation:	No
Found Violation:	No
Found Violation:	Yes
Agency Which Determined Violation:	State
Violation Short Description:	TSD - General
Date Violation was Determined:	19890816
Actual Return to Compliance Date:	19891127
Return to Compliance Qualifier:	Observed
Violation Responsible Agency:	State
Scheduled Compliance Date:	19901231
Enforcement Identifier:	017
Date of Enforcement Action:	19891027
Enforcement Responsible Agency:	State
Corrective Action Component:	No
Enforcement Type:	WRITTEN INFORMAL
Found Violation:	Yes
Agency Which Determined Violation:	State
Violation Short Description:	TSD IS-Ground-Water Monitoring
Date Violation was Determined:	19851107
Actual Return to Compliance Date:	20000901
Return to Compliance Qualifier:	Unverifiable
Violation Responsible Agency:	State
Found Violation:	Yes
Agency Which Determined Violation:	State
Violation Short Description:	TSD - General
Date Violation was Determined:	19880928
Actual Return to Compliance Date:	19900406
Return to Compliance Qualifier:	Observed
Violation Responsible Agency:	State
Scheduled Compliance Date:	19881121
Enforcement Identifier:	030
Date of Enforcement Action:	19881020
Enforcement Responsible Agency:	State
Corrective Action Component:	No
Enforcement Type:	WRITTEN INFORMAL
Found Violation:	No
Found Violation:	Yes
Agency Which Determined Violation:	EPA
Violation Short Description:	TSD - Surface Impoundment Standards
Date Violation was Determined:	19990505
Actual Return to Compliance Date:	19991022
Return to Compliance Qualifier:	Observed
Violation Responsible Agency:	EPA
Scheduled Compliance Date:	19990818
Enforcement Identifier:	000
Date of Enforcement Action:	19990714
Enforcement Responsible Agency:	EPA
Enforcement Attorney:	R7
Corrective Action Component:	No
Enforcement Type:	WRITTEN INFORMAL
Enforcement Responsible Person:	R7KDS

Map ID  
Direction  
Distance  
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number  
EPA ID Number

**AGROMAC - LOCKWOOD SITE (Continued)**

**1000273311**

Found Violation: Yes  
Agency Which Determined Violation: EPA  
Violation Short Description: TSD - Manifest/Records/Reporting  
Date Violation was Determined: 19990505  
Actual Return to Compliance Date: 20000105  
Return to Compliance Qualifier: Observed  
Violation Responsible Agency: EPA  
Scheduled Compliance Date: 19990818  
Enforcement Identifier: 000  
Date of Enforcement Action: 19990714  
Enforcement Responsible Agency: EPA  
Enforcement Attorney: R7  
Corrective Action Component: No  
Enforcement Type: WRITTEN INFORMAL  
Enforcement Responsible Person: R7KDS

Found Violation: No

Found Violation: Yes  
Agency Which Determined Violation: State  
Violation Short Description: TSD - General  
Date Violation was Determined: 19880928  
Actual Return to Compliance Date: 19881121  
Return to Compliance Qualifier: Observed  
Violation Responsible Agency: State  
Scheduled Compliance Date: 19881121  
Enforcement Identifier: 030  
Date of Enforcement Action: 19881020  
Enforcement Responsible Agency: State  
Corrective Action Component: No  
Enforcement Type: WRITTEN INFORMAL

Found Violation: Yes  
Agency Which Determined Violation: EPA  
Violation Short Description: TSD - General Facility Standards  
Date Violation was Determined: 19990505  
Actual Return to Compliance Date: 19991022  
Return to Compliance Qualifier: Observed  
Violation Responsible Agency: EPA  
Scheduled Compliance Date: 19990818  
Enforcement Identifier: 000  
Date of Enforcement Action: 19990714  
Enforcement Responsible Agency: EPA  
Enforcement Attorney: R7  
Corrective Action Component: No  
Enforcement Type: WRITTEN INFORMAL  
Enforcement Responsible Person: R7KDS

Found Violation: Yes  
Agency Which Determined Violation: EPA  
Violation Short Description: TSD - General Facility Standards  
Date Violation was Determined: 19990505  
Actual Return to Compliance Date: 19991022  
Return to Compliance Qualifier: Observed  
Violation Responsible Agency: EPA  
Scheduled Compliance Date: 19990818

Map ID  
Direction  
Distance  
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number  
EPA ID Number

**AGROMAC - LOCKWOOD SITE (Continued)**

**1000273311**

Enforcement Identifier: 000  
Date of Enforcement Action: 19990714  
Enforcement Responsible Agency: EPA  
Enforcement Attorney: R7  
Corrective Action Component: No  
Enforcement Type: WRITTEN INFORMAL  
Enforcement Responsible Person: R7KDS

Found Violation: No

Found Violation: No

Found Violation: Yes  
Agency Which Determined Violation: EPA  
Violation Short Description: Permit Condition or Requirement  
Date Violation was Determined: 20140326  
Actual Return to Compliance Date: 20140905  
Return to Compliance Qualifier: Documented  
Violation Responsible Agency: EPA  
Scheduled Compliance Date: 20140410  
Enforcement Identifier: 001  
Date of Enforcement Action: 20140326  
Enforcement Responsible Agency: EPA  
Corrective Action Component: No  
Enforcement Type: WRITTEN INFORMAL  
Enforcement Responsible Person: R7DLG  
Enforcement Responsible Sub-Organization: ENSV

Found Violation: No

Found Violation: Yes  
Agency Which Determined Violation: State  
Violation Short Description: TSD - Financial Requirements  
Date Violation was Determined: 19880114  
Actual Return to Compliance Date: 19880902  
Return to Compliance Qualifier: Observed  
Violation Responsible Agency: State  
Scheduled Compliance Date: 19880325  
Enforcement Identifier: 010  
Date of Enforcement Action: 19880219  
Enforcement Responsible Agency: State  
Corrective Action Component: No  
Enforcement Type: WRITTEN INFORMAL

Found Violation: No

Found Violation: Yes  
Agency Which Determined Violation: State  
Violation Short Description: TSD - General  
Date Violation was Determined: 19870422  
Actual Return to Compliance Date: 19870915  
Return to Compliance Qualifier: Observed  
Violation Responsible Agency: State  
Scheduled Compliance Date: 19870824  
Enforcement Identifier: 008  
Date of Enforcement Action: 19870723  
Enforcement Responsible Agency: State

Map ID  
Direction  
Distance  
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number  
EPA ID Number

**AGROMAC - LOCKWOOD SITE (Continued)**

**1000273311**

Corrective Action Component: No  
Enforcement Type: WRITTEN INFORMAL

Found Violation: Yes  
Agency Which Determined Violation: State  
Violation Short Description: TSD - General  
Date Violation was Determined: 19860602  
Actual Return to Compliance Date: 19860724  
Return to Compliance Qualifier: Observed  
Violation Responsible Agency: State  
Scheduled Compliance Date: 19860804  
Enforcement Identifier: 004  
Date of Enforcement Action: 19860630  
Enforcement Responsible Agency: State  
Corrective Action Component: No  
Enforcement Type: WRITTEN INFORMAL

Found Violation: Yes  
Agency Which Determined Violation: EPA  
Violation Short Description: Permit Condition or Requirement  
Date Violation was Determined: 20140326  
Actual Return to Compliance Date: 20140514  
Return to Compliance Qualifier: Documented  
Violation Responsible Agency: EPA  
Scheduled Compliance Date: 20140410  
Enforcement Identifier: 001  
Date of Enforcement Action: 20140326  
Enforcement Responsible Agency: EPA  
Corrective Action Component: No  
Enforcement Type: WRITTEN INFORMAL  
Enforcement Responsible Person: R7DLG  
Enforcement Responsible Sub-Organization: ENSV

Found Violation: No

Found Violation: Yes  
Agency Which Determined Violation: State  
Violation Short Description: TSD - Financial Requirements  
Date Violation was Determined: 19891025  
Actual Return to Compliance Date: 19901207  
Return to Compliance Qualifier: Observed  
Violation Responsible Agency: State  
Enforcement Identifier: 017  
Date of Enforcement Action: 19891027  
Enforcement Responsible Agency: State  
Corrective Action Component: No  
Enforcement Type: WRITTEN INFORMAL

Found Violation: No

Found Violation: No

Found Violation: Yes  
Agency Which Determined Violation: State  
Violation Short Description: TSD - Financial Requirements  
Date Violation was Determined: 19891025  
Actual Return to Compliance Date: 19901207

Map ID  
 Direction  
 Distance  
 Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number  
 EPA ID Number

**AGROMAC - LOCKWOOD SITE (Continued)**

**1000273311**

Return to Compliance Qualifier:	Observed
Violation Responsible Agency:	State
Enforcement Identifier:	026
Date of Enforcement Action:	19900314
Enforcement Responsible Agency:	State
Corrective Action Component:	No
Enforcement Type:	WRITTEN INFORMAL
Found Violation:	No
Found Violation:	Yes
Agency Which Determined Violation:	State
Violation Short Description:	TSD - General
Date Violation was Determined:	19880608
Actual Return to Compliance Date:	19881115
Return to Compliance Qualifier:	Observed
Violation Responsible Agency:	State
Found Violation:	No
Found Violation:	Yes
Agency Which Determined Violation:	State
Violation Short Description:	TSD IS-Ground-Water Monitoring
Date Violation was Determined:	19840307
Actual Return to Compliance Date:	19851016
Return to Compliance Qualifier:	Observed
Violation Responsible Agency:	State
Scheduled Compliance Date:	19840720
Enforcement Identifier:	001
Date of Enforcement Action:	19840620
Enforcement Responsible Agency:	State
Corrective Action Component:	No
Enforcement Type:	FINAL 3008(A) COMPLIANCE ORDER
Found Violation:	No
Found Violation:	Yes
Agency Which Determined Violation:	EPA
Violation Short Description:	Permit Condition or Requirement
Date Violation was Determined:	20140326
Actual Return to Compliance Date:	20140514
Return to Compliance Qualifier:	Documented
Violation Responsible Agency:	EPA
Enforcement Identifier:	001
Date of Enforcement Action:	20140821
Enforcement Responsible Agency:	EPA
Corrective Action Component:	No
Disposition Status Date:	20140922
Disposition Status:	AS
Disposition Status Description:	ACTION SATISFIED (CASE CLOSED)
Enforcement Type:	WRITTEN INFORMAL
Enforcement Responsible Person:	R7KDS
Enforcement Responsible Sub-Organization:	WEMM
Found Violation:	Yes
Agency Which Determined Violation:	EPA
Violation Short Description:	TSD - Preparedness and Prevention

Map ID  
Direction  
Distance  
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number  
EPA ID Number

**AGROMAC - LOCKWOOD SITE (Continued)**

**1000273311**

Date Violation was Determined:	19990505
Actual Return to Compliance Date:	19991022
Return to Compliance Qualifier:	Observed
Violation Responsible Agency:	EPA
Scheduled Compliance Date:	19990818
Enforcement Identifier:	000
Date of Enforcement Action:	19990714
Enforcement Responsible Agency:	EPA
Enforcement Attorney:	R7
Corrective Action Component:	No
Enforcement Type:	WRITTEN INFORMAL
Enforcement Responsible Person:	R7KDS
Found Violation:	No
Found Violation:	Yes
Agency Which Determined Violation:	EPA
Violation Short Description:	Generators - General
Date Violation was Determined:	19990505
Actual Return to Compliance Date:	19991022
Return to Compliance Qualifier:	Observed
Violation Responsible Agency:	EPA
Scheduled Compliance Date:	19990818
Enforcement Identifier:	000
Date of Enforcement Action:	19990714
Enforcement Responsible Agency:	EPA
Enforcement Attorney:	R7
Corrective Action Component:	No
Enforcement Type:	WRITTEN INFORMAL
Enforcement Responsible Person:	R7KDS
Found Violation:	No
Found Violation:	Yes
Agency Which Determined Violation:	State
Violation Short Description:	TSD - General
Date Violation was Determined:	19860602
Actual Return to Compliance Date:	19860724
Return to Compliance Qualifier:	Observed
Violation Responsible Agency:	State
Scheduled Compliance Date:	19860804
Enforcement Identifier:	004
Date of Enforcement Action:	19860630
Enforcement Responsible Agency:	State
Corrective Action Component:	No
Enforcement Type:	WRITTEN INFORMAL
Found Violation:	Yes
Agency Which Determined Violation:	EPA
Violation Short Description:	Permit Condition or Requirement
Date Violation was Determined:	20111004
Actual Return to Compliance Date:	20140327
Return to Compliance Qualifier:	Observed
Violation Responsible Agency:	EPA
Enforcement Identifier:	001
Date of Enforcement Action:	20111004
Enforcement Responsible Agency:	EPA

Map ID  
Direction  
Distance  
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number  
EPA ID Number

**AGROMAC - LOCKWOOD SITE (Continued)**

**1000273311**

Corrective Action Component: No  
Enforcement Type: WRITTEN INFORMAL  
Enforcement Responsible Person: R7DLG  
Enforcement Responsible Sub-Organization: ENSV

Found Violation: No

Found Violation: No

Found Violation: Yes  
Agency Which Determined Violation: State  
Violation Short Description: TSD - General  
Date Violation was Determined: 19880928  
Actual Return to Compliance Date: 19881121  
Return to Compliance Qualifier: Observed  
Violation Responsible Agency: State  
Scheduled Compliance Date: 19881121  
Enforcement Identifier: 030  
Date of Enforcement Action: 19881020  
Enforcement Responsible Agency: State  
Corrective Action Component: No  
Enforcement Type: WRITTEN INFORMAL

Found Violation: Yes  
Agency Which Determined Violation: State  
Violation Short Description: TSD IS-Ground-Water Monitoring  
Date Violation was Determined: 19860221  
Actual Return to Compliance Date: 19860307  
Return to Compliance Qualifier: Observed  
Violation Responsible Agency: State  
Scheduled Compliance Date: 19860307  
Enforcement Identifier: 003  
Date of Enforcement Action: 19860221  
Enforcement Responsible Agency: State  
Corrective Action Component: No  
Enforcement Type: WRITTEN INFORMAL

Found Violation: Unknown

Found Violation: Yes  
Agency Which Determined Violation: EPA  
Violation Short Description: Permit Condition or Requirement  
Date Violation was Determined: 20140326  
Actual Return to Compliance Date: 20140514  
Return to Compliance Qualifier: Documented  
Violation Responsible Agency: EPA  
Enforcement Identifier: 001  
Date of Enforcement Action: 20140821  
Enforcement Responsible Agency: EPA  
Corrective Action Component: No  
Disposition Status Date: 20140922  
Disposition Status: AS  
Disposition Status Description: ACTION SATISFIED (CASE CLOSED)  
Enforcement Type: WRITTEN INFORMAL  
Enforcement Responsible Person: R7KDS  
Enforcement Responsible Sub-Organization: WEMM

Map ID  
Direction  
Distance  
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number  
EPA ID Number

**AGROMAC - LOCKWOOD SITE (Continued)**

**1000273311**

Found Violation:	No
Found Violation:	No
Found Violation:	Yes
Agency Which Determined Violation:	State
Violation Short Description:	Generators - Pre-transport
Date Violation was Determined:	19910206
Actual Return to Compliance Date:	19920131
Return to Compliance Qualifier:	Observed
Violation Responsible Agency:	State
Scheduled Compliance Date:	19910430
Enforcement Identifier:	000
Date of Enforcement Action:	19910326
Enforcement Responsible Agency:	State
Corrective Action Component:	No
Enforcement Type:	WRITTEN INFORMAL
Enforcement Responsible Person:	NEJJH
Found Violation:	No
Found Violation:	No
Found Violation:	No
Found Violation:	No
Found Violation:	No
Found Violation:	No
Found Violation:	Yes
Agency Which Determined Violation:	State
Violation Short Description:	Generators - Pre-transport
Date Violation was Determined:	19910206
Actual Return to Compliance Date:	19910426
Return to Compliance Qualifier:	Observed
Violation Responsible Agency:	State
Scheduled Compliance Date:	19910430
Enforcement Identifier:	000
Date of Enforcement Action:	19910326
Enforcement Responsible Agency:	State
Corrective Action Component:	No
Enforcement Type:	WRITTEN INFORMAL
Enforcement Responsible Person:	NEJJH
Found Violation:	No
Found Violation:	No
Found Violation:	No
Found Violation:	Yes
Agency Which Determined Violation:	State
Violation Short Description:	TSD - Financial Requirements
Date Violation was Determined:	19880114
Actual Return to Compliance Date:	19880902



Map ID  
Direction  
Distance  
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number  
EPA ID Number

**AGROMAC - LOCKWOOD SITE (Continued)**

**1000273311**

Return to Compliance Qualifier: Observed  
Violation Responsible Agency: State  
Enforcement Identifier: 011  
Date of Enforcement Action: 19880114  
Enforcement Responsible Agency: State  
Corrective Action Component: No  
Enforcement Type: WRITTEN INFORMAL

Found Violation: Yes  
Agency Which Determined Violation: State  
Violation Short Description: Generators - Pre-transport  
Date Violation was Determined: 19910206  
Actual Return to Compliance Date: 19920131  
Return to Compliance Qualifier: Observed  
Violation Responsible Agency: State  
Scheduled Compliance Date: 19910430  
Enforcement Identifier: 000  
Date of Enforcement Action: 19910326  
Enforcement Responsible Agency: State  
Corrective Action Component: No  
Enforcement Type: WRITTEN INFORMAL  
Enforcement Responsible Person: NEJJH

Found Violation: Yes  
Agency Which Determined Violation: State  
Violation Short Description: TSD - Closure/Post-Closure  
Date Violation was Determined: 19970723  
Actual Return to Compliance Date: 19970824  
Return to Compliance Qualifier: Observed  
Violation Responsible Agency: State  
Scheduled Compliance Date: 19970824  
Enforcement Identifier: 000  
Date of Enforcement Action: 19970723  
Enforcement Responsible Agency: State  
Enforcement Attorney: NE  
Corrective Action Component: No  
Enforcement Type: WRITTEN INFORMAL  
Enforcement Responsible Person: NEJJH

Found Violation: Yes  
Agency Which Determined Violation: State  
Violation Short Description: TSD - Financial Requirements  
Date Violation was Determined: 19891025  
Actual Return to Compliance Date: 19901207  
Return to Compliance Qualifier: Observed  
Violation Responsible Agency: State  
Enforcement Identifier: 024  
Date of Enforcement Action: 19900502  
Enforcement Responsible Agency: State  
Corrective Action Component: No  
Enforcement Type: FINAL CIVIL JUDICIAL ACTION FOR IMMEDIATE AND SUBSTANTIAL ENDANGERMENT

Evaluation Action Summary:  
Evaluation Date: 20061031  
Evaluation Responsible Agency: State  
Found Violation: No  
Evaluation Type Description: FINANCIAL RECORD REVIEW

Map ID  
Direction  
Distance  
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number  
EPA ID Number

**AGROMAC - LOCKWOOD SITE (Continued)**

**1000273311**

Evaluation Responsible Person Identifier:	NEKLP
Evaluation Date:	19910206
Evaluation Responsible Agency:	State
Found Violation:	Yes
Evaluation Type Description:	COMPLIANCE EVALUATION INSPECTION ON-SITE
Evaluation Responsible Person Identifier:	NEJH
Actual Return to Compliance Date:	19910426
Scheduled Compliance Date:	19910430
Evaluation Date:	19860602
Evaluation Responsible Agency:	State
Found Violation:	Yes
Evaluation Type Description:	COMPLIANCE EVALUATION INSPECTION ON-SITE
Evaluation Responsible Person Identifier:	NERN
Actual Return to Compliance Date:	19860724
Scheduled Compliance Date:	19860804
Evaluation Date:	19880526
Evaluation Responsible Agency:	State
Found Violation:	Yes
Evaluation Type Description:	NON-FINANCIAL RECORD REVIEW
Evaluation Responsible Person Identifier:	NERJT
Actual Return to Compliance Date:	19880608
Scheduled Compliance Date:	19880527
Evaluation Date:	20020410
Evaluation Responsible Agency:	State
Found Violation:	No
Evaluation Type Description:	FINANCIAL RECORD REVIEW
Evaluation Responsible Person Identifier:	NEKLP
Evaluation Date:	19891130
Evaluation Responsible Agency:	State
Found Violation:	No
Evaluation Type Description:	NON-FINANCIAL RECORD REVIEW
Evaluation Responsible Person Identifier:	NERJT
Evaluation Date:	19871001
Evaluation Responsible Agency:	State
Found Violation:	No
Evaluation Type Description:	NON-FINANCIAL RECORD REVIEW
Evaluation Responsible Person Identifier:	NERJT
Evaluation Date:	19860930
Evaluation Responsible Agency:	State
Found Violation:	Yes
Evaluation Type Description:	GROUNDWATER MONITORING EVALUATION
Evaluation Responsible Person Identifier:	NERN
Actual Return to Compliance Date:	19870219
Evaluation Date:	20041216
Evaluation Responsible Agency:	State
Found Violation:	No
Evaluation Type Description:	FINANCIAL RECORD REVIEW
Evaluation Responsible Person Identifier:	NEKLP

Map ID  
Direction  
Distance  
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number  
EPA ID Number

**AGROMAC - LOCKWOOD SITE (Continued)**

**1000273311**

Evaluation Date:	19880608
Evaluation Responsible Agency:	State
Found Violation:	Yes
Evaluation Type Description:	COMPLIANCE EVALUATION INSPECTION ON-SITE
Evaluation Responsible Person Identifier:	NELSC
Actual Return to Compliance Date:	19881115
Evaluation Date:	19910806
Evaluation Responsible Agency:	State
Found Violation:	No
Evaluation Type Description:	FINANCIAL RECORD REVIEW
Evaluation Responsible Person Identifier:	NELSC
Evaluation Date:	20011108
Evaluation Responsible Agency:	State
Found Violation:	No
Evaluation Type Description:	FINANCIAL RECORD REVIEW
Evaluation Responsible Person Identifier:	NEKLP
Evaluation Date:	20041206
Evaluation Responsible Agency:	State
Found Violation:	Undetermined
Evaluation Type Description:	FINANCIAL RECORD REVIEW
Evaluation Responsible Person Identifier:	NEKLP
Evaluation Date:	20140326
Evaluation Responsible Agency:	EPA
Found Violation:	Yes
Evaluation Type Description:	COMPLIANCE EVALUATION INSPECTION ON-SITE
Evaluation Responsible Person Identifier:	R7DLG
Evaluation Responsible Sub-Organization:	ENSV
Actual Return to Compliance Date:	20140905
Evaluation Date:	20140326
Evaluation Responsible Agency:	EPA
Found Violation:	Yes
Evaluation Type Description:	COMPLIANCE EVALUATION INSPECTION ON-SITE
Evaluation Responsible Person Identifier:	R7DLG
Evaluation Responsible Sub-Organization:	ENSV
Actual Return to Compliance Date:	20140905
Evaluation Date:	20041102
Evaluation Responsible Agency:	State
Found Violation:	No
Evaluation Type Description:	FINANCIAL RECORD REVIEW
Evaluation Responsible Person Identifier:	NEKLP
Evaluation Date:	19840307
Evaluation Responsible Agency:	State
Found Violation:	Yes
Evaluation Type Description:	COMPLIANCE EVALUATION INSPECTION ON-SITE
Actual Return to Compliance Date:	19851016
Evaluation Date:	19910206
Evaluation Responsible Agency:	State
Found Violation:	Yes
Evaluation Type Description:	COMPLIANCE EVALUATION INSPECTION ON-SITE

Map ID  
Direction  
Distance  
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number  
EPA ID Number

**AGROMAC - LOCKWOOD SITE (Continued)**

**1000273311**

Evaluation Responsible Person Identifier:	NEJHH
Actual Return to Compliance Date:	19910426
Scheduled Compliance Date:	19910430
Evaluation Date:	19890929
Evaluation Responsible Agency:	State
Found Violation:	Yes
Evaluation Type Description:	FINANCIAL RECORD REVIEW
Evaluation Responsible Person Identifier:	NELSC
Actual Return to Compliance Date:	19901207
Scheduled Compliance Date:	19891127
Evaluation Date:	20160929
Evaluation Responsible Agency:	State
Found Violation:	No
Evaluation Type Description:	FINANCIAL RECORD REVIEW
Evaluation Responsible Person Identifier:	NEKLP
Evaluation Date:	19890505
Evaluation Responsible Agency:	State
Found Violation:	No
Evaluation Type Description:	NON-FINANCIAL RECORD REVIEW
Evaluation Responsible Person Identifier:	NERJT
Evaluation Date:	20140205
Evaluation Responsible Agency:	State
Found Violation:	No
Evaluation Type Description:	FINANCIAL RECORD REVIEW
Evaluation Responsible Person Identifier:	NEKLP
Evaluation Date:	19890816
Evaluation Responsible Agency:	State
Found Violation:	Yes
Evaluation Type Description:	COMPLIANCE EVALUATION INSPECTION ON-SITE
Evaluation Responsible Person Identifier:	NELSC
Actual Return to Compliance Date:	19891127
Scheduled Compliance Date:	19901231
Evaluation Date:	19870422
Evaluation Responsible Agency:	State
Found Violation:	Yes
Evaluation Type Description:	COMPLIANCE EVALUATION INSPECTION ON-SITE
Evaluation Responsible Person Identifier:	NERN
Actual Return to Compliance Date:	19870915
Scheduled Compliance Date:	19870824
Evaluation Date:	19960510
Evaluation Responsible Agency:	State
Found Violation:	No
Evaluation Type Description:	FINANCIAL RECORD REVIEW
Evaluation Responsible Person Identifier:	NEKLP
Evaluation Date:	19890816
Evaluation Responsible Agency:	State
Found Violation:	Yes
Evaluation Type Description:	COMPLIANCE EVALUATION INSPECTION ON-SITE
Evaluation Responsible Person Identifier:	NELSC

Map ID  
Direction  
Distance  
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number  
EPA ID Number

**AGROMAC - LOCKWOOD SITE (Continued)**

**1000273311**

Actual Return to Compliance Date:	19891127
Scheduled Compliance Date:	19901231
Evaluation Date:	20120620
Evaluation Responsible Agency:	State
Found Violation:	No
Evaluation Type Description:	FINANCIAL RECORD REVIEW
Evaluation Responsible Person Identifier:	NEKLP
Evaluation Date:	19990505
Evaluation Responsible Agency:	EPA
Found Violation:	Yes
Evaluation Type Description:	COMPLIANCE EVALUATION INSPECTION ON-SITE
Evaluation Responsible Person Identifier:	R7KCG
Actual Return to Compliance Date:	19991022
Scheduled Compliance Date:	19990818
Evaluation Date:	20040524
Evaluation Responsible Agency:	State
Found Violation:	No
Evaluation Type Description:	FINANCIAL RECORD REVIEW
Evaluation Responsible Person Identifier:	NEKLP
Evaluation Date:	19891025
Evaluation Responsible Agency:	State
Found Violation:	Yes
Evaluation Type Description:	FINANCIAL RECORD REVIEW
Evaluation Responsible Person Identifier:	NELSC
Actual Return to Compliance Date:	19901207
Evaluation Date:	19910206
Evaluation Responsible Agency:	State
Found Violation:	No
Evaluation Type Description:	SIGNIFICANT NON-COMPLIER
Evaluation Date:	20140326
Evaluation Responsible Agency:	EPA
Found Violation:	Yes
Evaluation Type Description:	COMPLIANCE EVALUATION INSPECTION ON-SITE
Evaluation Responsible Person Identifier:	R7DLG
Evaluation Responsible Sub-Organization:	ENSV
Actual Return to Compliance Date:	20140905
Scheduled Compliance Date:	20140410
Evaluation Date:	19840307
Evaluation Responsible Agency:	State
Found Violation:	Yes
Evaluation Type Description:	COMPLIANCE EVALUATION INSPECTION ON-SITE
Actual Return to Compliance Date:	19941227
Evaluation Date:	20140326
Evaluation Responsible Agency:	EPA
Found Violation:	Yes
Evaluation Type Description:	COMPLIANCE EVALUATION INSPECTION ON-SITE
Evaluation Responsible Person Identifier:	R7DLG
Evaluation Responsible Sub-Organization:	ENSV
Actual Return to Compliance Date:	20140514

Map ID  
Direction  
Distance  
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number  
EPA ID Number

**AGROMAC - LOCKWOOD SITE (Continued)**

**1000273311**

Scheduled Compliance Date:	20140410
Evaluation Date:	20111219
Evaluation Responsible Agency:	State
Found Violation:	No
Evaluation Type Description:	FINANCIAL RECORD REVIEW
Evaluation Responsible Person Identifier:	NEKLP
Evaluation Date:	20140326
Evaluation Responsible Agency:	EPA
Found Violation:	Yes
Evaluation Type Description:	COMPLIANCE EVALUATION INSPECTION ON-SITE
Evaluation Responsible Person Identifier:	R7DLG
Evaluation Responsible Sub-Organization:	ENSV
Actual Return to Compliance Date:	20140905
Scheduled Compliance Date:	20140410
Evaluation Date:	20110825
Evaluation Responsible Agency:	State
Found Violation:	No
Evaluation Type Description:	FINANCIAL RECORD REVIEW
Evaluation Responsible Person Identifier:	NEKLP
Evaluation Date:	20041216
Evaluation Responsible Agency:	State
Found Violation:	No
Evaluation Type Description:	FINANCIAL RECORD REVIEW
Evaluation Responsible Person Identifier:	NEKLP
Evaluation Date:	19970714
Evaluation Responsible Agency:	State
Found Violation:	No
Evaluation Type Description:	FINANCIAL RECORD REVIEW
Evaluation Responsible Person Identifier:	NEKLP
Evaluation Date:	20030923
Evaluation Responsible Agency:	State
Found Violation:	No
Evaluation Type Description:	FINANCIAL RECORD REVIEW
Evaluation Responsible Person Identifier:	NEKLP
Evaluation Date:	20010105
Evaluation Responsible Agency:	State
Found Violation:	No
Evaluation Type Description:	FINANCIAL RECORD REVIEW
Evaluation Responsible Person Identifier:	NEKLP
Evaluation Date:	20140326
Evaluation Responsible Agency:	EPA
Found Violation:	Yes
Evaluation Type Description:	COMPLIANCE EVALUATION INSPECTION ON-SITE
Evaluation Responsible Person Identifier:	R7DLG
Evaluation Responsible Sub-Organization:	ENSV
Actual Return to Compliance Date:	20140905
Scheduled Compliance Date:	20140410
Evaluation Date:	20051205

Map ID  
Direction  
Distance  
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number  
EPA ID Number

**AGROMAC - LOCKWOOD SITE (Continued)**

**1000273311**

Evaluation Responsible Agency:	State
Found Violation:	No
Evaluation Type Description:	FINANCIAL RECORD REVIEW
Evaluation Responsible Person Identifier:	NEKLP
Evaluation Date:	19890914
Evaluation Responsible Agency:	State
Found Violation:	No
Evaluation Type Description:	FOCUSED COMPLIANCE INSPECTION
Evaluation Responsible Person Identifier:	NERJT
Evaluation Date:	19890816
Evaluation Responsible Agency:	State
Found Violation:	Yes
Evaluation Type Description:	COMPLIANCE EVALUATION INSPECTION ON-SITE
Evaluation Responsible Person Identifier:	NELSC
Actual Return to Compliance Date:	19891127
Scheduled Compliance Date:	19901231
Evaluation Date:	19851107
Evaluation Responsible Agency:	State
Found Violation:	Yes
Evaluation Type Description:	NON-FINANCIAL RECORD REVIEW
Evaluation Responsible Person Identifier:	NERJT
Actual Return to Compliance Date:	20000901
Evaluation Date:	19880928
Evaluation Responsible Agency:	State
Found Violation:	Yes
Evaluation Type Description:	COMPLIANCE EVALUATION INSPECTION ON-SITE
Evaluation Responsible Person Identifier:	NEAZ
Actual Return to Compliance Date:	19900406
Scheduled Compliance Date:	19881121
Evaluation Date:	20000515
Evaluation Responsible Agency:	State
Found Violation:	No
Evaluation Type Description:	FINANCIAL RECORD REVIEW
Evaluation Responsible Person Identifier:	NEKLP
Evaluation Date:	19990505
Evaluation Responsible Agency:	EPA
Found Violation:	Yes
Evaluation Type Description:	COMPLIANCE EVALUATION INSPECTION ON-SITE
Evaluation Responsible Person Identifier:	R7KCG
Actual Return to Compliance Date:	19991022
Scheduled Compliance Date:	19990818
Evaluation Date:	19990505
Evaluation Responsible Agency:	EPA
Found Violation:	Yes
Evaluation Type Description:	COMPLIANCE EVALUATION INSPECTION ON-SITE
Evaluation Responsible Person Identifier:	R7KCG
Actual Return to Compliance Date:	20000105
Scheduled Compliance Date:	19990818
Evaluation Date:	19900130

Map ID  
Direction  
Distance  
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number  
EPA ID Number

**AGROMAC - LOCKWOOD SITE (Continued)**

**1000273311**

Evaluation Responsible Agency:	State
Found Violation:	No
Evaluation Type Description:	NON-FINANCIAL RECORD REVIEW
Evaluation Responsible Person Identifier:	NERJT
Evaluation Date:	19880928
Evaluation Responsible Agency:	State
Found Violation:	Yes
Evaluation Type Description:	COMPLIANCE EVALUATION INSPECTION ON-SITE
Evaluation Responsible Person Identifier:	NEAZ
Actual Return to Compliance Date:	19881121
Scheduled Compliance Date:	19881121
Evaluation Date:	19990505
Evaluation Responsible Agency:	EPA
Found Violation:	Yes
Evaluation Type Description:	COMPLIANCE EVALUATION INSPECTION ON-SITE
Evaluation Responsible Person Identifier:	R7KCG
Actual Return to Compliance Date:	19991022
Scheduled Compliance Date:	19990818
Evaluation Date:	19990505
Evaluation Responsible Agency:	EPA
Found Violation:	Yes
Evaluation Type Description:	COMPLIANCE EVALUATION INSPECTION ON-SITE
Evaluation Responsible Person Identifier:	R7KCG
Actual Return to Compliance Date:	19991022
Scheduled Compliance Date:	19990818
Evaluation Date:	19900427
Evaluation Responsible Agency:	State
Found Violation:	No
Evaluation Type Description:	FINANCIAL RECORD REVIEW
Evaluation Responsible Person Identifier:	NELSC
Evaluation Date:	20040826
Evaluation Responsible Agency:	State
Found Violation:	No
Evaluation Type Description:	FINANCIAL RECORD REVIEW
Evaluation Responsible Person Identifier:	NEKLP
Evaluation Date:	20140326
Evaluation Responsible Agency:	EPA
Found Violation:	Yes
Evaluation Type Description:	COMPLIANCE EVALUATION INSPECTION ON-SITE
Evaluation Responsible Person Identifier:	R7DLG
Evaluation Responsible Sub-Organization:	ENSV
Actual Return to Compliance Date:	20140905
Scheduled Compliance Date:	20140410
Evaluation Date:	19950802
Evaluation Responsible Agency:	State
Found Violation:	No
Evaluation Type Description:	FINANCIAL RECORD REVIEW
Evaluation Responsible Person Identifier:	NEKLP
Evaluation Date:	19880114



Map ID  
Direction  
Distance  
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number  
EPA ID Number

**AGROMAC - LOCKWOOD SITE (Continued)**

**1000273311**

Evaluation Responsible Agency:	State
Found Violation:	Yes
Evaluation Type Description:	FINANCIAL RECORD REVIEW
Evaluation Responsible Person Identifier:	NERS
Actual Return to Compliance Date:	19880902
Scheduled Compliance Date:	19880325
Evaluation Date:	19870330
Evaluation Responsible Agency:	State
Found Violation:	No
Evaluation Type Description:	FOCUSED COMPLIANCE INSPECTION
Evaluation Responsible Person Identifier:	NERS
Evaluation Date:	19870422
Evaluation Responsible Agency:	State
Found Violation:	Yes
Evaluation Type Description:	COMPLIANCE EVALUATION INSPECTION ON-SITE
Evaluation Responsible Person Identifier:	NERN
Actual Return to Compliance Date:	19870915
Scheduled Compliance Date:	19870824
Evaluation Date:	19860602
Evaluation Responsible Agency:	State
Found Violation:	Yes
Evaluation Type Description:	COMPLIANCE EVALUATION INSPECTION ON-SITE
Evaluation Responsible Person Identifier:	NERN
Actual Return to Compliance Date:	19860724
Scheduled Compliance Date:	19860804
Evaluation Date:	20140326
Evaluation Responsible Agency:	EPA
Found Violation:	Yes
Evaluation Type Description:	COMPLIANCE EVALUATION INSPECTION ON-SITE
Evaluation Responsible Person Identifier:	R7DLG
Evaluation Responsible Sub-Organization:	ENSV
Actual Return to Compliance Date:	20140514
Scheduled Compliance Date:	20140410
Evaluation Date:	19900523
Evaluation Responsible Agency:	State
Found Violation:	No
Evaluation Type Description:	NON-FINANCIAL RECORD REVIEW
Evaluation Responsible Person Identifier:	NERJT
Evaluation Date:	19891025
Evaluation Responsible Agency:	State
Found Violation:	Yes
Evaluation Type Description:	FINANCIAL RECORD REVIEW
Evaluation Responsible Person Identifier:	NELSC
Actual Return to Compliance Date:	19901207
Evaluation Date:	20080327
Evaluation Responsible Agency:	State
Found Violation:	No
Evaluation Type Description:	FINANCIAL RECORD REVIEW
Evaluation Responsible Person Identifier:	NEKLP

Map ID  
Direction  
Distance  
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number  
EPA ID Number

**AGROMAC - LOCKWOOD SITE (Continued)**

**1000273311**

Evaluation Date:	19900220
Evaluation Responsible Agency:	State
Found Violation:	No
Evaluation Type Description:	FINANCIAL RECORD REVIEW
Evaluation Responsible Person Identifier:	NECAH
Evaluation Date:	19891025
Evaluation Responsible Agency:	State
Found Violation:	Yes
Evaluation Type Description:	FINANCIAL RECORD REVIEW
Evaluation Responsible Person Identifier:	NELSC
Actual Return to Compliance Date:	19901207
Evaluation Date:	19880902
Evaluation Responsible Agency:	State
Found Violation:	No
Evaluation Type Description:	FINANCIAL RECORD REVIEW
Evaluation Responsible Person Identifier:	NECW
Evaluation Date:	19880608
Evaluation Responsible Agency:	State
Found Violation:	Yes
Evaluation Type Description:	COMPLIANCE EVALUATION INSPECTION ON-SITE
Evaluation Responsible Person Identifier:	NELSC
Actual Return to Compliance Date:	19881115
Evaluation Date:	19900411
Evaluation Responsible Agency:	State
Found Violation:	No
Evaluation Type Description:	NON-FINANCIAL RECORD REVIEW
Evaluation Responsible Person Identifier:	NERJT
Evaluation Date:	19840307
Evaluation Responsible Agency:	State
Found Violation:	Yes
Evaluation Type Description:	COMPLIANCE EVALUATION INSPECTION ON-SITE
Actual Return to Compliance Date:	19851016
Scheduled Compliance Date:	19840720
Evaluation Date:	19981006
Evaluation Responsible Agency:	State
Found Violation:	No
Evaluation Type Description:	FINANCIAL RECORD REVIEW
Evaluation Responsible Person Identifier:	NEKLP
Evaluation Date:	20140326
Evaluation Responsible Agency:	EPA
Found Violation:	Yes
Evaluation Type Description:	COMPLIANCE EVALUATION INSPECTION ON-SITE
Evaluation Responsible Person Identifier:	R7DLG
Evaluation Responsible Sub-Organization:	ENSV
Actual Return to Compliance Date:	20140514
Evaluation Date:	19990505
Evaluation Responsible Agency:	EPA
Found Violation:	Yes
Evaluation Type Description:	COMPLIANCE EVALUATION INSPECTION ON-SITE

Map ID  
Direction  
Distance  
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number  
EPA ID Number

**AGROMAC - LOCKWOOD SITE (Continued)**

**1000273311**

Evaluation Responsible Person Identifier:	R7KCG
Actual Return to Compliance Date:	19991022
Scheduled Compliance Date:	19990818
Evaluation Date:	20090803
Evaluation Responsible Agency:	State
Found Violation:	No
Evaluation Type Description:	FINANCIAL RECORD REVIEW
Evaluation Responsible Person Identifier:	NEKLP
Evaluation Date:	19990505
Evaluation Responsible Agency:	EPA
Found Violation:	Yes
Evaluation Type Description:	COMPLIANCE EVALUATION INSPECTION ON-SITE
Evaluation Responsible Person Identifier:	R7KCG
Actual Return to Compliance Date:	19991022
Scheduled Compliance Date:	19990818
Evaluation Date:	19881228
Evaluation Responsible Agency:	State
Found Violation:	No
Evaluation Type Description:	COMPLIANCE SCHEDULE EVALUATION
Evaluation Responsible Person Identifier:	NESB
Evaluation Date:	19860602
Evaluation Responsible Agency:	State
Found Violation:	Yes
Evaluation Type Description:	COMPLIANCE EVALUATION INSPECTION ON-SITE
Evaluation Responsible Person Identifier:	NERN
Actual Return to Compliance Date:	19860724
Scheduled Compliance Date:	19860804
Evaluation Date:	20111004
Evaluation Responsible Agency:	EPA
Found Violation:	Yes
Evaluation Type Description:	COMPLIANCE EVALUATION INSPECTION ON-SITE
Evaluation Responsible Person Identifier:	R7DLG
Evaluation Responsible Sub-Organization:	ENSV
Actual Return to Compliance Date:	20140327
Evaluation Date:	20130618
Evaluation Responsible Agency:	State
Found Violation:	No
Evaluation Type Description:	FINANCIAL RECORD REVIEW
Evaluation Responsible Person Identifier:	NEKLP
Evaluation Date:	20080327
Evaluation Responsible Agency:	State
Found Violation:	No
Evaluation Type Description:	FINANCIAL RECORD REVIEW
Evaluation Responsible Person Identifier:	NEKLP
Evaluation Date:	19880928
Evaluation Responsible Agency:	State
Found Violation:	Yes
Evaluation Type Description:	COMPLIANCE EVALUATION INSPECTION ON-SITE
Evaluation Responsible Person Identifier:	NEAZ

Map ID  
Direction  
Distance  
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number  
EPA ID Number

**AGROMAC - LOCKWOOD SITE (Continued)**

**1000273311**

Actual Return to Compliance Date:	19881121
Scheduled Compliance Date:	19881121
Evaluation Date:	19860221
Evaluation Responsible Agency:	State
Found Violation:	Yes
Evaluation Type Description:	NON-FINANCIAL RECORD REVIEW
Evaluation Responsible Person Identifier:	NERS
Actual Return to Compliance Date:	19860307
Scheduled Compliance Date:	19860307
Evaluation Date:	19950808
Evaluation Responsible Agency:	State
Found Violation:	Undetermined
Evaluation Type Description:	COMPLIANCE EVALUATION INSPECTION ON-SITE
Evaluation Responsible Person Identifier:	NEWCG
Evaluation Date:	20140326
Evaluation Responsible Agency:	EPA
Found Violation:	Yes
Evaluation Type Description:	COMPLIANCE EVALUATION INSPECTION ON-SITE
Evaluation Responsible Person Identifier:	R7DLG
Evaluation Responsible Sub-Organization:	ENSV
Actual Return to Compliance Date:	20140514
Evaluation Date:	19890920
Evaluation Responsible Agency:	State
Found Violation:	No
Evaluation Type Description:	OPERATION AND MAINTENANCE INSPECTION
Evaluation Responsible Person Identifier:	NERJT
Evaluation Date:	20010515
Evaluation Responsible Agency:	State
Found Violation:	No
Evaluation Type Description:	FINANCIAL RECORD REVIEW
Evaluation Responsible Person Identifier:	NEKLP
Evaluation Date:	19910206
Evaluation Responsible Agency:	State
Found Violation:	Yes
Evaluation Type Description:	COMPLIANCE EVALUATION INSPECTION ON-SITE
Evaluation Responsible Person Identifier:	NEJH
Actual Return to Compliance Date:	19920131
Scheduled Compliance Date:	19910430
Evaluation Date:	20160622
Evaluation Responsible Agency:	State
Found Violation:	No
Evaluation Type Description:	FINANCIAL RECORD REVIEW
Evaluation Responsible Person Identifier:	NEKLP
Evaluation Date:	19920131
Evaluation Responsible Agency:	State
Found Violation:	No
Evaluation Type Description:	NOT A SIGNIFICANT NON-COMPLIER
Evaluation Date:	20150622

Map ID  
Direction  
Distance  
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number  
EPA ID Number

**AGROMAC - LOCKWOOD SITE (Continued)**

**1000273311**

Evaluation Responsible Agency:	State
Found Violation:	No
Evaluation Type Description:	FINANCIAL RECORD REVIEW
Evaluation Responsible Person Identifier:	NEKLP
Evaluation Date:	19930712
Evaluation Responsible Agency:	State
Found Violation:	No
Evaluation Type Description:	FINANCIAL RECORD REVIEW
Evaluation Responsible Person Identifier:	NELSC
Evaluation Date:	20100706
Evaluation Responsible Agency:	State
Found Violation:	No
Evaluation Type Description:	FINANCIAL RECORD REVIEW
Evaluation Responsible Person Identifier:	NEKLP
Evaluation Date:	20051227
Evaluation Responsible Agency:	State
Found Violation:	No
Evaluation Type Description:	FINANCIAL RECORD REVIEW
Evaluation Responsible Person Identifier:	NEKLP
Evaluation Date:	19910206
Evaluation Responsible Agency:	State
Found Violation:	Yes
Evaluation Type Description:	COMPLIANCE EVALUATION INSPECTION ON-SITE
Evaluation Responsible Person Identifier:	NEJH
Actual Return to Compliance Date:	19910426
Scheduled Compliance Date:	19910430
Evaluation Date:	19970711
Evaluation Responsible Agency:	State
Found Violation:	No
Evaluation Type Description:	COMPLIANCE EVALUATION INSPECTION ON-SITE
Evaluation Responsible Person Identifier:	NEJH
Evaluation Date:	19991124
Evaluation Responsible Agency:	State
Found Violation:	No
Evaluation Type Description:	FINANCIAL RECORD REVIEW
Evaluation Responsible Person Identifier:	NEKLP
Evaluation Date:	19881128
Evaluation Responsible Agency:	State
Found Violation:	No
Evaluation Type Description:	NON-FINANCIAL RECORD REVIEW
Evaluation Responsible Person Identifier:	NERJT
Evaluation Date:	19880114
Evaluation Responsible Agency:	State
Found Violation:	Yes
Evaluation Type Description:	FINANCIAL RECORD REVIEW
Evaluation Responsible Person Identifier:	NERS
Actual Return to Compliance Date:	19880902
Evaluation Date:	19910206

Map ID  
Direction  
Distance  
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number  
EPA ID Number

**AGROMAC - LOCKWOOD SITE (Continued)**

**1000273311**

Evaluation Responsible Agency:	State
Found Violation:	Yes
Evaluation Type Description:	COMPLIANCE EVALUATION INSPECTION ON-SITE
Evaluation Responsible Person Identifier:	NEJJH
Actual Return to Compliance Date:	19920131
Scheduled Compliance Date:	19910430
Evaluation Date:	19970611
Evaluation Responsible Agency:	State
Found Violation:	Yes
Evaluation Type Description:	COMPLIANCE EVALUATION INSPECTION ON-SITE
Evaluation Responsible Person Identifier:	NEJJH
Actual Return to Compliance Date:	19970824
Scheduled Compliance Date:	19970824
Evaluation Date:	19891025
Evaluation Responsible Agency:	State
Found Violation:	Yes
Evaluation Type Description:	FINANCIAL RECORD REVIEW
Evaluation Responsible Person Identifier:	NELSC
Actual Return to Compliance Date:	19901207

Map ID  
Direction  
Distance  
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number  
EPA ID Number

**AGROMAC - LOCKWOOD SITE (Continued)**

**1000273311**

LUST:

Name: LOCKWOOD CORP  
Address: HWY 92 EAST  
City,State,Zip: GERING, NE  
**Facility Status: NO FURTHER ACTION (INCIDENT CLOSED)**  
Incident Type: UNDERGROUND STORAGE TANK - REGULATED UNDER FEDERAL RULES  
File Number: 100891-CT-1140  
Owner/RP: LOCKWOOD CORP  
SFM Num: 2718  
Owner Mailing Address: PO BOX 160  
Owner Mailing City: GERING  
Owner Mailing State: NE  
Owner Mailing Zip: 69341  
Discovery Date: 09/10/1991  
Material Released: GASOLINE AND DIESEL

RCRA NonGen / NLR:

Date Form Received by Agency: 20070614  
Handler Name: AGROMAC - LOCKWOOD SITE  
Handler Address: 220757 HWY 92 EAST  
Handler City,State,Zip: GERING, NE 69341  
EPA ID: NED044101442  
Contact Name: JOSEPH G SCHON  
Contact Address: HWY 92 EAST  
Contact City,State,Zip: GERING, NE 69341  
Contact Telephone: 308-641-5140  
Contact Email: JSCHON@AGROMAC.COM  
EPA Region: 07  
Land Type: Private  
Federal Waste Generator Description: Not a generator, verified  
Active Site Indicator: Permitting Activities, Corrective Action Activities  
Mailing Address: PO BOX 100  
Mailing City,State,Zip: SCOTTSBLUFF, NE 69363-0100  
Owner Name: LOCKWOOD CORPORATION  
Owner Type: Private  
Operator Name: AGROMAC INTERNATIONAL INC  
Operator Type: Private  
Short-Term Generator Activity: No  
Importer Activity: No  
Mixed Waste Generator: No  
Transporter Activity: No  
Transfer Facility Activity: No  
Recycler Activity with Storage: No  
Small Quantity On-Site Burner Exemption: No  
Smelting Melting and Refining Furnace Exemption: No  
Underground Injection Control: No  
Off-Site Waste Receipt: No  
Universal Waste Indicator: No  
Universal Waste Destination Facility: No  
Federal Universal Waste: No  
Active Site Fed-Reg Treatment Storage and Disposal Facility: Solid Waste Management Unit  
Active Site State-Reg Handler: ---  
Hazardous Secondary Material Indicator: NN  
Commercial TSD Indicator: No  
Treatment Storage and Disposal Type: Land Disposal  
2018 GPRA Permit Baseline: Not on the Baseline

Map ID  
Direction  
Distance  
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number  
EPA ID Number

**AGROMAC - LOCKWOOD SITE (Continued)**

**1000273311**

2018 GPRA Renewals Baseline:	Not on the Baseline
Permit Progress Universe:	Land Disposal
202 GPRA Corrective Action Baseline:	Yes
Corrective Action Workload Universe:	Yes
Subject to Corrective Action Universe:	No
Non-TSDFs Where RCRA CA has Been Imposed Universe:	Yes
TSDFs Potentially Subject to CA Under 3004 (u)/(v) Universe:	No
TSDFs Only Subject to CA under Discretionary Auth Universe:	No
Corrective Action Priority Ranking:	High
Environmental Control Indicator:	True
Institutional Control Indicator:	True
Human Exposure Controls Indicator:	Yes
Groundwater Controls Indicator:	Yes
Significant Non-Complier Universe:	No
Unaddressed Significant Non-Complier Universe:	No
Addressed Significant Non-Complier Universe:	No
Significant Non-Complier With a Compliance Schedule Universe:	No
Handler Date of Last Change:	20070618
Recognized Trader-Importer:	No
Recognized Trader-Exporter:	No
Importer of Spent Lead Acid Batteries:	No
Exporter of Spent Lead Acid Batteries:	No
Sub-Part P Indicator:	No

Hazardous Waste Summary:

Waste Code:	D002
Waste Description:	CORROSIVE WASTE

Handler - Owner Operator:

Owner/Operator Indicator:	Owner
Owner/Operator Name:	LOCKWOOD CORPORATION
Legal Status:	Private
Owner/Operator Address:	220757 HIGHWAY 92
Owner/Operator City,State,Zip:	GERING, NE 69341
Owner/Operator Telephone:	308-436-5051

Owner/Operator Indicator:	Operator
Owner/Operator Name:	AGROMAC INTERNATIONAL INC
Legal Status:	Private
Date Became Current:	20041029

Owner/Operator Indicator:	Owner
Owner/Operator Name:	LOCKWOOD CORPORATION
Legal Status:	Private
Owner/Operator Address:	220757 HWY 92
Owner/Operator City,State,Zip:	GERING, NE 69341
Owner/Operator Telephone:	308-436-5051

Owner/Operator Indicator:	Owner
Owner/Operator Name:	LOCKWOOD CORPORATION
Legal Status:	Private
Owner/Operator Address:	220757 HIGHWAY 92
Owner/Operator City,State,Zip:	GERING, NE 69341
Owner/Operator Telephone:	308-436-5051



Map ID  
Direction  
Distance  
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number  
EPA ID Number

**AGROMAC - LOCKWOOD SITE (Continued)**

**1000273311**

Owner/Operator Indicator: Owner  
Owner/Operator Name: AGROMAC INTERNATIONAL INC  
Legal Status: Private  
Date Became Current: 20041029

Owner/Operator Indicator: Owner  
Owner/Operator Name: LOCKWOOD CORPORATION  
Legal Status: Private  
Owner/Operator Address: 220757 HWY 92  
Owner/Operator City,State,Zip: GERING, NE 69341  
Owner/Operator Telephone: 308-436-5051

Owner/Operator Indicator: Owner  
Owner/Operator Name: LOCKWOOD CORPORATION  
Legal Status: Private  
Owner/Operator Address: 220757 HWY 92  
Owner/Operator City,State,Zip: GERING, NE 69341  
Owner/Operator Telephone: 308-436-5051

Owner/Operator Indicator: Operator  
Owner/Operator Name: AGROMAC INTERNATIONAL INC  
Legal Status: Private  
Date Became Current: 20041029

Owner/Operator Indicator: Owner  
Owner/Operator Name: LOCKWOOD CORPORATION  
Legal Status: Private  
Owner/Operator Address: 220757 HIGHWAY 92  
Owner/Operator City,State,Zip: GERING, NE 69341  
Owner/Operator Telephone: 308-436-5051

Owner/Operator Indicator: Owner  
Owner/Operator Name: AGROMAC INTERNATIONAL INC  
Legal Status: Private  
Date Became Current: 20041029

Historic Generators:

Receive Date: 19790101  
Handler Name: LOCKWOOD CORPORATION  
Federal Waste Generator Description: Not a generator, verified  
Large Quantity Handler of Universal Waste: No  
Recognized Trader Importer: No  
Recognized Trader Exporter: No  
Spent Lead Acid Battery Importer: No  
Spent Lead Acid Battery Exporter: No  
Current Record: No

Receive Date: 20041101  
Handler Name: AGROMAC - LOCKWOOD CORPORATION  
Large Quantity Handler of Universal Waste: No  
Recognized Trader Importer: No  
Recognized Trader Exporter: No  
Spent Lead Acid Battery Importer: No  
Spent Lead Acid Battery Exporter: No  
Current Record: No

Receive Date: 20070614

Map ID  
Direction  
Distance  
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number  
EPA ID Number

**AGROMAC - LOCKWOOD SITE (Continued)**

**1000273311**

Handler Name: AGROMAC - LOCKWOOD SITE  
Federal Waste Generator Description: Not a generator, verified  
Large Quantity Handler of Universal Waste: No  
Recognized Trader Importer: No  
Recognized Trader Exporter: No  
Spent Lead Acid Battery Importer: No  
Spent Lead Acid Battery Exporter: No  
Current Record: Yes

Receive Date: 19790101  
Handler Name: LOCKWOOD CORPORATION  
Federal Waste Generator Description: Large Quantity Generator  
Large Quantity Handler of Universal Waste: No  
Recognized Trader Importer: No  
Recognized Trader Exporter: No  
Spent Lead Acid Battery Importer: No  
Spent Lead Acid Battery Exporter: No  
Current Record: No

Receive Date: 19790101  
Handler Name: LOCKWOOD CORPORATION  
Federal Waste Generator Description: Large Quantity Generator  
Large Quantity Handler of Universal Waste: No  
Recognized Trader Importer: No  
Recognized Trader Exporter: No  
Spent Lead Acid Battery Importer: No  
Spent Lead Acid Battery Exporter: No  
Current Record: No

Receive Date: 20000228  
Handler Name: LOCKWOOD CORPORATION  
Federal Waste Generator Description: Not a generator, verified  
Large Quantity Handler of Universal Waste: No  
Recognized Trader Importer: No  
Recognized Trader Exporter: No  
Spent Lead Acid Battery Importer: No  
Spent Lead Acid Battery Exporter: No  
Current Record: No

Receive Date: 20001211  
Handler Name: LOCKWOOD CORPORATION  
Federal Waste Generator Description: Large Quantity Generator  
Large Quantity Handler of Universal Waste: No  
Recognized Trader Importer: No  
Recognized Trader Exporter: No  
Spent Lead Acid Battery Importer: No  
Spent Lead Acid Battery Exporter: No  
Current Record: No

Receive Date: 20001212  
Handler Name: LOCKWOOD CORPORATION  
Large Quantity Handler of Universal Waste: No  
Recognized Trader Importer: No  
Recognized Trader Exporter: No  
Spent Lead Acid Battery Importer: No  
Spent Lead Acid Battery Exporter: No  
Current Record: No

Map ID  
Direction  
Distance  
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number  
EPA ID Number

**AGROMAC - LOCKWOOD SITE (Continued)**

**1000273311**

Receive Date: 19900327  
Handler Name: LOCKWOOD CORPORATION  
Federal Waste Generator Description: Large Quantity Generator  
Large Quantity Handler of Universal Waste: No  
Recognized Trader Importer: No  
Recognized Trader Exporter: No  
Spent Lead Acid Battery Importer: No  
Spent Lead Acid Battery Exporter: No  
Current Record: No

Receive Date: 19920826  
Handler Name: LOCKWOOD CORPORATION  
Federal Waste Generator Description: Large Quantity Generator  
Large Quantity Handler of Universal Waste: No  
Recognized Trader Importer: No  
Recognized Trader Exporter: No  
Spent Lead Acid Battery Importer: No  
Spent Lead Acid Battery Exporter: No  
Current Record: No

Receive Date: 19940217  
Handler Name: LOCKWOOD CORPORATION  
Federal Waste Generator Description: Large Quantity Generator  
Large Quantity Handler of Universal Waste: No  
Recognized Trader Importer: No  
Recognized Trader Exporter: No  
Spent Lead Acid Battery Importer: No  
Spent Lead Acid Battery Exporter: No  
Current Record: No

List of NAICS Codes and Descriptions:

NAICS Code: 333111  
NAICS Description: FARM MACHINERY AND EQUIPMENT MANUFACTURING

NAICS Code: 336211  
NAICS Description: MOTOR VEHICLE BODY MANUFACTURING

NAICS Code: 53112  
NAICS Description: LESSORS OF NONRESIDENTIAL BUILDINGS (EXCEPT MINIWAREHOUSES)

NAICS Code: 53119  
NAICS Description: LESSORS OF OTHER REAL ESTATE PROPERTY

Facility Has Received Notices of Violation:

Found Violation: No

Found Violation: Yes  
Agency Which Determined Violation: State  
Violation Short Description: Generators - General  
Date Violation was Determined: 19910206  
Actual Return to Compliance Date: 19910426  
Return to Compliance Qualifier: Observed  
Violation Responsible Agency: State  
Scheduled Compliance Date: 19910430  
Enforcement Identifier: 000

Map ID  
Direction  
Distance  
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number  
EPA ID Number

**AGROMAC - LOCKWOOD SITE (Continued)**

**1000273311**

Date of Enforcement Action: 19910326  
Enforcement Responsible Agency: State  
Corrective Action Component: No  
Enforcement Type: WRITTEN INFORMAL  
Enforcement Responsible Person: NEJJH

Found Violation: Yes  
Agency Which Determined Violation: State  
Violation Short Description: TSD - General  
Date Violation was Determined: 19860602  
Actual Return to Compliance Date: 19860724  
Return to Compliance Qualifier: Observed  
Violation Responsible Agency: State  
Scheduled Compliance Date: 19860804  
Enforcement Identifier: 004  
Date of Enforcement Action: 19860630  
Enforcement Responsible Agency: State  
Corrective Action Component: No  
Enforcement Type: WRITTEN INFORMAL

Found Violation: Yes  
Agency Which Determined Violation: State  
Violation Short Description: TSD IS-Ground-Water Monitoring  
Date Violation was Determined: 19880526  
Actual Return to Compliance Date: 19880608  
Return to Compliance Qualifier: Observed  
Violation Responsible Agency: State  
Scheduled Compliance Date: 19880527  
Enforcement Identifier: 012  
Date of Enforcement Action: 19880526  
Enforcement Responsible Agency: State  
Corrective Action Component: No  
Enforcement Type: WRITTEN INFORMAL  
Enforcement Responsible Person: NERJT

Found Violation: No

Found Violation: No

Found Violation: No

Found Violation: Yes  
Agency Which Determined Violation: State  
Violation Short Description: TSD IS-Ground-Water Monitoring  
Date Violation was Determined: 19860930  
Actual Return to Compliance Date: 19870219  
Return to Compliance Qualifier: Observed  
Violation Responsible Agency: State  
Enforcement Identifier: 007  
Date of Enforcement Action: 19861113  
Enforcement Responsible Agency: State  
Corrective Action Component: No  
Enforcement Type: WRITTEN INFORMAL

Found Violation: No

Found Violation: Yes

Map ID  
Direction  
Distance  
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number  
EPA ID Number

**AGROMAC - LOCKWOOD SITE (Continued)**

**1000273311**

Agency Which Determined Violation:	State
Violation Short Description:	TSD - General
Date Violation was Determined:	19880608
Actual Return to Compliance Date:	19881115
Return to Compliance Qualifier:	Observed
Violation Responsible Agency:	State
Found Violation:	No
Found Violation:	No
Found Violation:	Unknown
Found Violation:	Yes
Agency Which Determined Violation:	EPA
Violation Short Description:	Permit Condition or Requirement
Date Violation was Determined:	20140521
Actual Return to Compliance Date:	20140905
Return to Compliance Qualifier:	Documented
Violation Responsible Agency:	EPA
Enforcement Identifier:	001
Date of Enforcement Action:	20140821
Enforcement Responsible Agency:	EPA
Corrective Action Component:	No
Disposition Status Date:	20140922
Disposition Status:	AS
Disposition Status Description:	ACTION SATISFIED (CASE CLOSED)
Enforcement Type:	WRITTEN INFORMAL
Enforcement Responsible Person:	R7KDS
Enforcement Responsible Sub-Organization:	WEMM
Found Violation:	Yes
Agency Which Determined Violation:	EPA
Violation Short Description:	Permit Condition or Requirement
Date Violation was Determined:	20140521
Actual Return to Compliance Date:	20140905
Return to Compliance Qualifier:	Documented
Violation Responsible Agency:	EPA
Enforcement Identifier:	001
Date of Enforcement Action:	20140821
Enforcement Responsible Agency:	EPA
Corrective Action Component:	No
Disposition Status Date:	20140922
Disposition Status:	AS
Disposition Status Description:	ACTION SATISFIED (CASE CLOSED)
Enforcement Type:	WRITTEN INFORMAL
Enforcement Responsible Person:	R7KDS
Enforcement Responsible Sub-Organization:	WEMM
Found Violation:	No
Found Violation:	Yes
Agency Which Determined Violation:	State
Violation Short Description:	TSD IS-Ground-Water Monitoring
Date Violation was Determined:	19840307
Actual Return to Compliance Date:	19851016
Return to Compliance Qualifier:	Observed

Map ID  
Direction  
Distance  
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number  
EPA ID Number

**AGROMAC - LOCKWOOD SITE (Continued)**

**1000273311**

Violation Responsible Agency: State  
Enforcement Identifier: 002  
Date of Enforcement Action: 19840314  
Enforcement Responsible Agency: State  
Corrective Action Component: No  
Enforcement Type: WRITTEN INFORMAL

Found Violation: Yes  
Agency Which Determined Violation: State  
Violation Short Description: Generators - Pre-transport  
Date Violation was Determined: 19910206  
Actual Return to Compliance Date: 19910426  
Return to Compliance Qualifier: Observed  
Violation Responsible Agency: State  
Scheduled Compliance Date: 19910430  
Enforcement Identifier: 000  
Date of Enforcement Action: 19910326  
Enforcement Responsible Agency: State  
Corrective Action Component: No  
Enforcement Type: WRITTEN INFORMAL  
Enforcement Responsible Person: NEJJH

Found Violation: Yes  
Agency Which Determined Violation: State  
Violation Short Description: TSD - Financial Requirements  
Date Violation was Determined: 19890929  
Actual Return to Compliance Date: 19901207  
Return to Compliance Qualifier: Observed  
Violation Responsible Agency: State  
Scheduled Compliance Date: 19891127  
Enforcement Identifier: 023  
Date of Enforcement Action: 19891025  
Enforcement Responsible Agency: State  
Corrective Action Component: No  
Enforcement Type: WRITTEN INFORMAL

Found Violation: No

Found Violation: No

Found Violation: No

Found Violation: Yes  
Agency Which Determined Violation: State  
Violation Short Description: TSD - General  
Date Violation was Determined: 19890816  
Actual Return to Compliance Date: 19891127  
Return to Compliance Qualifier: Observed  
Violation Responsible Agency: State  
Scheduled Compliance Date: 19901231  
Enforcement Identifier: 017  
Date of Enforcement Action: 19891027  
Enforcement Responsible Agency: State  
Corrective Action Component: No  
Enforcement Type: WRITTEN INFORMAL

Found Violation: Yes

Map ID  
Direction  
Distance  
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number  
EPA ID Number

**AGROMAC - LOCKWOOD SITE (Continued)**

**1000273311**

Agency Which Determined Violation:	State
Violation Short Description:	TSD - General
Date Violation was Determined:	19870422
Actual Return to Compliance Date:	19870915
Return to Compliance Qualifier:	Observed
Violation Responsible Agency:	State
Scheduled Compliance Date:	19870824
Enforcement Identifier:	008
Date of Enforcement Action:	19870723
Enforcement Responsible Agency:	State
Corrective Action Component:	No
Enforcement Type:	WRITTEN INFORMAL
Found Violation:	No
Found Violation:	Yes
Agency Which Determined Violation:	State
Violation Short Description:	TSD - General
Date Violation was Determined:	19890816
Actual Return to Compliance Date:	19891127
Return to Compliance Qualifier:	Observed
Violation Responsible Agency:	State
Scheduled Compliance Date:	19901231
Enforcement Identifier:	017
Date of Enforcement Action:	19891027
Enforcement Responsible Agency:	State
Corrective Action Component:	No
Enforcement Type:	WRITTEN INFORMAL
Found Violation:	No
Found Violation:	Yes
Agency Which Determined Violation:	EPA
Violation Short Description:	TSD - Surface Impoundment Standards
Date Violation was Determined:	19990505
Actual Return to Compliance Date:	19991022
Return to Compliance Qualifier:	Observed
Violation Responsible Agency:	EPA
Scheduled Compliance Date:	19990818
Enforcement Identifier:	000
Date of Enforcement Action:	19990714
Enforcement Responsible Agency:	EPA
Enforcement Attorney:	R7
Corrective Action Component:	No
Enforcement Type:	WRITTEN INFORMAL
Enforcement Responsible Person:	R7KDS
Found Violation:	No
Found Violation:	Yes
Agency Which Determined Violation:	State
Violation Short Description:	TSD - Financial Requirements
Date Violation was Determined:	19891025
Actual Return to Compliance Date:	19901207
Return to Compliance Qualifier:	Observed
Violation Responsible Agency:	State
Enforcement Identifier:	027

Map ID  
Direction  
Distance  
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number  
EPA ID Number

**AGROMAC - LOCKWOOD SITE (Continued)**

**1000273311**

Date of Enforcement Action: 19900502  
Enforcement Responsible Agency: State  
Corrective Action Component: No  
Enforcement Type: WRITTEN INFORMAL

Found Violation: No

Found Violation: Yes  
Agency Which Determined Violation: EPA  
Violation Short Description: Permit Condition or Requirement  
Date Violation was Determined: 20140326  
Actual Return to Compliance Date: 20140905  
Return to Compliance Qualifier: Documented  
Violation Responsible Agency: EPA  
Scheduled Compliance Date: 20140410  
Enforcement Identifier: 001  
Date of Enforcement Action: 20140326  
Enforcement Responsible Agency: EPA  
Corrective Action Component: No  
Enforcement Type: WRITTEN INFORMAL  
Enforcement Responsible Person: R7DLG  
Enforcement Responsible Sub-Organization: ENSV

Found Violation: Yes  
Agency Which Determined Violation: State  
Violation Short Description: TSD - General  
Date Violation was Determined: 19840307  
Actual Return to Compliance Date: 19941227  
Return to Compliance Qualifier: Documented  
Violation Responsible Agency: State

Found Violation: Yes  
Agency Which Determined Violation: EPA  
Violation Short Description: Permit Condition or Requirement  
Date Violation was Determined: 20140326  
Actual Return to Compliance Date: 20140514  
Return to Compliance Qualifier: Documented  
Violation Responsible Agency: EPA  
Scheduled Compliance Date: 20140410  
Enforcement Identifier: 001  
Date of Enforcement Action: 20140326  
Enforcement Responsible Agency: EPA  
Corrective Action Component: No  
Enforcement Type: WRITTEN INFORMAL  
Enforcement Responsible Person: R7DLG  
Enforcement Responsible Sub-Organization: ENSV

Found Violation: No

Found Violation: Yes  
Agency Which Determined Violation: EPA  
Violation Short Description: Permit Condition or Requirement  
Date Violation was Determined: 20140326  
Actual Return to Compliance Date: 20140905  
Return to Compliance Qualifier: Documented  
Violation Responsible Agency: EPA  
Scheduled Compliance Date: 20140410



Map ID  
Direction  
Distance  
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number  
EPA ID Number

**AGROMAC - LOCKWOOD SITE (Continued)**

**1000273311**

Enforcement Identifier: 001  
Date of Enforcement Action: 20140821  
Enforcement Responsible Agency: EPA  
Corrective Action Component: No  
Disposition Status Date: 20140922  
Disposition Status: AS  
Disposition Status Description: ACTION SATISFIED (CASE CLOSED)  
Enforcement Type: WRITTEN INFORMAL  
Enforcement Responsible Person: R7KDS  
Enforcement Responsible Sub-Organization: WEMM

Found Violation: No

Found Violation: No

Found Violation: No

Found Violation: No

Found Violation: No

Found Violation: Yes  
Agency Which Determined Violation: EPA  
Violation Short Description: Permit Condition or Requirement  
Date Violation was Determined: 20140326  
Actual Return to Compliance Date: 20140905  
Return to Compliance Qualifier: Documented  
Violation Responsible Agency: EPA  
Scheduled Compliance Date: 20140410  
Enforcement Identifier: 001  
Date of Enforcement Action: 20140821  
Enforcement Responsible Agency: EPA  
Corrective Action Component: No  
Disposition Status Date: 20140922  
Disposition Status: AS  
Disposition Status Description: ACTION SATISFIED (CASE CLOSED)  
Enforcement Type: WRITTEN INFORMAL  
Enforcement Responsible Person: R7KDS  
Enforcement Responsible Sub-Organization: WEMM

Found Violation: No

Found Violation: No

Found Violation: Yes  
Agency Which Determined Violation: State  
Violation Short Description: TSD - General  
Date Violation was Determined: 19890816  
Actual Return to Compliance Date: 19891127  
Return to Compliance Qualifier: Observed  
Violation Responsible Agency: State  
Scheduled Compliance Date: 19901231  
Enforcement Identifier: 017  
Date of Enforcement Action: 19891027  
Enforcement Responsible Agency: State  
Corrective Action Component: No  
Enforcement Type: WRITTEN INFORMAL

Map ID  
Direction  
Distance  
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number  
EPA ID Number

**AGROMAC - LOCKWOOD SITE (Continued)**

**1000273311**

Found Violation: Yes  
Agency Which Determined Violation: State  
Violation Short Description: TSD IS-Ground-Water Monitoring  
Date Violation was Determined: 19851107  
Actual Return to Compliance Date: 20000901  
Return to Compliance Qualifier: Unverifiable  
Violation Responsible Agency: State

Found Violation: Yes  
Agency Which Determined Violation: State  
Violation Short Description: TSD - General  
Date Violation was Determined: 19880928  
Actual Return to Compliance Date: 19900406  
Return to Compliance Qualifier: Observed  
Violation Responsible Agency: State  
Scheduled Compliance Date: 19881121  
Enforcement Identifier: 030  
Date of Enforcement Action: 19881020  
Enforcement Responsible Agency: State  
Corrective Action Component: No  
Enforcement Type: WRITTEN INFORMAL

Found Violation: No

Found Violation: Yes  
Agency Which Determined Violation: EPA  
Violation Short Description: TSD - Surface Impoundment Standards  
Date Violation was Determined: 19990505  
Actual Return to Compliance Date: 19991022  
Return to Compliance Qualifier: Observed  
Violation Responsible Agency: EPA  
Scheduled Compliance Date: 19990818  
Enforcement Identifier: 000  
Date of Enforcement Action: 19990714  
Enforcement Responsible Agency: EPA  
Enforcement Attorney: R7  
Corrective Action Component: No  
Enforcement Type: WRITTEN INFORMAL  
Enforcement Responsible Person: R7KDS

Found Violation: Yes  
Agency Which Determined Violation: EPA  
Violation Short Description: TSD - Manifest/Records/Reporting  
Date Violation was Determined: 19990505  
Actual Return to Compliance Date: 20000105  
Return to Compliance Qualifier: Observed  
Violation Responsible Agency: EPA  
Scheduled Compliance Date: 19990818  
Enforcement Identifier: 000  
Date of Enforcement Action: 19990714  
Enforcement Responsible Agency: EPA  
Enforcement Attorney: R7  
Corrective Action Component: No  
Enforcement Type: WRITTEN INFORMAL  
Enforcement Responsible Person: R7KDS

Map ID  
Direction  
Distance  
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number  
EPA ID Number

**AGROMAC - LOCKWOOD SITE (Continued)**

**1000273311**

Found Violation: No

Found Violation: Yes  
Agency Which Determined Violation: State  
Violation Short Description: TSD - General  
Date Violation was Determined: 19880928  
Actual Return to Compliance Date: 19881121  
Return to Compliance Qualifier: Observed  
Violation Responsible Agency: State  
Scheduled Compliance Date: 19881121  
Enforcement Identifier: 030  
Date of Enforcement Action: 19881020  
Enforcement Responsible Agency: State  
Corrective Action Component: No  
Enforcement Type: WRITTEN INFORMAL

Found Violation: Yes  
Agency Which Determined Violation: EPA  
Violation Short Description: TSD - General Facility Standards  
Date Violation was Determined: 19990505  
Actual Return to Compliance Date: 19991022  
Return to Compliance Qualifier: Observed  
Violation Responsible Agency: EPA  
Scheduled Compliance Date: 19990818  
Enforcement Identifier: 000  
Date of Enforcement Action: 19990714  
Enforcement Responsible Agency: EPA  
Enforcement Attorney: R7  
Corrective Action Component: No  
Enforcement Type: WRITTEN INFORMAL  
Enforcement Responsible Person: R7KDS

Found Violation: Yes  
Agency Which Determined Violation: EPA  
Violation Short Description: TSD - General Facility Standards  
Date Violation was Determined: 19990505  
Actual Return to Compliance Date: 19991022  
Return to Compliance Qualifier: Observed  
Violation Responsible Agency: EPA  
Scheduled Compliance Date: 19990818  
Enforcement Identifier: 000  
Date of Enforcement Action: 19990714  
Enforcement Responsible Agency: EPA  
Enforcement Attorney: R7  
Corrective Action Component: No  
Enforcement Type: WRITTEN INFORMAL  
Enforcement Responsible Person: R7KDS

Found Violation: No

Found Violation: No

Found Violation: Yes  
Agency Which Determined Violation: EPA  
Violation Short Description: Permit Condition or Requirement  
Date Violation was Determined: 20140326  
Actual Return to Compliance Date: 20140905

Map ID  
Direction  
Distance  
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number  
EPA ID Number

**AGROMAC - LOCKWOOD SITE (Continued)**

**1000273311**

Return to Compliance Qualifier: Documented  
Violation Responsible Agency: EPA  
Scheduled Compliance Date: 20140410  
Enforcement Identifier: 001  
Date of Enforcement Action: 20140326  
Enforcement Responsible Agency: EPA  
Corrective Action Component: No  
Enforcement Type: WRITTEN INFORMAL  
Enforcement Responsible Person: R7DLG  
Enforcement Responsible Sub-Organization: ENSV

Found Violation: No

Found Violation: Yes  
Agency Which Determined Violation: State  
Violation Short Description: TSD - Financial Requirements  
Date Violation was Determined: 19880114  
Actual Return to Compliance Date: 19880902  
Return to Compliance Qualifier: Observed  
Violation Responsible Agency: State  
Scheduled Compliance Date: 19880325  
Enforcement Identifier: 010  
Date of Enforcement Action: 19880219  
Enforcement Responsible Agency: State  
Corrective Action Component: No  
Enforcement Type: WRITTEN INFORMAL

Found Violation: No

Found Violation: Yes  
Agency Which Determined Violation: State  
Violation Short Description: TSD - General  
Date Violation was Determined: 19870422  
Actual Return to Compliance Date: 19870915  
Return to Compliance Qualifier: Observed  
Violation Responsible Agency: State  
Scheduled Compliance Date: 19870824  
Enforcement Identifier: 008  
Date of Enforcement Action: 19870723  
Enforcement Responsible Agency: State  
Corrective Action Component: No  
Enforcement Type: WRITTEN INFORMAL

Found Violation: Yes  
Agency Which Determined Violation: State  
Violation Short Description: TSD - General  
Date Violation was Determined: 19860602  
Actual Return to Compliance Date: 19860724  
Return to Compliance Qualifier: Observed  
Violation Responsible Agency: State  
Scheduled Compliance Date: 19860804  
Enforcement Identifier: 004  
Date of Enforcement Action: 19860630  
Enforcement Responsible Agency: State  
Corrective Action Component: No  
Enforcement Type: WRITTEN INFORMAL

Map ID  
Direction  
Distance  
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number  
EPA ID Number

**AGROMAC - LOCKWOOD SITE (Continued)**

**1000273311**

Found Violation: Yes  
Agency Which Determined Violation: EPA  
Violation Short Description: Permit Condition or Requirement  
Date Violation was Determined: 20140326  
Actual Return to Compliance Date: 20140514  
Return to Compliance Qualifier: Documented  
Violation Responsible Agency: EPA  
Scheduled Compliance Date: 20140410  
Enforcement Identifier: 001  
Date of Enforcement Action: 20140326  
Enforcement Responsible Agency: EPA  
Corrective Action Component: No  
Enforcement Type: WRITTEN INFORMAL  
Enforcement Responsible Person: R7DLG  
Enforcement Responsible Sub-Organization: ENSV

Found Violation: No

Found Violation: Yes  
Agency Which Determined Violation: State  
Violation Short Description: TSD - Financial Requirements  
Date Violation was Determined: 19891025  
Actual Return to Compliance Date: 19901207  
Return to Compliance Qualifier: Observed  
Violation Responsible Agency: State  
Enforcement Identifier: 017  
Date of Enforcement Action: 19891027  
Enforcement Responsible Agency: State  
Corrective Action Component: No  
Enforcement Type: WRITTEN INFORMAL

Found Violation: No

Found Violation: No

Found Violation: Yes  
Agency Which Determined Violation: State  
Violation Short Description: TSD - Financial Requirements  
Date Violation was Determined: 19891025  
Actual Return to Compliance Date: 19901207  
Return to Compliance Qualifier: Observed  
Violation Responsible Agency: State  
Enforcement Identifier: 026  
Date of Enforcement Action: 19900314  
Enforcement Responsible Agency: State  
Corrective Action Component: No  
Enforcement Type: WRITTEN INFORMAL

Found Violation: No

Found Violation: Yes  
Agency Which Determined Violation: State  
Violation Short Description: TSD - General  
Date Violation was Determined: 19880608  
Actual Return to Compliance Date: 19881115  
Return to Compliance Qualifier: Observed  
Violation Responsible Agency: State

Map ID  
Direction  
Distance  
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number  
EPA ID Number

**AGROMAC - LOCKWOOD SITE (Continued)**

**1000273311**

Found Violation: No

Found Violation: Yes  
Agency Which Determined Violation: State  
Violation Short Description: TSD IS-Ground-Water Monitoring  
Date Violation was Determined: 19840307  
Actual Return to Compliance Date: 19851016  
Return to Compliance Qualifier: Observed  
Violation Responsible Agency: State  
Scheduled Compliance Date: 19840720  
Enforcement Identifier: 001  
Date of Enforcement Action: 19840620  
Enforcement Responsible Agency: State  
Corrective Action Component: No  
Enforcement Type: FINAL 3008(A) COMPLIANCE ORDER

Found Violation: No

Found Violation: Yes  
Agency Which Determined Violation: EPA  
Violation Short Description: Permit Condition or Requirement  
Date Violation was Determined: 20140326  
Actual Return to Compliance Date: 20140514  
Return to Compliance Qualifier: Documented  
Violation Responsible Agency: EPA  
Enforcement Identifier: 001  
Date of Enforcement Action: 20140821  
Enforcement Responsible Agency: EPA  
Corrective Action Component: No  
Disposition Status Date: 20140922  
Disposition Status: AS  
Disposition Status Description: ACTION SATISFIED (CASE CLOSED)  
Enforcement Type: WRITTEN INFORMAL  
Enforcement Responsible Person: R7KDS  
Enforcement Responsible Sub-Organization: WEMM

Found Violation: Yes  
Agency Which Determined Violation: EPA  
Violation Short Description: TSD - Preparedness and Prevention  
Date Violation was Determined: 19990505  
Actual Return to Compliance Date: 19991022  
Return to Compliance Qualifier: Observed  
Violation Responsible Agency: EPA  
Scheduled Compliance Date: 19990818  
Enforcement Identifier: 000  
Date of Enforcement Action: 19990714  
Enforcement Responsible Agency: EPA  
Enforcement Attorney: R7  
Corrective Action Component: No  
Enforcement Type: WRITTEN INFORMAL  
Enforcement Responsible Person: R7KDS

Found Violation: No

Found Violation: Yes  
Agency Which Determined Violation: EPA

Map ID  
Direction  
Distance  
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number  
EPA ID Number

**AGROMAC - LOCKWOOD SITE (Continued)**

**1000273311**

Violation Short Description:	Generators - General
Date Violation was Determined:	19990505
Actual Return to Compliance Date:	19991022
Return to Compliance Qualifier:	Observed
Violation Responsible Agency:	EPA
Scheduled Compliance Date:	19990818
Enforcement Identifier:	000
Date of Enforcement Action:	19990714
Enforcement Responsible Agency:	EPA
Enforcement Attorney:	R7
Corrective Action Component:	No
Enforcement Type:	WRITTEN INFORMAL
Enforcement Responsible Person:	R7KDS
Found Violation:	No
Found Violation:	Yes
Agency Which Determined Violation:	State
Violation Short Description:	TSD - General
Date Violation was Determined:	19860602
Actual Return to Compliance Date:	19860724
Return to Compliance Qualifier:	Observed
Violation Responsible Agency:	State
Scheduled Compliance Date:	19860804
Enforcement Identifier:	004
Date of Enforcement Action:	19860630
Enforcement Responsible Agency:	State
Corrective Action Component:	No
Enforcement Type:	WRITTEN INFORMAL
Found Violation:	Yes
Agency Which Determined Violation:	EPA
Violation Short Description:	Permit Condition or Requirement
Date Violation was Determined:	20111004
Actual Return to Compliance Date:	20140327
Return to Compliance Qualifier:	Observed
Violation Responsible Agency:	EPA
Enforcement Identifier:	001
Date of Enforcement Action:	20111004
Enforcement Responsible Agency:	EPA
Corrective Action Component:	No
Enforcement Type:	WRITTEN INFORMAL
Enforcement Responsible Person:	R7DLG
Enforcement Responsible Sub-Organization:	ENSV
Found Violation:	No
Found Violation:	No
Found Violation:	Yes
Agency Which Determined Violation:	State
Violation Short Description:	TSD - General
Date Violation was Determined:	19880928
Actual Return to Compliance Date:	19881121
Return to Compliance Qualifier:	Observed
Violation Responsible Agency:	State
Scheduled Compliance Date:	19881121

Map ID  
 Direction  
 Distance  
 Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number  
 EPA ID Number

**AGROMAC - LOCKWOOD SITE (Continued)**

**1000273311**

Enforcement Identifier:	030
Date of Enforcement Action:	19881020
Enforcement Responsible Agency:	State
Corrective Action Component:	No
Enforcement Type:	WRITTEN INFORMAL
Found Violation:	Yes
Agency Which Determined Violation:	State
Violation Short Description:	TSD IS-Ground-Water Monitoring
Date Violation was Determined:	19860221
Actual Return to Compliance Date:	19860307
Return to Compliance Qualifier:	Observed
Violation Responsible Agency:	State
Scheduled Compliance Date:	19860307
Enforcement Identifier:	003
Date of Enforcement Action:	19860221
Enforcement Responsible Agency:	State
Corrective Action Component:	No
Enforcement Type:	WRITTEN INFORMAL
Found Violation:	Unknown
Found Violation:	Yes
Agency Which Determined Violation:	EPA
Violation Short Description:	Permit Condition or Requirement
Date Violation was Determined:	20140326
Actual Return to Compliance Date:	20140514
Return to Compliance Qualifier:	Documented
Violation Responsible Agency:	EPA
Enforcement Identifier:	001
Date of Enforcement Action:	20140821
Enforcement Responsible Agency:	EPA
Corrective Action Component:	No
Disposition Status Date:	20140922
Disposition Status:	AS
Disposition Status Description:	ACTION SATISFIED (CASE CLOSED)
Enforcement Type:	WRITTEN INFORMAL
Enforcement Responsible Person:	R7KDS
Enforcement Responsible Sub-Organization:	WEMM
Found Violation:	No
Found Violation:	No
Found Violation:	Yes
Agency Which Determined Violation:	State
Violation Short Description:	Generators - Pre-transport
Date Violation was Determined:	19910206
Actual Return to Compliance Date:	19920131
Return to Compliance Qualifier:	Observed
Violation Responsible Agency:	State
Scheduled Compliance Date:	19910430
Enforcement Identifier:	000
Date of Enforcement Action:	19910326
Enforcement Responsible Agency:	State
Corrective Action Component:	No
Enforcement Type:	WRITTEN INFORMAL



Map ID  
 Direction  
 Distance  
 Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number  
 EPA ID Number

**AGROMAC - LOCKWOOD SITE (Continued)**

**1000273311**

Enforcement Responsible Person:	NEJJH
Found Violation:	No
Found Violation:	No
Found Violation:	No
Found Violation:	No
Found Violation:	No
Found Violation:	No
Found Violation:	Yes
Agency Which Determined Violation:	State
Violation Short Description:	Generators - Pre-transport
Date Violation was Determined:	19910206
Actual Return to Compliance Date:	19910426
Return to Compliance Qualifier:	Observed
Violation Responsible Agency:	State
Scheduled Compliance Date:	19910430
Enforcement Identifier:	000
Date of Enforcement Action:	19910326
Enforcement Responsible Agency:	State
Corrective Action Component:	No
Enforcement Type:	WRITTEN INFORMAL
Enforcement Responsible Person:	NEJJH
Found Violation:	No
Found Violation:	No
Found Violation:	No
Found Violation:	Yes
Agency Which Determined Violation:	State
Violation Short Description:	TSD - Financial Requirements
Date Violation was Determined:	19880114
Actual Return to Compliance Date:	19880902
Return to Compliance Qualifier:	Observed
Violation Responsible Agency:	State
Enforcement Identifier:	011
Date of Enforcement Action:	19880114
Enforcement Responsible Agency:	State
Corrective Action Component:	No
Enforcement Type:	WRITTEN INFORMAL
Found Violation:	Yes
Agency Which Determined Violation:	State
Violation Short Description:	Generators - Pre-transport
Date Violation was Determined:	19910206
Actual Return to Compliance Date:	19920131
Return to Compliance Qualifier:	Observed
Violation Responsible Agency:	State
Scheduled Compliance Date:	19910430
Enforcement Identifier:	000

Map ID  
Direction  
Distance  
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number  
EPA ID Number

**AGROMAC - LOCKWOOD SITE (Continued)**

**1000273311**

Date of Enforcement Action: 19910326  
Enforcement Responsible Agency: State  
Corrective Action Component: No  
Enforcement Type: WRITTEN INFORMAL  
Enforcement Responsible Person: NEJJH

Found Violation: Yes  
Agency Which Determined Violation: State  
Violation Short Description: TSD - Closure/Post-Closure  
Date Violation was Determined: 19970723  
Actual Return to Compliance Date: 19970824  
Return to Compliance Qualifier: Observed  
Violation Responsible Agency: State  
Scheduled Compliance Date: 19970824  
Enforcement Identifier: 000  
Date of Enforcement Action: 19970723  
Enforcement Responsible Agency: State  
Enforcement Attorney: NE  
Corrective Action Component: No  
Enforcement Type: WRITTEN INFORMAL  
Enforcement Responsible Person: NEJJH

Found Violation: Yes  
Agency Which Determined Violation: State  
Violation Short Description: TSD - Financial Requirements  
Date Violation was Determined: 19891025  
Actual Return to Compliance Date: 19901207  
Return to Compliance Qualifier: Observed  
Violation Responsible Agency: State  
Enforcement Identifier: 024  
Date of Enforcement Action: 19900502  
Enforcement Responsible Agency: State  
Corrective Action Component: No  
Enforcement Type: FINAL CIVIL JUDICIAL ACTION FOR IMMINENT AND SUBSTANTIAL ENDANGERMENT

Evaluation Action Summary:  
Evaluation Date: 20061031  
Evaluation Responsible Agency: State  
Found Violation: No  
Evaluation Type Description: FINANCIAL RECORD REVIEW  
Evaluation Responsible Person Identifier: NEKLP

Evaluation Date: 19910206  
Evaluation Responsible Agency: State  
Found Violation: Yes  
Evaluation Type Description: COMPLIANCE EVALUATION INSPECTION ON-SITE  
Evaluation Responsible Person Identifier: NEJJH  
Actual Return to Compliance Date: 19910426  
Scheduled Compliance Date: 19910430

Evaluation Date: 19860602  
Evaluation Responsible Agency: State  
Found Violation: Yes  
Evaluation Type Description: COMPLIANCE EVALUATION INSPECTION ON-SITE  
Evaluation Responsible Person Identifier: NERN  
Actual Return to Compliance Date: 19860724  
Scheduled Compliance Date: 19860804

Map ID  
Direction  
Distance  
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number  
EPA ID Number

**AGROMAC - LOCKWOOD SITE (Continued)**

**1000273311**

Evaluation Date:	19880526
Evaluation Responsible Agency:	State
Found Violation:	Yes
Evaluation Type Description:	NON-FINANCIAL RECORD REVIEW
Evaluation Responsible Person Identifier:	NERJT
Actual Return to Compliance Date:	19880608
Scheduled Compliance Date:	19880527
Evaluation Date:	20020410
Evaluation Responsible Agency:	State
Found Violation:	No
Evaluation Type Description:	FINANCIAL RECORD REVIEW
Evaluation Responsible Person Identifier:	NEKLP
Evaluation Date:	19891130
Evaluation Responsible Agency:	State
Found Violation:	No
Evaluation Type Description:	NON-FINANCIAL RECORD REVIEW
Evaluation Responsible Person Identifier:	NERJT
Evaluation Date:	19871001
Evaluation Responsible Agency:	State
Found Violation:	No
Evaluation Type Description:	NON-FINANCIAL RECORD REVIEW
Evaluation Responsible Person Identifier:	NERJT
Evaluation Date:	19860930
Evaluation Responsible Agency:	State
Found Violation:	Yes
Evaluation Type Description:	GROUNDWATER MONITORING EVALUATION
Evaluation Responsible Person Identifier:	NERN
Actual Return to Compliance Date:	19870219
Evaluation Date:	20041216
Evaluation Responsible Agency:	State
Found Violation:	No
Evaluation Type Description:	FINANCIAL RECORD REVIEW
Evaluation Responsible Person Identifier:	NEKLP
Evaluation Date:	19880608
Evaluation Responsible Agency:	State
Found Violation:	Yes
Evaluation Type Description:	COMPLIANCE EVALUATION INSPECTION ON-SITE
Evaluation Responsible Person Identifier:	NELSC
Actual Return to Compliance Date:	19881115
Evaluation Date:	19910806
Evaluation Responsible Agency:	State
Found Violation:	No
Evaluation Type Description:	FINANCIAL RECORD REVIEW
Evaluation Responsible Person Identifier:	NELSC
Evaluation Date:	20011108
Evaluation Responsible Agency:	State
Found Violation:	No
Evaluation Type Description:	FINANCIAL RECORD REVIEW

Map ID  
Direction  
Distance  
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number  
EPA ID Number

**AGROMAC - LOCKWOOD SITE (Continued)**

**1000273311**

Evaluation Responsible Person Identifier:	NEKLP
Evaluation Date:	20041206
Evaluation Responsible Agency:	State
Found Violation:	Undetermined
Evaluation Type Description:	FINANCIAL RECORD REVIEW
Evaluation Responsible Person Identifier:	NEKLP
Evaluation Date:	20140326
Evaluation Responsible Agency:	EPA
Found Violation:	Yes
Evaluation Type Description:	COMPLIANCE EVALUATION INSPECTION ON-SITE
Evaluation Responsible Person Identifier:	R7DLG
Evaluation Responsible Sub-Organization:	ENSV
Actual Return to Compliance Date:	20140905
Evaluation Date:	20140326
Evaluation Responsible Agency:	EPA
Found Violation:	Yes
Evaluation Type Description:	COMPLIANCE EVALUATION INSPECTION ON-SITE
Evaluation Responsible Person Identifier:	R7DLG
Evaluation Responsible Sub-Organization:	ENSV
Actual Return to Compliance Date:	20140905
Evaluation Date:	20041102
Evaluation Responsible Agency:	State
Found Violation:	No
Evaluation Type Description:	FINANCIAL RECORD REVIEW
Evaluation Responsible Person Identifier:	NEKLP
Evaluation Date:	19840307
Evaluation Responsible Agency:	State
Found Violation:	Yes
Evaluation Type Description:	COMPLIANCE EVALUATION INSPECTION ON-SITE
Actual Return to Compliance Date:	19851016
Evaluation Date:	19910206
Evaluation Responsible Agency:	State
Found Violation:	Yes
Evaluation Type Description:	COMPLIANCE EVALUATION INSPECTION ON-SITE
Evaluation Responsible Person Identifier:	NEJHH
Actual Return to Compliance Date:	19910426
Scheduled Compliance Date:	19910430
Evaluation Date:	19890929
Evaluation Responsible Agency:	State
Found Violation:	Yes
Evaluation Type Description:	FINANCIAL RECORD REVIEW
Evaluation Responsible Person Identifier:	NELSC
Actual Return to Compliance Date:	19901207
Scheduled Compliance Date:	19891127
Evaluation Date:	20160929
Evaluation Responsible Agency:	State
Found Violation:	No
Evaluation Type Description:	FINANCIAL RECORD REVIEW
Evaluation Responsible Person Identifier:	NEKLP

Map ID  
Direction  
Distance  
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number  
EPA ID Number

**AGROMAC - LOCKWOOD SITE (Continued)**

**1000273311**

Evaluation Date:	19890505
Evaluation Responsible Agency:	State
Found Violation:	No
Evaluation Type Description:	NON-FINANCIAL RECORD REVIEW
Evaluation Responsible Person Identifier:	NERJT
Evaluation Date:	20140205
Evaluation Responsible Agency:	State
Found Violation:	No
Evaluation Type Description:	FINANCIAL RECORD REVIEW
Evaluation Responsible Person Identifier:	NEKLP
Evaluation Date:	19890816
Evaluation Responsible Agency:	State
Found Violation:	Yes
Evaluation Type Description:	COMPLIANCE EVALUATION INSPECTION ON-SITE
Evaluation Responsible Person Identifier:	NELSC
Actual Return to Compliance Date:	19891127
Scheduled Compliance Date:	19901231
Evaluation Date:	19870422
Evaluation Responsible Agency:	State
Found Violation:	Yes
Evaluation Type Description:	COMPLIANCE EVALUATION INSPECTION ON-SITE
Evaluation Responsible Person Identifier:	NERN
Actual Return to Compliance Date:	19870915
Scheduled Compliance Date:	19870824
Evaluation Date:	19960510
Evaluation Responsible Agency:	State
Found Violation:	No
Evaluation Type Description:	FINANCIAL RECORD REVIEW
Evaluation Responsible Person Identifier:	NEKLP
Evaluation Date:	19890816
Evaluation Responsible Agency:	State
Found Violation:	Yes
Evaluation Type Description:	COMPLIANCE EVALUATION INSPECTION ON-SITE
Evaluation Responsible Person Identifier:	NELSC
Actual Return to Compliance Date:	19891127
Scheduled Compliance Date:	19901231
Evaluation Date:	20120620
Evaluation Responsible Agency:	State
Found Violation:	No
Evaluation Type Description:	FINANCIAL RECORD REVIEW
Evaluation Responsible Person Identifier:	NEKLP
Evaluation Date:	19990505
Evaluation Responsible Agency:	EPA
Found Violation:	Yes
Evaluation Type Description:	COMPLIANCE EVALUATION INSPECTION ON-SITE
Evaluation Responsible Person Identifier:	R7KCG
Actual Return to Compliance Date:	19991022
Scheduled Compliance Date:	19990818

Map ID  
Direction  
Distance  
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number  
EPA ID Number

**AGROMAC - LOCKWOOD SITE (Continued)**

**1000273311**

Evaluation Date:	20040524
Evaluation Responsible Agency:	State
Found Violation:	No
Evaluation Type Description:	FINANCIAL RECORD REVIEW
Evaluation Responsible Person Identifier:	NEKLP
Evaluation Date:	19891025
Evaluation Responsible Agency:	State
Found Violation:	Yes
Evaluation Type Description:	FINANCIAL RECORD REVIEW
Evaluation Responsible Person Identifier:	NELSC
Actual Return to Compliance Date:	19901207
Evaluation Date:	19910206
Evaluation Responsible Agency:	State
Found Violation:	No
Evaluation Type Description:	SIGNIFICANT NON-COMPLIER
Evaluation Date:	20140326
Evaluation Responsible Agency:	EPA
Found Violation:	Yes
Evaluation Type Description:	COMPLIANCE EVALUATION INSPECTION ON-SITE
Evaluation Responsible Person Identifier:	R7DLG
Evaluation Responsible Sub-Organization:	ENSV
Actual Return to Compliance Date:	20140905
Scheduled Compliance Date:	20140410
Evaluation Date:	19840307
Evaluation Responsible Agency:	State
Found Violation:	Yes
Evaluation Type Description:	COMPLIANCE EVALUATION INSPECTION ON-SITE
Actual Return to Compliance Date:	19941227
Evaluation Date:	20140326
Evaluation Responsible Agency:	EPA
Found Violation:	Yes
Evaluation Type Description:	COMPLIANCE EVALUATION INSPECTION ON-SITE
Evaluation Responsible Person Identifier:	R7DLG
Evaluation Responsible Sub-Organization:	ENSV
Actual Return to Compliance Date:	20140514
Scheduled Compliance Date:	20140410
Evaluation Date:	20111219
Evaluation Responsible Agency:	State
Found Violation:	No
Evaluation Type Description:	FINANCIAL RECORD REVIEW
Evaluation Responsible Person Identifier:	NEKLP
Evaluation Date:	20140326
Evaluation Responsible Agency:	EPA
Found Violation:	Yes
Evaluation Type Description:	COMPLIANCE EVALUATION INSPECTION ON-SITE
Evaluation Responsible Person Identifier:	R7DLG
Evaluation Responsible Sub-Organization:	ENSV
Actual Return to Compliance Date:	20140905
Scheduled Compliance Date:	20140410

Map ID  
Direction  
Distance  
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number  
EPA ID Number

**AGROMAC - LOCKWOOD SITE (Continued)**

**1000273311**

Evaluation Date:	20110825
Evaluation Responsible Agency:	State
Found Violation:	No
Evaluation Type Description:	FINANCIAL RECORD REVIEW
Evaluation Responsible Person Identifier:	NEKLP
Evaluation Date:	20041216
Evaluation Responsible Agency:	State
Found Violation:	No
Evaluation Type Description:	FINANCIAL RECORD REVIEW
Evaluation Responsible Person Identifier:	NEKLP
Evaluation Date:	19970714
Evaluation Responsible Agency:	State
Found Violation:	No
Evaluation Type Description:	FINANCIAL RECORD REVIEW
Evaluation Responsible Person Identifier:	NEKLP
Evaluation Date:	20030923
Evaluation Responsible Agency:	State
Found Violation:	No
Evaluation Type Description:	FINANCIAL RECORD REVIEW
Evaluation Responsible Person Identifier:	NEKLP
Evaluation Date:	20010105
Evaluation Responsible Agency:	State
Found Violation:	No
Evaluation Type Description:	FINANCIAL RECORD REVIEW
Evaluation Responsible Person Identifier:	NEKLP
Evaluation Date:	20140326
Evaluation Responsible Agency:	EPA
Found Violation:	Yes
Evaluation Type Description:	COMPLIANCE EVALUATION INSPECTION ON-SITE
Evaluation Responsible Person Identifier:	R7DLG
Evaluation Responsible Sub-Organization:	ENSV
Actual Return to Compliance Date:	20140905
Scheduled Compliance Date:	20140410
Evaluation Date:	20051205
Evaluation Responsible Agency:	State
Found Violation:	No
Evaluation Type Description:	FINANCIAL RECORD REVIEW
Evaluation Responsible Person Identifier:	NEKLP
Evaluation Date:	19890914
Evaluation Responsible Agency:	State
Found Violation:	No
Evaluation Type Description:	FOCUSED COMPLIANCE INSPECTION
Evaluation Responsible Person Identifier:	NERJT
Evaluation Date:	19890816
Evaluation Responsible Agency:	State
Found Violation:	Yes
Evaluation Type Description:	COMPLIANCE EVALUATION INSPECTION ON-SITE
Evaluation Responsible Person Identifier:	NELSC
Actual Return to Compliance Date:	19891127

Map ID  
Direction  
Distance  
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number  
EPA ID Number

**AGROMAC - LOCKWOOD SITE (Continued)**

**1000273311**

Scheduled Compliance Date:	19901231
Evaluation Date:	19851107
Evaluation Responsible Agency:	State
Found Violation:	Yes
Evaluation Type Description:	NON-FINANCIAL RECORD REVIEW
Evaluation Responsible Person Identifier:	NERJT
Actual Return to Compliance Date:	20000901
Evaluation Date:	19880928
Evaluation Responsible Agency:	State
Found Violation:	Yes
Evaluation Type Description:	COMPLIANCE EVALUATION INSPECTION ON-SITE
Evaluation Responsible Person Identifier:	NEAZ
Actual Return to Compliance Date:	19900406
Scheduled Compliance Date:	19881121
Evaluation Date:	20000515
Evaluation Responsible Agency:	State
Found Violation:	No
Evaluation Type Description:	FINANCIAL RECORD REVIEW
Evaluation Responsible Person Identifier:	NEKLP
Evaluation Date:	19990505
Evaluation Responsible Agency:	EPA
Found Violation:	Yes
Evaluation Type Description:	COMPLIANCE EVALUATION INSPECTION ON-SITE
Evaluation Responsible Person Identifier:	R7KCG
Actual Return to Compliance Date:	19991022
Scheduled Compliance Date:	19990818
Evaluation Date:	19990505
Evaluation Responsible Agency:	EPA
Found Violation:	Yes
Evaluation Type Description:	COMPLIANCE EVALUATION INSPECTION ON-SITE
Evaluation Responsible Person Identifier:	R7KCG
Actual Return to Compliance Date:	20000105
Scheduled Compliance Date:	19990818
Evaluation Date:	19900130
Evaluation Responsible Agency:	State
Found Violation:	No
Evaluation Type Description:	NON-FINANCIAL RECORD REVIEW
Evaluation Responsible Person Identifier:	NERJT
Evaluation Date:	19880928
Evaluation Responsible Agency:	State
Found Violation:	Yes
Evaluation Type Description:	COMPLIANCE EVALUATION INSPECTION ON-SITE
Evaluation Responsible Person Identifier:	NEAZ
Actual Return to Compliance Date:	19881121
Scheduled Compliance Date:	19881121
Evaluation Date:	19990505
Evaluation Responsible Agency:	EPA
Found Violation:	Yes
Evaluation Type Description:	COMPLIANCE EVALUATION INSPECTION ON-SITE



Map ID  
Direction  
Distance  
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number  
EPA ID Number

**AGROMAC - LOCKWOOD SITE (Continued)**

**1000273311**

Evaluation Responsible Person Identifier:	R7KCG
Actual Return to Compliance Date:	19991022
Scheduled Compliance Date:	19990818
Evaluation Date:	19990505
Evaluation Responsible Agency:	EPA
Found Violation:	Yes
Evaluation Type Description:	COMPLIANCE EVALUATION INSPECTION ON-SITE
Evaluation Responsible Person Identifier:	R7KCG
Actual Return to Compliance Date:	19991022
Scheduled Compliance Date:	19990818
Evaluation Date:	19900427
Evaluation Responsible Agency:	State
Found Violation:	No
Evaluation Type Description:	FINANCIAL RECORD REVIEW
Evaluation Responsible Person Identifier:	NELSC
Evaluation Date:	20040826
Evaluation Responsible Agency:	State
Found Violation:	No
Evaluation Type Description:	FINANCIAL RECORD REVIEW
Evaluation Responsible Person Identifier:	NEKLP
Evaluation Date:	20140326
Evaluation Responsible Agency:	EPA
Found Violation:	Yes
Evaluation Type Description:	COMPLIANCE EVALUATION INSPECTION ON-SITE
Evaluation Responsible Person Identifier:	R7DLG
Evaluation Responsible Sub-Organization:	ENSV
Actual Return to Compliance Date:	20140905
Scheduled Compliance Date:	20140410
Evaluation Date:	19950802
Evaluation Responsible Agency:	State
Found Violation:	No
Evaluation Type Description:	FINANCIAL RECORD REVIEW
Evaluation Responsible Person Identifier:	NEKLP
Evaluation Date:	19880114
Evaluation Responsible Agency:	State
Found Violation:	Yes
Evaluation Type Description:	FINANCIAL RECORD REVIEW
Evaluation Responsible Person Identifier:	NERS
Actual Return to Compliance Date:	19880902
Scheduled Compliance Date:	19880325
Evaluation Date:	19870330
Evaluation Responsible Agency:	State
Found Violation:	No
Evaluation Type Description:	FOCUSED COMPLIANCE INSPECTION
Evaluation Responsible Person Identifier:	NERS
Evaluation Date:	19870422
Evaluation Responsible Agency:	State
Found Violation:	Yes
Evaluation Type Description:	COMPLIANCE EVALUATION INSPECTION ON-SITE

Map ID  
Direction  
Distance  
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number  
EPA ID Number

**AGROMAC - LOCKWOOD SITE (Continued)**

**1000273311**

Evaluation Responsible Person Identifier:	NERN
Actual Return to Compliance Date:	19870915
Scheduled Compliance Date:	19870824
Evaluation Date:	19860602
Evaluation Responsible Agency:	State
Found Violation:	Yes
Evaluation Type Description:	COMPLIANCE EVALUATION INSPECTION ON-SITE
Evaluation Responsible Person Identifier:	NERN
Actual Return to Compliance Date:	19860724
Scheduled Compliance Date:	19860804
Evaluation Date:	20140326
Evaluation Responsible Agency:	EPA
Found Violation:	Yes
Evaluation Type Description:	COMPLIANCE EVALUATION INSPECTION ON-SITE
Evaluation Responsible Person Identifier:	R7DLG
Evaluation Responsible Sub-Organization:	ENSV
Actual Return to Compliance Date:	20140514
Scheduled Compliance Date:	20140410
Evaluation Date:	19900523
Evaluation Responsible Agency:	State
Found Violation:	No
Evaluation Type Description:	NON-FINANCIAL RECORD REVIEW
Evaluation Responsible Person Identifier:	NERJT
Evaluation Date:	19891025
Evaluation Responsible Agency:	State
Found Violation:	Yes
Evaluation Type Description:	FINANCIAL RECORD REVIEW
Evaluation Responsible Person Identifier:	NELSC
Actual Return to Compliance Date:	19901207
Evaluation Date:	20080327
Evaluation Responsible Agency:	State
Found Violation:	No
Evaluation Type Description:	FINANCIAL RECORD REVIEW
Evaluation Responsible Person Identifier:	NEKLP
Evaluation Date:	19900220
Evaluation Responsible Agency:	State
Found Violation:	No
Evaluation Type Description:	FINANCIAL RECORD REVIEW
Evaluation Responsible Person Identifier:	NECAH
Evaluation Date:	19891025
Evaluation Responsible Agency:	State
Found Violation:	Yes
Evaluation Type Description:	FINANCIAL RECORD REVIEW
Evaluation Responsible Person Identifier:	NELSC
Actual Return to Compliance Date:	19901207
Evaluation Date:	19880902
Evaluation Responsible Agency:	State
Found Violation:	No
Evaluation Type Description:	FINANCIAL RECORD REVIEW

Map ID  
Direction  
Distance  
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number  
EPA ID Number

**AGROMAC - LOCKWOOD SITE (Continued)**

**1000273311**

Evaluation Responsible Person Identifier:	NECW
Evaluation Date:	19880608
Evaluation Responsible Agency:	State
Found Violation:	Yes
Evaluation Type Description:	COMPLIANCE EVALUATION INSPECTION ON-SITE
Evaluation Responsible Person Identifier:	NELSC
Actual Return to Compliance Date:	19881115
Evaluation Date:	19900411
Evaluation Responsible Agency:	State
Found Violation:	No
Evaluation Type Description:	NON-FINANCIAL RECORD REVIEW
Evaluation Responsible Person Identifier:	NERJT
Evaluation Date:	19840307
Evaluation Responsible Agency:	State
Found Violation:	Yes
Evaluation Type Description:	COMPLIANCE EVALUATION INSPECTION ON-SITE
Actual Return to Compliance Date:	19851016
Scheduled Compliance Date:	19840720
Evaluation Date:	19981006
Evaluation Responsible Agency:	State
Found Violation:	No
Evaluation Type Description:	FINANCIAL RECORD REVIEW
Evaluation Responsible Person Identifier:	NEKLP
Evaluation Date:	20140326
Evaluation Responsible Agency:	EPA
Found Violation:	Yes
Evaluation Type Description:	COMPLIANCE EVALUATION INSPECTION ON-SITE
Evaluation Responsible Person Identifier:	R7DLG
Evaluation Responsible Sub-Organization:	ENSV
Actual Return to Compliance Date:	20140514
Evaluation Date:	19990505
Evaluation Responsible Agency:	EPA
Found Violation:	Yes
Evaluation Type Description:	COMPLIANCE EVALUATION INSPECTION ON-SITE
Evaluation Responsible Person Identifier:	R7KCG
Actual Return to Compliance Date:	19991022
Scheduled Compliance Date:	19990818
Evaluation Date:	20090803
Evaluation Responsible Agency:	State
Found Violation:	No
Evaluation Type Description:	FINANCIAL RECORD REVIEW
Evaluation Responsible Person Identifier:	NEKLP
Evaluation Date:	19990505
Evaluation Responsible Agency:	EPA
Found Violation:	Yes
Evaluation Type Description:	COMPLIANCE EVALUATION INSPECTION ON-SITE
Evaluation Responsible Person Identifier:	R7KCG
Actual Return to Compliance Date:	19991022
Scheduled Compliance Date:	19990818

Map ID  
Direction  
Distance  
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number  
EPA ID Number

**AGROMAC - LOCKWOOD SITE (Continued)**

**1000273311**

Evaluation Date:	19881228
Evaluation Responsible Agency:	State
Found Violation:	No
Evaluation Type Description:	COMPLIANCE SCHEDULE EVALUATION
Evaluation Responsible Person Identifier:	NESB
Evaluation Date:	19860602
Evaluation Responsible Agency:	State
Found Violation:	Yes
Evaluation Type Description:	COMPLIANCE EVALUATION INSPECTION ON-SITE
Evaluation Responsible Person Identifier:	NERN
Actual Return to Compliance Date:	19860724
Scheduled Compliance Date:	19860804
Evaluation Date:	20111004
Evaluation Responsible Agency:	EPA
Found Violation:	Yes
Evaluation Type Description:	COMPLIANCE EVALUATION INSPECTION ON-SITE
Evaluation Responsible Person Identifier:	R7DLG
Evaluation Responsible Sub-Organization:	ENSV
Actual Return to Compliance Date:	20140327
Evaluation Date:	20130618
Evaluation Responsible Agency:	State
Found Violation:	No
Evaluation Type Description:	FINANCIAL RECORD REVIEW
Evaluation Responsible Person Identifier:	NEKLP
Evaluation Date:	20080327
Evaluation Responsible Agency:	State
Found Violation:	No
Evaluation Type Description:	FINANCIAL RECORD REVIEW
Evaluation Responsible Person Identifier:	NEKLP
Evaluation Date:	19880928
Evaluation Responsible Agency:	State
Found Violation:	Yes
Evaluation Type Description:	COMPLIANCE EVALUATION INSPECTION ON-SITE
Evaluation Responsible Person Identifier:	NEAZ
Actual Return to Compliance Date:	19881121
Scheduled Compliance Date:	19881121
Evaluation Date:	19860221
Evaluation Responsible Agency:	State
Found Violation:	Yes
Evaluation Type Description:	NON-FINANCIAL RECORD REVIEW
Evaluation Responsible Person Identifier:	NERS
Actual Return to Compliance Date:	19860307
Scheduled Compliance Date:	19860307
Evaluation Date:	19950808
Evaluation Responsible Agency:	State
Found Violation:	Undetermined
Evaluation Type Description:	COMPLIANCE EVALUATION INSPECTION ON-SITE
Evaluation Responsible Person Identifier:	NEWCG

Map ID  
Direction  
Distance  
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number  
EPA ID Number

**AGROMAC - LOCKWOOD SITE (Continued)**

**1000273311**

Evaluation Date:	20140326
Evaluation Responsible Agency:	EPA
Found Violation:	Yes
Evaluation Type Description:	COMPLIANCE EVALUATION INSPECTION ON-SITE
Evaluation Responsible Person Identifier:	R7DLG
Evaluation Responsible Sub-Organization:	ENSV
Actual Return to Compliance Date:	20140514
Evaluation Date:	19890920
Evaluation Responsible Agency:	State
Found Violation:	No
Evaluation Type Description:	OPERATION AND MAINTENANCE INSPECTION
Evaluation Responsible Person Identifier:	NERJT
Evaluation Date:	20010515
Evaluation Responsible Agency:	State
Found Violation:	No
Evaluation Type Description:	FINANCIAL RECORD REVIEW
Evaluation Responsible Person Identifier:	NEKLP
Evaluation Date:	19910206
Evaluation Responsible Agency:	State
Found Violation:	Yes
Evaluation Type Description:	COMPLIANCE EVALUATION INSPECTION ON-SITE
Evaluation Responsible Person Identifier:	NEJJH
Actual Return to Compliance Date:	19920131
Scheduled Compliance Date:	19910430
Evaluation Date:	20160622
Evaluation Responsible Agency:	State
Found Violation:	No
Evaluation Type Description:	FINANCIAL RECORD REVIEW
Evaluation Responsible Person Identifier:	NEKLP
Evaluation Date:	19920131
Evaluation Responsible Agency:	State
Found Violation:	No
Evaluation Type Description:	NOT A SIGNIFICANT NON-COMPLIER
Evaluation Date:	20150622
Evaluation Responsible Agency:	State
Found Violation:	No
Evaluation Type Description:	FINANCIAL RECORD REVIEW
Evaluation Responsible Person Identifier:	NEKLP
Evaluation Date:	19930712
Evaluation Responsible Agency:	State
Found Violation:	No
Evaluation Type Description:	FINANCIAL RECORD REVIEW
Evaluation Responsible Person Identifier:	NELSC
Evaluation Date:	20100706
Evaluation Responsible Agency:	State
Found Violation:	No
Evaluation Type Description:	FINANCIAL RECORD REVIEW
Evaluation Responsible Person Identifier:	NEKLP

Map ID  
Direction  
Distance  
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number  
EPA ID Number

**AGROMAC - LOCKWOOD SITE (Continued)**

**1000273311**

Evaluation Date:	20051227
Evaluation Responsible Agency:	State
Found Violation:	No
Evaluation Type Description:	FINANCIAL RECORD REVIEW
Evaluation Responsible Person Identifier:	NEKLP
Evaluation Date:	19910206
Evaluation Responsible Agency:	State
Found Violation:	Yes
Evaluation Type Description:	COMPLIANCE EVALUATION INSPECTION ON-SITE
Evaluation Responsible Person Identifier:	NEJHH
Actual Return to Compliance Date:	19910426
Scheduled Compliance Date:	19910430
Evaluation Date:	19970711
Evaluation Responsible Agency:	State
Found Violation:	No
Evaluation Type Description:	COMPLIANCE EVALUATION INSPECTION ON-SITE
Evaluation Responsible Person Identifier:	NEJHH
Evaluation Date:	19991124
Evaluation Responsible Agency:	State
Found Violation:	No
Evaluation Type Description:	FINANCIAL RECORD REVIEW
Evaluation Responsible Person Identifier:	NEKLP
Evaluation Date:	19881128
Evaluation Responsible Agency:	State
Found Violation:	No
Evaluation Type Description:	NON-FINANCIAL RECORD REVIEW
Evaluation Responsible Person Identifier:	NERJT
Evaluation Date:	19880114
Evaluation Responsible Agency:	State
Found Violation:	Yes
Evaluation Type Description:	FINANCIAL RECORD REVIEW
Evaluation Responsible Person Identifier:	NERS
Actual Return to Compliance Date:	19880902
Evaluation Date:	19910206
Evaluation Responsible Agency:	State
Found Violation:	Yes
Evaluation Type Description:	COMPLIANCE EVALUATION INSPECTION ON-SITE
Evaluation Responsible Person Identifier:	NEJHH
Actual Return to Compliance Date:	19920131
Scheduled Compliance Date:	19910430
Evaluation Date:	19970611
Evaluation Responsible Agency:	State
Found Violation:	Yes
Evaluation Type Description:	COMPLIANCE EVALUATION INSPECTION ON-SITE
Evaluation Responsible Person Identifier:	NEJHH
Actual Return to Compliance Date:	19970824
Scheduled Compliance Date:	19970824
Evaluation Date:	19891025
Evaluation Responsible Agency:	State

Map ID  
Direction  
Distance  
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number  
EPA ID Number

**AGROMAC - LOCKWOOD SITE (Continued)**

**1000273311**

Found Violation:	Yes
Evaluation Type Description:	FINANCIAL RECORD REVIEW
Evaluation Responsible Person Identifier:	NELSC
Actual Return to Compliance Date:	19901207

Map ID  
Direction  
Distance  
Elevation

MAP FINDINGS

Site

Database(s)

EDR ID Number  
EPA ID Number

**AGROMAC - LOCKWOOD SITE (Continued)**

**1000273311**

US FIN ASSUR:

Name: AGROMAC - LOCKWOOD SITE  
Address: 220757 HWY 92 EAST  
City,State,Zip: GERING, NE 69341  
EPA ID: NED044101442  
Mechanism type: K  
Mechanism Type Description: STATE-APPROVED MECHANISM  
Cost estimate: 7333  
Face value: 7333  
Effective date: 2007-12-11 00:00:00  
Provider: PLATTE VALLEY NATIONAL BANK  
EPA region: 7

2020 COR ACTION:

EPA ID: NED044101442  
Region: 7  
Action: Remedy Construction



Count: 7 records.

ORPHAN SUMMARY

City	EDR ID	Site Name	Site Address	Zip	Database(s)
GERING	S111380402	UPRR GERING YARD	7TH & S STS GERING YD MP 145		LAST
GERING	S105237888		GERING SUGAR FACTORY		LAST
GERING	S120626516	AK SAR BEN YOUNG OIL WELL	CR T BTWN CR 19 & CR20 S SIDE		LAST
SCOTTSBLUFF	S108917778	SCOTTSBLUFF MOVING TARGET RGE	S A RD	69361	SHWS
SCOTTSBLUFF	S127070042	2022 BROADWAY RESIDNECE	2022 BROADWAY (21ST & BROADWAY		LUST
SCOTTSBLUFF	S100065965	KOA COUNTRY CORNER	COUNTRY CORNER KOA		LUST
SCOTTSBLUFF	S108917782	SCOTTSBLUFF POW CAMP	COUNTY ROAD M	69361	SHWS

## GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

St	Acronym	Full Name	Government Agency	Gov Date	Arvl. Date	Active Date
NE	AIRS	Air State Program List	Department of Environmental Quality	12/09/2021	12/10/2021	03/01/2022
NE	ASBESTOS	Asbestos Notification Listing	Department of Health & Human Services	01/31/2022	02/01/2022	04/20/2022
NE	AST	AST Data	State Fire Marshal	03/22/2021	03/23/2021	06/15/2021
NE	BROWNFIELDS	Potential Brownfields Inventory Listing	Department of Environmental Quality	12/13/2021	12/13/2021	02/15/2022
NE	DRYCLEANERS	Drycleaner Facility Listing	Department of Environmental Quality	12/09/2021	12/09/2021	03/01/2022
NE	Financial Assurance	Financial Assurance Information Listing	Department of Environmental Quality	12/01/2021	12/13/2021	03/02/2022
NE	HIST AST	Aboveground Storage Tank Database Listing	State Fire Marshal	10/19/2004	09/01/2006	10/11/2006
NE	HIST UST	Underground Storage Tank Database Listing	State Fire Marshal	02/28/2005	09/01/2006	10/11/2006
NE	INST CONTROL	Nebraska's Institutional Control Registry	Department of Environmental Quality	03/15/2021	03/23/2021	06/14/2021
NE	LAST	Leaking Aboveground Storage Tank Sites	Department of Environmental Quality	01/04/2022	01/05/2022	03/23/2022
NE	LUST	Leaking Underground Storage Tank Sites	Department of Environmental Quality	01/04/2022	01/05/2022	03/23/2022
NE	NPDES	Wastewater Database Listing	Department of Environmental Quality	02/25/2022	02/28/2022	03/09/2022
NE	PFAS	PFAS Site Contamination Listing	Department of Environment & Energy	06/30/2017	02/07/2020	03/11/2020
NE	RG A HWS	Recovered Government Archive State Hazardous Waste Facilitie	Department of Environmental Quality		07/01/2013	01/03/2014
NE	RG A LUST	Recovered Government Archive Leaking Underground Storage Tan	Department of Environmental Quality		07/01/2013	01/03/2014
NE	SHWS	Superfund State Program List	Dept. of Environmental Quality	12/09/2021	12/10/2021	03/01/2022
NE	SPILLS	Surface Spill List	Department of Environmental Quality	01/04/2022	01/05/2022	03/23/2022
NE	SPILLS 80	SPILLS80 data from FirstSearch	FirstSearch	04/15/2003	01/03/2013	03/06/2013
NE	SPILLS 90	SPILLS90 data from FirstSearch	FirstSearch	10/09/2012	01/03/2013	03/06/2013
NE	SWF/LF	Licensed Landfill List	Department of Environmental Quality	09/09/2021	12/09/2021	03/01/2022
NE	SWRCY	Recycling Resource Directory	Department of Environmental Quality	06/08/2021	06/09/2021	09/03/2021
NE	TIER 2	Tier 2 Facility Listing	Department of Environmental Quality	12/31/2020	06/01/2021	08/23/2021
NE	UIC	Underground Injection Control Database	Department of Environmental Quality	01/25/2022	01/26/2022	04/20/2022
NE	UST	Facility and Tank Data	Nebraska State Fire Marshal	12/17/2021	01/26/2022	04/20/2022
NE	VCP	RAPMA Sites	Department of Environmental Quality	03/15/2021	03/23/2021	06/14/2021
US	2020 COR ACTION	2020 Corrective Action Program List	Environmental Protection Agency	09/30/2017	05/08/2018	07/20/2018
US	ABANDONED MINES	Abandoned Mines	Department of Interior	12/14/2021	12/15/2021	03/10/2022
US	BRS	Biennial Reporting System	EPA/NTIS	12/31/2019	03/02/2022	03/25/2022
US	COAL ASH DOE	Steam-Electric Plant Operation Data	Department of Energy	12/31/2020	11/30/2021	02/22/2022
US	COAL ASH EPA	Coal Combustion Residues Surface Impoundments List	Environmental Protection Agency	01/12/2017	03/05/2019	11/11/2019
US	CONSENT	Superfund (CERCLA) Consent Decrees	Department of Justice, Consent Decree Library	12/31/2021	01/14/2022	03/25/2022
US	CORRACTS	Corrective Action Report	EPA	02/28/2022	03/02/2022	03/17/2022
US	DEBRIS REGION 9	Torres Martinez Reservation Illegal Dump Site Locations	EPA, Region 9	01/12/2009	05/07/2009	09/21/2009
US	DOCKET HWC	Hazardous Waste Compliance Docket Listing	Environmental Protection Agency	05/06/2021	05/21/2021	08/11/2021
US	DOD	Department of Defense Sites	USGS	06/07/2021	07/13/2021	03/09/2022
US	DOT OPS	Incident and Accident Data	Department of Transportation, Office of Pipeli	01/02/2020	01/28/2020	04/17/2020
US	Delisted NPL	National Priority List Deletions	EPA	01/25/2022	02/03/2022	02/22/2022
US	ECHO	Enforcement & Compliance History Information	Environmental Protection Agency	01/01/2022	01/04/2022	01/10/2022
US	EDR Hist Auto	EDR Exclusive Historical Auto Stations	EDR, Inc.			
US	EDR Hist Cleaner	EDR Exclusive Historical Cleaners	EDR, Inc.			
US	EDR MGP	EDR Proprietary Manufactured Gas Plants	EDR, Inc.			
US	EPA WATCH LIST	EPA WATCH LIST	Environmental Protection Agency	08/30/2013	03/21/2014	06/17/2014
US	ERNS	Emergency Response Notification System	National Response Center, United States Coast	12/31/2021	03/01/2022	03/10/2022
US	FEDERAL FACILITY	Federal Facility Site Information listing	Environmental Protection Agency	05/25/2021	06/24/2021	09/20/2021
US	FEDLAND	Federal and Indian Lands	U.S. Geological Survey	04/02/2018	04/11/2018	11/06/2019
US	FEMA UST	Underground Storage Tank Listing	FEMA	10/14/2021	11/05/2021	02/01/2022
US	FINDS	Facility Index System/Facility Registry System	EPA	11/04/2021	11/22/2021	02/25/2022

## GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

St	Acronym	Full Name	Government Agency	Gov Date	Arvl. Date	Active Date
US	FTTS	FIFRA/ TSCA Tracking System - FIFRA (Federal Insecticide, Fu	EPA/Office of Prevention, Pesticides and Toxi	04/09/2009	04/16/2009	05/11/2009
US	FTTS INSP	FIFRA/ TSCA Tracking System - FIFRA (Federal Insecticide, Fu	EPA	04/09/2009	04/16/2009	05/11/2009
US	FUDS	Formerly Used Defense Sites	U.S. Army Corps of Engineers	12/01/2021	02/15/2022	05/10/2022
US	FUELS PROGRAM	EPA Fuels Program Registered Listing	EPA	02/17/2022	02/17/2022	05/10/2022
US	FUSRAP	Formerly Utilized Sites Remedial Action Program	Department of Energy	07/26/2021	07/27/2021	10/22/2021
US	HIST FTTS	FIFRA/TSCA Tracking System Administrative Case Listing	Environmental Protection Agency	10/19/2006	03/01/2007	04/10/2007
US	HIST FTTS INSP	FIFRA/TSCA Tracking System Inspection & Enforcement Case Lis	Environmental Protection Agency	10/19/2006	03/01/2007	04/10/2007
US	HMIRS	Hazardous Materials Information Reporting System	U.S. Department of Transportation	12/15/2021	12/16/2021	03/10/2022
US	ICIS	Integrated Compliance Information System	Environmental Protection Agency	11/18/2016	11/23/2016	02/10/2017
US	IHS OPEN DUMPS	Open Dumps on Indian Land	Department of Health & Human Serivces, Indian	04/01/2014	08/06/2014	01/29/2015
US	INDIAN LUST R1	Leaking Underground Storage Tanks on Indian Land	EPA Region 1	04/28/2021	06/11/2021	09/07/2021
US	INDIAN LUST R10	Leaking Underground Storage Tanks on Indian Land	EPA Region 10	10/12/2021	11/15/2021	02/08/2022
US	INDIAN LUST R4	Leaking Underground Storage Tanks on Indian Land	EPA Region 4	05/28/2021	06/22/2021	09/20/2021
US	INDIAN LUST R5	Leaking Underground Storage Tanks on Indian Land	EPA, Region 5	10/12/2021	11/15/2021	02/08/2022
US	INDIAN LUST R6	Leaking Underground Storage Tanks on Indian Land	EPA Region 6	10/12/2021	11/15/2021	02/08/2022
US	INDIAN LUST R7	Leaking Underground Storage Tanks on Indian Land	EPA Region 7	10/12/2021	11/15/2021	02/08/2022
US	INDIAN LUST R8	Leaking Underground Storage Tanks on Indian Land	EPA Region 8	10/12/2021	11/15/2021	02/08/2022
US	INDIAN LUST R9	Leaking Underground Storage Tanks on Indian Land	Environmental Protection Agency	10/12/2021	11/15/2021	02/08/2022
US	INDIAN ODI	Report on the Status of Open Dumps on Indian Lands	Environmental Protection Agency	12/31/1998	12/03/2007	01/24/2008
US	INDIAN RESERV	Indian Reservations	USGS	12/31/2014	07/14/2015	01/10/2017
US	INDIAN UST R1	Underground Storage Tanks on Indian Land	EPA, Region 1	10/14/2021	11/15/2021	02/08/2022
US	INDIAN UST R10	Underground Storage Tanks on Indian Land	EPA Region 10	10/12/2021	11/15/2021	02/08/2022
US	INDIAN UST R4	Underground Storage Tanks on Indian Land	EPA Region 4	05/28/2021	06/22/2021	09/20/2021
US	INDIAN UST R5	Underground Storage Tanks on Indian Land	EPA Region 5	04/06/2021	06/11/2021	09/07/2021
US	INDIAN UST R6	Underground Storage Tanks on Indian Land	EPA Region 6	10/12/2021	11/15/2021	02/08/2022
US	INDIAN UST R7	Underground Storage Tanks on Indian Land	EPA Region 7	10/12/2021	11/15/2021	02/08/2022
US	INDIAN UST R8	Underground Storage Tanks on Indian Land	EPA Region 8	10/12/2021	11/15/2021	02/08/2022
US	INDIAN UST R9	Underground Storage Tanks on Indian Land	EPA Region 9	10/12/2021	11/15/2021	02/08/2022
US	INDIAN VCP R1	Voluntary Cleanup Priority Listing	EPA, Region 1	07/27/2015	09/29/2015	02/18/2016
US	INDIAN VCP R7	Voluntary Cleanup Priority Lisiting	EPA, Region 7	03/20/2008	04/22/2008	05/19/2008
US	LEAD SMELTER 1	Lead Smelter Sites	Environmental Protection Agency	01/25/2022	02/03/2022	02/22/2022
US	LEAD SMELTER 2	Lead Smelter Sites	American Journal of Public Health	04/05/2001	10/27/2010	12/02/2010
US	LIENS 2	CERCLA Lien Information	Environmental Protection Agency	01/25/2022	02/03/2022	02/22/2022
US	LUCIS	Land Use Control Information System	Department of the Navy	02/08/2022	02/11/2022	05/10/2022
US	MINES MRDS	Mineral Resources Data System	USGS	04/06/2018	10/21/2019	10/24/2019
US	MINES VIOLATIONS	MSHA Violation Assessment Data	DOL, Mine Safety & Health Admi	03/21/2022	03/22/2022	03/25/2022
US	MLTS	Material Licensing Tracking System	Nuclear Regulatory Commission	07/29/2021	08/24/2021	11/19/2021
US	NPL	National Priority List	EPA	01/25/2022	02/03/2022	02/22/2022
US	NPL LIENS	Federal Superfund Liens	EPA	10/15/1991	02/02/1994	03/30/1994
US	ODI	Open Dump Inventory	Environmental Protection Agency	06/30/1985	08/09/2004	09/17/2004
US	PADS	PCB Activity Database System	EPA	01/20/2022	01/20/2022	03/25/2022
US	PCB TRANSFORMER	PCB Transformer Registration Database	Environmental Protection Agency	09/13/2019	11/06/2019	02/10/2020
US	PCS	Permit Compliance System	EPA, Office of Water	07/14/2011	08/05/2011	09/29/2011
US	PCS ENF	Enforcement data	EPA	12/31/2014	02/05/2015	03/06/2015
US	PCS INACTIVE	Listing of Inactive PCS Permits	EPA	11/05/2014	01/06/2015	05/06/2015
US	PRP	Potentially Responsible Parties	EPA	01/25/2022	02/03/2022	02/25/2022
US	Proposed NPL	Proposed National Priority List Sites	EPA	01/25/2022	02/03/2022	02/22/2022

## GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

St	Acronym	Full Name	Government Agency	Gov Date	Arvl. Date	Active Date
US	RAATS	RCRA Administrative Action Tracking System	EPA	04/17/1995	07/03/1995	08/07/1995
US	RADINFO	Radiation Information Database	Environmental Protection Agency	07/01/2019	07/01/2019	09/23/2019
US	RCRA NonGen / NLR	RCRA - Non Generators / No Longer Regulated	Environmental Protection Agency	02/28/2022	03/02/2022	03/17/2022
US	RCRA-LQG	RCRA - Large Quantity Generators	Environmental Protection Agency	02/28/2022	03/02/2022	03/17/2022
US	RCRA-SQG	RCRA - Small Quantity Generators	Environmental Protection Agency	02/28/2022	03/02/2022	03/17/2022
US	RCRA-TSDF	RCRA - Treatment, Storage and Disposal	Environmental Protection Agency	02/28/2022	03/02/2022	03/17/2022
US	RCRA-VSQG	RCRA - Very Small Quantity Generators (Formerly Conditionall	Environmental Protection Agency	02/28/2022	03/02/2022	03/17/2022
US	RMP	Risk Management Plans	Environmental Protection Agency	04/27/2022	05/04/2022	05/10/2022
US	ROD	Records Of Decision	EPA	01/25/2022	02/03/2022	02/22/2022
US	SCRD DRYCLEANERS	State Coalition for Remediation of Drycleaners Listing	Environmental Protection Agency	01/01/2017	02/03/2017	04/07/2017
US	SEMS	Superfund Enterprise Management System	EPA	01/25/2022	02/03/2022	02/22/2022
US	SEMS-ARCHIVE	Superfund Enterprise Management System Archive	EPA	01/25/2022	02/03/2022	02/22/2022
US	SSTS	Section 7 Tracking Systems	EPA	01/19/2022	01/19/2022	04/11/2022
US	TRIS	Toxic Chemical Release Inventory System	EPA	12/31/2018	08/14/2020	11/04/2020
US	TSCA	Toxic Substances Control Act	EPA	12/31/2016	06/17/2020	09/10/2020
US	UMTRA	Uranium Mill Tailings Sites	Department of Energy	08/30/2019	11/15/2019	01/28/2020
US	US AIRS (AFS)	Aerometric Information Retrieval System Facility Subsystem (	EPA	10/12/2016	10/26/2016	02/03/2017
US	US AIRS MINOR	Air Facility System Data	EPA	10/12/2016	10/26/2016	02/03/2017
US	US BROWNFIELDS	A Listing of Brownfields Sites	Environmental Protection Agency	02/23/2022	03/10/2022	03/10/2022
US	US CDL	Clandestine Drug Labs	Drug Enforcement Administration	02/22/2022	02/23/2022	05/10/2022
US	US ENG CONTROLS	Engineering Controls Sites List	Environmental Protection Agency	11/19/2021	11/19/2021	02/14/2022
US	US FIN ASSUR	Financial Assurance Information	Environmental Protection Agency	12/13/2021	12/17/2021	03/17/2022
US	US HIST CDL	National Clandestine Laboratory Register	Drug Enforcement Administration	02/22/2022	02/23/2022	05/10/2022
US	US INST CONTROLS	Institutional Controls Sites List	Environmental Protection Agency	11/19/2021	11/19/2021	02/14/2022
US	US MINES	Mines Master Index File	Department of Labor, Mine Safety and Health A	11/02/2021	11/22/2021	02/14/2022
US	US MINES 2	Ferrous and Nonferrous Metal Mines Database Listing	USGS	05/06/2020	05/27/2020	08/13/2020
US	US MINES 3	Active Mines & Mineral Plants Database Listing	USGS	04/14/2011	06/08/2011	09/13/2011
US	UXO	Unexploded Ordnance Sites	Department of Defense	12/31/2020	01/11/2022	02/14/2022
CT	CT MANIFEST	Hazardous Waste Manifest Data	Department of Energy & Environmental Protecti	12/03/2021	02/11/2022	05/06/2022
NY	NY MANIFEST	Facility and Manifest Data	Department of Environmental Conservation	01/01/2019	10/29/2021	01/19/2022
WI	WI MANIFEST	Manifest Information	Department of Natural Resources	05/31/2018	06/19/2019	09/03/2019
US	AHA Hospitals	Sensitive Receptor: AHA Hospitals	American Hospital Association, Inc.			
US	Medical Centers	Sensitive Receptor: Medical Centers	Centers for Medicare & Medicaid Services			
US	Nursing Homes	Sensitive Receptor: Nursing Homes	National Institutes of Health			
US	Public Schools	Sensitive Receptor: Public Schools	National Center for Education Statistics			
US	Private Schools	Sensitive Receptor: Private Schools	National Center for Education Statistics			
NE	Daycare Centers	Sensitive Receptor: Child Care Listing	Department of Health & Human Srevices			
US	Flood Zones	100-year and 500-year flood zones	Emergency Management Agency (FEMA)			

## GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

<u>St</u>	<u>Acronym</u>	<u>Full Name</u>	<u>Government Agency</u>	<u>Gov Date</u>	<u>Arvl. Date</u>	<u>Active Date</u>
US	NWI	National Wetlands Inventory	U.S. Fish and Wildlife Service			
NE	State Wetlands	National Wetlands Inventory	Department of Natural Resources			
US	Topographic Map	Current USGS 7.5 Minute Topographic Map	U.S. Geological Survey			
US	Oil/Gas Pipelines		Endeavor Business Media			
US	Electric Power Transmission Line Data		Endeavor Business Media			

### STREET AND ADDRESS INFORMATION

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**APPENDIX E  
CREDENTIALS**

# Megan R. Hughes

## GROUP MANAGER

### PROFESSIONAL EXPERIENCE

Ms. Hughes is an environmental scientist in Terracon's Omaha, Nebraska, office. Her responsibilities include business development, project management, report preparation, and oversight of various environmental projects. Ms. Hughes has over 13 years of experience in environmental consulting including conducting Phase I Environmental Site Assessments (ESA) and Limited Site Investigations (Phase II ESAs), brownfields assessments, Tier I and Tier II RBCA Investigations, groundwater sampling, soil sampling, installing and developing monitoring wells, site mapping, surveying, workplan and report development. Ms. Hughes' responsibilities also include being an authorized project reviewer (APR) and Environmental Professional (EP) for Phase I Environmental Site Assessments.

### PROJECT EXPERIENCE

#### Phase I and Phase II Environmental Site Assessments - Iowa, Nebraska, South Dakota, and North Dakota

Directs and prepares numerous Phase I and Phase II ESA projects in support of real estate transactions for many commercial and industrial clients. Ms. Hughes is familiar with the ASTM guidance used to prepare a Phase I assessment. Ms. Hughes' experience includes management, business development, and project review.

#### Walter Scott Energy Center – Council Bluffs, Iowa

Management of quarterly groundwater sampling events at the Monofill, coordination with the client, preparation of quarterly letter reports, and the preparation and submittal of the Annual Water Quality Report to the Iowa Department of Natural Resources (IDNR) on behalf of the client.

#### Avaya, Inc. – Omaha, Nebraska

Ms. Hughes' responsibilities included management of quarterly groundwater sampling events, and access to the property through various property owners. Ms. Hughes was also responsible with providing the Terracon's teaming partner, Haley & Aldrich, Inc. with groundwater data for report generation. The Avaya Inc. site work has included remediation of subsurface soil and groundwater at the former manufacturing facility under an approved RCRA corrective action plan. The site was sold for redevelopment as a commercial retail center.

#### Otoe County Landfill – Nebraska

Ms. Hughes' responsibilities includes management of semi-annual groundwater sampling events performed in accordance with a site remedial action plan (RAP). Ms. Hughes is also responsible for the preparation of the Annual Groundwater Monitoring Report which is submitted to the Nebraska Department of Environmental Quality (NDEQ) on behalf of the client.

#### Nebraska Department of Environmental Quality SPARC Contract – Nebraska

Multi-site environmental services contract with the State of Nebraska. Currently under this contract, Terracon maintains and operates about 20 remediation systems, with additional sites, under construction or design. Remediation technologies applied to project sites include in-situ air sparge, soil vapor extraction, high-vacuum extraction, vacuum-enhanced fluids removal, groundwater extraction, excavation, receptor mitigation, bio-stimulation/enhancement, and monitored natural attenuation. Assessment services provided have included Risk-Based Corrective Action (RBCA) Tier 1 and Tier 2, free product delineations, soil vapor assessments, and enclosed space assessments. Terracon also conducts on-call quick response activities such as emergency vapor assessment and mitigation, water line replacements, spill cleanup, and soil/groundwater remediation. Ms. Hughes has conducted Tier 1 site assessment fieldwork, report writing and project management at more than 100 active assessment and remediation sites in varied geologic regimes.

### EDUCATION

*Bachelor of Science, Environmental Science, 1998, Creighton University*

### CERTIFICATIONS

*OSHA 29 cfr 1910.120*

*Red Cross Adult CPR – 2014*

*Red Cross Standard First Aid – 2014*

*ASTM Technical Training-Phase I and Phase II Environmental Site Assessments for Commercial Real Estate-2014*

*Fundamentals of Project Management-2013*

*Fundamentals of Supervision-2014*

### AFFILIATIONS

*Commercial Real Estate for Women (CREW) Omaha Metro-Member*

### WORK HISTORY

*Terracon Consultants, Inc., Project Manager, 2005-Present*

*BioScience Laboratories, Bozeman, Montana, Microbiologist, 2002-2004*

*LT Environmental, Denver, Colorado, Environmental Scientist, 2002*

*United States Geological Survey, Biologist, Denver, Colorado, 2001*

*Hazen Research, Chemist, Golden, Colorado, 2000*

## Megan R. Hughes (continued)

### **Agricultural Chemical Projects – Iowa and Nebraska**

Assessment of subsurface impact from anhydrous ammonia, carbon tetrachloride, nitrogen fertilizers, and a wide variety of pesticides. Clients include Scoular Grain Company, Cenex/Land O'Lakes, Farmland Industries (regional firms) as well as local grain elevator and farm cooperative companies.



# MANDY CARLSON

## Assistant Scientist

### PROFESSIONAL EXPERIENCE

#### TERRACON CONSULTANTS, INC.

June 2022- Present

Ms. Carlson is an assistant scientist performing environmental site investigations, assessments and surveys to sample air, water, building materials (e.g. asbestos and lead-containing), soil and noise. Identify, evaluate, and recommend risk and remediation strategies/design to ensure compliance with federal, state and local regulations. Prepares risk assessments, and technical documents including proposals, reports and regulatory agency correspondence. Projects may include Phase I/II environmental site assessments, ecological and natural resource field surveys, tank closure assessments, and asbestos abatement.

#### Springfield Public Schools – Springfield, MO

July 2007-June 2022

Head Custodian

Central High School

Provided custodial services at an assigned High School site. Ensured an attractive, sanitary, and safe environment for students, staff and visitors; performed a variety of special cleaning operations; oversaw the preparation of facilities for classroom activities and campus events. Oversaw and supported assigned custodians in the performance of their duties by ensuring assignments were completed in a safe, proper, and timely manner.

### Education

*Bachelor of Science, Biology, Drury University-Springfield, MO*

*Associate of Arts, General, Ozarks Technical Community College-Springfield, MO*

**APPENDIX F**  
**DESCRIPTION OF TERMS AND ACRONYMS**

## Description of Selected General Terms and Acronyms

<b>Term/Acronym</b>	<b>Description</b>
ACM	<p>Asbestos Containing Material. Asbestos is a naturally occurring mineral, three varieties of which (chrysotile, amosite, crocidolite) have been commonly used as fireproofing or binding agents in construction materials. Exposure to asbestos, as well as ACM, has been documented to cause lung diseases including asbestosis (scarring of the lung), lung cancer and mesothelioma (a cancer of the lung lining).</p> <p>Regulatory agencies have generally defined ACM as a material containing greater than one (1) percent asbestos, however some states (e.g. California) define ACM as materials having 0.1% asbestos. In order to define a homogenous material as non-ACM, a minimum number of samples must be collected from the material dependent upon its type and quantity. Homogenous materials defined as non-ACM must either have 1) no asbestos identified in all of its samples or 2) an identified asbestos concentration below the appropriate regulatory threshold. Asbestos concentrations are generally determined using polarized light microscopy or transmission electron microscopy. Point counting is an analytical method to statistically quantify the percentage of asbestos in a sample. The asbestos component of ACM may either be friable or non-friable. Friable materials, when dry, can be crumbled, pulverized, or reduced to powder by hand pressure and have a higher potential for a fiber release than non-friable ACM. Non-friable ACM are materials that are firmly bound in a matrix by plastic, cement, etc. and, if handled carefully, will not become friable.</p> <p>Federal and state regulations require that either all suspect building materials be presumed ACM or that an asbestos survey be performed prior to renovation, dismantling, demolition, or other activities that may disturb potential ACM. Notifications are required prior to demolition and/or renovation activities that may impact the condition of ACM in a building. ACM removal may be required if the ACM is likely to be disturbed or damaged during the demolition or renovation. Abatement of friable or potentially friable ACM must be performed by a licensed abatement contractor in accordance with state rules and NESHAP. Additionally, OSHA regulations for work classification, worker training and worker protection will apply.</p>
AHERA	Asbestos Hazard Emergency Response Act
AST	Aboveground Storage Tanks. ASTs are generally described as storage tanks less than 10% of which are below ground (i.e., buried). Tanks located in a basement, but not buried, are also considered ASTs. Whether, and the extent to which, an AST is regulated, is determined on a case-by-case basis and depends upon tank size, its contents and the jurisdiction of its location.
BGS	Below Ground Surface
Brownfields	State and/or tribal listing of Brownfield properties addressed by Cooperative Agreement Recipients or Targeted Brownfields Assessments.
BTEX	Benzene, Toluene, Ethylbenzene, and Xylenes. BTEX are VOC components found in gasoline and commonly used as analytical indicators of a petroleum hydrocarbon release.
CERCLA	Comprehensive Environmental Response, Compensation and Liability Act (a.k.a. Superfund). CERCLA is the federal act that regulates abandoned or uncontrolled hazardous waste sites. Under this Act, joint and several liability may be imposed on potentially responsible parties for cleanup-related costs.
CERCLIS	Comprehensive Environmental Response, Compensation and Liability Information System. An EPA compilation of sites having suspected or actual releases of hazardous substances to the environment. CERCLIS also contains information on site inspections, preliminary assessments and remediation of hazardous waste sites. These sites are typically reported to EPA by states and municipalities or by third parties pursuant to CERCLA Section 103.
CESQG	Conditionally Exempt Small Quantity Generators
CFR	Code of Federal Regulations

## Description of Selected General Terms and Acronyms

<b>Term/Acronym</b>	<b>Description</b>
CREC	Controlled Recognized Environmental Condition is defined in ASTM E1527-13 as “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 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). A condition considered by the environmental professional to be a controlled recognized environmental condition shall be listed in the findings section of the Phase I Environmental Site Assessment report, and as a recognized environmental condition in the conclusions section of the Phase I Environmental Site Assessment report.”
DOT	U.S. Department of Transportation
EPA	U.S. Environmental Protection Agency
ERNS	Emergency Response Notification System. An EPA-maintained federal database which stores information on notifications of oil discharges and hazardous substance releases in quantities greater than the applicable reportable quantity under CERCLA. ERNS is a cooperative data-sharing effort between EPA, DOT, and the National Response Center.
ESA	Environmental Site Assessment
FRP	Fiberglass Reinforced Plastic
Hazardous Substance	As defined under CERCLA, this is (A) any substance designated pursuant to section 1321(b)(2)(A) of Title 33, (B) any element, compound, mixture, solution, or substance designated pursuant to section 9602 of this title; (C) any hazardous waste having characteristics identified under or listed pursuant to section 3001 of the Solid Waste Disposal Act (with some exclusions); (D) any toxic pollutant listed under section 1317(a) of Title 33; (E) any hazardous air pollutant listed under section 112 of the Clean Air Act; and (F) any imminently hazardous chemical substance or mixture with respect to which the EPA Administrator has taken action under section 2606 of Title 15. This term does not include petroleum, including crude oil or any fraction thereof which is not otherwise listed as a hazardous substance under subparagraphs (A) through (F) above, and the term include natural gas, or synthetic gas usable for fuel (or mixtures of natural gas and such synthetic gas).
Hazardous Waste	This is defined as having characteristics identified or listed under section 3001 of the Solid Waste Disposal Act (with some exceptions). RCRA, as amended by the Solid Waste Disposal Act of 1980, defines this term as a “solid waste, or combination of solid wastes, which because of its quantity, concentration, or physical, chemical, or infectious characteristics may (A) cause, or significantly contribute to an increase in mortality or an increase in serious irreversible, or incapacitating reversible illness; or (B) pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, or disposed of, or otherwise managed.”
HREC	Historical Recognized Environmental Condition is defined in ASTM 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 residential 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). Before calling the past release a historical recognized environmental condition, the environmental professional must determine whether the past release is a recognized environmental condition at the time of the Phase I Environmental Site Assessment is conducted (for example, if there has been a change in the regulatory criteria). If the EP considers the past release to be a recognized environmental condition at the time the Phase I ESA is conducted, the condition shall be included in the conclusions section of the report as a recognized environmental condition.”
IC/EC	A listing of sites with institutional and/or engineering controls in place. IC include administrative measures, such as groundwater use restrictions, construction restrictions, property use restrictions, and post remediation care requirements intended to prevent exposure to contaminants remaining on site. Deed restrictions are generally required as part of the institutional controls. EC include various forms of caps, building foundations, liners, and treatment methods to create pathway elimination for regulated substances to enter environmental media or effect human health.
ILP	Innocent Landowner/Operator Program
LQG	Large Quantity Generators
LUST	Leaking Underground Storage Tank. This is a federal term set forth under RCRA for leaking USTs. Some states also utilize this term.

## Description of Selected General Terms and Acronyms

<b>Term/Acronym</b>	<b>Description</b>
MCL	Maximum Contaminant Level. This Safe Drinking Water concept (and also used by many states as a ground water cleanup criteria) refers to the limit on drinking water contamination that determines whether a supplier can deliver water from a specific source without treatment.
MSDS	Material Safety Data Sheets. Written/printed forms prepared by chemical manufacturers, importers and employers which identify the physical and chemical traits of hazardous chemicals under OSHA's Hazard Communication Standard.
NESHAP	National Emissions Standard for Hazardous Air Pollutants (Federal Clean Air Act). This part of the Clean Air Act regulates emissions of hazardous air pollutants.
NFRAP	Facilities where there is "No Further Remedial Action Planned," as more particularly described under the Records Review section of this report.
NOV	Notice of Violation. A notice of violation or similar citation issued to an entity, company or individual by a state or federal regulatory body indicating a violation of applicable rule or regulations has been identified.
NPDES	National Pollutant Discharge Elimination System (Clean Water Act). The federal permit system for discharges of polluted water.
NPL	The NPL is the EPA's database of uncontrolled or abandoned hazardous waste facilities that have been listed for priority remedial actions under the Superfund Program.
OSHA	Occupational Safety and Health Administration or Occupational Safety and Health Act
PACM	Presumed Asbestos-Containing Material. A material that is suspected of containing or presumed to contain asbestos but which has not been analyzed to confirm the presence or absence of asbestos.
PCB	Polychlorinated Biphenyl. A halogenated organic compound commonly in the form of a viscous liquid or resin, a flowing yellow oil, or a waxy solid. This compound was historically used as dielectric fluid in electrical equipment (such as electrical transformers and capacitors, electrical ballasts, hydraulic and heat transfer fluids), and for numerous heat and fire sensitive applications. PCB was preferred due to its durability, stability (even at high temperatures), good chemical resistance, low volatility, flammability, and conductivity. PCBs, however, do not break down in the environment and are classified by the EPA as a suspected carcinogen. 1978 regulations, under the Toxic Substances Control Act, prohibit manufacturing of PCB-containing equipment; however, some of this equipment may still be in use today.
pCi/L	picoCuries per Liter of Air. Unit of measurement for Radon and similar radioactive materials.
PLM	Polarized Light Microscopy (see ACM section of the report, if included in the scope of services)
PST	Petroleum Storage Tank. An AST or UST that contains a petroleum product.
Radon	A radioactive gas resulting from radioactive decay of naturally-occurring radioactive materials in rocks and soils containing uranium, granite, shale, phosphate, and pitchblende. Radon concentrations are measured in picoCuries per Liter of Air. Exposure to elevated levels of radon creates a risk of lung cancer; this risk generally increases as the level of radon and the duration of exposure increases. Outdoors, radon is diluted to such low concentrations that it usually does not present a health concern. However, radon can accumulate in building basements or similar enclosed spaces to levels that can pose a risk to human health. Indoor radon concentrations depend primarily upon the building's construction, design and the concentration of radon in the underlying soil and ground water. The EPA recommended annual average indoor "action level" concentration for residential structures is 4.0 pCi/l.
RCRA	Resource Conservation and Recovery Act. Federal act regulating solid and hazardous wastes from point of generation to time of disposal ("cradle to grave"). 42 U.S.C. 6901 et seq.
RCRA Generators	The RCRA Generators database, maintained by the EPA, lists facilities that generate hazardous waste as part of their normal business practices. Generators are listed as either large (LQG), small (SQG), or conditionally exempt (CESQG). LQG produce at least 1000 kg/month of non-acutely hazardous waste or 1 kg/month of acutely hazardous waste. SQG produce 100-1000 kg/month of non-acutely hazardous waste. CESQG are those that generate less than 100 kg/month of non-acutely hazardous waste.
RCRA CORRACTS/TS Ds	The USEPA maintains a database of RCRA facilities associated with treatment, storage, and disposal (TSD) of hazardous materials which are undergoing "corrective action". A "corrective action" order is issued when there is a release of hazardous waste or constituents into the environment from a RCRA facility.
RCRA Non-CORRACTS/TS Ds	The RCRA Non-CORRACTS/TSD Database is a compilation by the USEPA of facilities which report storage, transportation, treatment, or disposal of hazardous waste. Unlike the RCRA CORRACTS/TSD database, the RCRA Non-CORRACTS/TSD database does not include RCRA facilities where corrective action is required.

## Description of Selected General Terms and Acronyms

<b>Term/Acronym</b>	<b>Description</b>
RCRA Violators List	RAATS. RCRA Administrative Actions Taken. RAATS information is now contained in the RCRIS database and includes records of administrative enforcement actions against facilities for noncompliance.
RCRIS	Resource Conservation and Recovery Information System, as defined in the Records Review section of this report.
REC	Recognized Environmental Conditions are defined by ASTM E1527-13 as “the presence or likely presence of any hazardous substances or petroleum products in, on, or at a property: 1) due to any release to the environment; 2) under conditions indicative of a release to the environment. <i>De minimis</i> conditions are not recognized environmental conditions.”
SCL	State “CERCLIS” List (see SPL /State Priority List, below).
SPCC	Spill Prevention, Control and Countermeasures. SPCC plans are required under federal law (Clean Water Act and Oil Pollution Act) for any facility storing petroleum in tanks and/or containers of 55-gallons or more that when taken in aggregate exceed 1,320 gallons. SPCC plans are also required for facilities with underground petroleum storage tanks with capacities of over 42,000 gallons. Many states have similar spill prevention programs, which may have additional requirements.
SPL	State Priority List. State list of confirmed sites having contamination in which the state is actively involved in clean up activities or is actively pursuing potentially responsible parties for clean up. Sometimes referred to as a State “CERCLIS” List.
SQG	Small Quantity Generator
SWF/LF	State and/or Tribal database of Solid Waste/Landfill facilities. The database information may include the facility name, class, operation type, area, estimated operational life, and owner.
TPH	Total Petroleum Hydrocarbons
TRI	Toxic Release Inventory. Routine EPA report on releases of toxic chemicals to the environment based upon information submitted by entities subject to reporting under the Emergency Planning and Community Right to Know Act.
TSCA	Toxic Substances Control Act. A federal law regulating manufacture, import, processing and distribution of chemical substances not specifically regulated by other federal laws (such as asbestos, PCBs, lead-based paint and radon). 15 U.S.C 2601 et seq.
USACE	United States Army Corps of Engineers
USC	United States Code
USGS	United States Geological Survey
USNRCS	United States Department of Agriculture-Natural Resource Conservation Service
UST	Underground Storage Tank. Most federal and state regulations, as well as ASTM E1527-13, define this as any tank, incl., underground piping connected to the tank, that is or has been used to contain hazardous substances or petroleum products and the volume of which is 10% or more beneath the surface of the ground (i.e., buried).
VCP	State and/or Tribal facilities included as Voluntary Cleanup Program sites.
VOC	Volatile Organic Compound

## Description of Selected General Terms and Acronyms

<b>Term/Acronym</b>	<b>Description</b>
Wetlands	<p>Areas that are typically saturated with surface or ground water that creates an environment supportive of wetland vegetation (i.e., swamps, marshes, bogs). The <u>Corps of Engineers Wetlands Delineation Manual</u> (Technical Report Y-87-1) defines wetlands as areas inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. For an area to be considered a jurisdictional wetland, it must meet the following criteria: more than 50 percent of the dominant plant species must be categorized as Obligate, Facultative Wetland, or Facultative on lists of plant species that occur in wetlands; the soil must be hydric; and, wetland hydrology must be present.</p> <p>The federal Clean Water Act which regulates “waters of the US,” also regulates wetlands, a program jointly administered by the USACE and the EPA. Waters of the U.S. are defined as: (1) waters used in interstate or foreign commerce, including all waters subject to the ebb and flow of tides; (2) all interstate waters including interstate wetlands; (3) all other waters such as intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds, etc., which the use, degradation, or destruction could affect interstate/ foreign commerce; (4) all impoundments of waters otherwise defined as waters of the U. S., (5) tributaries of waters identified in 1 through 4 above; (6) the territorial seas; and (7) wetlands adjacent to waters identified in 1 through 6 above. Only the USACE has the authority to make a final wetlands jurisdictional determination.</p>