



State of West Virginia
 Department of Administration
 Purchasing Division
 2019 Washington Street East
 Post Office Box 50130
 Charleston, WV 25305-0130

**Request for
 Quotation**

RFQ NUMBER
 DEP14486

PAGE
 1

ADDRESS CORRESPONDENCE TO ATTENTION OF
 CHUCK BOWMAN
 304-558-2157

RFQ COPY

TYPE NAME/ADDRESS HERE

*ENVIRONMENTAL RESOURCES,
 CONSULTING, LLC
 6 COCO ROSTO
 Elkview, WV 25071
 TEL (304) 965-9333 FAX: (304) 965-9323*

ENVIRONMENTAL PROTECTION
 DEPARTMENT OF
 ENVIRONMENTAL REMEDIATION
 601 57TH STREET SE
 CHARLESTON, WV
 25304 304-926-0499

DATE PRINTED	TERMS OF SALE	SHIP VIA	FOB	FREIGHT TERMS
01/21/2009				

BID OPENING DATE: 01/29/2009 BID OPENING TIME 01:30PM

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
***** ADDENDUM NO. 1 *****						
ADDENDUM ISSUED FOR THE ENVIRONMENTAL RISK ASSESSOR RFQ TO DISTRIBUTE THE PRE-BID SIGN-IN SHEET AND THE Q/A RESULTING FROM THAT 01/08/09 MANDATORY PRE-BID MEETING.						
BID OPENING DATE AND TIME ARE THEREFORE EXTENDED FROM 01/22/2009 TO 01/29/2009 AT 1:30 PM.						
***** NO OTHER CHANGES *****						
0001	1	HR		946-36		
ENVIRONMENTAL RISK ASSESSOR						

RECEIVED
 2009 JAN 22 PM 3:10
 WV PURCHASING
 DIVISION

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE *Chuck Bowman* TELEPHONE (304) 965-9333 DATE 1/22/09
 TITLE *Chuck Bowman* FEIN 20-0451833 ADDRESS CHANGES TO BE NOTED ABOVE

WHEN RESPONDING TO RFQ, INSERT NAME AND ADDRESS IN SPACE ABOVE LABELED 'VENDOR'

**GENERAL TERMS & CONDITIONS
REQUEST FOR QUOTATION (RFQ) AND REQUEST FOR PROPOSAL (RFP)**

1. Awards will be made in the best interest of the State of West Virginia.
2. The State may accept or reject in part, or in whole, any bid.
3. All quotations are governed by the *West Virginia Code* and the *Legislative Rules* of the Purchasing Division.
4. Prior to any award, the apparent successful vendor must be properly registered with the Purchasing Division and have paid the required \$125 fee.
5. All services performed or goods delivered under State Purchase Order/Contracts are to be continued for the term of the Purchase Order/Contracts, contingent upon funds being appropriated by the Legislature or otherwise being made available. In the event funds are not appropriated or otherwise available for these services or goods, this Purchase Order/Contract becomes void and of no effect after June 30.
6. Payment may only be made after the delivery and acceptance of goods or services.
7. Interest may be paid for late payment in accordance with the *West Virginia Code*.
8. Vendor preference will be granted upon written request in accordance with the *West Virginia Code*.
9. The State of West Virginia is exempt from federal and state taxes and will not pay or reimburse such taxes.
10. The Director of Purchasing may cancel any Purchase Order/Contract upon 30 days written notice to the seller.
11. The laws of the State of West Virginia and the *Legislative Rules* of the Purchasing Division shall govern all rights and duties under the Contract, including without limitation the validity of this Purchase Order/Contract.
12. Any reference to automatic renewal is hereby deleted. The Contract may be renewed only upon mutual written agreement of the parties.
13. **BANKRUPTCY:** In the event the vendor/contractor files for bankruptcy protection, this Contract may be deemed null and void, and terminated without further order.
14. **HIPAA BUSINESS ASSOCIATE ADDENDUM:** The West Virginia State Government HIPAA Business Associate Addendum (BAA), approved by the Attorney General, and available online at the Purchasing Division's web site (<http://www.state.wv.us/admin/purchase/vrc/hipaa.htm>) is hereby made part of the agreement. Provided that, the Agency meets the definition of a Cover Entity (45 CFR §160.103) and will be disclosing Protected Health Information (45 CFR §160.103) to the vendor.
15. **WEST VIRGINIA ALCOHOL & DRUG-FREE WORKPLACE ACT:** If this Contract constitutes a public improvement construction contract as set forth in Article 1D, Chapter 21 of the West Virginia Code ("The West Virginia Alcohol and Drug-Free Workplace Act"), then the following language shall hereby become part of this Contract: "The contractor and its subcontractors shall implement and maintain a written drug-free workplace policy in compliance with the West Virginia Alcohol and Drug-Free Workplace Act, as set forth in Article 1D, Chapter 21 of the West Virginia Code. The contractor and its subcontractors shall provide a sworn statement in writing, under the penalties of perjury, that they maintain a valid drug-free work place policy in compliance with the West Virginia and Drug-Free Workplace Act. It is understood and agreed that this Contract shall be cancelled by the awarding authority if the Contractor: 1) Fails to implement its drug-free workplace policy; 2) Fails to provide information regarding implementation of the contractor's drug-free workplace policy at the request of the public authority; or 3) Provides to the public authority false information regarding the contractor's drug-free workplace policy."

INSTRUCTIONS TO BIDDERS

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3. Complete all sections of the quotation form.
4. Unit prices shall prevail in case of discrepancy.
5. All quotations are considered F.O.B. destination unless alternate shipping terms are clearly identified in the quotation.
6. **BID SUBMISSION:** All quotations must be delivered by the bidder to the office listed below prior to the date and time of the bid opening. Failure of the bidder to deliver the quotations on time will result in bid disqualifications: Department of Administration, Purchasing Division, 2019 Washington Street East, P.O. Box 50130, Charleston, WV 25305-0130

MANDATORY PRE-BID SIGN-IN ATTENDANCE SHEET

RFQ # : DEP14486
Project: Risk Assessor

Bid Date: 01/22/09
Pre-Bid Date: 01/08/09

Name : Bruce Fishman
Company: RBR
Address: 650 Shady Drive
Beaver Falls PA
15010
Phone #: 724-846-4076
Fax #: 724-846-6974
Email : bruce.fishman@
riskbasedremediation.com

Name : Sam Wilkes
Company: Tetra Tech Inc
Address: 405 Capital St
Suite 8608
Charleston WV 25301
Phone#: 304-414-0054
Fax # :
Email : Sam.Wilkes@tetra.tech.com

Name : Dawn Seeburg
Company: ENVIRONMENTAL REMEDIATION
CONSTRUCTION, LLC
Address: 6 Cross Roads
Clarks Summit WV 25821
Phone #: (304) 965-9823
Fax #: (304) 965-9828
Email : dawnseeburg@environmentalremediation.com

Name : BAYAN ARTHUR
Company: WV DEP
Address: P.O. Box 28
French Creek, WV
26028
Phone#: 304-924-6801
Fax #: 304-924-6781
Email : Bayan.C.Arthur@wv.gov

Name : Mindy Armistead
Company: Potesta + Assoc
Address: 7017 MacCackie Ave SE
Charleston WV 25304
Phone #: 304 414 4702
Fax #: 304 343 9031
Email : myarmistead@potesta.com

Name : Keith Johnson
Company: Mountain State Business
Address: 6703 Old River Rd
Logan WV 25557
Phone#: 304-762-2453
Fax #: 304-762-7453
Email : Kjohnson@mountainstatebiz.com

Name : Rod Moore
Company: EDUCO PROBE INT. SVCS
Address: 630 CROSS LANE DR
BRIDGEVILLE PA 15017
Phone #: 717-6777
Fax #: 717-6769
Email : rmoores@educoprobe.com

Name : Richard F. Hoff
Company: The Mahood Group, LLC
Address: 260 MILERS RUN ROAD
BRIDGEVILLE, PA 15017
Phone#: 724-448-2865
Fax #: 412-201-5356
Email : www.themahoodgroup.com

wvdep -> Larry Sirinek
204-238-1220 x3511

Ed moore @ WV DEP
304-926-0499 x1751



west virginia department of environmental protection

Division of Land Restoration
 P.O. Box 38, St. Rt. 20 South
 French Creek, WV 26218
 (304) 926-0499 ext. 1201, fax (304) 924-6781

Joe Manchin III, Governor
 Randy C. Huffman, Cabinet Secretary
 www.wvdep.org

MEMORANDUM

To: Mark Cline
From: Bryan Arthur
Date: January 20, 2009
Subject: Addendum to DEP14486- Environmental Risk Assessor

As a result of the pre-bid we had the following questions:

Question 1:

If I get subpoena or have to do a deposition on WVDEP's behalf, regarding one of the projects that I am working on or worked on, do I get reimbursed under this contract for my time?

Answer 1:

Should the agency request additional assistance from the contractor for testimony in any state or federal court or before any board or other administrative body associated with a document prepared under this agreement, such assistance shall be considered to be within this scope of work for purposes of billing and compensation.

Question 2:

What type of information will you accept to satisfy the educational and experience submittal requirements? Do I have to send certified transcripts?

Answer 2:

A resume showing your work experience and education and a copy of your diploma shall satisfy this submittal requirement. You do not have to send transcripts. Submittal of an example of a risk assessment or a risk assessment review that you have performed will help demonstrate your relevant professional experience and may be submitted on a CD.

Promoting a healthy environment.

REQUEST FOR QUOTATION

ENVIRONMENTAL RISK ASSESSOR CONTRACT

RfQ: DEP14486

Prepared for:

**Mr. Chuck Bowman – Buyer, CB-23
Department of Administration
Purchasing Division
Building 15
2019 Washington Street, East
Charleston, West Virginia 25305-0130**

On Behalf of:

**West Virginia Department of Environmental Protection
Division of Land Restoration – Office of Environmental Remediation
601 57th Street, Southeast
Charleston, West Virginia 25304**

Prepared by:



January 20, 2009

January 20, 2009

Department of Administration
Purchasing Division
Building 15
2019 Washington Street, East
Charleston, West Virginia 25305-0130



Re: Environmental Risk Assessor Contract
Buyer: CB-23
RfQ No.: DEP14486

Dear Mr. Bowman:

It is with great pleasure that Environmental Resources & Consulting, LLC (ERC) a certified West Virginia Woman-Owned Business Enterprise (WBE), submits the enclosed *Resumes, and Proof of Educational Requirements* to the West Virginia State Purchasing Division and West Virginia Department of Environmental Protection (WVDEP) – Division of Land Restoration for review in regard to the Environmental Risk Assessor Contract.

It is our understanding from our review of the Request for Quotation, dated December 22, 2008, RfQ No.: DEP14486 that the WVDEP wants to select a contractor to determine ecological and human health risks that may be associated with projects in the Voluntary Remediation and Redevelopment Program (VRRP).

ERC and specifically I have worked with the WVDEP – Office of Environmental Remediation (OER) staff as their Contract Risk Assessor during the last three years of this contract which expired on November 1, 2008; as well as during additional contract periods extending back through early 2000. I have an excellent working relationship with the WVDEP-OER project managers throughout the state, Mr. Ed McComas, and Dr. Larry Sirinek. ERC's office is located within 20 miles of the WVDEP – OER, and centrally located in the state, and we have been highly responsive to short-notice meetings and meeting programmatic time constraints under the VRRP, as well as the pickup and/or review of documents associated with VRRP projects.

Our staff is highly experienced and respected project managers in the environmental field. Aside from myself who will perform the majority of the work under this contract, Mr. Kenneth J. Pasterak, a professional geologist and hydrogeologist may also be utilized on this contract to review modeling inputs, and migration of contaminants on an as needed basis.

It is our belief that we have provided cost-effective, timely, and extensive reviews of reports and data submitted under the VRRP that met and/or exceeded the expectations of the WVDEP. We have also assisted the WVDEP in their decision-making capacity when evaluating and/or assisting property-owners and their consultants in developing quality and comprehensive site

6 Coco Road • Elkview, WV 25071 • 304.965.9333 Telephone • 304.965.9323 Facsimile

~ Printed on Recycled Paper ~

investigations, sampling and analysis plans, and remedial work plans in order to expedite receipt of a Certificate of Completion (COC).

It is our understanding that it is not only the WVDEP-OER project managers that desire to continue to have a working relationship with ERC, but several of the property owners/managers and their consultants; such as Mr. Jim Bodamer of FMC Corporation, Mr. Chris Amick of Kemron Environmental Services, Mr. David Carpenter of ERM, Inc., as well as others. We feel that this is based upon our excellent communication and responsiveness, and a desire to assist all parties to achieve closure of their sites which translates into programmatic efficiency, timely redevelopment of the site, and potential job creation here in West Virginia. All of this further promotes the VRRP and the ideals under which it was designed.

As you will find based upon the enclosed information and Statement of Qualifications, we have a wide range of experience, and a reputation for performing quality and timely work for the WVDEP, and our other clients. As always, we look forward to working with the WVDEP.

Very truly yours,

Environmental Resources & Consulting, LLC



Dawn E. Seeburger, LRS

Enclosures:

- Request for Quotation, DEP14486 including:
 - Vendor Preference Certificate;
 - Purchasing Affidavit;
 - DEP14486 Bid Schedule; and
 - Mandatory Pre-bid Sign-in Attendance Sheet;
- Resumes for Dawn E. Seeburger, LRS; and Ken J. Pasterak, PG;
- Dawn E. Seeburger; Central Michigan University – Master of Science Degree, and Bachelor of Science Degree, and Transcripts;
- Kenneth J. Pasterak, Adelphi University – Masters Degree Certificate in Environmental Management; and
- Statement of Qualifications.





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 ENVIRONMENTAL RESOURCES,
 CONSULTING, LLC
 6 COCO ROAD
 ELKVIEW, WV 25071
 TEL: (304) 965-9333; FAX: (304) 965-9323

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 DEPARTMENT OF
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 25304 304-926-0499

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LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
0001	1	HR		946-36		
ENVIRONMENTAL RISK ASSESSOR THE WEST VIRGINIA PURCHASING DIVISION, FOR THE AGENCY THE WEST VIRGINIA DEPARTMENT OF ENVIRONMENTAL PROTECTION, DIVISION OF LAND RESTORATION, SEEKS BIDS FOR AN ENVIRONMENTAL RISK ASSESSOR TO DETERMINE ECOLOGICAL AND HUMAN HEALTH RISKS THAT MAY BE ASSOCIATED WITH PROJECTS IN THE VOLUNTARY REMEDIATION AND REDEVELOPMENT PROGRAM, PER THE FOLLOWING SPECIFICATIONS, BID REQUIREMENTS, AND TERMS & CONDITIONS. A MANDATORY PRE-BID CONFERENCE IS SCHEDULED FOR JANUARY 08, 2009, AT 10:00 AM AT THE DEP KANAWHA CITY HEADQUARTERS AT 601 57TH STREET IN CHARLESTON, WV. FAILURE TO ATTEND THIS MEETING WILL RESULT IN THE DISQUALIFICATION OF ANY VENDOR'S SUBMITTED BID. EXHIBIT 3 LIFE OF CONTRACT: THIS CONTRACT BECOMES EFFECTIVE UPON AWARD AND EXTENDS FOR A PERIOD OF ONE (1) YEAR OR UNTIL SUCH "REASONABLE TIME" THEREAFTER AS IS NECESSARY TO OBTAIN A NEW CONTRACT OR RENEW THE ORIGINAL CONTRACT. THE "REASONABLE TIME" PERIOD SHALL NOT EXCEED TWELVE (12) MONTHS. DURING THIS "REASONABLE TIME" THE VENDOR MAY TERMINATE THIS CONTRACT FOR ANY REASON UPON GIVING THE DIRECTOR OF PURCHASING 30 DAYS WRITTEN NOTICE. UNLESS SPECIFIC PROVISIONS ARE STIPULATED ELSEWHERE IN THIS CONTRACT DOCUMENT, THE TERMS, CONDITIONS AND						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE <i>Dawn Seeker</i>	TELEPHONE (304) 965-9333	DATE 1/19/2009
TITLE <i>owner/manager</i>	FAX 20-0451833	ADDRESS CHANGES TO BE NOTED ABOVE

WHEN RESPONDING TO RFQ, INSERT NAME AND ADDRESS IN SPACE ABOVE LABELED 'VENDOR'



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ENVIRONMENTAL RESOURCES 1,
CONSULTING, LLC
6 COCO ROAD
EIKVIEW, WV 25071
TEL: (304) 965-9333; FAX: (304) 965-9323

SHIP TO
ENVIRONMENTAL PROTECTION
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601 57TH STREET SE
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25304 **304-926-0499**

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<p>PRICING SET HEREIN ARE FIRM FOR THE LIFE OF THE CONTRACT.</p> <p>RENEWAL: THIS CONTRACT MAY BE RENEWED UPON THE MUTUAL WRITTEN CONSENT OF THE SPENDING UNIT AND VENDOR, SUBMITTED TO THE DIRECTOR OF PURCHASING THIRTY (30) DAYS PRIOR TO THE EXPIRATION DATE. SUCH RENEWAL SHALL BE IN ACCORDANCE WITH THE TERMS AND CONDITIONS OF THE ORIGINAL CONTRACT AND SHALL BE LIMITED TO TWO (2) ONE (1) YEAR PERIODS.</p> <p>CANCELLATION: THE DIRECTOR OF PURCHASING RESERVES THE RIGHT TO CANCEL THIS CONTRACT IMMEDIATELY UPON WRITTEN NOTICE TO THE VENDOR IF THE COMMODITIES AND/OR SERVICES SUPPLIED ARE OF AN INFERIOR QUALITY OR DO NOT CONFORM TO THE SPECIFICATIONS OF THE BID AND CONTRACT HEREIN.</p> <p>OPEN MARKET CLAUSE: THE DIRECTOR OF PURCHASING MAY AUTHORIZE A SPENDING UNIT TO PURCHASE ON THE OPEN MARKET, WITHOUT THE FILING OF A REQUISITION OR COST ESTIMATE, ITEMS SPECIFIED ON THIS CONTRACT FOR IMMEDIATE DELIVERY IN EMERGENCIES DUE TO UNFORESEEN CAUSES (INCLUDING BUT NOT LIMITED TO DELAYS IN TRANSPORTATION OR AN UNANTICIPATED INCREASE IN THE VOLUME OF WORK.)</p> <p>QUANTITIES: QUANTITIES LISTED IN THE REQUISITION ARE APPROXIMATIONS ONLY, BASED ON ESTIMATES SUPPLIED BY THE STATE SPENDING UNIT. IT IS UNDERSTOOD AND AGREED THAT THE CONTRACT SHALL COVER THE QUANTITIES ACTUALLY ORDERED FOR DELIVERY DURING THE TERM OF THE CONTRACT, WHETHER MORE OR LESS THAN THE QUANTITIES SHOWN.</p> <p>ORDERING PROCEDURE: SPENDING UNIT(S) SHALL ISSUE A WRITTEN STATE CONTRACT ORDER (FORM NUMBER WV-39) TO THE VENDOR FOR COMMODITIES COVERED BY THIS CONTRACT.</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE *Dawn Seekers* TELEPHONE **(304) 965-9333** DATE **1/19/2009**
 TITLE **owner/manager** FEIN **20-0451833** ADDRESS CHANGES TO BE NOTED ABOVE

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<p>THE ORIGINAL COPY OF THE WV-39 SHALL BE MAILED TO THE VENDOR AS AUTHORIZATION FOR SHIPMENT, A SECOND COPY MAILED TO THE PURCHASING DIVISION, AND A THIRD COPY RETAINED BY THE SPENDING UNIT.</p> <p>BANKRUPTCY: IN THE EVENT THE VENDOR/CONTRACTOR FILES FOR BANKRUPTCY PROTECTION, THIS CONTRACT IS AUTOMATICALLY NULL AND VOID, AND IS TERMINATED WITHOUT FURTHER ORDER.</p> <p>THE TERMS AND CONDITIONS CONTAINED IN THIS CONTRACT SHALL SUPERSEDE ANY AND ALL SUBSEQUENT TERMS AND CONDITIONS WHICH MAY APPEAR ON ANY ATTACHED PRINTED DOCUMENTS SUCH AS PRICE LISTS, ORDER FORMS, SALES AGREEMENTS OR MAINTENANCE AGREEMENTS, INCLUDING ANY ELECTRONIC MEDIUM SUCH AS CD-ROM.</p> <p>REV. 04/11/2001</p> <p style="text-align: center;">NOTICE</p> <p>A SIGNED BID MUST BE SUBMITTED TO:</p> <p style="text-align: center;">DEPARTMENT OF ADMINISTRATION PURCHASING DIVISION BUILDING 15 2019 WASHINGTON STREET, EAST CHARLESTON, WV 25305-0130</p> <p>THE BID SHOULD CONTAIN THIS INFORMATION ON THE FACE OF THE ENVELOPE OR THE BID MAY NOT BE CONSIDERED:</p> <p>SEALED BID</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE *Dawn Seeburg* TELEPHONE **(304) 965-9333** DATE **1/19/2009**
 TITLE *owner/manager* FEIN **20-0451833** ADDRESS CHANGES TO BE NOTED ABOVE

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BUYER

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PLEASE PROVIDE A FAX NUMBER IN CASE IT IS NECESSARY TO CONTACT YOU REGARDING YOUR BID:						

CONTACT PERSON (PLEASE PRINT CLEARLY):						

***** THIS IS THE END OF RFQ DEP14486 ***** TOTAL:						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE Dawn Seeburg TELEPHONE (304) 965-9333 DATE 1/19/2009

TITLE OWNER/MANAGER FEIN 20-0458133 ADDRESS CHANGES TO BE NOTED ABOVE

WHEN RESPONDING TO RFQ, INSERT NAME AND ADDRESS IN SPACE ABOVE LABELED 'VENDOR'

State of West Virginia
VENDOR PREFERENCE CERTIFICATE

Certification and application* is hereby made for Preference in accordance with *West Virginia Code*, §5A-3-37. (Does not apply to construction contracts). *West Virginia Code*, §5A-3-37, provides an opportunity for qualifying vendors to request (at the time of bid) preference for their residency status. Such preference is an evaluation method only and will be applied only to the cost bid in accordance with the *West Virginia Code*. This certificate for application is to be used to request such preference. The Purchasing Division will make the determination of the Resident Vendor Preference, if applicable.

1. **Application is made for 2.5% resident vendor preference for the reason checked:**
 Bidder is an individual resident vendor and has resided continuously in West Virginia for four (4) years immediately preceding the date of this certification; or,
 Bidder is a partnership, association or corporation resident vendor and has maintained its headquarters or principal place of business continuously in West Virginia for four (4) years immediately preceding the date of this certification; or 80% of the ownership interest of Bidder is held by another individual, partnership, association or corporation resident vendor who has maintained its headquarters or principal place of business continuously in West Virginia for four (4) years immediately preceding the date of this certification; or,
 Bidder is a nonresident vendor which has an affiliate or subsidiary which employs a minimum of one hundred state residents and which has maintained its headquarters or principal place of business within West Virginia continuously for the four (4) years immediately preceding the date of this certification; or,
2. **Application is made for 2.5% resident vendor preference for the reason checked:**
 Bidder is a resident vendor who certifies that, during the life of the contract, on average at least 75% of the employees working on the project being bid are residents of West Virginia who have resided in the state continuously for the two years immediately preceding submission of this bid; or,
3. **Application is made for 2.5% resident vendor preference for the reason checked:**
 Bidder is a nonresident vendor employing a minimum of one hundred state residents or is a nonresident vendor with an affiliate or subsidiary which maintains its headquarters or principal place of business within West Virginia employing a minimum of one hundred state residents who certifies that, during the life of the contract, on average at least 75% of the employees or Bidder's affiliate's or subsidiary's employees are residents of West Virginia who have resided in the state continuously for the two years immediately preceding submission of this bid; or,
4. **Application is made for 5% resident vendor preference for the reason checked:**
 Bidder meets either the requirement of both subdivisions (1) and (2) or subdivision (1) and (3) as stated above; or,
5. **Application is made for 3.5% resident vendor preference who is a veteran for the reason checked:**
 Bidder is an individual resident vendor who is a veteran of the United States armed forces, the reserves or the National Guard and has resided in West Virginia continuously for the four years immediately preceding the date on which the bid is submitted; or,
6. **Application is made for 3.5% resident vendor preference who is a veteran for the reason checked:**
 Bidder is a resident vendor who is a veteran of the United States armed forces, the reserves or the National Guard, if, for purposes of producing or distributing the commodities or completing the project which is the subject of the vendor's bid and continuously over the entire term of the project, on average at least seventy-five percent of the vendor's employees are residents of West Virginia who have resided in the state continuously for the two immediately preceding years.

Bidder understands if the Secretary of Revenue determines that a Bidder receiving preference has failed to continue to meet the requirements for such preference, the Secretary may order the Director of Purchasing to: (a) reject the bid; or (b) assess a penalty against such Bidder in an amount not to exceed 5% of the bid amount and that such penalty will be paid to the contracting agency or deducted from any unpaid balance on the contract or purchase order.

By submission of this certificate, Bidder agrees to disclose any reasonably requested information to the Purchasing Division and authorizes the Department of Revenue to disclose to the Director of Purchasing appropriate information verifying that Bidder has paid the required business taxes, provided that such information does not contain the amounts of taxes paid nor any other information deemed by the Tax Commissioner to be confidential.

Under penalty of law for false swearing (*West Virginia Code*, §61-5-3), Bidder hereby certifies that this certificate is true and accurate in all respects; and that if a contract is issued to Bidder and if anything contained within this certificate changes during the term of the contract, Bidder will notify the Purchasing Division in writing immediately.

Bidder: ENVIRONMENTAL RESOURCES CONSULTING, LLC Signed: Nawn E. Seeburger
 Date: 1/12/09 Title: owner/manager

*Check any combination of preference consideration(s) indicated above, which you are entitled to receive.

RFQ No. DEP144810

STATE OF WEST VIRGINIA
Purchasing Division

PURCHASING AFFIDAVIT

VENDOR OWING A DEBT TO THE STATE:

West Virginia Code §5A-3-10a provides that: No contract or renewal of any contract may be awarded by the state or any of its political subdivisions to any vendor or prospective vendor when the vendor or prospective vendor or a related party to the vendor or prospective vendor is a debtor and the debt owed is an amount greater than one thousand dollars in the aggregate.

PUBLIC IMPROVEMENT CONTRACTS & DRUG-FREE WORKPLACE ACT:

West Virginia Code §21-1D-5 provides that: Any solicitation for a public improvement construction contract shall require each vendor that submits a bid for the work to submit at the same time an affidavit that the vendor has a written plan for a drug-free workplace policy in compliance with Article 1D, Chapter 21 of the West Virginia Code. A public improvement construction contract may not be awarded to a vendor who does not have a written plan for a drug-free workplace policy in compliance with Article 1D, Chapter 21 of the West Virginia Code and who has not submitted that plan to the appropriate contracting authority in timely fashion. For a vendor who is a subcontractor, compliance with Section 5, Article 1D, Chapter 21 of the West Virginia Code may take place before their work on the public improvement is begun.

ANTITRUST:

In submitting a bid to any agency for the state of West Virginia, the bidder offers and agrees that if the bid is accepted the bidder will convey, sell, assign or transfer to the state of West Virginia all rights, title and interest in and to all causes of action it may now or hereafter acquire under the antitrust laws of the United States and the state of West Virginia for price fixing and/or unreasonable restraints of trade relating to the particular commodities or services purchased or acquired by the state of West Virginia. Such assignment shall be made and become effective at the time the purchasing agency tenders the initial payment to the bidder.

I certify that this bid is made without prior understanding, agreement, or connection with any corporation, firm, limited liability company, partnership or person or entity submitting a bid for the same materials, supplies, equipment or services and is in all respects fair and without collusion or fraud. I further certify that I am authorized to sign the certification on behalf of the bidder or this bid.

LICENSING:

Vendors must be licensed and in good standing in accordance with any and all state and local laws and requirements by any state or local agency of West Virginia, including, but not limited to, the West Virginia Secretary of State's Office, the West Virginia Tax Department, West Virginia Insurance Commission, or any other state agencies or political subdivision. Furthermore, the vendor must provide all necessary releases to obtain information to enable the Director or spending unit to verify that the vendor is licensed and in good standing with the above entities.

CONFIDENTIALITY:

The vendor agrees that he or she will not disclose to anyone, directly or indirectly, any such personally identifiable information or other confidential information gained from the agency, unless the individual who is the subject of the information consents to the disclosure in writing or the disclosure is made pursuant to the agency's policies, procedures and rules. Vendors should visit www.state.wv.us/admin/purchase/privacy for the Notice of Agency Confidentiality Policies.

Under penalty of law for false swearing (West Virginia Code §61-5-3), it is hereby certified that the vendor acknowledges the information in this said affidavit and is in compliance with the requirements as stated.

Vendor's Name: ENVIRONMENTAL RESOURCES & CONSULTING, LLC

Authorized Signature: Dawn E. Suburg Date: 1/19/09

REQUEST FOR QUOTATIONS
SPECIFICATIONS
DEP14486

The West Virginia Department of Environmental Protection (DEP) is releasing this request for quotations (RFQ) to qualified vendors to secure an environmental risk assessor to determine ecological and human health risks that may be associated with projects in our Voluntary Remediation and Redevelopment Program (VRRP). As part of this quotation, a mandatory prebid conference will be held to answer questions and provide clarification to vendors. Any changes to the RFQ will result in an addendum being provided to all vendors in attendance at the prebid.

BACKGROUND

The West Virginia Department of Environmental Protection (WVDEP), Division of Land Restoration, Office of Environmental Remediation (OER) oversees the Voluntary Remediation and Brownfield Programs which encourages the voluntary clean-up of contaminated sites and redevelopment of abandoned and under-utilized properties. Within this program, human health and ecological risks are evaluated by use of 1 or more levels of evaluation, in order to determine their suitability for reuse, and the need for applying engineering or institutional controls to mitigate remaining site risks.

The primary responsibility for providing an accurate assessment of site risks resides with the Licensed Remediation Specialist (LRS), who is retained by the property owner or interested party, to oversee the site evaluation. Once submitted, the risk assessment is reviewed by an agency Risk Assessor to ensure it complies with applicable regulatory requirements, and is supported by adequate analytical data. In addition, an agency risk assessor is often consulted during the early stages of a site investigation, to assist in developing a sampling and analysis plan. This ensures that samples are collected from appropriate locations, analyzed for relevant contaminants, and that the resulting data are appropriate for use in assessing site risk.

At the present time, risk assessments are most often performed and/or evaluated by agency toxicologists. Due to the variability in workloads of internal personnel, however, and the statutory requirements for timely review of documents submitted to the VRRP, the agency may experience a temporary need for additional capacity in order to meet required review deadlines for risk assessment and related documents. As this need is transient, the agency has determined that it is best met by use of an independent contractor.

DEFINITION

An *Environmental Risk Assessor* evaluates the exposure of human and ecological receptors to contaminants in environmental media (soil, groundwater, air) and determines the likelihood that such exposure, over a defined period of time, would result in an adverse impact to the health of the receptor. Because risk assessments are dependent upon mathematical constructs of interactions between living organisms and contaminants in their environments, risk assessors must possess a knowledge of toxicology, statistics, biology, and chemistry, as well as the ability to apply appropriate computer models to simulate contaminant behavior in environmental media and/or contaminant uptake and distribution within a biological system.

In addition to technical skills, a risk assessor should have an understanding of state and federal regulations and guidance specific to risk assessment and environmental law is necessary. A cursory knowledge of related disciplines (e.g. geology, ecology, etc.) is also helpful.

CONDITIONS

WVDEP will enter into an *open-end contract* with one (1) Risk Assessor. Any expenses incurred while developing this cost proposal are considered incidental to the project and will not be billed to the WVDEP. In addition, WVDEP may contract separately with any source(s) considered qualified, due to their professional specialization, proximity to project site and any other considerations pertinent to the performance of Risk Assessor services by putting the project out for public bid through the Purchasing Division of the Department of Administration.

SCOPE OF WORK

The work involves assisting the Office of Environmental Remediation in reviewing and making recommendations on risk assessment, risk characterization and risk management related documents and activities submitted and performed by Licensed Remediation Specialists (LRSs). Results of the review must be communicated to both the OER Project Manager and senior OER Toxicologist as a written report that may be included as an attachment to, or summarized in subsequent communication to the LRS.

All results, submittals, and reports shall become the sole property of WVDEP.

At the discretion of the Vendor, any individual possessing sufficient experience in the preparation of human health and ecological risk assessments and/or knowledge in the applicable disciplines of toxicology, statistics, biology, and chemistry may conduct the review. The final report, however, must be prepared by, or under the direction of, an Environmental Risk Assessor, possessing qualifications as listed below.

QUALIFICATIONS

For purposes of this RFQ, an Environmental Risk Assessor must possess the following qualifications:

- **An earned doctoral degree in a relevant field of study from an accredited university and a minimum of three years of relevant professional experience; or**
- **A Masters of Science degree in a relevant field of study from an accredited university and a minimum of five years of relevant professional experience.**
- **Relevant professional experience must consist of work related directly to risk assessment, risk characterization and risk management activities, including at least one year performed at the supervisory or project manager level.**

Vendor must submit a current resume of pertinent education and work experience for the qualified individual, including proof of educational qualifications along with their bid. Failure to submit this required information will result in rejection of your bid.

NOTE: The DEP OER reserves the right to request and approve the credentials of any person assigned to perform work under this contract.

INVOICE:

A flat rate per hour will be the total charge to the state and will cover the full cost of all work hours including labor, travel and materials. The vendor will be contracted to provide Risk Assessor services on an "as needed" basis only. The vendor will invoice DEP on a monthly basis. All invoices must be accompanied by a sworn statement detailing actual hours worked.

INDEMNIFICATION:

The Vendor agrees to indemnify, defend and hold harmless the State and the Agency, their officers, and employees from and against: (1) Any claims or losses for services rendered by any subcontractor, person or firm performing or supplying services, materials or supplies in connection with the performance of the contract; (2) Any claims or losses resulting to any person or entity injured or damaged by the Vendor, its officers, employees, or subcontractors by the publication, translation, reproduction, delivery, performance, use or disposition of any data used under the contract in a manner not authorized by the contract, or by Federal or State statutes or regulations; (3) Any failure of the Vendor, its officers, employees or subcontractors to observe State and Federal laws, including but not limited to labor and wage laws.

RECORD RETENTION (Access & Confidentiality):

Vendor shall comply with all applicable Federal and State of West Virginia rules and regulations, and requirements governing the maintenance of documentation to verify any cost of services or commodities rendered under this contract by Vendor. The Vendor shall maintain such records a minimum of five (5) years and make available all records to Agency personnel at Vendor's location during normal business hours upon written request by Agency within 10 days after receipt of the request. Vendor shall have access to private and confidential data maintained by Agency to the extent required for Vendor to carry out the duties and responsibilities defined in this contract. Vendor agrees to maintain confidentiality and security of the data made available and shall indemnify and hold harmless the State and Agency against any and all claims brought by any party attributed to actions of breach of confidentiality by the Vendor, subcontractors, or individuals permitted access by Vendor.

VENDOR REGISTRATION

It is not required to be a registered vendor with the WV State Purchasing Division to submit a bid. However, the apparent successful vendor must be registered prior to the award of an actual contract.

DEP14486 BID SCHEDULE

¹Risk Assessor: \$ 95.⁰⁰ / Hour X 700 Hours = \$66,500.⁰⁰

Vendor Name: ENVIRONMENTAL RESOURCES & CONSULTING, LLC

Signature: Dawn Leburgh

Date: 1/18/2009

¹ The total number of hours listed are only used to determine the lowest cost and actual total hours may be greater or less.

MANDATORY PRE-BID SIGN-IN ATTENDANCE SHEET

RFQ # : DEP14486
 Project: Risk Assessor

Bid Date: 01/22/09
 Pre-Bid Date: 01/08/09

Name : Bruce Fishman
 Company: RBR
 Address: 650 Shady Drive
Beverly Falls PA
15010
 Phone #: 724-846-4076
 Fax #: 724-846-6974
 Email : bruce.fishman@riskbasedremedies.com

Name : Sam Wilkes
 Company: Tetra tech Inc
 Address: 405 Capitol St
Suite #608
Charleston WV 25301
 Phone#: 304-414-0054
 Fax #: _____
 Email : SAM.Wilkes@Tetra.tech.com

Name : Dawn Seeburger
 Company: ENVIRONMENTAL Resources
 Address: CONSULTING, LLC
La Crosse Road
Elkview, WV 25071
 Phone #: (304) 965-9333
 Fax #: (304) 965-9325
 Email : dawnseeburger@envres.net

Name : Bryan Arthur
 Company: WV DEP
 Address: P.O. Box 38
French Creek, WV 26208
 Phone#: 304-929-6201
 Fax #: 304-924-6281
 Email : Bryan.C.Arthur@wv.gov

Name : Mindy Armstead
 Company: Potesta + Assoc
 Address: 7012 MacCorkle Ave SE
Charleston WV 25304
 Phone #: 304 414 4702
 Fax #: 304 343 9031
 Email : myarmstead@potesta.com

Name : Keith Johnson
 Company: Mountain State Brokers
 Address: 6703 Ohio River Rd
Lesage WV 25557
 Phone#: 304-762-2453
 Fax #: 304-762-2453
 Email : KJohnson@mountainstatebro.com

Name : Rod Moore
 Company: Enviroprobe Int'l. Servs.
 Address: 600 CROSS LAKES DR
WV WV 25743
 Phone #: 776-6717
 Fax #: 776-6769
 Email : remore@enviroprobe.com

Name : Richard F. Hoff
 Company: The Mahfood Group, LLC
 Address: 260 MILLERS RUN ROAD
BRIDGEVILLE, PA 15017
 Phone#: 724-448-2865
 Fax #: 412-221-5356
 Email : www.themafoodgroup.com

Larry Sirinek
 304-238-1220 x3511

Edmcloas
 304-926-0499 x1351



WVDEP RISK ASSESSOR CONTRACT
RfQ: DEP14486

It is with great pleasure that Environmental Resources & Consulting, LLC (ERC) a certified West Virginia Woman-Owned Business Enterprise (WBE) provides you with this Scope of Work for the Environmental Risk Assessor contract (Request for Quotation [RfQ] DEP14486) to perform reviews of ecological and human health risk assessments and associated reports submitted to the West Virginia Department of Environmental Protection (WVDEP) for projects entered into the West Virginia Voluntary Remediation (VRP) and Brownfield (BF) Programs. It is our understanding that this contract will be for one year with an option for two one-year renewals.

The following outlines our estimated Scope of Work (SOW) based upon our understanding from the RfQ, and our experience performing these services under the previous contract that extended from November 2005 through November 2008; and for additional contract periods going back to early 2000.

BACKGROUND

Under this SOW we will assist the WVDEP – Division of Land Restoration, Office of Environmental Remediation (OER) which oversees the VRP in reviewing and making recommendations on risk assessment, risk characterization and risk management related documents, and activities submitted and performed by Licensed Remediation Specialists (LRSs) on projects entered into the VRP and BF programs. This includes a comprehensive evaluation of all applicable documents to determine the suitability of the site(s) for reuse, and the need for applying engineering or institutional controls in order to mitigate risks from the site(s).

As an independent contractor, ERC would work closely with WVDEP toxicologists and OER project managers during the early stages of the site evaluations to ensure that the site investigation/characterization, work plans, sampling and analysis plans (SAPs), and remedial action plans (RAPs) are developed and implemented in such a manner as to fully characterize site contaminants and migration, and mitigate potential exposures to human and ecological receptors. These activities would be performed for the WVDEP on an as needed basis.

As an experienced environmental risk assessor, Ms. Dawn E. Seeburger of ERC, and LRS No. 87 would perform the majority of the work under this contract. It is our understanding that she may be tasked by the WVDEP to evaluate the exposure of human and ecological receptors to contaminants in the environment (soil, groundwater, sediment, and air media) and assist the WVDEP in determining whether the likelihood of such exposure would result in an adverse health impact to the receptor.

As stated above, Ms. Seeburger is an experienced risk assessor, and possesses both the knowledge and experience in toxicology, statistics, biology and chemistry necessary to perform the services under this contract; and she has the ability to apply the appropriate computer models to simulate contaminant behavior in environmental media and/or contaminant uptake and distribution within a biological system.

As Ms. Seeburger's resume presents, her unique background experience applies directly to this contract.

This experience and knowledge includes the following work and education:

- She is an experienced risk assessment contractor for the WVDEP, she has an excellent rapport with WVDEP – OER project managers as well as Dr. Lawrence Sirinek and Mr. Ed McComas; and with a number of the LRSs whose work would potentially be reviewed under the program.
- She has a comprehensive understanding of the VRP rules and guidance, as well as applicable state and federal regulations.
- She was a respected toxicological/biological technician who performed toxicological animal research in the *Health and Environmental Sciences, Toxicology Research Laboratory* of the Dow Chemical Company, Inc. where she performed not only in-life acute and chronic exposures of chemicals and other materials to animals (e.g., rats, mice, dogs, rabbits, etc.); but post-life necropsies of animals following acute, and chronic studies of exposures.
- As her transcripts will provide, she undertook graduate studies in Environmental Law and Policy, and Statistics; as well as numerous courses in Toxicology and Risk Assessment.
- She has and will continue to take continuing education courses. To date she has taken additional course work in risk assessment, geology and ecology as well as USEPA course work in Hazard Ranking Scoring (HRS) and Preliminary Site Assessments (PSAs).
- She is a LRS with sites entered into the VRP, and a USEPA Brownfields expert. As such, she has an extensive understanding of managing and implementing comprehensive site investigations, developing quality assurance project plans (QAPPs), site-specific sampling and analysis plans (SAPs), performing human and ecological risk assessments, and developing engineering and/or institutional controls to mitigate exposure to potential receptors on a site.

CONDITIONS

It is our understanding that WVDEP will enter into an open-ended contract with one Risk Assessor; and that the WVDEP may contract separately with any source(s) considered qualified, due to their professional specialization, proximity to the project site and other considerations pertinent to the performance of Risk Assessor services.

SCOPE OF WORK

As the contracted Risk Assessor, ERC, and specifically Ms. Seeburger will assist the OER project managers and senior toxicologist in reviewing and making recommendations on risk assessment, risk characterization and risk management related documents and activities submitted and performed by the site LRS(s). Results of all reviews will be communicated to both the OER project manager and senior OER toxicologist as written reports. It is our understanding that these reports may be included as an attachment to, or summarized in subsequent communication to the LRSs; and that all results, submittals and reports shall become to sole property of the WVDEP.

It is also our understanding that work under this contract may be performed by any individual possessing sufficient experience in the preparation of human health and ecological risk assessments, and/or knowledge in the applicable disciplines of toxicology, statistics, biology, and chemistry. As previously stated, the majority of all work performed under this contract if awarded to ERC will be performed by Ms. Seeburger. As a proven Risk Assessor she will be responsible for all work prepared by ERC. Mr. Ken Pasterak, a professional geologist with ERC may be tasked to review computer-based contaminant modeling and distribution modeling on an as-needed basis, but this is estimated to be minimal.



QUALIFICATIONS

Ms. Seeburger holds a Masters of Science degree from Central Michigan University in Biology. Her field of study and course emphasis was in environmental toxicology as reflected by her transcripts that are included in the Appendices of this Statement of Qualifications (SOQ).

Her work experience in the field of toxicology from 1989 through 1994 in the *Health and Environmental Sciences, Toxicology Research Laboratory* of the Dow Chemical Company, located in Midland, Michigan; her experience working under previous Risk Assessor Contracts from 2005 through 2008, and during additional contract periods; and her extensive experience as an environmental consultant, LRS, and brownfields expert developing quality assurance project plans (QAPPs), site-specific sampling and analysis plans (SAPs), performing human and ecological risk assessments, and developing engineering and/or institutional controls to mitigate exposure to potential receptors on sites throughout West Virginia and beyond makes her and ERC uniquely qualified for award of this contract.

Mr. Ken Pasterak, a professional geologist with ERC holds a Masters of Science degree from Adelphi University in Environmental Management. Mr. Pasterak may be utilized on this contract on a limited basis to review contaminant migration and other modeling, or other areas in the field of hydrogeology/geology.

INVOICING

ERC will invoice the WVDEP on a monthly basis with a flat, hourly rate of \$95.00 that will cover the full cost of all work hours including labor, travel and materials. The invoice will include a sworn statement detailing actual hours worked.

ADDITIONAL INFORMATION

Based upon our experience under previous Risk Assessor contracts, we have also included the following information for consideration. However, the final Contract between WVDEP/Purchasing Division and ERC will dictate our work scope, and ERC will limit our work to that role.

For each assignment under this contract, ERC will first determine whether we have any conflict of interest and communicate such to the WVDEP immediately so that the project may be reviewed by others. For each assignment we will also provide, if requested, an estimated number of hours for our review based upon our best professional judgment. However, it is often difficult to determine accurately the number of hours necessary to review documents of this nature since it is highly dependent upon how well the LRS has organized their reports, tables and risk assessment calculations. If it is found that additional time may be necessary for our review, we will communicate such verbally and via email as soon as possible. No additional work will be performed without the prior approval by DEP via email or letter.

For each project under this contract, it is anticipated that ERC personnel will perform the following activities:

- ◆ Meet with the OER Project Manager (PM) to discuss the project and obtain any other relevant information the PM may deem appropriate;



- ◆ Perform a site visit (preferably with the OER PM and the LRS) to observe the physical setting in order to better interpret the site conditions and actions taken by the LRS, as applicable;
- ◆ Review the site characterization, risk assessment and other supporting documentation;
- ◆ Prepare a report that will be submitted to the OER project manager and senior OER toxicologist on a timely basis in order to meet the requirements under the VRP; and
- ◆ Provide separate invoices for each site to the OER which provides the site name, VRP number, current invoice amount, total amount invoiced during the contract period and remaining budget for each site and the total contract. If requested, a narrative report which provides detail on the status and what has been reviewed will be provided to OER with each monthly invoice.

It is also our understanding that all results, reports and submittals by ERC shall become the sole property of the WVDEP. It is understood that WVDEP will supply ERC with a complete copy of the documents for review that we may retain in our files. ERC will retain these documents for a period of approximately five years and/or the life of the project. Prior to record disposal, we will contact the WVDEP for disposal authorization, or if requested return the documents to the WVDEP including any notes or other documents generated by ERC for their review. ERC personnel will treat all assignments under this contract as confidential and only speak with the OER PM, Dr. Sirinek or other designated personnel unless authorized otherwise.

SCHEDULE

It is our understanding that the WVDEP may have a backlog of projects in need of review. In order to expedite these initial reviews and prioritize each assignment it is anticipated that we would meet with OER and the senior toxicologist initially to discuss the backlogged projects and attempt to determine the time necessary for our review and which projects should be prioritized based upon their economic redevelopment needs or other factors. Upon completion of the backlogged projects we would anticipate that a reasonable amount of time will be provided to ERC to complete each new assignment.

To assist us in our scheduling of personnel we would also request that if DEP PMs are aware of upcoming submittals that these are communicated to ERC as soon as possible and include the location of the project, the DEP project manager, and any other pertinent information that may impact our review time (i.e., anticipated complexity, type of site [leaking underground storage tank site, industrial, etc.]), and the manner in which we will receive the documents (i.e., pickup in Charleston, FedEx/UPS, etc.).



Dawn E. Seeburger, LRS
6 Coco Road
Elkview, WV 25071
(304) 965-9333
dawnseeburger@envres.net



EDUCATION:

M.S. in Biology – Central Michigan University, 1994
Concentration: Environmental Toxicology

B.S. in Biology, – Central Michigan University, 1992
Concentration: Cellular Biology

PROFESSIONAL REGISTRATIONS, CERTIFICATIONS, ASSOCIATIONS, and ADDITIONAL EDUCATION

- Licensed Remediation Specialist (LRS) #87, 1999, WV
- Certified Asbestos Inspector, Michigan, 1998 – No. B198112504 (expired)
- OSHA 1910.120 40 Hour HAZWOPER, 1994; 8 Hour Refresher (annual)
- EPA CERCLA Site Assessment Training – Hazard Ranking Evaluation Training, 2005
- Risk Communication Training, 2004
- ASTM Risk Based Corrective Action Course, 1995
- Assessment and Remediation of Petroleum Hydrocarbons Course, 1995
- American Society for Testing and Materials, E-50 Subcommittee 1995 – 2002
- Grand Valley State University, Physical Geology, 1996
- Union of Concerned Scientists, 2006 – to date

PROFESSIONAL EXPERIENCE:

Environmental Resources & Consulting, LLC
Owner/Manager, 2003 – to date

Responsible for directing operations and business development for environmental projects. Primary expertise includes: USEPA Brownfields Assessment and Cleanup Grant Projects; WV Voluntary Remediation Projects (VRP) investigations and peer review consulting of human/ecological risk assessment and other related documents submitted under the VRP; investigation and remediation at leaking underground storage tank and hazardous waste sites; human and ecological health risk assessments; and toxicological evaluations from exposure to environmental contaminants.

Retained by municipalities to manage USEPA Brownfields assessment and cleanup grant projects; industrial clients as a West Virginia Licensed Remediation Specialist (LRS) to provide voluntary remediation site investigation and management under the State's VRP; the West Virginia Department of Environmental Protection – Office of Environmental Remediation (WVDEP) to provide peer review services under the WVDEP's Risk Assessment Contract; and by legal firms to provide litigation support in the area of environmental toxicology, and as an expert witness on environmental projects.

CURRENT CONTRACTS:

USEPA Brownfields Petroleum Assessment Grant Project – Nitro, WV. *Kemron Environmental Services, Inc.* ERC is the subcontractor responsible for the programmatic aspect of the project which includes acting as a liaison with the USEPA and state regulators; preparing quarterly financial reporting and narrative reports for submittal to USEPA, and assists the grant recipients with annual reporting to USEPA; as well as assistance with the brownfield inventory, development of property profile forms, community education and outreach; and acts as a senior reviewer on Phase I and II ESAs, Quality Assurance Project Plans (QAPP) and Site-Specific Sampling and Analysis Plans (SAPs), remedial planning, and redevelopment planning. *The contract period extends through 2010.*

USEPA Brownfields Hazardous Assessment Grant Project – Nitro, WV. *Kemron Environmental Services, Inc.* ERC is the subcontractor responsible for the programmatic aspect of the project which includes acting as a liaison with the USEPA and state regulators; preparing quarterly financial reporting and narrative reports for submittal to USEPA, and assists the grant recipients with annual reporting to USEPA; as well as assistance with the brownfield inventory, development of property profile forms, community education and outreach; and acts as a senior reviewer on Phase I and II ESAs, Quality Assurance Project Plans (QAPP) and Site-Specific Sampling and Analysis Plans (SAPs), remedial planning, and redevelopment planning. *The contract period extends through 2010.*

USEPA Brownfields Hazardous Assessment Grant Project – McDowell County, WV. *Region I Planning and Redevelopment Council.* Prime contractor responsible for the environmental scope of the project. The scope of work includes overall project management; programmatic management, including acting as a liaison for the client with USEPA and WVDEP, preparation of quarterly financial and narrative reports of activities submitted to USEPA, and assisting the client with preparation and submittal of additional financial, DBE/WBE, and policy responses and reports submitted to USEPA; and acts as a senior reviewer on Phase I and II ESAs performed by ERC and/or subcontractors involved with the project, this includes reviews of the Quality Assurance Project Plans (QAPP) and Site-Specific Sampling and Analysis Plans (SAPs), remedial planning, and redevelopment planning. *The contract period extends through 2009.*

USEPA Brownfields Cleanup Grant Project – Former Barboursville Brickyard. *Village of Barboursville.* Prime contractor and Licensed Remediation Specialist (LRS) responsible for the environmental scope of the project. The scope of work included entering the site into the State's Voluntary Remediation Program (VRP) and performing extensive site assessment investigations to fill data gaps remaining from previous site assessments performed on the site. The site investigation encompassed the entire 20-acre former brickyard that was impacted with transite asbestos from former building operations; heavy metals, petroleum hydrocarbons, and volatile organic solvents from brick-making activities; and an investigation into a former underground storage tank area with known residual benzene impacts. Clean-up activities involved abating the transite asbestos and limited hot spot removal of petroleum hydrocarbons and heavy metals; and performing a human/ecological risk assessment to obtain a Certificate of Completion (COC) under the VRP. A COC is anticipated in early 2009. Additional work scope included programmatic management, assisting the client with financial and other reporting to USEPA, and acting as a liaison between the client and USEPA/WVDEP. *The contract period extends through 2009.*

USEPA Brownfields Hazardous Assessment Pilot Grant Project - Ranson Commerce Corridor Project, WV – Phase III. *City of Ranson.* Prime contractor and LRS responsible for the environmental scope of the project. The scope of work to date has included performing over 20 Phase I ESAs, several complete Phase II ESAs, and several limited Phase I ESAs to determine whether contaminants existed above the state guidelines. The City of Ranson to date has received \$595,000 in USEPA grant funding, a large portion of the grants have been authored by ERC as a pro bono service, and we recently assisted them in applying for an additional \$350,000 that may be awarded in 2009. We are currently in the process of developing a QAPP and SAP for a 13-plus acre site prior to initiating Phase II activities and remedial planning, the site is suspected to be contaminated with petroleum hydrocarbons, volatile and semi-volatile organic compounds, and heavy metals from historical use activities. We are also in the process of performing an extensive review of historical and current site investigation documents on a 20-acre former industrial site that the City is interested in purchasing. *The contract period extends through 2009.*

Litigation Support/Expert Witness – Rawl Drinking Water Project, *Evidence Management, LLC.* Sr. Project Manager/Environmental Toxicologist interviewing residents, reviewing environmental data to determine potential impacts from consumption of drinking water impacted by heavy metals, and potential risks to exposed populations. *Ongoing project, Trial anticipated February 2009.*

Litigation Support/Expert Witness - Chauncey PCB Project, *Evidence Management, LLC.* Sr. Project Manager/Environmental Toxicologist interviewing residents, and reviewing environmental and historical data collected by the US Environmental Protection Agency (EPA), West Virginia Department of Environmental Protection (DEP), and West Virginia Department of Health and Human Resources (DHHR) to determine historical environmental exposures, and potential risks to exposed populations. *Ongoing project.*

ERC CONTRACTS COMPLETED IN 2008 (Partial List):

State of West Virginia – Risk Assessment Contract. *West Virginia Department of Environmental Protection.* Sr. risk assessor performing peer reviews of work prepared for sites that have been entered into the West Virginia's Voluntary Remediation Program (VRP) by other consultants. Reviewed work generally includes: site characterization report(s); human health and ecological risk assessment(s); and work plans. The scope of work generally includes a determination of whether the risk assessment and site characterization have met the VRP standards based upon the future use of the site, the notation of any deficiencies and suggestions for correction, and review of work plans and subsequent phases of investigation and remediation. *The contract period was for one year and began in November 2005. This contract was renewed for two additional years and expired in November 2008. Projects reviewed and/or completed under this contract included:*

- Frito Lay, VRP#07468 (Received COC);
- Nitro Sanitary Landfill, VRP#04257;
- Chevron 7th Street, Parkersburg, VRP#03683 (Received COC);
- WV Wood Preserving Company, VRP#02780;
- Exxon Service Station, No. 2-8996, VRP#05253 (Received COC);
- Copenhaver Park, VRP#05761;
- Spelter Smelter, VRP#02773;
- Boomer Exxon, VRP#04286;
- N&S at Bramwell, VRP#05564;
- FMC East Plant and Brownfield Way, VRP#002234; and
- Former Point Pleasant Marine, VRP#02576.



State of West Virginia – CERCLIS Contract. *West Virginia Department of Environmental Protection.* Environmental Consulting Firm selected to perform File Review(s) and Site Reconnaissance(s) at seven (7) CERCLIS potential hazard waste sites. The scope of work included a site visit, review of site related documents and historical site investigation reports, development of a Hazard Ranking Score (HRS score), and an Executive Summary report. *The contract period was completed in February 2008.*

ERC COMPLETED CONTRACTS FROM 2003 THRU 2007 (Partial List):

USEPA Brownfields Pilot Project – Kelly’s Creek Watershed, Kanawha County, WV. *Gannett Fleming, Inc.* Sr. Project Manager responsible for the environmental scope of the project. The scope of work included reviewing existing environmental data and watershed data; performing a watershed-wide assessment of the 30-square mile watershed; performing an inventory and prioritization of potential Brownfield sites utilizing a weighted matrix database; and performing Phase I ESAs on priority Brownfield properties. Phase II ESAs are not anticipated during the initial phase of this project but may be included during subsequent phases of the project. We anticipate that we will assist the Kelly’s Creek Communities Association and Kanawha County in applying for additional Brownfield funding in fall 2004 to support additional assessments in the watershed and to promote economic development planning activities. *The project was completed in 2005.*

Risk Assessment Peer Review - Spelter Smelter Site, Spelter, WV, *West Virginia Department of Environmental Protection.* Sr. Project Manager and Risk Assessor performing a peer review of the Site Characterization Report and the Human Health and Ecological Risk Assessment for a former DuPont zinc smelting facility prepared by a West Virginia consulting firm under West Virginia’s Brownfields Voluntary Remediation Program (VRP). The scope of work included a determination of whether the risk assessment and site characterization met VRP standards based upon the future use of the site, notation of any deficiencies and suggestions for correction, and review of work plans and subsequent phases of investigation and remediation based upon our suggestions. *Ongoing project.*

Risk Assessment Peer Review - Dowell Schlumberger Site, Glenville, WV, *West Virginia Department of Environmental Protection.* Sr. Project Manager and Risk Assessor performing a peer review of the Site Characterization Report and Human Health and Ecological Risk Assessment for a former gas well facility prepared by a Michigan consulting firm under West Virginia’s VRP. The scope of work included a determination of whether the risk assessment and site characterization met VRP standards and notation of deficiencies. Comments and suggestions for correcting deficiencies were made to the consultant and WVDEP. The project is currently in progress. *Ongoing project.*

Risk Assessor – Speedway Super America, Eleanor, WV. *Kemron Environmental Services, Inc.* The scope of work included preparing a site-specific risk assessment, and evaluating exposure pathways and potential migration of site contaminants for submittal under the West Virginia VRP. The site received a COC in 2007.

Environmental Toxicologist – Marsh Fork Elementary School. *Evidence Management, Inc.* The scope of work included reviewing airborne dust analyses, discussion with USEPA on-scene coordinators, presenting information at a public meeting held by the WVDEP, and development of an opinion in regard as to whether there may be potential harm to students and/or nearby resident from exposure to airborne dusts.



Environmental Toxicologist – Concord University. *Evidence Management, Inc.* The scope of work included reviewing interviews with students, reviews of Material Safety Data Sheets (MSDSs), and toxicological data in regard to the alleged exposure of students to pesticides reportedly sprayed in dormitory rooms during student residence, and development of an opinion in regard as to whether there may be potential harm to students from exposure to the pesticides.

Nitro Moose Lodge – Leaking Underground Storage Tank contract. *Nitro Moose Lodge.* The scope of work included performing an initial investigation of the site to determine whether the groundwater was impacted with petroleum hydrocarbons. Additional phases of work will include delineating the contamination, entry of the Site into the WV VRP and remediating the site to industrial standards. *This project has been included under the Nitro USEPA Brownfields Project for further investigation.*

Litigation Support/Expert Witness – Long Ridge Road Property, Warner Law Offices. Sr. Project Manager/Environmental Toxicologist reviewing environmental data to determine whether there may be residual impacts to a property following a salvage operation, and subsequent environmental investigation and cleanup under a WVDEP enforcement action.

Phase II Site Investigation Plan – Wayne, WV. *Wayne County Schools.* Sr. Project Manager responsible for developing a subsurface site investigation to confirm/deny, and potentially delineate site contaminants from former historical operations on a site proposed as the location of a new elementary school.

USEPA Brownfields Pilot Project/Phase II- Ranson and Charles Town Commerce Corridor Project, WV. *Gannett Fleming, Inc.* Sr. Project Manager responsible for the environmental scope of the project. The scope of work includes developing a Quality Assurance Project Plan (QAPP), and Site Specific Sampling and Analysis Plans (SAPs) for five sites proposed for Phase II ESAs, and performing Phase I ESAs on approximately three to four additional sites. Following receipt of the analytical data, we will provide recommendations to the Cities of Charles Town and Ranson, and EPA as to whether to enter any of the sites into the WV VRP, and whether the sites are applicable for EPA Cleanup grant funding. Project is currently in progress.

EXPERIENCE OUTSIDE ENVIRONMENTAL RESOURCES & CONSULTING

MTBE Sampling Project, Beckley and St. Albans Districts, WV, *West Virginia Department of Environmental Protection (WVDEP), Office of Environmental Remediation (OER).* Project Manager responsible for administration, staffing, scheduling and coordination with the WVDEP and West Virginia Department of Health and Human Resources (WVDHHR). The project scope includes coordinating quarterly water sampling at approximately 1200 public drinking water systems, and collecting/analyzing approximately 2000 drinking water samples within two of five West Virginia districts for methyl tertiary butyl ether (MTBE) and tertiary butyl alcohol (TBA); obtaining global positioning system (GPS) coordinates at approximately 400 selected water source locations; and providing quarterly reports to the WVDEP including an electronic data deliverables (EDDs) package that will be incorporated into the WVDEP's EQUIS environmental data management system. The EDDs include specific information related to each sample (sample location, GPS data, and laboratory specific information).

Source Water Assessment and Protection (SWAP) Program, Various Sites throughout WV, West Virginia Department of Health and Human Resources (WVDHHR). Project Manager responsible for completing source water assessment and protection plans for selected communities in the Philippi and Beckley West Virginia districts for public water supply systems using groundwater, surface water, and abandoned mine sources. The project scope included delineation of the drinking water supply source; review of information in WVDHHR files including previous analytical sample results, and regulatory information from the WVDEP to evaluate historical and/or existing potential environmental impacts; interviews with water system operators and other knowledgeable sources; site visits/walkovers to obtain visual confirmation of potential contaminant sources; obtaining GPS locations of water sources; and providing reports to the WVDHHR.

West Virginia Voluntary Remediation Program - Former Major Rail Yard, Huntington, WV. Major Railroad Company. Project Manager responsible for seeking closure on a site heavily impacted by polychlorinated biphenyls (PCBs), and metals from years of utilization as a rail yard for a major rail transportation company. The site was characterized and entered into West Virginia's Voluntary Remediation Program (VRP) and it was anticipated that in order to achieve closure that excavation and disposal of the soils at a TOSCA certified landfill and a post-remedial risk assessment should be performed.

West Virginia Voluntary Remediation Program - Former Major Rail Yard, Benwood, WV. Major Railroad Company. Project Manager responsible for seeking closure on a site where groundwater was impacted by petroleum hydrocarbons and metals from soils from years of utilization as a rail yard for a major rail transportation company. The site was characterized and entered into West Virginia's VRP. Contaminated soils were removed. Groundwater in a relatively small area near the center of the site still contains free product and/or low-to-moderate levels of total petroleum product – diesel range organics (TPH - DRO) and arsenic. A site assessment and risk report was submitted to the West Virginia Department of Environmental Protection – Office of Environmental Remediation (WVDEP – OER). A certificate of completion is anticipated in early 2004.

Pennsylvania ACTII Contaminated Site Closure – Former Major Rail Yard, Pennsylvania. Major Railroad Company. Risk Assessor responsible for data review and risk assessment report preparation, and coordination with the Site Investigation Manager. The project scope included review of the soil and groundwater analytical concentration data; comparison of the analytical data to PA ACT II De Minimis concentration tables, review of reference dose and cancer slope factors for potential contaminants of concern (PCOCs); risk calculations for COCs; and report preparation under PA ACT II regulations.

West Virginia Voluntary Remediation Program - Polan Industries Site, Huntington, WV, West Virginia Department of Environmental Protection. Project Manager responsible for performing a site walkover and review of a work plan regarding Parcel 3 in preparation for reviewing the final site characterization and risk assessment to be prepared by another West Virginia consulting firm. The scope of work included the site walkover, review of the work plan, and preparation of comments regarding any potential deficiencies noted in the work plan.

West Virginia Voluntary Remediation Program - Polan Industries Site, Huntington, WV, West Virginia Department of Environmental Protection. Project Manager and Sr. Risk Assessor performing a peer review of the Site Characterization Report and Human Health and Ecological Risk Assessment performed by another consultant under West Virginia's VRP for a proposed state office building. The scope of work included a review of the site characterization and risk assessment to verify that the site met the VRP standards and provided protection of human health consistent with the proposed future use, notation of any deficiencies and suggestions for correction, and a review of the modeling program and default values used in the risk assessment. A certificate of completion was issued by WVDEP in 2002. In 2003 a presentation was made to the new site occupants (DHHR) who were concerned about potential health risks at the site.

West Virginia Voluntary Remediation Program - Loop Properties, St. Albans, WV, West Virginia Department of Environmental Protection. Project Manager performing a peer review of Site Characterization and Human Health Risk Assessment performed under West Virginia's VRP by another West Virginia consulting firm for a former leaking underground storage tank (LUST) site. The scope of work performed included a review of the Site Characterization Report and Human Health Risk Assessment to confirm that site met the VRP standards and provided protection of human health consistent with the proposed future use of the site. Deficiencies were noted and the site was subsequently removed from the VRP by the applicants.

USEPA Brownfields Pilot Project/Phase I - Ranson and Charles Town Commerce Corridor Project, WV. Gannett Fleming, Inc. Sr. Project Manager responsible for the environmental scope of the project. The scope of work included a preliminary inventory and prioritization of potential Brownfield sites utilizing a weighted matrix database; and performing Phase I ESAs on priority Brownfield properties. Generation of a site database, and development of costs for remediation of the Brownfield properties. Co-author of the \$150,000 supplemental grant application to the EPA Brownfield Program, awarded June 2004. Phase I of the Project is complete.

Contaminated Drinking Water Source Investigation - Ravenswood, WV, West Virginia Department of Environmental Protection. Project Manager responsible for investigation of the potential source(s) of tetrachloroethylene (PCE) contamination of the City of Ravenswood's drinking water supply wells. The scope of work included advancing Geoprobe borings to collect soil and groundwater samples in both the upper and lower water bearing zones (60- and 90-feet), analysis of the samples for PCE, and utilizing laboratory results to determine the source and extent of contamination in order to develop a clean-up strategy. Presented data and discussed potential public health risks at several public meetings working closely with WVDEP – OER, DHHR, and Ravenswood public officials. The site is under consideration for National Priorities Listing (NPL).

Brownfields Redevelopment, Omega Mine Complex, Morgantown, WV, WVDEP - Office of Abandoned Mine Lands (AML). Project Manager responsible for performing a benthic study and a hydrologic investigation regarding an abandoned mine land (AML). The scope of work for the benthic study included collection of surface water samples from several tributaries associated with the AML site; analysis of the water samples for specific metals and acidity; and collection, identification, and statistical analysis of the macroinvertebrates found within the tributaries. The scope of work for the hydrologic investigation included gathering data collected by the Federal Department of Energy (DOE) and WVDEP. The data, which included rainfall and outflow data, was used to theoretically compare water entering the system with water exiting the system in the form of high-acid seeps. The data was statistically analyzed, graphically displayed, and compared to data from pre- and post-grouting dates. The mine had been grouted in an attempt to reduce the acid discharge to the environment.

Contaminated Site Closures and Brownfields Redevelopment, Cincinnati, OH, *Wright-Bernet, Inc.* Project Manager managing and preparing a No Further Action (NFA) letter and Covenant Not to Sue under the Ohio Environmental Protection Agency's (OEPA) Voluntary Action Program (VAP) for an industrial site contaminated with trichloroethylene (TCE) and arsenic. The scope of work included a complete site history and site characterization; review of previous environmental assessments; Phase II ESA confirmatory sampling of the soil and groundwater, and data analysis using a VAP-certified laboratory; comparison of the carcinogen and non-carcinogen hazardous chemicals with published VAP generic numerical cleanup standards; a property-specific risk assessment detailing migration pathways and exposure scenarios; and groundwater classification.

Phase II Environmental Site Assessments (ESAs), *Amoco Corporation, Inc.* Project Manager managing and performing Phase II ESAs for a major petroleum provider at gasoline service stations and tank farms throughout Michigan and Ohio. The scope of work generally included subsurface investigations; groundwater monitoring; bioremediation design and implementation; natural attenuation; endangered species review; Risk-based Corrective Action (RBCA) documentation; report preparation; and site closure.

Phase II Environmental Site Assessments (ESAs), *Numerous Private, Public, and Bank Clients.* Project Manager managing and performing Phase II ESAs for commercial and industrial clients throughout the continental United States. The scope of work generally included subsurface investigations; groundwater monitoring; bioremediation design and implementation; natural attenuation; endangered species review; Risk-based Corrective Action (RBCA) documentation (in applicable states); report preparation; and site closure.

Phase I Environmental Site Assessments (ESAs). Project Manager managing and performing hundreds of Phase I Environmental Site Assessments (ESAs) at residential, agricultural, commercial, brownfields, and industrial sites throughout the continental United States in accordance with American Society for Testing and Materials (ASTM) Standard E1527 and modified ASTM reporting guidelines for specific financial, real estate, commercial, and/or industrial clients. The scope of work generally included site reconnaissance; site history review including historical reviews of aerial photographs, historical topographic maps, and Sanborn Fire Insurance maps; state and federal agency database reviews; asbestos and lead-based paint inspections; wetland observations; drinking water and radon analysis (client-specific); and report preparation.

PRO BONO SERVICES DEVELOPING USEPA GRANT APPLICATIONS – COMMUNITIES IN WEST VIRGINIA AND BEYOND:

ERC routinely donates staff time and expertise to promote Brownfields redevelopment projects in the State of West Virginia, and upon request in communities in other states. We feel that by promoting these projects and assisting communities in receiving assessment and/or cleanup grants that we help improve the health and well being of residents in these communities; the communities' economic health, creation of jobs, and improving the environment.

USEPA Brownfields Hazardous and Petroleum Assessment Grant Application – City of Nitro, WV. Grant Application Manager acting as the primary author of the successful 2005 USEPA Brownfield Hazardous and Petroleum Grant Application that awarded the City of Nitro, WV a total of \$400,000 in Assessment Grant funds in June 2007. The grant funds will be used to assess sites within both Kanawha and portions of Putnam Counties (outside City of Nitro boundaries) with an emphasis on the industrial park area which was formerly occupied by the Ordinance Works and later multiple chemical companies leaving a highly contaminated legacy for area residents. Performed site visits, performed several presentations and meetings with the City of Nitro, local and state economic development personnel, and worked closely with the Southern West Virginia Brownfields Assistance Center.

USEPA Brownfields Cleanup Grant Application – Village of Barboursville, WV. Grant Application Manager acting as the primary author of the successful 2005 USEPA Brownfield Cleanup Grant Application that awarded the Village of Barboursville, WV \$200,000 in Cleanup Grant funds in June 2007. The grant funds will be used to cleanup the former Barboursville Brickyard known to be contaminated with transite asbestos, heavy metals, and petroleum hydrocarbons. Performed a site visit, met with the Village of Barboursville, and worked closely with the Southern West Virginia Brownfields Assistance Center to develop the grant application.

USEPA Brownfields Hazardous Assessment Pilot Grant Application - Ranson and Charles Town Commerce Corridor Project, WV. Co-author of the successful \$200,000 2006 USEPA Brownfield Application for supplement assessment grants funding for the ongoing USEPA Brownfields Commerce Corridor Project in Ranson and Charles Town. Worked closely via conference calls and electronic correspondence with officials in Ranson and Charles Town. The \$200,000 supplemental grant was awarded in June 2007.

USEPA Brownfields Petroleum Grant Application – City of Charleston, WV. Co-author of the successful \$200,000 2005 USEPA Brownfield Petroleum Grant Application to perform a brownfields petroleum inventory, identify potentially responsible parties (PRPs), perform Phase I and Phase II Environmental Site Assessments (ESAs), and prepare redevelopment strategies for the identified sites. Worked closely with officials in Charleston to author this grant application. The \$200,000 grant was awarded in May 2005.

USEPA Brownfields Hazardous Assessment Pilot Grant Application - Ranson and Charles Town Commerce Corridor Project, WV. Co-author of the successful \$150,000 2004 USEPA Brownfield Application for supplement assessment grants funding for the ongoing USEPA Brownfields Commerce Corridor Project in Ranson and Charles Town. Worked closely via conference calls and electronic correspondence with officials in Charles Town and the Sr. Planner from Gannett Fleming to author this grant application. The \$150,000 supplemental grant was awarded in June 2004.



USEPA Brownfields Hazardous Assessment Grant Application – Richmond County, Augusta, GA. *City of Augusta, GA.* Grant Application Manager acting as the primary author of the successful 2003 USEPA Brownfield Application that awarded the City of Augusta, GA a \$350,000 Assessment Grant in June 2003 for the economically depressed minority community of Hyde Park. Worked closely via conference calls and correspondence with administrative and engineering officials in Augusta as well as with Hyde Park community leaders as a team to put together a successful grant application.

USEPA Brownfields Hazardous Assessment Grant Application – Brook and Hancock Counties, WV. *Brooke-Hancock-Jefferson Metropolitan Planning Commission, Steubenville, WV.* Grant Application Manager acting as the primary author of the successful 2003 USEPA Brownfield Application that awarded the BHJ Economic Development Authority, in Steubenville, WV a \$200,000 Assessment Grant in June 2003 for the economically depressed steel manufacturing area that includes Browns Island owned by Weirton Steel. Performed site visits, presentations and meetings with local and state economic development personnel and Weirton Steel management in Weirton, and as a team put together a successful grant application.

EMPLOYMENT HISTORY:

Marshall University, College of Information Technology and Engineering. Adjunct professor teaching graduate level environmental science courses; 1999 to date. Spring 2007 ES 675-201 Brownfields; Fall 2006 ES 604 Air Pollution; Fall 2005 ES 646 Dynamics of Ecosystems; Fall 2005 ES 662 Environmental Policy; Spring 2006 ES630 Environmental Site Assessment (following the newly EPA promulgated All Appropriate Inquiry rule). Additional courses: Anatomy and Physiology (undergraduate).

Gannett Fleming, Inc.

Office Manager/Senior Project Manager, 2001 – 2003

Responsible for office and operations management, business development including development of the company's national Brownfields practice, and acted as the senior manager responsible for oversight of environmental site investigation, and remediation projects. One of several senior risk assessor's responsible for risk assessment and performing peer reviews under the West Virginia Voluntary Remediation Program for the WVDEP.

GAI Consultants, Inc., Charleston, WV

Environmental Group Manager, 1999 – 2001

Managed the WV environmental group and acted as the senior project manager on environmental projects for acid-mine drainage, highway (DOH) environmental assessments (EA) and environmental impact statements (EIS), leaking underground storage tank investigations, and state-led hazardous waste investigations including the Ravenswood, WV PCE project. Supervision of field technicians and engineers.

GZA GeoEnvironmental, Inc., Grand Rapids, MI

Office Manager/Assistant Project Manger, 1996 – 1999

Responsible for office and operations management, business development including development of the company's Phase I ESA national practice, and acted as the project manager responsible for oversight of environmental site investigation, and remediation projects including the Voluntary Action Program (VAP) project on an Ohio site heavily contaminated with TCE.



Aqua-Terra, Inc., Saginaw, MI

Office Manager/Project Manager, 1995 – 1996

Responsible for office and operations management, and business development. Acted as the project manager responsible for environmental site investigations and remediation at Amoco gasoline stations and an Amoco-owned bulk tank farm located on Saginaw Bay in northeastern Michigan. Was the lead manager responsible for training staff in three other offices on Risk-based Corrective Action site closures, and risk-assessment procedures.

The Dow Chemical Company, Inc. – Dow Brands, Midland, MI

Research Technician, 1994 – 1995

Responsible for refining Dow Brand product formulations including window cleaners and detergents. Formulations were modified and subsequently tested using product-specific testing protocols to assess product efficacy, and the comparison of new formulations to competitor products. Performed product testing for long-term durability when exposed to extreme temperatures and humidity. Research included developing a Dow Brand product matrix database that statistically evaluated product formulations, costs, efficacy, and durability.

The Dow Chemical Company, Inc. – Health and Environmental Science Research Laboratory, Midland, MI

Biological Technician, 1989 – 1994

Inhalation Toxicology Research Laboratory: Responsible for the daily in-life observations and diagnostics for both acute and chronic inhalation animal studies. Chronic toxicity studies included 2-year rat and mouse studies, and 1-year dog studies. Daily in-life observations and diagnostics included handling each laboratory animal to determine whether the animals manifested any physical changes (e.g., tumors, blindness, hearing loss, neurological or repetitive behaviors, distress, etc.), monitoring tumor growth, and evaluating whether the animal should be sacrificed early due to humane considerations.

Assisted with the design and implementation of acute and long-term studies, performed set-ups of chambers for acute and chronic studies, and was responsible for setting up and managing equipment that monitored the chamber air flow, concentration, and relative humidity and management of study databases. Study databases included nominal calculations and exposure data, and individual animal data for each study. Worked closely throughout the studies with study pathologists and project leaders, and assisted with final study reports and statistics for agency submittals under TSCA and FIFRA.

Pathology/Histology Research Laboratory: Responsible for setting up and performing necropsies on study animals (e.g., mice, rats, guinea pigs, rabbits, and dogs) from acute and long-term oral, dermal, inhalation and teratology studies. Typical necropsies included sacrificing each uniquely identified animal, collecting blood, organs and other tissues for observation and diagnostics by a veterinary pathologist, laboratory analyses, and obtaining organ weights for statistical evaluation. Per each study protocol, organs and other tissues were preserved and cataloged for histological evaluation, slide preparation and interpretation by a veterinary pathologist. Throughout and following each necropsy worked closely with study project managers, laboratory technicians, and veterinary pathologists on statistical evaluations, in-life/post-life observations, and preparation of final reports for agency submittals under TSCA and FIFRA.

KENNETH J. PASTERAK, P.G.

PROFESSIONAL SUMMARY

Senior hydrogeologist and project manager responsible for conducting assessment, modeling, and remedial action for releases of petroleum hydrocarbons and hazardous substances to water, groundwater, soil, and air, including RI, FS, RFI, RA, and RD. Has conducted fate and transport modeling for a range of contaminant release and exposure scenarios at over 60 sites. Provides strategic and project guidance for brownfield redevelopment initiatives addressing single sites and communities. Has used USEPA Hazard Ranking System methodologies and Quickscore to evaluate risk associated with contaminant releases. Experienced in quantitative decision analysis, including development and use of deterministic and stochastic techniques (Monte Carlo simulation, etc.) to evaluate remedial alternatives and plan and manage project schedules. Working knowledge of chemical, physical, and biological remedial technologies for soil and groundwater and inherent limitations and probability of success. Participates in building inspections, UFAS/ADA audits, building lifecycle and renovation feasibility studies, and construction inspection for LEED green building construction.

EXPERIENCE

July 2003 to Present

Project Manager

- Designs and implements site investigation, feasibility study, and remedial action.
- Managed assessment and remediation at a 40 acre industrial site in Pittsburgh in advance of 25-unit residential townhouse construction.
- Managed fast track assessment and cleanup and participated in construction inspection for the development of LEED-eligible two-family townhouses employing green design elements at three urban sites.
- Conducted soil and groundwater assessment at three sites using USEPA brownfield redevelopment funding.
- Assisted community development clients in locating and applying for state and federal funding for assessment, remediation and redevelopment in Pittsburgh.
- Used QuickScore and Hazard Ranking System methodology to evaluate seven inactive West Virginia sites.
- Conducted off-site vapor intrusion modeling and empirical data collection and analysis to support the redevelopment of a former industrial plating facility surrounded by residential land use.
- Conducted groundwater fate and transport modeling to evaluate migration and natural attenuation of chlorinated solvents in groundwater.
- Conducted environmental assessments, UFAS/ADA accessibility audits, and physical building inspections for eight sites to support engineering feasibility studies, site re-use evaluations and redevelopment practicability for a local housing agency.

Gannett Fleming, Inc.

Project Manager, Pittsburgh, PA

November 1998 to July 2003

- Responsible for 60 projects involving environmental compliance and remediation services for energy, plastics, steel, wood products, and other business sectors.
- Responsible for site closure initiatives in western PA and WV for two *Fortune 50* clients. Performance metrics included safety, liability reduction, innovation, and site closure.
- Designed and operated an enhanced reductive dechlorination remediation system for a TCE-contaminated site in West Virginia, achieving an estimated \$120,000 cost savings compared to an SVE/air sparging conceptual remedial strategy proposed by others.
- Applied stochastic modelling techniques and expected value analysis to identify the optimal remedial strategy for a terminal with TCE and other chlorinated compounds in soil and groundwater in proximity to a municipal water supply well.
- Conducted regulatory compliance audits addressing OSHA, RCRA, TSCA, CERCLA and other programs.

KENNETH J. PASTERAK, P.G.

Gannett Fleming, Inc./Eder Associates, Inc., Augusta, GA
(Gannett Fleming acquired Eder Associates in 1997)

Project Manager and Branch Manager

May 1993 to November 1998

- Managed 90 projects involving assessment, remediation, and litigation support. Clients included railroad, chemical, health care, energy, and pulp/paper.
- Applied PERT and critical chain project management principles to standardize project planning, estimation and scheduling. Applied critical path method techniques for project planning.
- Applied quantitative decision analysis techniques to pilot test data to evaluate the reliability and effectiveness of geophysical techniques for mapping contaminated media at a former foundry.
- Provided Expert Testimony at a jury trial to defend a mining company from class action claims that company operations affected the value of 1,400 adjacent acres.
- Provided assessment and strategy development services for a potentially responsible party steering committee associated with a landfill Superfund site in Georgia.
- Designed and implemented a bioventing aerobic biodegradation remedial strategy for xylene contaminated soil at a steel mill faced with potential local opposition to a costly alternative offsite soil trucking remedy. Achieved an estimated \$40,000 cost savings compared to a land disposal remedial strategy proposed by others.
- Responsible for BD, proposal-writing, pricing, continuous quality improvement, accounts receivable, staff hiring and development, and P/L.
- Designed and implemented a Fentons Reagent chemical oxidation remedial strategy to remediate soil at a former railroad terminal in the Wilmington, NC central business district.

Eder Associates, Inc., Locust Valley, NY

Project Manager

June 1991 to May 1993

- Managed 18 RI/FS/RA and compliance audit projects.
- Developed an innovative technical strategy to maintain operational flexibility and negotiated a \$240,000 cost savings for a Pennsylvania pulp and paper mill that was faced with a regulatory order to close a 120 acre wastewater lagoon and construct 70 groundwater monitoring wells.
- Managed an RI/FS for a former aircraft manufacturing site on the State Superfund list.
- Managed environmental projects to support a private equity firm's acquisition and divestiture strategies.

Eder Associates, Inc., Locust Valley, NY

Project Geologist

July 1988 to June 1991

- Participated in the delivery of over 45 consulting engagements involving pipeline and other hazardous material spills, regulatory compliance auditing, and acquisition/divestiture due diligence.
- Used GPR, EM, VLF, and resistivity surface tools, and a range of downhole geophysical tools.
- Obtained training and operated a portable gas chromatograph to field test soil and groundwater samples at 15 sites.

Waste Resource Associates, Niagara Falls, NY

Staff Geologist

March 1986 to July 1988

- Co-editor of a bi-weekly RCRA environmental regulatory compliance publication.
- Assistant Instructor: OSHA, CERCLA, and RCRA training programs at 12 naval facilities.
- Assisted in developing hazardous waste permit applications and designing groundwater monitoring systems.

KENNETH J. PASTERAK, P.G.

EDUCATION

- **Master of Business Administration**, Joseph M. Katz Graduate School of Business, **2005**
University of Pittsburgh (Pittsburgh, PA)
- **Master of Science and Certificate in Environmental Management**, Adelphi University **1991, 1994**
(Garden City, NY)
- **Bachelor of Science**, Geology; West Virginia University (Morgantown, WV) **1984**

PROFESSIONAL LICENSES

- Registered Professional Geologist in Pennsylvania, North Carolina, South Carolina, Georgia and Tennessee

SELECTED PUBLICATIONS AND PRESENTATIONS

- Regulatory Compliance Handbook for Laboratory Managers, S. Odojewski, R. Rakocyanski, and K. Pasterak
- RCRA Regulatory Compliance Guidance Manual, S. Odojewski, R. Rakocyanski, and K. Pasterak
- Miscellaneous Papers and Presentations Addressing Environmental and Regulatory Issues
- The Future of RCRA Corrective Action, K. Pasterak (Environmental Summit, Augusta, GA, 1995)

SELECTED PROFESSIONAL AFFILIATIONS

- Board Member, Regional Environmental Education Center, Upper St. Clair, PA
- Board House (Real Estate) Committee Member, United Cerebral Palsy Foundation, Pittsburgh Chapter
- Air and Waste Management Association, Pittsburgh Chapter
- National Groundwater Association

Central Michigan University
Lansing, Michigan



By authority of the Board of Trustees
and upon the recommendation of the faculty confers upon

Raym H. Seeburger

the degree of

Master of Science

with all the rights and honors thereto appertaining.

In Witness Whereof, the signatures of its officers are affixed
this month of May, 1994.

A handwritten signature in dark ink, appearing to read "W. A. Seeburger".

Lawrence E. Placido

CENTRAL MICHIGAN UNIVERSITY

OFFICE OF THE REGISTRAR OFFICIAL TRANSCRIPT

PAGE: 01 OF 01
DATE: 08/30/05

TRANSCRIPT PREPARED FOR:

ACADEMIC RECORD OF:

DAWN E SEEBURGER

STUDENT NUMBER: 384-46-3097

ISSUED TO STUDENT

DAWN SEEBURGER
6 COCO RD
ELKVIEW WV 25071

STUDENT LEVEL: GRADUATE
TERM ADMITTED: FALL 1992

SUBJ CRSE C TITLE CREDIT GRD R MEMORANDA

CENTRAL MICHIGAN UNIVERSITY CREDIT:

FALL 1992

BIO 592	1	ENVIRONMENTAL PHYSIOLOGY	3.00	B	
BLR 521	1	ENVIRONMENTAL LAW & POLICY	3.00	A	
SEM HRS	PSD	6.00	GPA HR	6.00	PT 21.00 GPA 3.50
CUM TOT	HRS	6.00	GPA HR	6.00	PT 21.00 GPA 3.50

SPRING 1993

BIO 654	1	PESTICIDES	3.00	A-	
BIO 610X	1	ENVIR RISK ASSESSMENT	3.00	A	
SEM HRS	PSD	6.00	GPA HR	6.00	PT 23.10 GPA 3.85
CUM TOT	HRS	12.00	GPA HR	12.00	PT 44.10 GPA 3.67

SUMMER I 1993

BIO 610X	1	TOXICOLOGY	3.00	A	
SEM HRS	PSD	3.00	GPA HR	3.00	PT 12.00 GPA 4.00
CUM TOT	HRS	15.00	GPA HR	15.00	PT 56.10 GPA 3.74

SUMMER II 1993

BIO 680	1	CONSERVATION BIOLOGY	3.00	A	
SEM HRS	PSD	3.00	GPA HR	3.00	PT 12.00 GPA 4.00
CUM TOT	HRS	18.00	GPA HR	18.00	PT 68.10 GPA 3.78

FALL 1993

BIO 576	1	ANIMAL CELL CULTURE	4.00	A	
BIO 537	1	IMMUNOLOGY	4.00	A-	
SEM HRS	PSD	8.00	GPA HR	8.00	PT 30.80 GPA 3.85
CUM TOT	HRS	26.00	GPA HR	26.00	PT 98.90 GPA 3.80

SPRING 1994

BIO 637	1	TOPICS IN IMMUNOLOGY	3.00	A	
BIO 610X	1	ENVIR SITE ASSESSMENT	3.00	A-	
SEM HRS	PSD	6.00	GPA HR	6.00	PT 23.10 GPA 3.85
CUM TOT	HRS	32.00	GPA HR	32.00	PT 122.00 GPA 3.81

CONFERRED: 05/94 MASTER OF SCIENCE

PROGRAM
BIOLOGY

--- END DOCUMENT ---

*** = COURSE IN PROCESS

Dawn E. Seeburger
Registrar

RAISED SEAL NOT REQUIRED. TRANSCRIPT IS ONLY VALID WITH COLORED SIGNATURE

THE ORIGINAL DOCUMENT HAS A REFLECTIVE WATERMARK ON THE BACK. HOLD AT AN ANGLE TO VIEW WHEN CHECKING THE ENDORSEMENT.

Central Michigan University



*By authority of the Board of Trustees
and upon the recommendation of the faculty confers upon*

Dawn Ellen Seeburger

the degree of

Bachelor of Science

with all the rights and honors thereto appertaining.

*In Witness Whereof, the signatures of its officers are affixed
this month of May, 1992.*

Margaret Ann Pecker

Chair, Board of Trustees

Leonard E. Placko

President

CENTRAL MICHIGAN UNIVERSITY

OFFICE OF THE REGISTRAR OFFICIAL TRANSCRIPT

PAGE: 01 OF 02
DATE: 08/30/05

TRANSCRIPT PREPARED FOR:

ACADEMIC RECORD OF:

DAWN E SEEBURGER

STUDENT NUMBER: 384-46-3097

****ISSUED TO STUDENT****

DAWN SEEBURGER
6 COCO RD
ELKVIEW

WV 25071

STUDENT LEVEL: UNDERGRADUATE
TERM ADMITTED: WINTER 1990

SUBJ CRSE C TITLE

CREDIT GRD R

MEMORANDA

TRANSFER CREDIT:

DELTA COLLEGE

1987-89 HRS 61.00
TR CRED TRANSFER CREDIT 61.00

WINTER 1988 HRS 1.00
BIO CRED BIO CREDIT (4) 1.00

CENTRAL MICHIGAN UNIVERSITY CREDIT:

WINTER 1990

BIO 208	1	MICROBIOLOGY	3.00	B				
BIO 392	1	MAMMALIAN PHYSIOLOGY	4.00	C				
CHM 346	1	ORGANIC CHEMISTRY II	3.00	W				
CPS 150	1	FORTRAN PROGRAMMING	2.00	A-				
SEM HRS	PSD	9.00	GPA HR	9.00	PT	24.40	GPA	2.71
CUM TOT	HRS	71.00	GPA HR	9.00	PT	24.40	GPA	2.71

FALL 1990

BIO 305	1	ENTOMOLOGY	3.00	A-				
BIO 340	1	ECOLOGY	3.00	B				
MTH 132	1	CALCULUS I	4.00	C-				
SEM HRS	PSD	10.00	GPA HR	10.00	PT	26.90	GPA	2.69
CUM TOT	HRS	81.00	GPA HR	19.00	PT	51.30	GPA	2.70

SPRING 1991

BIO 324	1	CELL BIOLOGY	3.00	B				
BIO 326	1	GENETICS	4.00	B				
BIO 500	1	BIOLOGICAL STATISTICS	3.00	B-				
SEM HRS	PSD	10.00	GPA HR	10.00	PT	29.10	GPA	2.91
CUM TOT	HRS	91.00	GPA HR	29.00	PT	80.40	GPA	2.77

SUMMER I 1991

ART 105	1	DRAWING I INTRODUCTORY	3.00	A				
SEM HRS	PSD	3.00	GPA HR	3.00	PT	12.00	GPA	4.00
CUM TOT	HRS	94.00	GPA HR	32.00	PT	92.40	GPA	2.88

FALL 1991

PHY 130	1	COLLEGE PHYSICS I	4.00	B-				
ART 130	1	PAINTING I	3.00	A				
ART 305	1	DRAWING III	3.00	B				
CHM 346	1	ORGANIC CHEMISTRY II	3.00	C-				
SEM HRS	PSD	13.00	GPA HR	13.00	PT	36.90	GPA	2.83
CUM TOT	HRS	107.00	GPA HR	45.00	PT	129.30	GPA	2.87

SPRING 1992

BIO 375	1	BIO ILLUSTRATION I	3.00	A
BIO 364	1	WILDLIFE CONSERVATION	1.00	C
PHY 131	1	COLLEGE PHYSICS II	4.00	A
ART 330	1	PAINTING III	3.00	A
ART 405	1	ADVANCED DRAWING	3.00	A

Dawn E Seeburger
Registrar

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CENTRAL MICHIGAN UNIVERSITY

OFFICE OF THE REGISTRAR

OFFICIAL TRANSCRIPT

PAGE: 02 OF 02
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6 COCO RD
ELKVIEW

WV 25071

STUDENT LEVEL: UNDERGRADUATE
TERM ADMITTED: WINTER 1990

SUBJ CRSE C TITLE

CREDIT GRD R

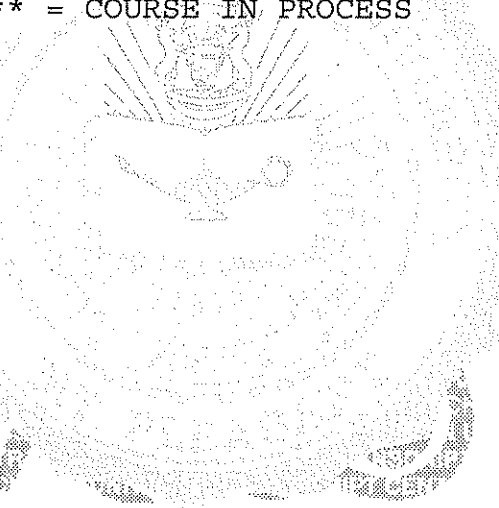
MEMORANDA

SPRING 1992 CONTINUED
ANT 320 1 INDIANS NORTH AMERICA 3.00 A-
SEM HRS PSD 17.00 GPA HR 17.00 PT 65.10 GPA 3.82
CUM TOT HRS 124.00 GPA HR 62.00 PT 194.40 GPA 3.13

CONFERRED: 05/92 BACHELOR OF SCIENCE

MAJORS: MINORS:
BIOLOGY: PREGRAD/PREPROFESSION

--- END DOCUMENT --- *** = COURSE IN PROCESS



Dawn E. Hutchins
Registrar

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HOLD AT AN ANGLE TO VIEW WHEN CHECKING THE ENDORSEMENT.

Adelphi University

Garden City, New York
Graduate School of Arts and Sciences

Know all persons by these presents, That
Kenneth John Haxterak

having completed the Graduate Course of Study and satisfied the requirements for the
Certificate in Environmental Management
of the Adelphi University Department of Earth Science
is hereby awarded this certificate and all the Rights, Privileges,
and Honors thereto pertaining here or elsewhere.

In Witness Whereof, the seal of the University and the signatures of its officers have been hereto
affixed this thirty-first day of May, nineteen hundred and ninety-four



Peter X ienadogods -
President of the University

Smith B. Swerve
Chairman of the Board of Trustees

William W. Edson
Dean