



James P. Rhodes, CPG, Senior Vice President

PROFESSIONAL EXPERIENCE

PWGC: 20 years
Prior: 5 years

EDUCATION

- MS, Earth Science/Hydrogeology, Adelphi University, NY
- BS, Geology, SUNY Oneonta, NY
- Executive Education (ACEC)
- Leading Professional Service Firms - Harvard Business School

AREAS OF EXPERTISE

- Brownfields/Redevelopment Management
- Environmental Compliance Management
- Property/Real Estate Due Diligence Expert – Transaction & Environmental
- Site Assessment & Reuse Analysis
- Environmental & Remedial Investigations - Soil/Groundwater and Air Quality

CERTIFICATION

- Phase I Environmental Inspector - Environmental Assessment Association
- Professional Geologist - American Institute of Professional Geologists
- Licensed Real Estate Salesperson - NY
- OSHA HAZWOPER 40-hr.

AFFILIATIONS

- NYC Building Congress – Planning, Growth & Sustainability Committee
- American Institute of Professional Geologists
- Long Island Association - Building Real Estate Committee
- Long Island Builders Institute
- Long Island Geologists Association
- National Brownfield Organization
- National Ground Water Association
- CoreNet Global – NYC Chapter
- Long Island Business Development Council

Awards

- ACEC NY “Diamond Award” project winner for NYSDEC BCP Implementation at former Darby Drugs site.

PROFILE

Mr. Rhodes leads PWGC’s Environmental Group. Utilizing his 25 years’ experience he’s an expert in managing environmental concerns unique to real estate market for the public and private sector. His tenure permits Jim the ability to provide guidance to his associates and his clients. He has strong working relationships with government regulators at multiple levels of government, which enables clear communication on project requirements and speeds the approval process.

Rhodes’ expertise in the environmental remediation and redevelopment field includes environmental site assessments, such as Phase I/II ESAs, RI/FS VCP studies, cost to cure estimates for real estate tax purposes and brownfield remediation. His experience with soil and groundwater investigations, air quality studies and remedial measures has benefitted clients that range from attorneys to developers, from insurance companies and municipal agencies. His attention to the individual client, resourcefulness to pinpoint key environmental concerns quickly helps avoid unexpected delays and cost overruns.

At PWGC, he coordinates with clients to prepare plans for approval by federal, state, and local agencies, which include quality assurance, sampling, tank closure and corrective action.

NOTABLE PROJECTS

PWGC Environmental Real Estate Sector Services

Phase I & Phase II Environmental Site Assessment (ESA) Management – As Program Director for Property Transactions & Real Estate Environmental Management Services & Support for PWGC, Rhodes oversees Phase I & II ESA planning, implementation and completion. He ensures that each ESA is tailored to client needs and long-term goals. For each project, a targeted scope of work and relevant documentation is prepared for clients to allow them to make cost-effective business decisions. PWGC typically performs more than 60 Phase I & Phase II ESA’s annually with clients that include attorneys, lending institutions and municipalities. Given his experience, Rhodes provides clients workable environmental solutions for real estate issues. Under his management, PWGC Phase I/II reports are recognized by peers and clients for effectively utilizing escrow agreements, environmental insurance and cost-to-cure estimates.

New York City “E” Designation Sites

In response to the rezoning activities in New York City, its Office of Environmental Remediation (NYCOER) oversees environmental investigation and remediation at suspect sites prior to redevelopment. Rhodes develops scopes of work for environmental investigation required to redevelop the “E” designated property. He oversees Phase I & II work plans, Health and Safety Plan and Construction Health and Safety Plan, which NYCOER must approve prior to the start of work. To assess the soil quality he coordinates and oversees subsurface investigations, including geophysical surveys and soil and groundwater sampling programs. Based on the findings, Rhodes develops and implements remedial strategies and prepares Remedial Action Plans for NYCOER approval.

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Rhodes provides technical oversight and support on vapor intrusion mitigation, such as vapor barriers and sub-slab depressurization systems, and is experienced with New York State Department of Health requirements on evaluating soil vapor intrusions.

Sive, Paget & Riesel, PC (SPR) - New York, NY

Expert Evaluation & Analysis, Carnegie Hill, New York, NY – The law firm of Sive, Paget & Riesel, PC contracted Rhodes to provide an environmental engineering evaluation to determine the source of petroleum contamination in a commercial corridor. A previous investigation conducted by the New York State Department of Environmental Conservation (NYSDEC) contractor identified SPR's client as the responsible party for an oil spill negatively affecting an adjacent building. He used the evaluation of previous reports, proper closure of a 10,000 gallon underground storage tank (UST), and cross match analysis of fuel oil to compare chemical fingerprints of several sources. PWGC prepared a comprehensive project document to illustrate hydrogeologic cross sections, a study of the bedrock, UST construction details, hydrographs and photos. The comprehensive document ultimately proved favorable for the client.

Suffolk County Department of Health Services (SCDHS)

Brownfield Program Engineering Consulting Services Agreement – Through a competitive bidding process, PWGC was chosen by SCDHS as its engineering consultant related to County-owned Brownfield sites. Currently, PWGC is working on five sites for SCDHS in various stages of the Brownfield Cleanup Program (BCP). These sites are in both the municipal Environmental Restoration Program (ERP) and BCP in situations where the county assumed responsibility for the contamination. Mr. Rhodes acts as the Project Director for these projects and is the main liaison with the SCDHS. As part of his duties, Mr. Rhodes participates in meetings with the New York State Department of Environmental Conservation and collaborated with SCDHS to streamline the brownfield restoration process.

Bauman Bus, Gabreski Airport - Westhampton, NY

UIC Investigation/Remediation – Through New York State's "Rebuild Now" Program, Mr. Rhodes oversaw the investigation/remediation for Underground Injection Control (UIC) sites on 58 acres at Suffolk County's Francis S. Grabreski Airport, a 1,500 acre former US Air Force base in Westhampton. A 2004 site investigation revealed elevated levels of semi-volatile organic compounds. Through analysis of historical maps and geophysical methods, a remedial work plan was prepared for the site to properly locate, characterize and close more than 100 UIC sites. Rhodes provided technical support to verify protocols on local, state and federal levels, corresponded with the County to negotiate the scope of work, provided quality assurance and verified that all work was done in accordance associated guidelines permitting site redevelopment. PWGC's efforts included a supplemental remedial investigation, final remedial design and preparation of a site management plan and post remedial monitoring, which is allowing for the development of the Hampton Business District business park by Plainview, NY-based Rechler Equities.

Bellport Gas Station-Bellport, NY

Brownfield's Consulting Support Services - The Suffolk County municipal Brownfields site is currently in the New York State Department of Environmental Conservation (NYSDEC) Environmental Restoration Program. Mr. Rhodes oversaw the preparation of a remedial investigation work plan as well as the Remedial Investigation/Alternative Analysis report. In addition, an Interim Remedial Measure was performed and as Mr. Rhodes negotiated the final Remedial Action Plan with the NYSDEC and submitted a final site management plan with an environmental easement. The site has been remediated and PWGC continues to monitor the site as required.

Avalon Bay Communities - Rockville Center, NY

Brownfields Project Management -& Planning – As project director, Mr. Rhodes provides technical support and acts as a liaison between the New York State Department of Environmental Conservation (NYSDEC), the Village of Rockville Centre, the site's previous owner and new owner Avalon Bay Communities. He was an advocate for Avalon Bay needs and goals to redevelop the former industrial site as residential in meetings with NYSDEC and collaborated with the client and project team to develop the most effective strategy to streamline the project's representation with the state under the BCP program. Mr. Rhodes provided invaluable guidance in regard to the project's scope of work and documentation preparation, which included work plans, sampling and RI reporting. He was instrumental in obtaining all permits to complete the IRM work plan as well as throughout the performance of the IRM. The site then went to final remedial action

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work plan, design and oversight of final remediation, completion of site management plan and easement, which was first project of its type on Long Island to obtain COC and was a winner of ACEC Diamond Award.

Penetrex Processing, Glenwood Landing - New York

Subsurface Investigation, NYS Class II Inactive Hazardous Waste Site – As project principal, Rhodes lead the investigation of an inactive hazardous waste site in accordance with a New York State Department of Environmental Conservation (NYSDEC)-approved work plan, which included sub-slab vapor and indoor air sampling and a sub-slab depressurization system. In addition, he oversaw the preparation of a feasibility study for the site that NYSDEC used to prepare a proposed remedial action plan, which lead to a Record of Decision. NYSDEC is currently reviewing associated site management plan and environmental easement.

Expeditors c/o Cargo Ventures LLC - Inwood, NY

Environmental Site Assessment, Remediation, & Redevelopment – Rhodes supervised the investigation, remediation and redevelopment of a New York State Department of Environmental Conservation (NYSDEC) designated spill site on 4.25 acres at a former Shell Oil terminal located along Negro Bar Channel in Inwood, NY. As part of this multifaceted project, PWGC prepared a Phase I Environmental Site Assessment and documented historic environmental work performed at the site to satisfy requirements from associated lending institutions. Rhodes oversaw the completion of a subsurface investigation to determine site conditions to prepare appropriate NYSDEC-approved Corrective and Remedial Action Plans. He oversaw the removal of petroleum-impacted soils, which resulted in an excavation measuring 60,000 square feet and more than 40,000 tons of impacted soils processed.

Benjamin Beechwood, LLC, Arverne Urban Renewal Area (URA) - Far Rockaway, NY

Consulting Services, Multi-Site Phase II Planning & Management – As project director, Mr. Rhodes collaborated with representatives from Benjamin Beechwood, LLC and served as liaison to the New York City Departments of Environmental Protection (NYCDEP) and Housing Preservation and Development (HPD) effectively advocating for their project goals. He supervised environmental due diligence for the development of the site – measuring 25 city blocks wide – and prepared the scope of work for a multi-site Phase II investigation. The result was incorporated into project documents along with work plans, health and safety plans, special area management, and submitted to NYCDEP and HPD. Once approved, Rhodes coordinated with NYCDEP on extensive geophysical and geo-probe investigations, test pits and soil pile characterizations. He directed the multi-faceted project, which tank removals and NYSDEC spill closures, successfully clearing the way for the area's redevelopment and revitalization.

Town of Babylon - Wyandanch, NY

Phase II Site Investigation & Redevelopment – Mr. Rhodes worked with the Town of Babylon's Community Development Agency and private interests, which resulted in first new supermarket built in the hamlet of Wyandanch in more than 20 years. Rhodes developed a soil and groundwater investigation scope that revealed low tetrachloroethane (PCE) levels in the soil and higher levels in the groundwater generated by a dry cleaner formerly located at the site. Rhodes documented the PCE was degrading naturally and only low-impact levels were migrating off-site. To determine the off-site plumes' real and potential effect, PWGC conducted an extensive well survey down-gradient of the property to identify potential receptors of the off-site groundwater contamination. The results prompted the Town of Babylon to connect potentially affected residences to public water, safeguarding the contaminant pathway and clearing the site for redevelopment.

Groundwater Specialists, Inc. - Ronkonkoma, NY

QA/QC for Phase I & II Engineering Oversight Services – To assure quality of the remedial investigation, Mr. Rhodes reviewed the proposed work plan, analyses; progress and activities monitoring for the soil-boring program, monitoring well installation, groundwater sampling; and spot-checking of field records. He further reviewed the third party's data evaluation, risk assessment, draft report, and results' documentation to assure completeness and rationality; and assisted the client with the sealing of the final report upon approval

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Village of Lindenhurst – Lindenhurst, NY

Environmental Site Assessment for Property Redevelopment – Mr. Rhodes acted as liaison between Village of Lindenhurst officials and the Suffolk County Department of Health Services (SCDHS) representatives during the environmental assessment facet of a condemnation proceeding ordered by the Village as part of the site’s proposed redevelopment into a court complex. Faced with access issues during the initial Phase I and II, PWGC collected enough evidence for SCDHS to obtain a court order for gaining entry to the property. Working in conjunction with the SCDHS, Mr. Rhodes finalized a scope of work and tasks, divided between PWGC and SCDHS personnel. Information collected in the joint venture documented the site’s environmental integrity allowing for formulating the proper remedial action plan.

Allstate Insurance Services - Hauppauge, NY

Spill Site Project Management – Mr. Rhodes oversees multiple residential fuel oil spills a year in New York City, Westchester, Nassau, and Suffolk Counties and Upstate New York on behalf of Allstate Insurance Services. He directs PWGC’s Allstate team in providing technical oversight to document that spill remediation performed by the homeowner’s contractor sufficiently addresses the contamination present and to achieve closure by the New York State Department of Environmental Conservation (NYSDEC). Professional representation at all levels, and coordination with the NYSDEC and the environmental contractor, PWGC has addressed most spills in a timely fashion, effectively reducing or eliminating Allstate’s liability in such cases.

Sub-Surface Investigation Management & Client Representation Texaco Station, NY – Mr. Rhodes reviewed and supervised a sub-surface investigation to determine whether two underground storage tanks at a Texaco gas station were the potential source of soil and groundwater contamination under remediation at the time. He reviewed existing site data and supervised a subsurface investigation to determine the responsible party. The investigation showed the two storage tanks were not the source of contamination and that the current remediation system appeared ineffective.

Dutchess Terminal, NY

Petroleum Investigation – Collaborated on the investigation for New York State Department of Environmental Conservation (NYSDEC) to identify spilled product from five different bulk oil-storage companies. NYSDEC sought to identify potential responsible parties for cost recovery. The hydrogeologic investigation was crucial to meet NYSDEC’s objective, since it would identify sources of contamination and evaluate the effectiveness of a groundwater remediation system. Mr. Rhodes stayed on the project long-term to provide quarterly reporting and the fate and transport of product evaluation during final closure of the site.

Fong and Wong, PC - New York, NY

New Best Cleaners & Tailors, Inc., Centereach, NY, Environmental Investigation & Remediation – He provided professional consulting services and expert testimony for the attorney who represented the site lessee in litigation with the property owner over the environmental condition and a lease buy-out agreement. He oversaw the soil and groundwater study to evaluate potential impacts and determine multiple sources of contamination, and remediation of sources associated with the dry cleaners, and participated in an on-site meeting with the presiding judge to demonstrate the conditions at the site first hand.

Krumenacker Florist and Nursery - Amityville, NY

Phase II Investigation & Site Remediation – After reviewing an existing Phase I report, Mr. Rhodes performed a Phase II investigation and site remediation to bring the facility into regulatory compliance and clear the path for future development. The Phase II strategy focused on specific areas of concern that could negatively affect the client in the form of greater expense and unexpected delays. The environmental concerns focused on an existing Class V Underground Injection Control Well, underground gasoline storage tanks, potential environmental assessment format issues and impacted soils beneath the former greenhouse. During the greenhouse demolition, Rhodes met with regulatory agencies to ensure that on-going soil sampling and health and safety measures met regulatory requirements.

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John deCuevas, et al. v. East Hampton Golf Club, LLC, et al – East Hampton, NY

Expert Evaluation - Conducted an investigation to assess the potential environmental impact of a golf course development on the groundwater resource and to provide testimony on behalf of John DeCuevas. He researched and evaluated the hydrogeologic characteristic beneath the site, local groundwater quality concerns and potential chemical usage of the future golf course. The evaluation identified the potential for groundwater impact and the threat to nearby private drinking water wells from the proposed development.

The findings prompted the two parties to agree on the development of a groundwater monitoring program to protect the private wells. Further, the golf course implemented an Integrated Pest Management program to control chemical use at the site. After developing the monitoring program that includes two wells required by Suffolk County Department of Health Services (SCDHS), Rhodes reviewed the data to determine if impacts had occurred and submitted his findings with SCDHS for incorporation in the county's database. The program is on-going, with sampling frequency diminishing from quarterly to annually. Mr. Rhodes continues to review reports from the golf course for the client through his attorney, Nixon Peabody LLP.

Water Authority of Great Neck North - Great Neck NY

Groundwater Study – As project manager, Rhodes directed multiple studies using groundwater models in conjunction with the Nassau County Department of Public Works, to evaluate the pumpage of Great Neck's public water supply wells for potential for saltwater intrusion to determine the most favorable locations for a proposed well field. Rhodes used the results to prepare an aquifer management plan (AMP) for the authority that described short-term and long-term pumping scenarios. By following the AMP, the Authority has indicated the advancement of multiple saltwater wedges has slowed and/or ceased. Rhodes also prepared the water supply application and engineering report for the installation of new wells located off of the Great Neck Peninsula, which was part of the Authority's long term plans contained in the AMP.

Minmilt Realty - East Farmingdale, NY

Remedial Project Management - As field manager, he coordinated a full remedial investigation and provided technical direction during the installation of a deep monitoring well - 180 feet - and defined the vertical extent of contamination and hydrophobic dyes to determine the movement of dense non-aqueous phase liquids (DNAPL) using groundwater quality screening. Rhodes prepared the RI/FS report and oversaw the operation and maintenance of the system.

Computer Circuits - Hauppauge, NY

Remedial Investigation and Feasibility Study (RI/FS) – Project director for a characterization of a contamination's nature and extent at the former Computer Circuits industrial site, a US Environmental Protection Agency Superfund Site. Mr. Rhodes coordinated the use of different geophysical techniques to determine if unknown buried objects such as drums, tanks, or leaching structures existed. Techniques employed during the course of the project were interior/exterior soil borings, multiple drilling/probe methods, EnCore™ sampler (to preserve VOC sample integrity), and off-site groundwater vertical profile sampling to depths in excess of 200 feet below grade. PWGC utilized an on-site laboratory grade gas chromatograph to screen both soil and groundwater samples and followed New York State Department of Environmental Conservation procedures during the investigation.

Brookhaven National Laboratory - Upton, NY

Major Cesspools Closure – Mr. Rhodes coordinated sampling efforts to comply with the EPA and States regulated UIC program for the closure. He monitored closely the full ASP-B protocol and, after analysis of laboratory data, submitted reports to the client.

Jain Center of America - Lake Success, NY

Sub-Surface Investigation Review - Mr. Rhodes reviewed a subsurface investigation of a former gasoline station. He had to adhere to Village of Lake Success' requirements addressing past environmental problems at the site, while at the same time, support the client's efforts to obtain construction approval for the property. As part of the SEQRA review process, the village required that the client perform a subsurface investigation since the site was a former gasoline station. After a review of County records, He discovered an open UIC file with the County because an acceptable endpoint result was not obtained. He designed a subsurface investigation to address the UIC issue, the former gasoline spill, a sanitary system at the

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site, as well as other environmental concerns. Coordinating with the USEPA, NYSDEC, the Village, NCDOH, and the client, Mr. Rhodes expedited the review process significantly.

Village of Sands Point, NY

Hydrogeologic Investigation – To assess the impact of proposed irrigation wells on the surrounding area, he determined the potential screen zones of the wells, considered potentially vulnerable to salt water intrusion. In addition, he assessed the impact on nearby public supply wells operated by the Village.

PREVIOUS EXPERIENCE

Nassau County Department of Health, Mineola, NY 1988 - 1993

Public Health Sanitarian - Public Water Supply regulatory issues, community concerns, and complaints

Outstanding Projects -

- 1993/1994 Source Water Monitoring Requirements Development - incorporated USEPA's Phase II and Phase V final regulations
- Comprehensive assessment of public/private water systems and compliance/monitoring requirements
- Well water quality Analysis and the restriction of wells from use based on MCL exceedances and/or violations. Managed private water system wells use regulations for drinking under Nassau County Public Health Ordinance (NCPHO) Article IV; entailed facilities' inspection, recording potential violations, or granting waivers from certain sections of the ordinance.

PUBLICATIONS AND PRESENTATIONS

The Significance of the New Brownfields Legislation (NY Real Estate Journal, 03/04; Business Industry Connection (BIC), 03/04 issue)

Brownfields: Timing is Everything (Empire State Report, 09/2004)

Watershed Strategy & Management as a Most Valuable Resource (Watershed Conference, 1996)

Watershed Management for a Limited Coastal Aquifer System (North American Water and Environment Congress '96)