

ASTM E1527-13 USER QUESTIONNAIRE

When the “user” (the party for whom the assessment is being prepared) of the Phase I is required to help the environmental professional identify recognized environmental conditions at the property, a “User Questionnaire” is completed by the user to help gather information that may identify recognized environmental conditions at the property.

We ask that you answer the six questions below to the best of your knowledge. We understand that, in some circumstances, you may have little or no information. Still, we encourage you to complete and return the questionnaire as soon as possible. This will allow us to reflect the fact that the Questionnaire was completed when we issue our report as is required. Completion of the assessment to the new standard, when conducted in connection with the asset purchase of a real property, may entitle the user to certain federal liability protections that result from conducting "All Appropriate Inquiries" into the previous ownership and uses of a property.

On the second page of this form is a list of documentation. The E1527-13 Standard requires that the User will ensure that the consultant is made aware that any of these materials exist for a site, and if so, that these documents be provided for the consultant’s review. Please indicate whether any of these documents are available, and ensure that Environmental Services Company will either receive copies or be provided an opportunity to review the relevant materials.

We appreciate your assistance. If you have any questions, feel free to contact us.

1. Are you aware of any environmental cleanup liens against the property that are filed or recorded under federal, tribal, state or local law?
2. Are you aware of any Activity and Use Limitations (AULs), such as engineering controls, land use restrictions or institutional controls that are in place at the site and/or have been filed or recorded in a registry under federal, tribal, state or local law?
3. As the user of this ESA do you have any specialized knowledge or experience related to the property or nearby properties? For example, are you involved in the same line of business as the current or former occupants of the property or an adjoining property so that you would have specialized knowledge of the chemicals and processes used by this type of business?
4. Does the purchase price/loan amount for this property reasonably reflect the fair market value of the property? If you conclude that there is a difference, have you considered whether the lower purchase price is because contamination is known or believed to be present at the property?
5. Are you aware of commonly known or reasonably ascertainable information about the property that would help the environmental professional to identify conditions indicative of releases or threatened releases? For example, as user, (a.) Do you know the past uses of the property? (b.) Do you know of specific chemicals that are present or once were present at the property? (c.) Do you know of spills or other chemical releases that have taken place at the property? (d.) Do you know of any environmental cleanups that have taken place at the property?
6. As the user of this ESA, based on your knowledge and experience related to the property are there any obvious indicators that point to the presence or likely presence of contamination at the property?

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As part of this study, which of the following are you providing?

1. Previous environmental site assessment reports Yes No
2. Environmental compliance audit reports Yes No
3. Environmental permits (including but not limited to solid waste disposal permits, hazardous waste disposal permits, wastewater permits, NPDES permits, underground injection permits) Yes No
4. Registrations for underground and aboveground storage tanks Yes No
5. Registrations for underground injection systems Yes No
6. Material safety data sheets Yes No
7. Community Right-to-Know plan Yes No
8. Safety plans; preparedness and prevention plans; spill prevention, countermeasure, and control plans; etc. Yes No
9. Reports regarding hydrogeologic conditions on the property or surrounding area Yes No
10. Notices or other correspondence from any government agency relating to past or current violations of environmental laws with respect to the property or relating to environmental liens encumbering the property Yes No
11. Hazardous waste generator notices or reports Yes No
12. Geotechnical studies Yes No
13. Risk assessments Yes No
14. Recorded Activity and Use Limitations (AULs). Yes No

Please contact us if you have any questions regarding these ASTM requirements.

Please return the completed document to Environmental Services Company, Inc. via fax at 501-221-1341 or email to debrow@esclabs.com.

Completed by: _____

Signature: _____

Title: _____

Company: _____

Relationship to site
(i.e. lender, purchaser, owner): _____

Date: _____