

Appendix: Forms

Building Permit Review

Reviewer: _____

Date of Review: _____

Project Number: _____ Project Name: _____

Agency: _____

Property Address: _____

APN: _____ Zoning: _____ Lot Size: _____

Legal Description: _____

Permit Date	Type of Permit	Notes and Comments (owner name, bldg. size, env. concerns, etc.)
	<input type="checkbox"/> Building <input type="checkbox"/> Alteration, Repair, Demolition <input type="checkbox"/> Plumbing <input type="checkbox"/> Electrical <input type="checkbox"/> Sewer <input type="checkbox"/> Mechanical <input type="checkbox"/> Other:	
	<input type="checkbox"/> Building <input type="checkbox"/> Alteration, Repair, Demolition <input type="checkbox"/> Plumbing <input type="checkbox"/> Electrical <input type="checkbox"/> Sewer <input type="checkbox"/> Mechanical <input type="checkbox"/> Other:	
	<input type="checkbox"/> Building <input type="checkbox"/> Alteration, Repair, Demolition <input type="checkbox"/> Plumbing <input type="checkbox"/> Electrical <input type="checkbox"/> Sewer <input type="checkbox"/> Mechanical <input type="checkbox"/> Other:	
	<input type="checkbox"/> Building <input type="checkbox"/> Alteration, Repair, Demolition <input type="checkbox"/> Plumbing <input type="checkbox"/> Electrical <input type="checkbox"/> Sewer <input type="checkbox"/> Mechanical <input type="checkbox"/> Other:	
	<input type="checkbox"/> Building <input type="checkbox"/> Alteration, Repair, Demolition <input type="checkbox"/> Plumbing <input type="checkbox"/> Electrical <input type="checkbox"/> Sewer <input type="checkbox"/> Mechanical <input type="checkbox"/> Other:	
	<input type="checkbox"/> Building <input type="checkbox"/> Alteration, Repair, Demolition <input type="checkbox"/> Plumbing <input type="checkbox"/> Electrical <input type="checkbox"/> Sewer <input type="checkbox"/> Mechanical <input type="checkbox"/> Other:	
	<input type="checkbox"/> Building <input type="checkbox"/> Alteration, Repair, Demolition <input type="checkbox"/> Plumbing <input type="checkbox"/> Electrical <input type="checkbox"/> Sewer <input type="checkbox"/> Mechanical <input type="checkbox"/> Other:	

Property Reconnaissance¹

Date of Reconnaissance: _____

Assessor: _____

Project Number: _____

Project Name: _____

Property Address/Location: _____

Property Use: _____

Property/Lot Size: _____

Surface Topography: _____

Adjacent Properties: N: _____

NE: _____

NW: _____

S: _____

SE: _____

SW: _____

E: _____

W: _____

General Vicinity: _____

Photographs Taken: ☐ Yes ☐ NoProp. Map Drawn: ☐ Yes ☐ No

Building Description

No. of Buildings: _____

No. of Stories per Building: _____

Age of Building(s): _____

Areas/Units Accessed: _____

Areas/Units Not Accessed: _____

¹ ASTM E1527-13, Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process, ASTM International, West Conshohocken, PA, 2013, www.astm.org.

Unoccupied Occupant Spaces:

Construction Type: ☐ Wood Frame ☐ Steel Frame ☐ Cast-in-Place ☐ Masonry ☐ Concrete Tilt-Up ☐ OtherExterior: ☐ Concrete ☐ Block ☐ Wood ☐ Glass ☐ Stucco ☐ Brick ☐ OtherFloors/Decking: ☐ Wood ☐ Concrete ☐ Metal ☐ OtherInterior Walls: ☐ Concrete ☐ Block ☐ Wood ☐ Drywall ☐ Stucco ☐ Plaster ☐ OtherCeilings: ☐ Concrete ☐ Tile ☐ Wood ☐ Drywall ☐ Sprayed Acoustical ☐ Plaster ☐ OtherRoof: ☐ Gravel ☐ Built-Up ☐ Shingle ☐ Tile ☐ Hypolon ☐ Foam ☐ OtherHVAC: ☐ Central ☐ Window Mount ☐ Wall Mount ☐ Floor Vents ☐ Roof Mount ☐ OtherInsulation: ☐ Fiberglass ☐ Blown-In ☐ Cellulose ☐ Other

Item or Condition	Interior	Exterior	Comments
Hazardous Substances and Petroleum Products:	<input type="checkbox"/>	<input type="checkbox"/>	
Storage Tanks and Related Equipment:	<input type="checkbox"/>	<input type="checkbox"/>	
Odors:	<input type="checkbox"/>	<input type="checkbox"/>	
Standing Surface Water or Other Pools of Liquid:	<input type="checkbox"/>	<input type="checkbox"/>	
Drums and Other Containers of Hazardous Substances, Petroleum Products, or Other Unidentified Contents:	<input type="checkbox"/>	<input type="checkbox"/>	
Transformers or Equipment Containing Polychlorinated Biphenyls (PCBs):	<input type="checkbox"/>	<input type="checkbox"/>	
Stains and Corrosion:	<input type="checkbox"/>	<input type="checkbox"/>	
Drains and Sumps:	<input type="checkbox"/>	<input type="checkbox"/>	
Pits, Ponds, or Lagoons:	<input type="checkbox"/>	<input type="checkbox"/>	
Stained Soil or Pavement:	<input type="checkbox"/>	<input type="checkbox"/>	
Stressed Vegetation (Other Than from Insufficient Water):	<input type="checkbox"/>	<input type="checkbox"/>	
Evidence of Mounds, Depressions, or Filled or Graded Areas Suggesting Trash or Other Solid Waste Disposal:	<input type="checkbox"/>	<input type="checkbox"/>	
Waste Water or Any Discharge (Including Storm Water) into a Drain, Ditch, or Stream on or Adjacent to the Property:	<input type="checkbox"/>	<input type="checkbox"/>	
Wells (active, inactive, or abandoned):	<input type="checkbox"/>	<input type="checkbox"/>	
Septic Systems or Cesspools:	<input type="checkbox"/>	<input type="checkbox"/>	
Prior Structures:	<input type="checkbox"/>	<input type="checkbox"/>	
Roads, Tracks, Railroad Tracks or Spurs, Parking Facilities:	<input type="checkbox"/>	<input type="checkbox"/>	

Additional Reconnaissance Comments:[illegible]

Sewer or Septic System: _____

Potable Water Supplier: _____

Utility Provider – Gas: _____

Utility Provider – Electricity: _____

Provider – Solid Waste: _____

On-site Interviews: _____

[illegible]

Additional Information:

ASTM 1527-13 APPENDIX X3—User Questionnaire¹

In order to qualify for one of the Landowner Liability Protections (LLPs)² offered by the Small Business Liability Relief and Brownfields Revitalization Act of 2001 (the “Brownfields Amendments”),³ the user must conduct the following inquiries required by 40 CFR 312.25, 312.28, 312.29, 312.30, and 312.31. These inquiries must also be conducted by EPA Brownfield Assessment and Characterization grantees. The user should provide the following information to the environmental professional. Failure to conduct these inquiries could result in a determination that “all appropriate inquiries” is not complete.

1. Environmental liens that are filed or recorded against the *property* (40 CFR 312.25).

Did a search of *recorded land title* records (or judicial records where appropriate, see Note 1 below) identify any environmental liens filed or recorded against the *property* under federal, tribal, state or local law?

Note 1—In certain jurisdictions, federal, tribal, state, or local statutes, or regulations specify that environmental liens and AULs be filed in judicial records rather than in land title records. In such cases judicial records must be searched for environmental liens and AULs.

2. Activity and land use limitations that are in place on the *property* or that have that been filed or recorded against the *property* (40 CFR 312.26(a)(1)(v) and (vi)).

Did a search of *recorded land title records* (or judicial records where appropriate, see Note 1 above) identify any AULs, such as *engineering controls*, land use restrictions or *institutional controls* that are in place at the *property* and/or have been filed or recorded against the *property* under federal, tribal, state or local law?

3. Specialized knowledge or experience of the person seeking to qualify for the LLP (40 CFR 312.28).

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. Relationship of the purchase price to the fair market value of the *property* if it were not contaminated (40 CFR 312.29).

Does the purchase price being paid 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. Commonly known or *reasonably ascertainable* information about the *property* (40 CFR 312.30).

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,

- 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*?

¹ ASTM E1527-13, Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process, ASTM International, West Conshohocken, PA, 2013, www.astm.org.

² Landowner Liability Protections, or LLPs, is the term used to describe the three types of potential defenses to Superfund liability in EPA's *Interim Guidance Regarding Criteria Landowners Must Meet in Order to Qualify for Bona Fide Prospective Purchaser, Contiguous Property Owner, or Innocent Landowner Limitations on CERCLA Liability* (“Common Elements” Guide) issued on March 6, 2003.

³ P.L. 107-118.

6. The degree of obviousness of the presence or likely presence of contamination at the *property*, and the ability to detect the contamination by appropriate investigation (40 CFR 312.31).

Based on your knowledge and experience, related to the *property* are there any *obvious* indicators that point to the presence or likely presence of releases at the *property*?

X3.1 In addition, certain information should be collected, if available, and provided to the *environmental professional* conducting the *Phase I Environmental Site Assessment*. This information is intended to assist the *environmental professional*, but is not necessarily required to qualify for one of the *LLPs*. The information includes:

- a. The reason why the Phase I is being performed,
- b. The type of *property* and type of *property* transaction, for example, sale, purchase, exchange, etc.,
- c. The complete and correct address for the *property* (a map or other documentation showing *property* location and boundaries is helpful),
- d. The scope of services desired for the Phase I (including whether any parties to the *property* transaction may have a required standard scope of services or whether any considerations beyond the requirements of Practice E1527 are to be considered),
- e. Identification of all parties who will rely on the Phase I *report*,
- f. Identification of the site contact and how the contact can be reached,
- g. Any special terms and conditions which must be agreed upon by the *environmental professional*, and
- h. Any other knowledge or experience with the *property* that may be pertinent to the *environmental professional* (for example, copies of any available prior *environmental site assessment reports*, documents, correspondence, etc., concerning the *property* and its environmental condition).

Name (Signature): _____

Name (Print): _____

Date: _____

User Responsibility Statement¹

In an attempt to obtain information on recognized environmental conditions in connection with the property, Consultant will make reasonable attempts to interview current owners and occupants of the property. The Client agrees to assist in identifying the owner or key personnel who may have knowledge of the uses and physical characteristics of the property.

Consultant understands that the Client is the only intended user of the document. If it is the intent to have other parties rely on the Phase I ESA report, they must be indicated to Consultant prior to the issuance of the report. It is important that the other relying parties be made aware of the information which follows regarding their responsibilities if they wish to satisfy the requirements for *All Appropriate Inquiry*.

The Client agrees to provide any information available to the Client or other Users relating to past and current uses of this property and to the past and/or current contamination of this property by toxic or hazardous substances. It is the Client/Users responsibility to search for reasonably ascertainable recorded land title records for environmental liens and activity use limitations. Anyone seeking defenses to CERCLA liability must take independent action, including continuing obligations if applicable, to perfect their position.

In order to facilitate the collection of useful information, Consultant may provide forms for your use relating to ASTM **1527-13** Appendix X3 *User Questionnaire* and Section 6 *User's Responsibilities*. These forms may assist you in complying with the statutory requirements of the AAI law.

The Introduction to ASTM X3 states:

In order to qualify for one of the Landowner Liability Protections (LLPs) offered by the Small Business Relief and Brownfields Revitalization Act of 2001 (the "Brownfields Amendments"), the user must conduct the following inquiries required by 40 CFR 312.25, 312.28, 312.29, 312.30, and 312.31. These inquiries must also be conducted by EPA Brownfield Assessment and Characterization grantees. The user should provide the following information to the environmental professional. Failure to conduct these inquiries could result in a determination that "all appropriate inquiry" is not complete.

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Owner Interview and Helpful Documents¹

Pursuant to our scope of services, Converse Consultants requests your knowledge as to the existence of any documents matching, or relating to, those specified below. Please indicate whether copies of the information will be provided for our review. We also request a response to site specific questions. Thank you for your cooperation.

DOCUMENTS

Document or Information	I Have Knowledge of the Information		Copies will be Provided to Converse	
	Yes	No	Yes	No
Environmental site assessment reports				
Environmental compliance audit reports				
Environmental permits, hazardous waste, generator notices, or reports				
Aboveground and underground tank and injection well registrations or related information				
Disclosure of sumps, pits, drainage systems—existence and location				
Risk assessments				
Safety Data Sheets (SDS)				
Community right-to-know plans				
Safety, preparedness and prevention plans; spill protection countermeasures and control plans; facility response plans				
Hydrogeological reports and geotechnical studies				
Notices or other correspondence from any government agency relating to past or existing environmental liens encumbering the property, or violations				
Information concerning any pending, threatened, or past litigation, or administrative proceedings relevant to hazardous substances or petroleum products in or on the property				
Notices from any governmental entity regarding any possible violation of environmental laws or possible liability relating to hazardous substances or petroleum products				
Any specialized knowledge or experience that is material to recognized environmental conditions in connection with the subject property				
Title records for environmental liens or activity and land use limitations				
Title records for environmental liens or activity and land use limitations				
Valuation reduction for environmental issues				
Environmental problems with adjacent or vicinity locations				
Building plans				
Current and historical photographs of the property				

COMMENTS:

¹ ASTM E1527-13, Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process, ASTM International, West Conshohocken, PA, 2013, www.astm.org.

QUESTIONS

Current site use and length of ownership:

Prior site use:

Sewage disposal system/septic system on-site:

Use, treatment, storage, disposal, and generation of hazardous waste and petroleum products:

Presence of underground and aboveground storage tanks (USTs and ASTs):

Potable water supply:

Means of heating and cooling for structures on-site:

Unidentified contents of observed containers:

Oil or water wells on-site:

Any discharge of waste water onto property or adjacent property:

Environmental problems with adjacent or vicinity locations:

Other information or comments:

Name/Title of Responder _____ Date _____

Table of Contents Template Discussion¹

ASTM **1527-13** Appendix X4 provides a recommended Table of Contents and Report format as follows:

- Summary
- Introduction
- User Provided Information
- Records Review
- Site Reconnaissance
- Interviews
- Evaluation
- Non-Scope Services
- Appendices

Keep in mind the above noted table of contents is not mandatory so long as any alternate used complies with Section 12, *Evaluation and Report Preparation* of the Standard. The alternate version may have the Site Reconnaissance section described before there is a discussion of the Records Review. As noted in Section 12.1, user requirements may be considered and some users may wish to understand elements of the Site Reconnaissance prior to discussion of records detailing potential off-site impacts.

An alternate Table of Contents and Report format could be:

- Executive Summary
- Introduction
- Property Description
- User/Owner Provided Information and Responsibilities
- Site Reconnaissance
- Records Review
- Interviews
- Findings
- Opinion
- Conclusions
- Non-Scope Services
- References
- Appendices

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