



Phase I Environmental Site Assessment ASTM E1527-05

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What is a Phase I ESA ?

The practices that constitute “ all appropriate inquiry” into the previous ownership and uses of a property to satisfy one of the requirements to qualify for the innocent land owners defense to CERCLA (Comprehensive Environmental Response, Compensation and Liability Act of 1980) Liability.

What is due diligence?

The process of inquiring into the environmental characteristics of a parcel of commercial real estate or other conditions, usually in connection with a commercial real estate transaction. The degree and kind of due diligence vary for the different properties and differing purposes.

What is an environmental audit?

The investigative process to determine if the operations of an existing facility are in compliance with applicable environmental laws and regulations be it Federal, State and/or local.

I. The purpose of a Phase I ESA is to identify any and all recognized environmental conditions in connection with the property.

What is a recognized environmental condition?
: *The presence or likely presence of any hazardous substances and/or petroleum products on a property and/or adjoining the property that indicate an existing release, a past release, or a material threat of a release of any hazardous substances and/or petroleum products into structures on the property or into the ground, groundwater, or surface water of the property and/or adjoining properties.*

Examples of Recognized Environmental Condition:

1. Undeveloped pasture land with a cattle dipping vat and cattle loading pen's (Potential for Arsenic and/or Chlorinated Solvents contamination as a result of treating cattle for ticks). Note: In the 1900's, the “State of Florida” installed a large number of cattle dipping vats to kill ticks on Florida cattle and other farm animals.

2. Previous or current operation of a citrus grove and/or agricultural farm (The potential for diesel contamination from the operation of large diesel powered pumps to irrigate and water the acreage, also the potential of Ethylene Dibromide EDB contaminations from the spraying of the citrus trees).

3. Previous or current operation of a Mobile Home Park and/or small neighborhood community with an operating waste water treatment plant, also the possible use of heating oil tanks for individual heating of the

residences (Potential for Heavy metals, solvent and/or petroleum products within the former settling ponds).

4. Previous or current operation of an Auto Body and/or Auto Repair facility in business for several years and operating an on-site septic system (Existence of Paint Booth's, underground and/or above ground vehicle lifts, uses of solvents, paint thinners, and/or petroleum products near floor drain's, concrete expansion joints, the on-site septic systems).

5. Previous or current Dry Cleaner in operation for several years and/or several years ago and operating an on-site septic system (Chlorinated Solvents and/or Petroleum Based Solvents used for several years as dry cleaning agents, possibly spilled in and around floor drains, expansion joints, out side behind buildings, the on-site septic system).

6. Previous or current operation of a Printing Company for several years with an on-site septic system (Solvents and/or petroleum products used to clean the presses in and around floor drain and concrete expansion joints).



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7. Previous gasoline service station in operation several years ago and no records of tanks being removed (Petroleum products discharged from the tanks possible and no documentation of whether the tanks were ever removed or if testing was conducted during the removal).

Note: Only after 12/10/90 for underground storage tank systems and 3/12/91 for above ground storage tanks systems, closure assessment reports were required by Florida Department of Environmental Protection FDEP. Prior to these dates no testing and/or sample collection was required as part of a storage tank closure.

8. Current gasoline service station in operation for two (2), three (3) maybe even fifteen (15) years with no documented contamination (Potential fill port contamination, product piping contamination, dispensing area contamination. Regulatory compliance inspections are not fool proof means of eliminating and/or detecting leaking underground storage systems).

Note: A number of recently installed petroleum storage systems have had contamination identified as early as one to two years after the installation date, due to the manufacturing of faulty equipment.

9. Undeveloped parcel with no apparent previous development, adjoining a leaking underground storage tank (LUST) site. (Potential for migration of petroleum and/or solvent contamination from the LUST site toward the property).

Note: If the LUST site is in a State clean-up program and contamination has migrated onto the undeveloped parcel no legal means can be used to force the State to expedite the cleanup until the LUST site ranking/score is high enough to appropriate cleanup money.

II. Four Components of a Phase I ESA

A. Records Review

Records Review covers essentially all local, state and federal records available for the property and adjoining properties within a minimum search radius surrounding the property as set forth in ASTM E1527-00. Historical data review in the form of aerial photographs, city directories, Sanborn Fire Insurance maps, topographic maps, soils maps.

B. Site Reconnaissance

Site Reconnaissance covers a comprehensive visit of the property identifying all associated structures within the property, current and past uses of the property, current condition of the property and obtaining information relating to identifying any potential recognized environmental conditions associated with the property.

C. Interviews

Interviews are to be conducted with the current property owners and past property owners (when ever possible) relating to their knowledge of previous or current environmental conditions as it relates to the property. The new EPA's AAI "All Appropriate Inquiries" law puts more focus on additional interviews of former property owners and adjoining property owners.

D. Reporting

Reporting consists of documenting all records reviewed, observations made during historical reviews, observations made during the site reconnaissance, interview results, discussion of any data gaps found in any of the materials reviewed, any recognized environmental conditions observed and the conclusions and recommendations reached in this assessment.