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Standard Practice for Limited Environmental Due Diligence: Transaction Screen Process[1]

This standard is issued under the fixed designation E1528; the number immediately following the designation indicates the year of original adoption or, in the case of revision, the year of last revision. A number in parentheses indicates the year of last reapproval. A superscript epsilon (ε) indicates an editorial change since the last revision or reapproval.

1. Scope

1.1 *Purpose*—The purpose of this practice is to define a good practice in the United States of America for conducting a *transaction screen*[2] for a *subject property* where the *user* wishes to conduct limited environmental *due diligence* (that is, less than a *Phase I Environmental Site Assessment*). If the driving force behind the environmental *due diligence* is a desire to qualify for one of the Comprehensive Environmental Response, Compensation, and Liability Act *(CERCLA) Landowner Liability Protections (LLPs)*, this practice should not be applied. Instead, the ASTM E1527: Standard Practice for Environmental Site Assessments: *Phase I Environmental Site Assessment Process* or ASTM E2247: Standard Practice for Environmental Site Assessments: *Phase I Environmental Site Assessment Process* for Forestland or Rural Property may be used.

1.1.1 This practice will not satisfy the requirement to conduct *all appropriate inquiries* into the previous ownership and uses of the *subject property* consistent with "generally accepted good commercial and customary standards and practices" as defined in 42 U.S.C. §9601(35)(B) to qualify for one of the Comprehensive Environmental Response, Compensation, and Liability Act *(CERCLA) Landowner Liability Protections (LLPs)*. *Users* who desire to conduct environmental *due diligence* to qualify for one of the *CERCLA LLPs* should conduct assessment activities in conformity with "Standards and Practices for All Appropriate Inquiries," 40 C.F.R. Part 312; ASTM E1527: Standard Practice for Environmental Site Assessments: *Phase I Environmental Site Assessment Process* or ASTM E2247: Standard Practice for Environmental Site Assessments: *Phase I Environmental Site Assessment Process* for Forestland or Rural Property.

1.2 An evaluation of business environmental risk associated with a parcel of *commercial real estate* may necessitate investigation beyond that identified in this practice. See Sections 1.4 and 9.

1.2.1 *Potential Environmental Concerns*—The goal of conducting a transaction screen is to identify *potential environmental concerns* as defined in 3.2.36.

1.2.2 *Other Federal, State, and Local Environmental Laws*—This practice does not address requirements of any state or local laws or of any federal laws. *Users* are cautioned that federal, state, and local laws may impose environmental assessment obligations that are beyond the scope of this practice. In some cases, government agencies permit the use of this practice in connection with their programs but sometimes impose additional requirements going beyond this practice. *Users* should also be aware that there are likely to be other legal obligations with regard to *chemicals of concern* discovered on *property* that are not addressed in this practice and may pose risks of civil or criminal sanctions or both for noncompliance.

1.3 *Objective*—The objective guiding the development of this practice is to facilitate standardized *transaction screens*.

1.3.1 *Note of Caution*—The *user* should be cautious in applying this practice to *properties* with known current or historical handling of *chemicals of concern*. See Note 1.

1.3.2 *Potentially Appropriate Uses*—This practice may be especially appropriate for properties in rural, non-industrial, or undeveloped locations or, subject to the criteria of a lending institution, in connection with a financing of *properties* that are expected to have few environmental concerns.

NOTE 1—In general, a *transaction screen* assessment is not suitable for purposes of evaluating environmental conditions of a *property* having activities that use, handle, store, or dispose of large volumes of chemicals, either currently or in the past. Such activities include, but are not limited to, manufacturing, vehicle fueling, dry cleaning, metal plating and finishing, circuit board manufacturing, junkyard, and *landfill* activities which would prompt the need for further inquiry. Refuting the presumption of a *potential environmental concern* on such *properties* normally requires the specialized knowledge and experience of an *environmental professional* completing a detailed environmental assessment such as a *Phase I Environmental Site Assessment*.

1.4 *Considerations Beyond the Scope*—The use of this practice is strictly limited to the scope set forth in this section.

[1] This practice is under the jurisdiction of ASTM Committee E50 on Environmental Assessment, Risk Management and Corrective Action and is the direct responsibility of Subcommittee E50.02 on Real Estate Assessment and Management.

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[2] Whenever terms defined in 3.2 or described in 3.3 are used in this practice, they are in *italics*.

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Section 9 of this practice identifies, for informational purposes, certain environmental conditions (not an all-inclusive list) that may exist on a *subject property* that are beyond the scope of this practice but may warrant consideration by parties to a *commercial real estate* transaction. The need to include an investigation of any such conditions in the scope of services should be evaluated based upon, among other factors, the nature of the *subject property* and the reasons for performing the assessment (for example, a more comprehensive evaluation of business environmental risk) and should be agreed upon as additional services beyond the scope of this practice prior to initiation of the *Transaction Screen Process*.

1.5 *Organization of This Practice*—This practice has several parts and one appendix. Section 1 is the Scope. Section 2 refers to other ASTM standards in the Referenced Documents. Section 3, Terminology, has definitions of terms not unique to this practice, descriptions of terms unique to this practice, and acronyms. Section 4 is Significance and Use of this practice. Section 5 is the Introduction to the *Transaction Screen Process*. Section 6 sets forth the *Transaction Screen Questionnaire* itself. Sections 7 and 8 contain the Guide to the *Transaction Screen Questionnaire* and its various parts. Section 9 provides additional information regarding non-scope considerations. See 1.4.

1.6 *This standard does not purport to address all of the safety concerns, if any, associated with its use. It is the responsibility of the user of this standard to establish appropriate safety, health, and environmental practices and determine the applicability of regulatory limitations prior to use.*

1.7 *This international standard was developed in accordance with internationally recognized principles on standardization established in the Decision on Principles for the Development of International Standards, Guides and Recommendations issued by the World Trade Organization Technical Barriers to Trade (TBT) Committee.*

2. Referenced Documents

2.1 *ASTM Standards:*[3]

E1527 Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process

E2091 Guide for Use of Activity and Use Limitations, Including Institutional and Engineering Controls

E2247 Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process for Forestland or Rural Property

2.2 *Federal Statutes:*

Comprehensive Environmental Response, Compensation, and Liability Act of 1980 ("CERCLA" or "Superfund"), as amended by Superfund Amendments and Reauthorization Act of 1986 ("SARA"), Small Business Liability Relief and Brownfields Revitalization Act of 2002 ("Brownfields Amendments"), and the Brownfields Utilization, Investment, and Local Development ("Build") Act of 2018, 42 U.S.C. §§9601 *et seq.*

Emergency Planning and Community Right-To-Know Act of 1986 ("EPCRA"), 42 U.S.C. §§11001 *et seq.*

Freedom of Information Act, 5 U.S.C. §552, as amended by Public Law No. 104-231, 110 Stat. 3048

Resource Conservation and Recovery Act ("RCRA") (sometimes also referred to as the Solid Waste Disposal Act), as amended, 42 U.S.C §6901 *et seq.*

3. Terminology

3.1 *Scope*—This section provides definitions, descriptions of terms, and a list of acronyms for many of the words used in this practice. The terms are an integral part of this practice and are critical to an understanding of this written practice and its use. In determining the meaning of any term used in this practice, unless the context indicates otherwise, words referencing the singular include and apply to multiple examples of the same thing; words referencing the plural include the singular.

3.2 *Definitions:*

3.2.1 *activity and use limitations (AULs), n*—legal or physical restrictions or limitations on the use of, or access to, a site or facility: *(1)* to reduce or eliminate potential exposure to *chemicals of concern* in the soil or ground water on a *property*, or *(2)* to prevent activities that could interfere with the effectiveness of a response action, in order to ensure maintenance of a condition of no significant risk to public health or the environment. These legal or physical restrictions, which may include *institutional controls* or *engineering controls*, or both, are intended to prevent adverse impacts to individuals or populations that may be exposed to *chemicals of concern* in the soil, soil vapor, or groundwater on a *property*.[4]

3.2.2 *actual knowledge, n*—the knowledge actually possessed by an individual who is a real person, rather than an entity. *Actual knowledge* is to be distinguished from constructive knowledge that is knowledge imputed to an individual or entity.

3.2.3 *adjoining properties, n*—any real *property* the border of which is contiguous or partially contiguous with that of the *subject property*, or that would be contiguous or partially contiguous with that of the *subject property* but for a street, road, or other public thoroughfare separating them.

3.2.4 *aerial photographs, n*—photographs taken from an aerial platform with sufficient resolution to allow identification of development and activities.

3.2.5 *all appropriate inquiries (AAI), n*—an inquiry conducted prior to the date of acquisition of the *subject property* constituting "*all appropriate inquiries* into the previous ownership and uses of the *subject property* consistent with good

[3] For referenced ASTM standards, visit the ASTM website, www.astm.org, or contact ASTM Customer Service at service@astm.org. For *Annual Book of ASTM Standards* volume information, refer to the standard's Document Summary page on the ASTM website.

[4] The term *AUL* is taken from the ASTM Standard Guide E2091 to include both legal (that is, *institutional*) and physical (that is, *engineering*) *controls* within its scope. Other agencies, organizations, and jurisdictions may define or utilize these terms differently (for example, EPA and California do not include physical controls within their definitions of "*institutional controls*." The Department of Defense and the International County/City Management Association use "Land Use Controls." The term "land use restrictions" is used but not defined in the Brownfields Amendments.

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commercial and customary standards and practices" as defined in CERCLA, 42 U.S.C. §9601(35)(B), and the *AAI* rule, 40 C.F.R. Part 312, that will qualify a party to a *commercial real estate* transaction for one of the threshold criteria for satisfying the *LLPs* to CERCLA liability (42 U.S.C. §§9601(35)(A) & (B); §9607(b)(3), §9607(q), and §9607(r)), assuming compliance with other elements of the defense.

3.2.6 *approximate minimum search distance, n*—the area for which records must be obtained and reviewed pursuant to the *records review* section of this practice (8.9), subject to the limitations provided in that section. The term *approximate minimum search distance* may include areas outside the *subject property* and shall be measured from the nearest *subject property* boundary. The term *approximate minimum search distance* is used instead of radius to include irregularly shaped *properties*.

3.2.7 *chemicals of concern, n*—means *hazardous substances* or *petroleum products* or any specific compounds and their breakdown products that are identified under federal environmental laws, state cleanup programs, voluntary cleanup programs, or other state or federal corrective action laws or regulations as requiring a *response action*.

3.2.8 *commercial real estate, n*—any real *property* except a *dwelling* or *property* with no more than four *dwelling* units exclusively for residential use (except that a *dwelling* or *property* with no more than four *dwelling* units exclusively for residential use is included in this term when it has a commercial function, as in the construction of such *dwellings* for profit). This term includes but is not limited to undeveloped real *property* and real *property* used for industrial, retail, office, agricultural, other commercial, medical, or educational purposes; *property* used for residential purposes that has more than four residential *dwelling* units; and *property* with no more than four *dwelling* units for residential use when it has a commercial function, as in the construction of such *dwellings* for profit.

3.2.9 *demolition or construction debris, n*—concrete, brick, asphalt, and other such building materials discarded in the demolition, construction, or renovation of a building or other improvement to *property*.

3.2.10 *drum, n*—a container (typically, but not necessarily, holding 55 gal [208 L] of liquid) that may be used to store *chemicals of concern*.

3.2.11 *dry wells, n*—underground areas where soil has been removed and replaced with pea gravel, coarse sand, or large rocks for purposes of providing drainage or spill control.

3.2.12 *due diligence, n*—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 different *properties* and differing purposes.

3.2.13 *dwelling, n*—structure or portion thereof used for residential habitation.

3.2.14 *engineering controls, n*—physical modifications to a site or facility (for example, capping, slurry walls, or point of use water treatment) to reduce or eliminate the potential for exposure to *chemicals of concern* in the soil or groundwater on a *property*. *Engineering controls* are a type of *activity and use limitation (AUL)*.

3.2.15 *environmental lien, n*—a charge, security, or encumbrance upon title to a *property* to secure the payment of a cost, damage, debt, obligation, or duty arising out of *response actions*, cleanup, or other remediation of *chemicals of concern* upon a *property*, including (but not limited to) liens imposed pursuant to section 107(l) of CERCLA (42 U.S.C. §9607(l)) and similar state or local laws.

3.2.16 *environmental professional, n*—a person meeting the education, training, and experience requirements as set forth in 40 C.F.R. §312.10(b). The person may be an independent contractor or an employee of the *user*.

3.2.17 *ERNS list, n*—EPA's Emergency Response Notification System list of reported CERCLA *hazardous substance releases* or spills in quantities greater than the reportable quantity, as maintained at the National Response Center. Notification requirements for such *releases* or spills are codified in 40 C.F.R. Parts 302 and 355.

3.2.18 *fill material, n*—dirt, soil, sand, earth, rock, concrete, or other material that is obtained off-site that is used to fill holes or depressions, create mounds, or otherwise artificially change the grade or elevation of real *property*.

3.2.19 *fire insurance maps, n*—maps originally produced for fire insurance map purposes that indicate uses of *properties* at specified dates.

3.2.20 *hazardous substance, n*—a substance defined as a *hazardous substance* pursuant to section 101(14) of CERCLA, (42 U.S.C. §9601(14)), as interpreted by EPA regulations (see 40 C.F.R. §302.4) and the courts: "(A) any substance designated pursuant to section 311(b)(2)(A) of the Federal Water Pollution Control Act, (B) any element, compound, mixture, solution, or substance designated pursuant to section 102 of this Act, (C) any *hazardous waste* having the characteristics identified under or listed pursuant to section 3001 of [RCRA] (but not including any waste the regulation of which under [RCRA] has been suspended by Act of Congress), (D) any toxic pollutant listed under section 307(a) of the Federal Water Pollution Control Act, (E) any hazardous air pollutant listed under section 112 of the Clean Air Act, and (F) any imminently hazardous chemical substance or mixture with respect to which the Administrator [of EPA] has taken action pursuant to section 7 of the Toxic Substances Control Act. The term does not include petroleum, including crude oil or any fraction thereof which is not otherwise specifically listed or designated as a *hazardous substance* under subparagraphs (A) through (F) of this paragraph, and the term does not include natural gas, natural gas liquids, liquefied natural gas, or synthetic gas usable for fuel (or mixtures of natural gas and such synthetic gas)."

3.2.21 *hazardous waste, n*—any solid waste having the characteristics identified under or listed pursuant to section 3001 of RCRA, as amended, (42 U.S.C. §6921) (but not including any waste the regulation of which under RCRA (42 U.S.C. §6901 *et seq.*) has been suspended by Act of Congress). RCRA is sometimes also identified as the Solid Waste Disposal

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Act. RCRA defines a *hazardous waste*, in section 1003 (42 U.S.C. §6903), as: "a solid waste, or combination of solid wastes, which because of its quantity, concentration, or physical, chemical, or infectious characteristics may—(A) cause, or significantly contribute to an increase in mortality or an increase in serious irreversible, or incapacitating reversible, illness; or (B) pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, or disposed of, or otherwise managed." Some states define the term more broadly than does the Federal government under RCRA.

3.2.22 *institutional controls (ICs), n*—a legal or administrative mechanism designed to limit, prohibit, or condition the use of, or access to a site or facility (for example, restrictive covenants, environmental covenants, easements, and zoning) to eliminate or minimize potential exposure to *chemicals of concern*. *Institutional controls* are a type of *activity and use limitation (AUL)*.

3.2.23 *landfill, n*—a place, location, tract of land, area, or premises used for the disposal of solid wastes as defined by state solid waste regulations. The term is synonymous with the term *solid waste disposal site or facility* and may also be known as a garbage dump, trash dump, or similar term.

3.2.24 *Landowner Liability Protections (LLPs), n—Landowner liability protections* under CERCLA pursuant to the Small Business Liability Relief and Brownfields Revitalization Act amendments to CERCLA (42 U.S.C. §§9601(35) & 9607(b)(3)); these protections include the bona fide prospective purchaser liability protection, contiguous *property owner* liability protection, and innocent landowner defense from CERCLA liability.

3.2.25 *local street directories, n*—directories published by private (or government) sources that list the *occupants* of a specific address at the time the *occupant* data were collected, typically within a year of the publication date of the directory.

3.2.26 *major occupants, n*—those tenants, subtenants, or other persons or entities each of which uses at least 40 % of the leasable area of the *subject property* or any anchor tenant when the *subject property* is a shopping center.

3.2.27 *National Priorities List (NPL), n*—list compiled by EPA pursuant to CERCLA (42 U.S.C. §9605(a)(8)(B)) of *properties* with the highest priority for cleanup pursuant to EPA's hazard ranking system. See 40 C.F.R. Part 300.

3.2.28 *obvious, n*—that which is plain or evident; a condition or fact that could not be ignored or overlooked by a reasonable observer.

3.2.29 *occupants, n*—those tenants, subtenants, or other persons or entities using a *property* or a portion of a *property*.

3.2.30 *operator, n*—the person responsible for the overall operation of a facility.

3.2.31 *owner, n*—generally the fee *owner* of record of a *property*.

3.2.32 *petroleum exclusion, n*—the exclusion from CERCLA liability provided in 42 U.S.C. §9601(14), as interpreted by the courts and EPA: "The term (*hazardous substance*) does not include petroleum, including crude oil or any fraction thereof which is not otherwise specifically listed or designated as a *hazardous substance* under Subparagraphs (A) through (F) of this paragraph, and the term does not include natural gas, natural gas liquids, liquefied natural gas, or synthetic gas usable for fuel (or mixtures of natural gas and such synthetic gas)."

3.2.33 *petroleum products, n*—those substances included within the meaning of the terms within the *petroleum exclusion* to CERCLA (42 U.S.C. §9601(14)), as interpreted by the courts and EPA, that is: petroleum, including crude oil or any fraction thereof that is not otherwise specifically listed or designated as a *hazardous substance* under Subparagraphs (A) through (F) of 42 U.S.C. §9601(14), natural gas, natural gas liquids, liquefied natural gas, and synthetic gas usable for fuel (or mixtures of natural gas and such synthetic gas). (The word fraction refers to certain distillates of crude oil, including gasoline, kerosene, diesel oil, jet fuels, and fuel oil, pursuant to *Standard Definitions of Petroleum Statistics*.[5])

3.2.34 *Phase I Environmental Site Assessment, n*—the process described in Practice E1527 (covering *commercial real estate*) and Practice E2247 (covering forestland or rural *properties*).

3.2.35 *pits, ponds, or lagoons, n*—man-made or natural depressions in a ground surface that may hold or have held liquids or sludge containing *chemicals of concern* that may be evidenced by factors including, but not limited to, discolored water, distressed vegetation, or the presence of an *obvious wastewater* discharge.

3.2.36 *potential environmental concerns, n*—the possible presence of any *chemicals of concern* on a *subject property* under conditions that indicate the possibility of an existing *release*, a past *release*, or a threat of a future *release* of any *chemicals of concern* into structures on the *subject property* or into the ground, groundwater, or surface water of the *subject property*. The term includes *chemicals of concern* even under conditions in compliance with laws. (Note that "threat of *release*" is a CERCLA concept generally understood to exist when *chemicals of concern* are poorly managed [for example in corroded tanks or damaged containers] but the *release* of the contaminants has not yet occurred, and there is an opportunity to take *response action* to prevent a *release* of the contaminants.)

3.2.37 *preparer, n*—the person preparing the *transaction screen questionnaire* pursuant to this practice, who may be either the *user* or the person to whom the *user* has delegated the preparation. See 4.3. In selecting options permitted by the *Transaction Screen*, *preparers* should satisfy themselves that they are qualified to undertake the analysis contemplated by that option. Unless otherwise agreed to by the *user* and the *preparer*, it is not the responsibility of the *preparer* to draw conclusions regarding affirmative, not applicable (N/A), or unknown answers. See 4.3 and 5.7.

[5] *Standard Definitions of Petroleum Statistics*, American Petroleum Institute, Fifth Edition, 1995.

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3.2.38 *property, n*—real *property* including buildings and other fixtures and improvements located on and affixed to the land.

3.2.39 *publicly available, adj*—information that is *publicly available* means that the source of the information allows access to the information by anyone upon request.

3.2.40 *RCRA generators, n*—those persons or entities that generate *hazardous wastes*, as defined and regulated by RCRA.

3.2.41 *RCRA TSD Facilities, n*—those facilities on which treatment, storage, or disposal of *hazardous wastes* takes place, as defined and regulated by RCRA.

3.2.42 *reasonably ascertainable, adj*—information that is *(1) publicly available*, *(2)* obtainable from its source within reasonable time and cost constraints, and *(3)* practically reviewable.

3.2.42.1 *Discussion*—Information that is "practically reviewable" means that the information is provided by the source in a manner and in a form that, upon examination, yields information relevant to the *subject property* without the need for extraordinary analysis of irrelevant data. "Reasonable time and cost constraints" refers to the availability of the information from its source without undue delay and at nominal cost reflective of the cost of retrieving and duplicating the information. For additional information on the meaning of "reasonable time and cost constraints" and "practically reviewable" in the context of a Phase I Environmental Site Assessment, see Practice E1527-21 at 3.2.77 and 8.1.5.

3.2.43 *records review, n*—that part of the *transaction screen* that is contained in 8.9 and 8.10 of this practice and addresses which records shall or may be reviewed.

3.2.44 *release, n*—a release of any *chemicals of concern* shall have the same meaning as the definition of "*release*" in CERCLA, 42 U.S.C. §9601(22).

3.2.45 *response actions, n*—actions to respond or a response, as those terms are defined in CERCLA §101(25), 42 U.S.C §9601(25), to *releases* of *hazardous substances*. Generally, *response actions* operate as an umbrella term to cover any type of *hazardous substance* cleanup at a *property*, including "removal actions" and "remedial actions" as those terms are defined in CERCLA §101(23)-(24), 42 U.S.C. §9601(23)-(24). *Response actions* also cover corrective action measures, including risk-based corrective action measures, taken to address *chemicals of concerns* in general, or under state cleanup programs or voluntary cleanup programs.

3.2.46 *site visit, n*—the visit to the *property* during which observations are made constituting the *site visit* requirement of this practice.

3.2.47 *solid waste disposal site or facility, n*—a place, location, tract of land, area, or premises used for the *landfill* disposal of solid wastes as defined by state solid waste regulations. A s*olid waste disposal site or facility* may also be known as a *landfill*, a garbage dump, trash dump, or similar term.

3.2.48 *solvent, n*—a chemical compound that is capable of dissolving another substance and may itself be a *chemical of concern* used in a number of manufacturing/industrial processes including, but not limited to, the manufacture of paints and coatings for industrial and household purposes, equipment clean-up, surface degreasing in metal fabricating industries, and dry cleaning of fabrics.

3.2.49 *subject property, n*—the *property* that is the subject of the *transaction screen process* described in this practice.

3.2.50 *sump, n*—a pit, cistern, cesspool, or similar receptacle where liquids drain, collect, or are stored.

3.2.51 *transaction screen questionnaire, n*—the *questionnaire* set forth in Section 6 of this practice.

3.2.52 *transaction screen process (transaction screen), n*—the process described in Practice E1528 whereby a person or entity seeks to determine if a particular parcel of real *property* (including improvements) is subject to *potential environmental concerns*.

3.2.53 *underground storage tank (UST), n*—any tank, including underground piping connected to the tank, that is or has been used to contain *chemicals of concern* and the volume of which is 10 % or more beneath the surface of the ground.

3.2.54 *user, n*—the party seeking to use the *transaction screen process* of this practice to conduct limited environmental *due diligence* of the *subject property*.

3.2.54.1 *Discussion*—A *user* may include, without limitation, a potential purchaser of the *subject property*, a potential tenant of the *subject property*, an *owner*, *occupant*, or *operator* of the of the *subject property*, a lender, or a property manager. It is the *user's* responsibility to draw conclusions regarding affirmative answers (see 5.7).

3.2.55 *visually or physically observed, or both, n*—during a site visit pursuant to this practice, this term means observations made by visual, auditory, or olfactory means, or combinations thereof.

3.2.56 *wastewater, n*—water that *(1)* is or has been used in an industrial or manufacturing process, *(2)* conveys or has conveyed sewage, or *(3)* is directly related to manufacturing, processing, or raw materials storage areas at an industrial plant. *Wastewater* does not include water originating on or passing through or adjacent to a site, such as stormwater flows, that has not been used in industrial or manufacturing processes, has not been combined with sewage, or is not directly related to manufacturing, processing, or raw materials storage areas at an industrial plant.

3.3 *Acronyms and Abbreviations:*

3.3.1 *AST*—aboveground storage tank.

3.3.2 *AULs—Activity and Use Limitations*.

3.3.3 *CERCLA*—Comprehensive Environmental Response, Compensation and Liability of 1980 Act (as amended, 42 U.S.C. §9601 *et seq*.).

3.3.4 *C.F.R.*—Code of Federal Regulations.

3.3.5 *EC—Engineering Controls*.

3.3.6 *EPA*—United States Environmental Protection Agency.

3.3.7 *EPCRA*—Emergency Planning and Community Right to Know Act (also known as SARA Title III), (42 U.S.C. §11001 *et seq*.).

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Full document details: ASTM E1528-22

3.3.8 *ERNS*—Emergency Response Notification System.

3.3.9 *FOIA*—U.S. Freedom of Information Act (5 U.S.C. §552 *et seq*.).

3.3.10 *IC—Institutional Controls*.

3.3.11 *LLP—Landowner Liability Protections* under CERCLA.

3.3.12 *LUST*—leaking *underground storage tank*.

3.3.13 *NFRAP*—sites where no further remedial action is planned under CERCLA.

3.3.14 *NPL—National Priorities List*.

3.3.15 *PCBs*—polychlorinated biphenyls.

3.3.16 *RCRA*—Resource Conservation and Recovery Act (as amended, 42 U.S.C. §6901 *et seq*.).

3.3.17 *SARA*—Superfund Amendments and Reauthorization Act of 1986 (amendment to CERCLA; also contains law not part of CERCLA).

3.3.18 *U.S.C.*—United States Code.

3.3.19 *UST—underground storage tank*.

4. Significance and Use

4.1 *Uses*—This practice sets forth a procedure for conducting limited environmental *due diligence*. This practice is intended for use on a voluntary basis by parties who wish to assess the environmental condition of a *subject property* where a *Phase I Environmental Site Assessment* is, initially, deemed to be unnecessary by the *user* and the parties do not seek CERCLA *LLPs*. This practice is intended primarily as a commercially prudent or reasonable approach to conducting an inquiry designed to identify *potential environmental concerns* in connection with a *subject property*.

4.2 *Clarifications on Use:*

4.2.1 *Use Not Intended for CERCLA Liability Protection*—This document is not intended to permit a *user* to satisfy CERCLA *LLPs*, that is, the practices that constitute *all appropriate inquiries* into the previous ownership and uses of the *subject property* consistent with "generally accepted good commercial and customary standards and practices" as defined in 42 U.S.C. §9601(35)(B).

4.2.2 *Transaction Screen Does Not Identify Recognized Environmental Conditions*—This practice does not define a scope of assessment sufficient to identify recognized environmental conditions as defined in Practice E1527 and Practice E2247.

4.2.3 *Residential Tenants/Purchasers and Others*—Although this practice is not intended for residential purposes, it may be used at the *user's* discretion for residential tenants of multifamily residential buildings, tenants of single-family homes or other residential real estate, or purchasers of *dwellings* for residential use to conduct a *transaction screen* in connection with these transactions.

4.2.4 *Site-Specific*—This practice is site-specific in that it relates to assessment of environmental conditions at a *subject property*. Consequently, this practice does not address many additional issues raised in transactions such as purchases of business entities, or interests therein, or of their assets, that may well involve environmental liabilities pertaining to *properties* previously owned or operated or other off-site environmental liabilities.

4.3 *Who May Conduct*—The *transaction screen process* may be conducted by the *user*, or some other person, including environmental consultants, lenders, brokers, appraisers, corporations, lawyers, government agencies (civilian and military), or any other party looking to screen environmental *property* risk. The *transaction screen process* can be performed by but does not require the judgment of an *environmental professional*. If an *environmental professional* is contracted to prepare a *transaction screen questionnaire*, nothing in this practice requires the professional to develop opinions and conclusions. Some government programs permit use of this practice when combined with an additional requirement for professional opinions or conclusions or both. Nothing in this practice precludes a *user* from contracting with any person identified herein for mutually agreed upon additional services.

4.4 *Inquiry Beyond the Transaction Screen Process*—If further inquiry is needed after performance of the *transaction screen process*, the *user* should determine, in the exercise of the *user's* reasonable business judgment, whether further inquiry may be limited to those specific issues identified as of concern or should proceed to further inquiry (see 5.9).

4.5 No *transaction screen* can wholly eliminate uncertainty regarding *potential environmental concerns* in connection with a *subject property*.

4.5.1 Not every *property* will warrant the use of a limited environmental assessment such as the *transaction screen*. The appropriate use of the *transaction screen* will be guided by the type of *property* subject to assessment, the expertise and risk tolerance of the *user*, and the information developed in the course of the inquiry.

4.5.2 *Transaction screens* must be evaluated based on the reasonableness of judgments made at the time and under the circumstances in which they were made. Subsequent environmental site assessments or *transaction screens* should not be considered valid standards to judge the appropriateness of any prior assessment based on hindsight, new information, use of developing technology or analytical techniques, or other factors.

4.6 *Continued Viability of Transaction Screen*—A *transaction screen* meeting or exceeding this practice and completed more than 180 days previously may be used to the extent allowed by 4.6.1 and 4.6.2.

4.6.1 Subject to 4.6.2, a prior *transaction screen* or other *due diligence* may be used in its entirety or as an information source if, in the reasonable judgment of the *user*, the prior *transaction screen* or other *due diligence* meets or exceeds the requirements of this practice and the conditions at the *subject property* likely to affect *potential environmental concerns* in connection with the *subject property* are not likely to have changed materially since the last *transaction screen* or other *due diligence* was conducted. In making this judgment, the *user* should consider the type of *property* assessed and the conditions in the area surrounding the *subject property*.

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NOTE 2—Some government programs and some lenders allow the use of a *transaction screen* completed within the prior 12 months.

4.6.2 If the *user*, or any other *preparer* conducting a *transaction screen* has *actual knowledge* that the information being used from a prior *transaction screen* is no longer accurate or if it is *obvious*, based on other information obtained by means of the *transaction screen* or known to the person conducting the *transaction screen*, that the information being used is not accurate at the time of the current *transaction screen*, such information from a prior *transaction screen* may not be used.

4.7 The contractual and legal obligations between a *preparer* and a *user* (and other parties, if any) are beyond the scope of this practice.

4.7.1 The contractual and legal obligations between prior and subsequent *users* of *transaction screens* or between those who conducted prior *transaction screens* and those who would like to use such prior *transaction screens* are beyond the scope of this practice.

4.8 If the *user* is aware of any specialized knowledge or experience that is material to *potential environmental concerns* in connection with the *subject property*, and the *preparer* is not the *user*, it is the *user's* responsibility to communicate any information based on such specialized knowledge or experience to the *preparer*. The *user* should do so before the *preparer* conducts the *site visit*.

5. Introduction to Transaction Screen Process[6]

5.1 *Process*—The *transaction screen questionnaire* is divided into two parts, Part A (6.1) and Part B (6.2). Part A is to be completed by *owners*, *occupants*, and *operators* of the *subject property*. Part B is to be completed by the *preparer*. The *preparer* is the person conducting the *transaction screen*, usually the *user* or the *user's* designated agent. Following is a summary of required tasks for the *transaction screen process*:

5.1.1 *Preparer* provides Part A of the *transaction screen questionnaire* to the *owner*, *occupant*, and *operator* of the *subject property* if these parties are not the same as the *preparer* (see 5.2.1 and its subsections).

5.1.2 *Preparer* completes Part B of the *transaction screen questionnaire* (see 5.2.2 and its subsections) including these tasks:

5.1.2.1 *Preparer* completes a *site visit* and observes the *subject property* for environmental conditions and features. A brief observation of *adjoining properties* is also performed;

5.1.2.2 *Preparer* interviews *subject property owner*, *occupant*, or *operator*. Interviews may be performed during the *site visit*;

5.1.2.3 *Preparer* reviews certain *governmental records*; and

5.1.2.4 *Preparer* reviews certain historical resource information.

5.1.3 *Preparer* assembles Parts A and B of the *transaction screen questionnaire* and provides the completed *questionnaires* to the *user*.

[6] Available from ASTM International Headquarters. Order Adjunct No. ADJE152822-E-PDF. Original adjunct produced in 2000. Adjunct last revised in 2022.

NOTE 3—Tasks may be conducted in any order, but it may be helpful to conduct a review of governmental records and historical resources information before the *site visit* so the *preparer* is alerted in advance regarding known *release* conditions, permitted chemical storage, and past uses that may have potential environmental impacts.

5.2 *Introduction to Transaction Screen Questionnaire:*

5.2.1 *Transaction Screen Questionnaire Part A*—The *transaction screen process* begins with the *preparer* requesting *owners*, *occupants*, and *operators* of the *subject property* to complete Part A of the *transaction screen questionnaire*.

5.2.1.1 The following people are to complete their own copy of Part A of the *transaction screen questionnaire*: *(1)* the current *owner* of the *subject property*; *(2)* any *major occupant* of the *subject property* or, if the *subject property* does not have any *major occupants*, at least 10 % of the *occupants* of the *subject property*; and *(3)* in addition to the current *owner* and the *occupants* and *operators* identified in *(2)*, any *occupant* or *operator* likely to be using, treating, generating, storing, or disposing of *chemicals of concern* on or from the *subject property*. A major *occupant* is any *occupant* using at least 40 % of the leasable area of the *subject property* or any anchor tenant when the *subject property* is a shopping center.

5.2.1.2 For a *subject property* containing both residential and commercial uses, residential occupants are not required to complete a *questionnaire* but may at the *user's* discretion (see 4.2.3).

5.2.1.3 The *preparer* may need to facilitate the *owner*, *occupant*, and *operator* response process by obtaining their respective answers via an interview conducted electronically (for example, telephone, email, *et al.*) prior to the *site visit* or an in-person interview during the *site visit*. The *preparer* may also need to assist the *owner*, *occupant*, and *operator* respondents by completing the descriptions of the *subject property* and *adjoining properties*.

5.2.1.4 The *preparer* should ask each respondent to answer all questions to the best of the respondent's *actual knowledge* and in good faith.

5.2.2 *Transaction Screen Questionnaire Part B*—Following the *preparer's* receipt of copies of Part A with *owner*, *occupant*, and *operator* responses, the *preparer* completes Part B of the *transaction screen questionnaire*.

5.2.2.1 The *preparer* must complete a *site visit* to observe the *subject property* including the interior and exterior of any buildings and other structures on the *subject property*, and make brief observations of *adjoining properties*.

5.2.2.2 Part B requires the *preparer* to conduct limited research regarding certain governmental records and certain standard historical resources, to the extent these documents are *reasonably ascertainable*.

5.3 *Guide to the Transaction Screen Questionnaire*—The *transaction screen questionnaire* is followed by a guide designed to assist the person completing the *transaction screen questionnaire*. The guide to the *transaction screen questionnaire* is set forth in Section 8.

5.3.1 To assist the *user*, its employee or agent, or the *preparer* in completing the *transaction screen questionnaire*, the guide repeats each of the questions set out in the *transaction screen questionnaire* in both the guide for *owner/occupant/operator* inquiry and the guide for *preparer* use

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questions for the *preparer* completing the governmental records/historical resources inquiries are also repeated in the guide to that section.

5.3.2 The guide also describes the procedures to be followed to determine if reliance upon the information in a prior *transaction screen* is appropriate under this practice.

5.3.3 A *user*, his employee or agent, or *preparer* conducting the *transaction screen process* should not use the *transaction screen questionnaire* without reference to or without familiarity with the guide based on prior use of the guide.

5.4 The *user* may either conduct the *transaction screen process*, or delegate it to an employee or agent or may contract with a third party to prepare the *questionnaire* on behalf of the *user*. No matter who prepares the *questionnaire*, the *user* remains responsible for the decision to conduct limited environmental *due diligence* and the impact of that decision on management of environmental risks.

5.5 The *preparer* conducting the *transaction screen process* should use good faith efforts in determining answers to the questions set forth in the *transaction screen questionnaire*. The *user* should take time and care to check whatever records are in the *user's* possession and forward relevant information or specialized knowledge to the *preparer*.

5.6 *Knowledge*—All answers should be given to the best of the *owner's*, *occupant's*, or *operator's* knowledge. The most knowledgeable person available should be chosen to answer the questions.

5.6.1 While the person conducting the *transaction screen* has an obligation to ask the questions in the *transaction screen questionnaire*, others may have no obligation to answer them.

5.6.2 The *transaction screen questionnaire* and the *transaction screen* guide sometimes include the phrase "to the best of your knowledge." This phrase does not impose a constructive knowledge standard. It is intended as an assurance to the persons being questioned that they are not obligated to search out information they do not currently have in order to answer the particular question.

5.7 *Conclusions Regarding Affirmative Answers*—Once a *transaction screen questionnaire* has been completed, it shall be presented to the *user*. Subject to 5.7 through 5.8, an affirmative answer is presumed to be a *potential environmental concern*. If any of the questions set forth in the *transaction screen questionnaire* are answered in the affirmative (that is, "yes"), the *preparer* must document the reason for the affirmative answer. The response "not applicable" is allowed only as it relates to wells or private water systems not being located at the *subject property*. If any of the other questions are not answered in the affirmative or the negative, the *user* should document such nonresponse or answer of unknown and evaluate it in light of the other information obtained in the *transaction screen process*, including, in particular, the *site visit* and the governmental records/historical resources inquiry. If the *user* decides no further inquiry is warranted after receiving no response or an affirmative answer, the *user* must document the reasons for any such conclusion.

5.7.1 Upon obtaining an affirmative ("yes") answer or no response, the *user* should first refer to the guide. The guide may provide sufficient explanation to allow a *user* to conclude that no further inquiry is appropriate with respect to the particular question.

5.7.2 If the guide to a particular question does not, in itself, permit a *user* to conclude that no further inquiry is appropriate, then the *user* should consider other information obtained from the *transaction screen process* relating to this question. For example, while on the site performing a *site visit*, a person may find a storage tank on the *subject property* and therefore answer Question 4.2 of the *transaction screen questionnaire* in the affirmative. However, during or subsequent to the *owner/occupant/operator* inquiry, the *owner* may establish that substances now or historically contained in the tank (for example, water) are not likely to cause contamination.

5.7.3 If either the guide to the question or other information obtained during the *transaction screen process* does not permit a *user* to conclude no further inquiry is appropriate with respect to such question, then the *user* must determine, in the exercise of the *user's* reasonable business judgment, based upon the totality of unresolved affirmative answers received during the *transaction screen process*, whether further inquiry may be limited to those specific issues identified as of concern.

5.8 *Presumption*—A presumption exists that further inquiry is necessary if an affirmative answer is given to a question or because no response was given. In rebutting this presumption, the *user* should evaluate information obtained from each component of the *transaction screen process* and consider whether sufficient information has been obtained to conclude that no further inquiry is necessary. The *user* must determine, in the exercise of the *user's* reasonable business judgment, the scope of such further inquiry.

5.9 *Further Inquiry*—Upon completing the *transaction screen questionnaire*, if the *user* concludes that further inquiry or action is needed (for example, consult with an environmental consultant, contractor, governmental authority, or perform additional governmental records or historical resources review), the *user* should proceed with such inquiry. (Note that if the *user* determines to proceed with a *Phase I Environmental Site Assessment*, the *user* may apply the current Practice E1527, Practice E2247, or alternatively the provisions of EPA's regulation "Standards and Practices for All Appropriate Inquiries," 40 C.F.R. Part 312.)

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Full document details: ASTM E1528-22

5.10 *Signature*—The *user* and the *preparer* of the *transaction screen questionnaire* must complete and sign the questionnaire as provided at the end of the questionnaire.

5.11 *Retention of Questionnaire*—The completed *transaction screen questionnaire* and copies of supporting governmental records, reports, and historical resources must be retained in the *user's* files and at such additional locations as the *user* and the *preparer*, if different from the *user*, may determine. The length of time the completed *transaction screen questionnaire* is retained is to be determined by the *user* consistent with the *user's* record retention policy or practice. Copies of the completed *transaction screen questionnaire* should not be transmitted to ASTM International, which plays no role in collecting or reviewing completed *transaction screen questionnaires*.

6. Transaction Screen Questionnaire

6.1 *Part A—Owner/Occupant/Operator Environmental Questionnaire:*

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Part A: Transaction Screen Questionnaire for Owner and Occupant
(A separate questionnaire must be completed by the owner and each responding occupant of the subject property.)

1		**Description of the Subject Property and Adjoining Properties**
Description of Subject Property:		
Subject Property Owner:		
Subject Property Address:		
Subject Property Parcel ID Number or Other Location Description:		
Subject Property Occupants, Percent Occupied, and Use:		
Description of Adjoining Properties (provide observable address, occupant name, and use):		
North:		
East:		
South:		
West:		

2		**Business Activities**							
	Have you observed or are you aware of any of the following business activities currently or in the past on either the subject property or an adjoining property:		On the **Subject Property**		On an **Adjoining Property**		**Comment/Explain all "Yes" responses** (Use a separate sheet for additional comment space. Include the Question # you are commenting on.)
			Currently	**In the Past**	**Currently**	**In the Past**	
	2.1	Gasoline/Diesel/Other Fuel Dispensing	Yes No ☐ ☐	Yes No ☐ ☐	Yes No ☐ ☐	Yes No ☐ ☐	
	2.2	Vehicle, Motor/Engine, Fleet Repair, or Paint/Body Services	Yes No ☐ ☐	Yes No ☐ ☐	Yes No ☐ ☐	Yes No ☐ ☐	
	2.3	Dry Cleaning (solvent-based or green cleaners)	Yes No ☐ ☐	Yes No ☐ ☐	Yes No ☐ ☐	Yes No ☐ ☐	
	2.4	Printed Circuit Board/Semiconductor Manufacturing	Yes No ☐ ☐	Yes No ☐ ☐	Yes No ☐ ☐	Yes No ☐ ☐	
	2.5	Metal Plating/Finishing	Yes No ☐ ☐	Yes No ☐ ☐	Yes No ☐ ☐	Yes No ☐ ☐	
	2.6	Machine Shop	Yes No ☐ ☐	Yes No ☐ ☐	Yes No ☐ ☐	Yes No ☐ ☐	
	2.7	Commercial Printing	Yes No ☐ ☐	Yes No ☐ ☐	Yes No ☐ ☐	Yes No ☐ ☐	
	2.8	Manufacturing Activities	Yes No ☐ ☐	Yes No ☐ ☐	Yes No ☐ ☐	Yes No ☐ ☐	
	2.9	Distribution/Transportation/Shipping	Yes No ☐ ☐	Yes No ☐ ☐	Yes No ☐ ☐	Yes No ☐ ☐	
	2.10	Warehouse/Storage	Yes No ☐ ☐	Yes No ☐ ☐	Yes No ☐ ☐	Yes No ☐ ☐	
	2.11	Photograph or X-ray Developing using wet methods (i.e., not digital)	Yes No ☐ ☐	Yes No ☐ ☐	Yes No ☐ ☐	Yes No ☐ ☐	
	2.12	Junkyard, Salvage, or Metal/Electronics Recycling	Yes No ☐ ☐	Yes No ☐ ☐	Yes No ☐ ☐	Yes No ☐ ☐	
	2.13	Landfill/Trash Dump	Yes No ☐ ☐	Yes No ☐ ☐	Yes No ☐ ☐	Yes No ☐ ☐	
	2.14	Other Industrial and Commercial Activities	Yes No ☐ ☐	Yes No ☐ ☐	Yes No ☐ ☐	Yes No ☐ ☐	
	2.15	Agricultural Activities	Yes No ☐ ☐	Yes No ☐ ☐	Yes No ☐ ☐	Yes No ☐ ☐	
	2.16	Forestland/Forestry	Yes No ☐ ☐	Yes No ☐ ☐	Yes No ☐ ☐	Yes No ☐ ☐	
	2.17	Oil & Gas Extraction/Production, Refining Activities, or related Bulk Storage	Yes No ☐ ☐	Yes No ☐ ☐	Yes No ☐ ☐	Yes No ☐ ☐	

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3		Wastes & Disposal								
	Have you observed or are you aware of any of the following disposal practices or waste storage areas currently or in the past on either the subject property or an adjoining property?			On the **Subject Property**			On an **Adjoining Property**			**Comment/Explain all "Yes" responses** (Use a separate sheet for additional comment space. Include the Question # you are commenting on.)
				Currently	**In the Past**		**Currently**	**In the Past**		
	3.1	Waste Processing or Treatment		Yes No ☐ ☐	Yes No ☐ ☐		Yes No ☐ ☐	Yes No ☐ ☐		
	3.2	Exterior Areas/Enclosures for waste storage other than trash dumpsters (e.g., fenced enclosures, sheds, storage bins/trailers, etc.)		Yes No ☐ ☐	Yes No ☐ ☐		Yes No ☐ ☐	Yes No ☐ ☐		
	3.3	Interior Areas/Enclosures for waste storage (e.g., flammables cabinets, closets, maintenance workshops, etc.)		Yes No ☐ ☐	Yes No ☐ ☐		Yes No ☐ ☐			
	3.4	Recycling of Used Materials (e.g., engine oil, cleaning solvents, coolants, metals, batteries [automotive or industrial], tires, etc.)		Yes No ☐ ☐	Yes No ☐ ☐		Yes No ☐ ☐	Yes No ☐ ☐		
	3.5	Pits, Ponds, and Lagoons		Yes No ☐ ☐	Yes No ☐ ☐		Yes No ☐ ☐	Yes No ☐ ☐		
	3.6	Sumps		Yes No ☐ ☐	Yes No ☐ ☐		Yes No ☐ ☐			
	3.7	Oil-Water Separator or other Clarifiers		Yes No ☐ ☐	Yes No ☐ ☐		Yes No ☐ ☐	Yes No ☐ ☐		
	3.8	Dismantled Vehicles, Equipment, or other Scrap Metal		Yes No ☐ ☐	Yes No ☐ ☐		Yes No ☐ ☐	Yes No ☐ ☐		
	3.9	Landfill or Buried Materials		Yes No ☐ ☐	Yes No ☐ ☐		Yes No ☐ ☐	Yes No ☐ ☐		
	3.10	Indiscriminate Dumping (i.e., open dumping)		Yes No ☐ ☐	Yes No ☐ ☐		Yes No ☐ ☐	Yes No ☐ ☐		
	3.11	Open Burning of Materials or Waste		Yes No ☐ ☐	Yes No ☐ ☐		Yes No ☐ ☐	Yes No ☐ ☐		
4		Storage Containers								
	Have you observed or are you aware of storage of chemicals of concern on the subject property currently or in the past in any of the following: • Individual containers of >5 gallons (19 L) in volume • A total of 55 gallons (200 L) or more • Compressed gas cylinders (Chemicals of concern includes chemicals, pesticides/herbicides, hazardous materials, hazardous waste, petroleum products [e.g., gasoline, oils, diesel, etc.], lubricants, [e.g., hydraulic fluid, oils, etc. including inside equipment])			On the **Subject Property**			On an **Adjoining Property**			**Comment/Explain all "Yes" responses** (Use a separate sheet for additional comment space. Include the Question # you are commenting on.)
				Currently	**In the Past**		**Currently**			
	4.1	Drums (steel or plastic)		Yes No ☐ ☐	Yes No ☐ ☐		Yes No ☐ ☐			
	4.2	Intermediate Bulk Containers/Large Totes		Yes No ☐ ☐	Yes No ☐ ☐		Yes No ☐ ☐			
	4.3	Aboveground Storage Tanks		Yes No ☐ ☐	Yes No ☐ ☐		Yes No ☐ ☐			
	4.4	Underground Storage Tanks		Yes No ☐ ☐	Yes No ☐ ☐		Yes No ☐ ☐			
	4.5	Other Containers (compressed gas cylinders, totes, sacks, buckets, pails, bins, silos, etc.)		Yes No ☐ ☐	Yes No ☐ ☐		Yes No ☐ ☐			
	4.6	Secondary Containment for Storage Containers and Equipment		Yes No ☐ ☐	Yes No ☐ ☐		Yes No ☐ ☐			

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5		Property Features								
	Have you observed or are you aware of the following conditions or features on the subject property currently or in the past:			On the **Subject Property**						**Comment/Explain all "Yes" responses** (Use a separate sheet for additional comment space. Include the Question # you are commenting on.)
				Currently	**In the Past**					
	5.1	Exterior Staining of Soil or Pavement as a result of a spill other than water		Yes No ☐ ☐	Yes No ☐ ☐					
	5.2	Interior Staining of Floors, Walls, or Ceilings by substances other than water		Yes No ☐ ☐	Yes No ☐ ☐					
	5.3	Imported Fill Material (includes fill that is from a contaminated property or an unknown source)		Yes No ☐ ☐	Yes No ☐ ☐					
	5.4	Vent Pipes, Fill Pipes, or Access Ways (includes a fill pipe protruding from the ground inside a building or adjacent to any structure)		Yes No ☐ ☐	Yes No ☐ ☐					
	5.5	Foul Odors associated with any drains, sinks, vents, building materials, building surfaces, or exposed grounds		Yes No ☐ ☐	Yes No ☐ ☐					
	5.6	Equipment Lubricated with Oil or Hydraulic Fluid (e.g., vehicle lifts, elevator shafts, air compressors)		Yes No ☐ ☐	Yes No ☐ ☐					
	5.7	Equipment Lubricated with Heat Transfer Fluids or Hydraulic Fluid which may contain PCBs (e.g., transformers or capacitors installed prior to 1980)		Yes No ☐ ☐	Yes No ☐ ☐					
	5.8	Wastewater Discharge (not including stormwater) onto or adjacent to the subject property into a sanitary sewer system		Yes No ☐ ☐	Yes No ☐ ☐					
	5.9	Wastewater Discharge (not including sanitary waste) onto or adjacent to the subject property into a stormwater system		Yes No ☐ ☐	Yes No ☐ ☐					
	5.10	Wells (e.g., water wells, oil/gas wells, dry wells)		Yes No ☐ ☐	Yes No ☐ ☐					
6		Water Supply System								
	If the subject property is served by a public or municipal water system, private well, or non-public water system, are you aware of the following conditions on the subject property currently or in the past:			On the **Subject Property**						**Comment/Explain all "Yes" responses** (Use a separate sheet for additional comment space. Include the Question # you are commenting on.)
				Currently	**In the Past**					
	6.1	Is there evidence that contaminants have been identified in the private wellor non-public water system that exceed guidelines applicable to the water system?		Yes No N/A ☐ ☐ ☐	Yes No N/A ☐ ☐ ☐					
	6.2	Has the municipal or public water system, private well, or non-public water system supplying the subject property been designated as contaminated by any government environmental or health agency?		Yes No ☐ ☐	Yes No ☐ ☐					
7		Regulatory Documents								
	Are you aware of any of the following regulatory or legal documents issued to businesses on or to owners of the subject propertycurrently or in the past:			On the **Subject Property**						**Comment/Explain all "Yes" responses** (Use a separate sheet for additional comment space. Include the Question # you are commenting on.)
				Currently	**In the Past**					
	7.1	Registrations/Permits for storage tanks (above or underground)		Yes No ☐ ☐	Yes No ☐ ☐					
	7.2	Permits to store hazardous materials or hazardous waste		Yes No ☐ ☐	Yes No ☐ ☐					
	7.3	Environmental Liens		Yes No ☐ ☐	Yes No ☐ ☐					
	7.4	Activity & Use Limitations		Yes No ☐ ☐	Yes No ☐ ☐					
	7.5	Notification from a government agency relating to past or recurrent violations of environmental laws		Yes No ☐ ☐	Yes No ☐ ☐					

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8		Events								
	Are you aware of any of the following events having occurred in association with the subject property currently or in the past:			On the **Subject Property**			On an **Adjoining Property**			**Comment/Explain all "Yes" responses** (Use a separate sheet for additional comment space. Include the Question # you are commenting on.)
				Currently	**In the Past**		**Currently**	**In the Past**		
	8.1	Leaks, spills, or unauthorized release from tanks, other containers, or equipment		Yes No ☐ ☐	Yes No ☐ ☐		Yes No ☐ ☐	Yes No ☐ ☐		
	8.2	A natural disaster, weather event, or violent event that caused an unauthorized release		Yes No ☐ ☐	Yes No ☐ ☐		Yes No ☐ ☐	Yes No ☐ ☐		
	8.3	Notifications of Environmental Violation (NOVs)		Yes No ☐ ☐	Yes No ☐ ☐					
	8.4	Environmental site assessments which indicated the presence of chemicals of concern on, or contamination of, the subject property or recommended further assessment of the subject property?		Yes No ☐ ☐	Yes No ☐ ☐					
	8.5	Past, threatened, or pending lawsuits or administrative proceedings concerning a release or threatened release of any chemicals of concern involving the subject property by any owner or occupant of the subject property?		Yes No ☐ ☐	Yes No ☐ ☐					
	8.6	As the owner or occupant of the subject property, based on your knowledge and experience related to the subject property, is there any additional information known about the subject property, adjoining properties, or surrounding area which may indicate a potential environmental concern on the subject property?		Yes No ☐ ☐	Yes No ☐ ☐		Yes No ☐ ☐	Yes No ☐ ☐		

END OF PART A (Sections 9 and 10 are only included on Part B questionnaire.)

11		Each Respondent's Contact Information and Signature		
The subject property owner responses were provided by:				
Owner Name and Title with respect to subject property:		Legal Name of subject property owner & Address:		Phone Number & Email Address:
Role(s) at the subject property:		Number of years associated with the subject property:	Relationship to the user of this transaction screen:	
Owner represents that to the best of the owner's knowledge the above statements and facts are true and correct and to the best of the owner's actual knowledge no material facts have been suppressed or misstated.				
Owner's Signature:		Date completed:		
The occupant responses were provided by:				
Occupant Name and Title with respect to subject property:		Occupant's Firm Name & Address:		Phone Number & Email Address:
Role(s) at the subject property:		Number of years associated with the subject property:	Relationship to the user of this transaction screen:	
Occupant represents that to the best of the occupant's knowledge the above statements and facts are true and correct and to the best of the occupant's actual knowledge no material facts have been suppressed or misstated.				
Occupant's Signature:		Date completed:		

NOTE: The completed transaction screen questionnaire and copies of supporting government records reports and historical resources must be retained in the user's files and at such additional locations as the user and the preparer, if different from the user, may determine. Copies of the completed transaction screen questionnaire SHOULD NOT be transmitted to ASTM International, which has no role in collecting or reviewing completed transaction screen questionnaires.

6.2 *Part B—Preparer Environmental Questionnaire:*

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Part B: Transaction Screen Questionnaire for Preparer		
1		**Description of the Subject Property and Adjoining Properties**
Description of Subject Property:		
Subject Property Owner:		
Subject Property Address:		
Subject Property Parcel ID Number or Other Location Description:		
Subject Property Occupant and Use:		
Description of Adjoining Properties (provide observable address, occupant name, and use):		
North:		
East:		
South:		
West:		

2		**Business Activities**							
	Have you observed or are you aware of any of the following business activities currently or in the past on either the subject property or an adjoining property:		On the **Subject Property**		On an **Adjoining Property**		**Comment/Explain all "Yes" responses** (For additional comment space use a separate sheet. Include the Question # you are responding to.)
			Currently	**In the Past**	**Currently**	**In the Past**	
	2.1	Gasoline/Diesel/Other Fuel Dispensing	Yes No ☐ ☐	Yes No ☐ ☐	Yes No ☐ ☐	Yes No ☐ ☐	
	2.2	Vehicle, Motor/Engine, Fleet Repair, or Paint/Body Services	Yes No ☐ ☐	Yes No ☐ ☐	Yes No ☐ ☐	Yes No ☐ ☐	
	2.3	Dry Cleaning (solvent-based or green cleaners)	Yes No ☐ ☐	Yes No ☐ ☐	Yes No ☐ ☐	Yes No ☐ ☐	
	2.4	Printed Circuit Board/Semiconductor Manufacturing	Yes No ☐ ☐	Yes No ☐ ☐	Yes No ☐ ☐	Yes No ☐ ☐	
	2.5	Metal Plating/Finishing	Yes No ☐ ☐	Yes No ☐ ☐	Yes No ☐ ☐	Yes No ☐ ☐	
	2.6	Machine Shop	Yes No ☐ ☐	Yes No ☐ ☐	Yes No ☐ ☐	Yes No ☐ ☐	
	2.7	Commercial Printing	Yes No ☐ ☐	Yes No ☐ ☐	Yes No ☐ ☐	Yes No ☐ ☐	
	2.8	Manufacturing Activities	Yes No ☐ ☐	Yes No ☐ ☐	Yes No ☐ ☐	Yes No ☐ ☐	
	2.9	Distribution/Transportation/Shipping	Yes No ☐ ☐	Yes No ☐ ☐	Yes No ☐ ☐	Yes No ☐ ☐	
	2.10	Warehouse/Storage	Yes No ☐ ☐	Yes No ☐ ☐	Yes No ☐ ☐	Yes No ☐ ☐	
	2.11	Photograph or X-ray Developing using wet methods (i.e., not digital)	Yes No ☐ ☐	Yes No ☐ ☐	Yes No ☐ ☐	Yes No ☐ ☐	
	2.12	Junkyard, Salvage, or Metal/Electronics Recycling	Yes No ☐ ☐	Yes No ☐ ☐	Yes No ☐ ☐	Yes No ☐ ☐	
	2.13	Landfill/Trash Dump	Yes No ☐ ☐	Yes No ☐ ☐	Yes No ☐ ☐	Yes No ☐ ☐	
	2.14	Other Industrial and Commercial Activities	Yes No ☐ ☐	Yes No ☐ ☐	Yes No ☐ ☐	Yes No ☐ ☐	
	2.15	Agricultural Activities	Yes No ☐ ☐	Yes No ☐ ☐	Yes No ☐ ☐	Yes No ☐ ☐	
	2.16	Forestland/Forestry	Yes No ☐ ☐	Yes No ☐ ☐	Yes No ☐ ☐	Yes No ☐ ☐	
	2.17	Oil & Gas Extraction/Production, Refining Activities, or related Bulk Storage	Yes No ☐ ☐	Yes No ☐ ☐	Yes No ☐ ☐	Yes No ☐ ☐	

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3		Wastes & Disposal								
	Have you observed or are you aware of any of the following disposal practices or waste storage areas currently or in the past on either the subject property or an adjoining property?			On the **Subject Property**			On an **Adjoining Property**			**Comment/Explain all "Yes" responses** (For additional comment space use a separate sheet. Include the Question # you are responding to.)
				Currently	**In the Past**		**Currently**	**In the Past**		
	3.1	Waste Processing or Treatment		Yes No ☐ ☐	Yes No ☐ ☐		Yes No ☐ ☐	Yes No ☐ ☐		
	3.2	Exterior Areas/Enclosures for waste storage other than trash dumpsters (e.g., fenced enclosures, sheds, storage bins/trailers, etc.)		Yes No ☐ ☐	Yes No ☐ ☐		Yes No ☐ ☐	Yes No ☐ ☐		
	3.3	Interior Areas/Enclosures for waste storage (e.g., flammables cabinets, closets, maintenance workshops, etc.)		Yes No ☐ ☐	Yes No ☐ ☐		Yes No ☐ ☐			
	3.4	Recycling of Used Materials (e.g., engine oil, cleaning solvents, coolants, metals, batteries [automotive or industrial], tires, etc.)		Yes No ☐ ☐	Yes No ☐ ☐		Yes No ☐ ☐	Yes No ☐ ☐		
	3.5	Pits, Ponds, and Lagoons		Yes No ☐ ☐	Yes No ☐ ☐		Yes No ☐ ☐	Yes No ☐ ☐		
	3.6	Sumps		Yes No ☐ ☐	Yes No ☐ ☐		Yes No ☐ ☐			
	3.7	Oil-Water Separator or other Clarifiers		Yes No ☐ ☐	Yes No ☐ ☐		Yes No ☐ ☐	Yes No ☐ ☐		
	3.8	Dismantled Vehicles, Equipment, or other Scrap Metal		Yes No ☐ ☐	Yes No ☐ ☐		Yes No ☐ ☐	Yes No ☐ ☐		
	3.9	Landfill or Buried Materials		Yes No ☐ ☐	Yes No ☐ ☐		Yes No ☐ ☐	Yes No ☐ ☐		
	3.10	Indiscriminate Dumping (i.e., open dumping)		Yes No ☐ ☐	Yes No ☐ ☐		Yes No ☐ ☐	Yes No ☐ ☐		
	3.11	Open Burning of Materials or Waste		Yes No ☐ ☐	Yes No ☐ ☐		Yes No ☐ ☐	Yes No ☐ ☐		
4		Storage Containers								
	Have you observed or are you aware of storage of chemicals of concern on the subject property currently or in the past in any of the following: • Individual containers of >5 gallons (19 L) in volume • A total of 55 gallons (200 L) or more • Compressed gas cylinders (Chemicals of concern includes chemicals, pesticides/herbicides, hazardous materials, hazardous waste, petroleum products [e.g., gasoline, oils, diesel, etc.], lubricants, [e.g., hydraulic fluid, oils, etc. including inside equipment])			On the **Subject Property**			On an **Adjoining Property**			**Comment/Explain all "Yes" responses** (For additional comment space use a separate sheet. Include the Question # you are responding to.)
				Currently	**In the Past**		**Currently**			
	4.1	Drums (steel or plastic)		Yes No ☐ ☐	Yes No ☐ ☐		Yes No ☐ ☐			
	4.2	Intermediate Bulk Containers/Large Totes		Yes No ☐ ☐	Yes No ☐ ☐		Yes No ☐ ☐			
	4.3	Aboveground Storage Tanks		Yes No ☐ ☐	Yes No ☐ ☐		Yes No ☐ ☐			
	4.4	Underground Storage Tanks		Yes No ☐ ☐	Yes No ☐ ☐		Yes No ☐ ☐			
	4.5	Other Containers (compressed gas cylinders, totes, sacks, buckets, pails, bins, silos, etc.)		Yes No ☐ ☐	Yes No ☐ ☐		Yes No ☐ ☐			
	4.6	Secondary Containment for Storage Containers and Equipment		Yes No ☐ ☐	Yes No ☐ ☐		Yes No ☐ ☐			

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