



ASTM E 1527-21/AAI - USER QUESTIONNAIRE

Instructions: This form should be completed by a representative of the USER of the Phase I ESA report and returned to Hillmann via email or in-person. **The report USER is the entity on whose behalf the assessment is being prepared and that will be relying on the report for liability protections.**

In order to qualify for one of the Landowner Liability Protections (LLPs) offered by the Small Business Liability Relief and Brownfields Revitalization Act of 2001 (the “Brownfields Amendments”),¹⁸⁸ the USER must conduct the following inquiries required by 40 CFR 312.25, 312.28, 312.29, 312.30, and 312.31. 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. Please complete the following questionnaire and provide any of the referenced information (if available) to Hillmann.

USER Company Name:		USER Mailing Address:	
Respondent Name & Email Address:		Date of Completion:	

Property Address:	YES	NO	DETAIL (optional):
Search of Land Title Records and AULs: Has the User performed a review of land title records and judicial records for environmental liens and Activity and Use Limitations (AULs) filed or recorded against the property?			
If yes to the above question: Did the review identify any environmental liens or Activity and Use Limitations (AUL), 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?			
Specialized knowledge or experience of the person seeking to qualify for the LLP: 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?			
Relationship of the purchase price to the fair market value of the property if it were not contaminated: 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?			



Property Address:	YES	NO	DETAIL (optional):
Commonly Known or Reasonably Ascertainable Information: 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? <u>ANSWER BELOW</u>			
- Do you know the past uses of the property?			
- Do you know of specific chemicals that are present or were once present at the property?			
- Do you know of spills or other chemical releases that have taken place at the property?			
- Do you know of any environmental cleanups that have taken place at the property?			
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: 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?			
Litigation/Administrative Proceedings/Government Notices As the User of this ESA, do you have knowledge of (1) any pending, threatened, or past litigation relevant to hazardous substances or petroleum products in, on, or from the property; (2) any pending, threatened, or past administrative proceedings relevant to hazardous substances or petroleum products in, on or from the property; and (3) any notices from any governmental entity regarding any possible violation of environmental laws or possible liability relating to hazardous substances or petroleum products.			
User's Reason for performing Phase I ESA:			

Additional Details, if applicable: