ENVIROGYN®
WHERE SCIENCE MEETS CERTAINTY.

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FORM ENV-ESA-Q1 • ASTM E1527-21 § 6.0 • 40 CFR § 312.22

Phase I ESA — User Questionnaire

Mandatory All Appropriate Inquiries (AAI) Disclosure for Prospective Purchasers, Borrowers & Lenders

INTERACTIVE PDF
Fill & Email

Why This Form Matters (CERCLA Liability Protection): Under ASTM Practice E1527-21 § 6.0 and U.S. EPA 40 CFR Part 312, the party relying on the Phase I ESA (the "User") must answer these questions to qualify for federal Landowner Liability Protections (BFPP, Contiguous Property Owner, or Innocent Landowner). Answer based on your actual knowledge—**"Unknown" is an acceptable answer.** Typing the Property Address below automatically syncs it across Pages 2–3.

A. Subject Property & Transaction Identification

Section A • Intake

Subject Property Street Address (Auto-Syncs to Pages 2–3)

City, State & ZIP Code

County & Appraisal District (CAD) Account / Parcel ID(s)

Envirogyn Project # (Optional / Office Use)

User Full Name & Title

Purchasing Entity / Company Name

Direct Phone Number

Email Address (For Final Report Delivery)

Authorized Reliance Parties (Bank, SBA 7(a)/504 Lender, Partners)

Anticipated Closing Date

Transaction Purpose (Check All That Apply)

☐ Acquisition ☐ Refinance / Loan ☐ Lease ☐ Development ☐ Other

Current Record Owner / Seller Name (If Known)

B. Mandatory User Responsibilities (ASTM E1527-21 § 6.0 / 40 CFR § 312.22)

Questions 01–02

01 **Environmental Cleanup Liens — Are you aware of any environmental cleanup liens against the Property that are filed or recorded under federal, tribal, state, or local law?**

Review Title Commitment Schedule B or an Environmental Lien Search prior to closing; disclose anything currently known.

☐ Yes ☐ No ☐ Unknown

If Yes (or to provide context), please explain:

02 **Activity & Use Limitations (AULs) — Are you aware of any AULs, such as engineering controls, land-use restrictions, deed notices, institutional controls, or TCEQ Municipal Setting Designations (MSDs), recorded on the Property?**

Includes groundwater use restrictions, cap maintenance covenants, or commercial/industrial-only deed restrictions.

☐ Yes ☐ No ☐ Unknown

If Yes (or to provide context), please explain:

B. Mandatory User Responsibilities (Continued)

Questions 03–06

03 **Specialized Knowledge or Experience — Do you have any specialized knowledge or experience related to the Property or nearby properties?**

Example: You are involved in the same line of business as current/former occupants, have specialized industry training, or know prior operational details.

☐ Yes ☐ No ☐ Unknown

If Yes (or to provide context), please explain:

04 **Relationship of Purchase Price to Fair Market Value — Does the purchase price being paid reasonably reflect the fair market value of the Property?**

If you conclude the price is lower than comparable properties, have you considered whether the lower price is because contamination is known or believed to be present?

☐ Yes — Reflects FMV ☐ No — Below FMV ☐ N/A (Non-Purchase) ☐ Unknown

If below fair market value, explain whether environmental contamination contributed to the discount:

05 **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 identify conditions indicative of releases or threatened releases?**

Examples: Specific past uses, chemicals historically stored, prior spills or environmental cleanups, neighbor comments, news articles, or agency correspondence.

☐ Yes ☐ No ☐ Unknown

If Yes (or to provide context), please explain:

06 **Degree of Obviousness of Contamination — 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?**

Examples: Visible soil/pavement staining, chemical odors, abandoned tanks/drums, stressed vegetation, or past industrial waste dumping.

☐ Yes ☐ No ☐ Unknown

If Yes (or to provide context), please explain:

C. Helpful Documents & Known Property History (ASTM E1527-21 § 10.8)

Questions 07–08

07 **Helpful Documents Available — Check any existing documents you can share with Envirogyn® (please attach with this form if available):**

☐ Prior Phase I / II ESA ☐ Title Commitment / Schedule B ☐ ALTA / Boundary Survey ☐ Asbestos / Lead / Mold Report
☐ Tank / UST Closure Records ☐ Agency Letters / Permits ☐ None Available

Document dates, issuers, or notes:

08 **Known Past Uses & Operations — What do you know about current or historical uses of the Property (e.g., auto sales/repair, fueling, dry cleaning, manufacturing, warehouse, vacant land) and approximate timeframes?**

C. Property Operations, Planned Changes & Title Search Election

Questions 09–11

09 **Tanks, Drains, Lifts & Hazardous Materials — Are you aware of any underground or aboveground storage tanks (USTs/ASTs), floor or trench drains, oil/water separators, hydraulic lifts, septic systems, private wells, or hazardous materials/petroleum used or stored on site?**

☐ Yes ☐ No ☐ Unknown

If Yes (or to provide context), please explain:

10 **Planned Redevelopment, Demolition, or Change of Use — Do you anticipate demolition, major renovation, excavation/grading, residential conversion, or new construction after closing?**

Helps Envirogyn® flag applicable non-scope items (Texas DSHS pre-renovation asbestos surveys, lead paint, vapor barriers, and Texas 811 pipeline corridors).

11 **Environmental Lien & Activity/Use Limitation (AUL) Search Election (ASTM E1527-21 § 6.2)**

Under ASTM E1527-21, reviewing land title records for environmental liens and AULs back to 1980 is a User responsibility unless specifically delegated to the Environmental Professional.

☐ **User / Title Company will provide the Title Commitment (Schedule B) & Environmental Lien / AUL search prior to closing.**

☐ **Please authorize Envirogyn® to order a standalone ASTM E1527-21 Environmental Lien & AUL Title Search (SKU ESA-106 • $350 add-on).**

☐ **Not sure / Please discuss options with me prior to report issuance.**

Title company contact, GF #, or additional instructions (optional):

D. User Certification & Signature

Section D • Execution

I certify that I am the Report User (or an authorized representative of the Report User) and that the responses provided in this ASTM E1527-21 § 6.0 User Questionnaire are true, accurate, and complete to the best of my actual knowledge as of the date signed below. I understand that timely completion of this questionnaire and review of environmental lien/AUL land title records are required to preserve CERCLA Landowner Liability Protections under 40 CFR Part 312.

Printed Full Name

Title / Capacity & Entity Name

Signature of User (Typed Name or Digital Signature Accepted)

Date Signed

How to Return This Completed Questionnaire

1. Save Your Entries: Click *File → Save* in Chrome, Edge, Adobe Reader, or Preview.
2. Email Directly to Your EP: Attach this PDF (+ any prior reports or Title Schedule B) to **info@envirogyn.com**.
3. Direct Desk: **(281) 694-5742** • Forms Library: **envirogyn.com/documents-and-forms**

Email Completed Form →