



ENVIRONMENTAL SITE ASSESSMENT TRANSACTION SCREEN QUESTIONNAIRE

This document is an excerpt of Practice E1528-06: Standard Practice for Limited Environmental Due Diligence: Transaction Screen Process, which 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. This questionnaire represents only Sections 5 and 6 of Practice E 1528-06 and should not be construed as being the complete standard. It is necessary to refer to the full standard prior to using this questionnaire. COPYRIGHT© 2006 ASTM INTERNATIONAL, West Conshohocken, PA. Prior edition copyrighted 2000. Stock # ADJE152806. For the complete standard, or to order additional copies of this questionnaire, contact ASTM Customer Service at (610) 832-9585.

5. Introduction to Transaction Screen Questionnaire

5.1 Process—The *transaction screen process* consists of asking questions contained within the *transaction screen questionnaire* of owners and occupants of the property, observing site conditions at the property with direction provided by the *transaction screen questionnaire*, and, to the extent reasonably ascertainable, conducting limited research regarding certain government records and certain standard historical sources. The questions asked of owners are the same questions as those asked of occupants.

5.2 Guide—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 out in Sections 7–10 of this practice. The guide is divided into three sections: Guide for Owner/Occupant Inquiry, Guide to Site Visit, and Guide to Governmental Records/Historical Sources Inquiry.

5.2.1 To assist the user, its employee or agent, or the preparer in preparing a report, the guide repeats each of the questions set out in the *transaction screen questionnaire* in both the guide for owner/occupant inquiry and the guide to site visit. The questions regarding government records/historical sources inquiry are also repeated in the guide to that section.

5.2.2 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.

5.2.3 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.

5.3 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 risk management.

5.4 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.

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

5.5.1 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.

5.5.2 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 person being questioned that he or she is not obligated to search out information he or she does not currently have in order to answer the particular question.

5.6 Conclusions Regarding Affirmative or Unknown Answers—Once a *transaction screen questionnaire* has been completed, it shall be presented to the user. Subject to 5.6 through 5.7, an affirmative, unknown, or no response 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, the preparer must document the reason for the affirmative answer. If any of the questions are not answered or the answer is unknown, 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 government records/historical sources inquiry. If the user decides no further inquiry is warranted after receiving no response, an answer of unknown, or an affirmative answer, the user must document the reasons for any such conclusion.

5.6.1 Upon obtaining an affirmative answer, an answer of unknown 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.

5.6.2 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 property and therefore answer Question 10 of the *transaction screen questionnaire* in the affirmative. However, during or subsequent to the owner/occupant inquiry, the owner may establish that substances now or historically contained in the tank (for example, water) are not likely to cause contamination.

5.6.3 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 or answers of unknown received during the *transaction screen process*, whether further inquiry may be limited to those specific issues identified as of concern.

5.7 Presumption—A presumption exists that further inquiry is necessary if an affirmative answer is given to a question or because the answer was unknown or 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.

5.8 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 and/or historical records review), the user should proceed with such inquiry. (Note that if the user determines to proceed with a Phase I Environment Site Assessment, the user may apply the current Practice E 1527 or alternatively the provisions of EPA's regulation "Standards and Practices for All Appropriate Inquiries," 40 C.F.R. Part 312.)

5.9 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.

7b. Did you observe evidence or do you have any prior knowledge that <i>fill dirt</i> has been brought onto the <i>property</i> that is of an unknown origin?	Yes	<input checked="" type="radio"/> No	Unk	Yes	No	Unk	Yes	<input checked="" type="radio"/> No
8a. Are there currently any <i>pits, ponds, or lagoons</i> located on the <i>property</i> in connection with waste treatment or waste disposal?	Yes	<input checked="" type="radio"/> No	Unk	Yes	No	Unk	Yes	<input checked="" type="radio"/> No
8b. Did you observe evidence or do you have any prior knowledge that there have been previously, any <i>pits, ponds, or lagoons</i> located on the <i>property</i> in connection with waste treatment or waste disposal?	Yes	<input checked="" type="radio"/> No	Unk	Yes	No	Unk	Yes	<input checked="" type="radio"/> No
9a. Is there currently any stained soil on the <i>property</i> ?	Yes	<input checked="" type="radio"/> No	Unk	Yes	No	Unk	Yes	<input checked="" type="radio"/> No
9b. Did you observe evidence or do you have any prior knowledge that there has been previously, any stained soil on the <i>property</i> ?	Yes	<input checked="" type="radio"/> No	Unk	Yes	No	Unk	Yes	<input checked="" type="radio"/> No
10a. Are there currently any registered or unregistered storage tanks (above or underground) located on the <i>property</i> ?	Yes	<input checked="" type="radio"/> No	Unk	Yes	No	Unk	Yes	<input checked="" type="radio"/> No
10b. Did you observe evidence or do you have any prior knowledge that there have been previously, any registered or unregistered storage tanks (above or underground) located on the <i>property</i> ?	<input checked="" type="radio"/> Yes	No	Unk	Yes	No	Unk	<input checked="" type="radio"/> Yes	No
11a. Are there currently any vent pipes, fill pipes, or access ways indicating a fill pipe protruding from the ground on the <i>property</i> or adjacent to any structure located on the <i>property</i> ?	Yes	<input checked="" type="radio"/> No	Unk	Yes	No	Unk	Yes	<input checked="" type="radio"/> No
11b. Did you observe evidence or do you have any prior knowledge that there have been previously, any vent pipes, fill pipes, or access ways indicating a fill pipe protruding from the ground on the <i>property</i> or adjacent to any structure located on the <i>property</i> ?	Yes	<input checked="" type="radio"/> No	Unk	Yes	No	Unk	Yes	<input checked="" type="radio"/> No
12a. Is there currently evidence of leaks, spills or staining by substances other than water, or foul odors, associated with any flooring, drains, walls, ceilings, or exposed grounds on the <i>property</i> ?	Yes	<input checked="" type="radio"/> No	Unk	Yes	No	Unk	Yes	<input checked="" type="radio"/> No
12b. Did you observe evidence or do you have any prior knowledge that there have been previously any leaks, spills, or staining by substances other than water, or foul odors, associated with any flooring drains, walls, ceilings or exposed grounds on the <i>property</i> ?	Yes	<input checked="" type="radio"/> No	Unk	Yes	No	Unk	Yes	<input checked="" type="radio"/> No
13a. If the <i>property</i> is served by a private well or non-public water system, is there evidence or do you have prior knowledge that contaminants have been identified in the well or system that exceed guidelines applicable to the water system?	Yes	<input checked="" type="radio"/> No	Unk	Yes	No	Unk	Yes	<input checked="" type="radio"/> No
13b. If the <i>property</i> is served by a private well or non-public water system, is there evidence or do you have prior knowledge that the well has been designated as contaminated by any government environmental/health agency?	Yes	<input checked="" type="radio"/> No	Unk	Yes	No	Unk	Yes	<input checked="" type="radio"/> No
14. Does the <i>owner</i> or <i>occupant</i> of the <i>property</i> have any knowledge of <i>environmental liens</i> or governmental notification relating to past or recurrent violations of environmental laws with respect to the <i>property</i> or any facility located on the <i>property</i> ?	Yes	<input checked="" type="radio"/> No	Unk	Yes	No	Unk	Yes	<input checked="" type="radio"/> No
15a. Has the <i>owner</i> or <i>occupant</i> of the <i>property</i> been informed of the past existence of <i>hazardous substances</i> or <i>petroleum products</i> with respect to the <i>property</i> or any facility located on the <i>property</i> ?	<input checked="" type="radio"/> Yes	No	Unk	Yes	No	Unk	Yes	<input checked="" type="radio"/> No
15b. Has the <i>owner</i> or <i>occupant</i> of the <i>property</i> been informed of the current existence of <i>hazardous substances</i> or <i>petroleum products</i> with respect to the <i>property</i> or any facility located on the <i>property</i> ?	Yes	<input checked="" type="radio"/> No	Unk	Yes	No	Unk	Yes	<input checked="" type="radio"/> No
15c. Has the <i>owner</i> or <i>occupant</i> of the <i>property</i> been informed of the past existence of environmental violations with respect to the <i>property</i> or any facility located on the <i>property</i> ?	Yes	<input checked="" type="radio"/> No	Unk	Yes	No	Unk	Yes	<input checked="" type="radio"/> No
15d. Has the <i>owner</i> or <i>occupant</i> of the <i>property</i> been informed of the current existence of environmental violations with respect to the <i>property</i> or any facility located on the <i>property</i> ?	Yes	<input checked="" type="radio"/> No	Unk	Yes	No	Unk	Yes	<input checked="" type="radio"/> No

16. Does the <i>owner</i> or <i>occupant</i> of the <i>property</i> have any knowledge of any <i>environmental site assessment</i> of the <i>property</i> of facility that indicated the presence of <i>hazardous substances</i> or <i>petroleum products</i> on, or contamination of, the <i>property</i> or recommended further assessment of the <i>property</i> ?	Yes	<input checked="" type="radio"/> No	Unk	Yes	No	Unk	
17. Does the <i>owner</i> or <i>occupant</i> of the <i>property</i> know of any past, threatened, or pending lawsuits or administrative proceedings concerning a release or threatened release of any <i>hazardous substance</i> or <i>petroleum products</i> involving the <i>property</i> by any <i>owner</i> or <i>occupant</i> of the <i>property</i> ?	Yes	<input checked="" type="radio"/> No	Unk	Yes	No	Unk	
18a. Does the <i>property</i> discharge <i>waste-water</i> (not including sanitary waste or storm water) onto or adjacent to the <i>property</i> and/or into a storm water system?	Yes	<input checked="" type="radio"/> No	Unk	Yes	No	Unk	Yes <input checked="" type="radio"/> No
18b. Does the <i>property</i> discharge waste water (not including sanitary waste or storm water) onto or adjacent to the <i>property</i> and/or into a sanitary sewer system?	Yes	<input checked="" type="radio"/> No	Unk	Yes	No	Unk	Yes <input checked="" type="radio"/> No
19. Did you observe evidence or do you have any prior knowledge that any <i>hazardous substances</i> or <i>petroleum products</i> , unidentified waste materials, tires, automotive or industrial batteries, or any other waste materials have been dumped above grade, buried and/or burned on the <i>property</i> ?	Yes	<input checked="" type="radio"/> No	Unk	Yes	No	Unk	Yes <input checked="" type="radio"/> No
20. Is there a transformer, capacitor, or any hydraulic equipment for which there are any records indicating the presence of <i>PCBs</i> ?	Yes	<input checked="" type="radio"/> No	Unk	Yes	No	Unk	Yes <input checked="" type="radio"/> No <input checked="" type="radio"/> <i>Yes</i>

According to Dawson Redlic Bowen

Government Records/Historical Sources Inquiry
(See guide, Section 10)

21. Do any of the following federal, state, or tribal government record systems list the property or any property within the search distance noted below (where available):

	Approximate Minimum Search Distance, miles (kilometres)		
Federal <i>NPL</i> site list	1.0 (1.6)	Yes	No
Federal Delisted <i>NPL</i> site list	0.5 (0.8)	Yes	No
Federal CERCLIS list	0.5 (0.8)	Yes	No
Federal CERCLIS NFRAP site list	0.5 (0.8)	Yes	No
Federal RCRA CORRACTS facilities list	1.0 (1.6)	Yes	No
Federal RCRA non-CORRACTS TSD Facilities list	0.5 (0.8)	Yes	No
Federal RCRA <i>generators list</i>	<i>property and adjoining properties</i>	Yes	No
Federal institutional control/engineering control registries	<i>property only</i>		
Federal <i>ERNS list</i>	<i>property only</i>	Yes	No
State and tribal lists of <i>hazardous waste sites</i> identified for investigation or remediation:			
State-and tribal-equivalent <i>NPL</i>	1.0 (1.6)	Yes	No
State-and tribal-equivalent CERCLIS	0.5 (0.8)	Yes	No
State-and tribal- <i>landfill</i> and/or <i>solid waste disposal site lists</i>	0.5 (0.8)	Yes	No
State-and tribal-leaking storage tank lists	0.5 (0.8)	Yes	No
State and tribal registered storage tank lists	<i>property and adjoining properties</i>	Yes	No
State and tribal <i>institutional control</i> /engineering control registries	<i>property only</i>	Yes	No
State and tribal voluntary cleanup sites	0.5 (0.8)	Yes	No
State and tribal Brownfield sites	0.5 (0.8)	Yes	No

22. Based upon a review of *fire insurance maps* (10.2.3) or *local street directories* (10.2.3), all as specified in the guide, are any buildings or other improvements on the property or on an *adjoining property* identified as having been used for an industrial use or uses likely to lead to contamination of the *property*?

Yes No Unavailable

Result: _____

The *Owner* questionnaire answers were provided by:

Name: _____

Title City Manager

Firm City of Lexington

Address 406 E. 7th
Lexington, NE 68850

Phone number 308-324-2341

Date 7/26/2011

Role(s) at the site Community Redevelopment Authority
(CRA)

Number of years at the site _____

Relationship to user (for example, principal, employee, agent, consultant) CRA director

The Occupant questionnaire answers were provided by:

Name _____

Title _____

Firm _____

Address _____

Phone number _____

Date _____

Role(s) at the site _____

Number of years at the site _____

Relationship to user (for example, principal, employee, agent, consultant) _____

The Site Visit questionnaire was completed by:

Name Brian Freeman

Title Sr Environmental Tech

Firm Milco Environmental Services

Address 1111 Central Avenue
Kenney, NE 68847

Phone number 308-237-5923

Date _____

Relationship to site _____

Relationship to user (for example, principal, employee, agent, consultant) _____

The Government Records and Historical Sources Inquiry questionnaire was completed by:

Name _____

Title _____

Firm _____

Address _____

Phone number _____

Date _____

Relationship to site _____

Relationship to user (for example, principal, employee, agent, consultant) _____

User's relationship to the site (for example, owner, prospective purchaser, lender, etc.)

If the preparer (s) is different from the user, complete the following:

Name of User _____

User's address _____

User's phone number _____

Copies of the completed questionnaires have been filed at:

Copies of the completed questionnaires have been mailed or delivered to:

Preparer represents that to the best of the preparer's knowledge the above statements and facts are true and correct and to the best of the preparer's actual knowledge no material facts have been suppressed or misstated.

Signature _____

Date _____

Signature _____

Date _____

Signature _____

Date _____

It is the user's responsibility to draw conclusions regarding affirmative or unknown answers.

