

PHASE I USER QUESTIONNAIRE
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SITE NAME: Mendon Rd

SITE ADDRESS: Map B7 Lois 53-1 + 53-2

Completed By: Richard DeBroise Date: 2/9/23
(Please Print)

Signature: 

Representing: City of Wrentham Phone No: 401-767-9232

ASTM Questions to Address User Responsibilities:

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"), the *user* must conduct the following inquiries required by 40 C.F.R. §§ 312.25, 312.28, 312.29, 312.30, and 312.31. These inquiries must also be conducted by EPA Brownfield Assessment and Characterization grantees. 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.

(1.) Environmental liens that are filed or recorded against the subject property (40 C.F.R. § 312.25).

Did a search of land title records (or judicial records where appropriate, see Note 1 below) identify any environmental liens filed or recorded against the subject property under federal, tribal, state, or local law?

NOTE 1—In certain jurisdictions, federal, tribal, state, or local statutes, or regulations specify that environmental liens and AULs be filed in judicial records rather than in land title records. In such cases judicial records shall be searched for environmental liens and AULs.

No

(2.) Activity and use limitations that are in place on the subject property or that have been filed or recorded against the subject property. Did a search of land title records (or judicial records where appropriate, see Note 1 above) identify any AULs, such as engineering controls, land use restrictions or institutional controls that are in place at the subject property and/or have been filed or recorded against the subject property under federal, tribal, state or local law?

No

(3.) Specialized knowledge or experience of the person seeking to qualify for the LLP (40 C.F.R. § 312.28). Do you have any specialized knowledge or experience related to the subject property or nearby properties? For example, are you involved in the same line of business as the current or former occupants of the subject property or an adjoining property so that you would have specialized knowledge of the chemicals and processes used by this type of business?

No

(4.) Relationship of the purchase price to the fair market value of the subject property if it were not contaminated (40 C.F.R. § 312.29). Does the purchase price being paid for this subject 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 subject property?

Yes/No

(5.) Commonly known or reasonably ascertainable information about the subject property (40 C.F.R. § 312.30). Are you aware of commonly known or reasonably ascertainable information about the subject property that would help the environmental professional to identify conditions indicative of releases or threatened releases? For example,

- (a.) Do you know the past uses of the subject property? No
- (b.) Do you know of specific chemicals that are present or once were present at the subject property? No
- (c.) Do you know of spills or other chemical releases that have taken place at the subject property? No
- (d.) Do you know of any environmental cleanups that have taken place at the subject property? No

(6.) The degree of obviousness of the presence or likely presence of contamination at the subject property, and the ability to detect the contamination by appropriate investigation (40 C.F.R. § 312.31).

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Based on your knowledge and experience related to the subject property, are there any obvious indicators that point to the presence or likely presence of releases at the subject property? *No*

Other Questions:

ASTM Practice 1527-21 also requires that the *user* answer the following questions:

7) As the user of this ESA, are you aware of any pending, threatened, or past litigation relevant to hazardous substances or petroleum products in, on, or from the property? If so, explain:

No

8) As the user of this ESA, are you aware of any pending, threatened, or past administrative proceedings relevant to hazardous substances or petroleum products in, on, or from the property? If yes, explain:

No

9) As the user of this ESA, are you aware of any notices from any governmental entity regarding any possible violation of environmental laws or possible liability related to hazardous substances or petroleum products? If yes, explain:

No

10) We are required to ask you as the user if you have any of the following reports in your possession. Please place an "X" next to each report that is available:

- Environmental site assessment reports or Environmental site investigation reports
- Environmental compliance audit reports
- Environmental permits
- Underground or aboveground storage tank notification forms
- Registrations for underground injection systems
- Material safety data sheets
- Community right to know plans
- Safety plans, preparedness and prevention plans, spill prevention, countermeasure and control plans
- Reports regarding hydrogeologic conditions on the property or surrounding area
- Reports regarding any self-directed or other cleanup activities conducted at the subject property
- Notices or other correspondence from any governmental agency relating to past or current violations of environmental laws
- Hazardous waste generator notices or reports
- Geotechnical studies
- Risk assessments
- Recorded activity and use limitations

Please provide Fuss & O'Neill with copies of each report or make these reports available for inspection.