



**Phase 1 Environmental Site Assessment
User Data Request Form**
Mandatory to Qualify for Landowner Liability Protection

In order to qualify for one of the Landowner Liability Protections (LLPs) offered by the Brownfields Revitalization Act of 2001 (the “Brownfields Amendments”), the user must provide the following information to the environmental professional. **Failure to provide this information could result in a determination that “all appropriate inquiry” is not complete.**

- Client Name & Company: _____
- Property Address: _____
- Signature: _____
- Date: _____

1. Environmental cleanup liens that are filed or recorded against the site (40 CFR 312.25).

Are you aware of any environmental cleanup liens against the property that are filed or recorded under federal, tribal, state or local law?

2. Activity and land use limitations that are in place on the site or that have been filed or recorded in a registry (40 CFR 312.26).

Are you aware of any Activity Use Limitations (AULs), such as engineering controls, land use restrictions or institutional controls that are in place at the site and/or have been filed or recorded in a registry under federal, tribal state or local law?

3. Specialized knowledge or experience of the person seeking to qualify for the LLP (40 CFR 312.28).

As the user of this ESA, 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 any adjoining property so that you would have specialized knowledge of the chemicals and processes used by this type of business?

4. Relationship of the purchase price to the fair market value of the property if it were not contaminated (40 CFR 312.29).

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?