



2013 ASTM STANDARD PRACTICE FOR ENVIRONMENTAL SITE ASSESSMENTS - KEY HIGHLIGHTS

ASTM has just released E1527-13 "Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process" (Standard). With this release, there are some significant changes in the certain areas. Businesses or entities that look to be covered as an "innocent landowner" in the purchase of a property must assure that the "all appropriate inquiry" environmental due diligence is conducted in accordance with the new E1527-Standard going forward. Highlights of the changes are discussed below.

Recognized Environmental Conditions

- A Recognized Environmental Condition (REC) is now defined as "the presence or likely presence of a hazardous substance or petroleum product in, on, or at a property (1) due to release to the environment; under conditions indicative of a release to the environment; or (3) under conditions that pose a material threat of a future release to the environment. *De minimis* conditions are not recognized environmental conditions."
- There are now specific categories to address releases that occurred previously at the site, as follows:
 - Controlled Recognized Environmental Condition (CREC) - A past release that has been addressed to the satisfaction of regulatory agencies with hazardous substances or petroleum products allowed to remain in place subject to implementation of required controls (e.g. engineering controls).
 - Historical Recognized Environmental Condition (HREC) - A past release that has been addressed to the satisfaction of regulatory agencies without subjecting the property to any required controls.
- Each category will now be addressed in the report, or identified as not being present at the site.

Vapor Migration

- The possibility of vapor migration impacting the subject property must be addressed if a source is identified at the site that has the potential for a release to impact the subject property.

Regulatory File Review

- If the subject property or any adjoining property is identified in one or more of the standard Environmental Record sources, pertinent regulatory files and/or records associated with the listing should be reviewed.
- Should the Environmental Professional determine that additional review is not necessary, he or she must explain the justification for not conducting further reviews.
- If an alternative source of records or knowledge is used by the Environmental Professional, a summary of information obtained shall be included in the report along with an opinion on the sufficiency of the information.

The changes in the standard will have varying degrees of impact on future Phase I ESA Reports depending on nature of the subject property and/or the proximity of offsite sources and the potential for those sources to impact subject property.

RT has long experience in preparation of Phase I ESA Reports. For more information please contact:

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