



Due Diligence

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EPS provides comprehensive professional site assessment services to our clients. These assessments allow us to render an opinion with a reasonable degree of technical certainty on the potential of environmental liabilities related to past or current practices on the subject site, as well as potential impact caused by adjacent properties. Our reports set the standard for quality and accuracy, and our rapid turn-around allows our clients to make timely, informed business decisions.

Phase I—Environmental Site Assessments

EPS performs Phase I Environmental Site Assessments (ESAs) in accordance with the ASTM E-1527-05 Standard. Performing ESAs in compliance with the E-1527-05 Standard aids in the “innocent landowner defense,” the “bona fide prospective purchaser defense” and the “contiguous property owner defense” as described in the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA) law U.S.C. 9607 (b). The innocent landowner, bona fide prospective purchaser and contiguous property owner defenses are available if “all appropriate inquiries into the previous ownership and uses of the property consistent with good commercial and customary practice” have been conducted.

Description

The purpose of the Phase I ESA is to identify potential areas of hazardous waste contamination or environmental liability associated with a property to be transferred which consists of the following elements

- Preliminary activities. Coordinating site visit logistics, gathering basic information regarding the subject property, and building a rapport with the site owner and site contact.
- Site visit. Observing visual signs of contamination and uncovering evidence of potential liabilities and contamination from past and current operations, or from off-site activities.
- Records review. Examining applicable documents, records, and aerial photography to supplement site visit findings and to gain additional information regarding prior uses of the property that may indicate a release of hazardous substances has occurred.
- Regulatory review. Examining applicable enforcement records to supplement site visit findings and to gain additional information regarding past environmental compliance violations, fines, or outstanding liens.
- Geologic and hydrogeologic review. Evaluating potential contaminant migration pathways and exposure routes.
- Report. Documenting that due diligence has been exercised; and, as necessary, documenting information to initiate Phase II ESA confirmation sampling. Sampling is not performed during the Phase I assessment. All of the information included in the Phase I report is gleaned from existing documents or inferred from observation made during the site visit. The environmental areas that are examined during this process include the following:
 - Hazardous substance release on the subject or adjacent property
 - Hazardous material and waste handling practices
 - Underground and aboveground storage tanks
 - Polychlorinated biphenyls (PCBs)
 - Pesticides and herbicides
 - Sensitive environments (including wetlands) on the subject or adjacent property
 - Asbestos
 - Lead
 - Topographical and natural resource factors

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Each of our Phase I ESAs address the following:

- A Records Search of federal, state and local databases
- The location and legal description
- Site and vicinity characteristics including drainage patterns, wetlands, geology, hydrogeology and surface characteristics
- Improvements on the property including structures, roads and utilities
- Current and past uses of the property and adjoining properties
- A historical use review to include Sanborn maps, local directories, title search information and aerial photographs
- Hazardous substances identified at the property or believed to have been used on the property
- Hazardous substance containers and unidentified substance containers
- Above and underground storage tanks
- Suspected PCBs
- Suspected asbestos containing materials
- Suspected lead in paint, soil and water
- Indications of solid waste disposal
- Other conditions of concern
- Maps and figures
- Color, digital site photographs
- Interviews and source documentation
- A review of ownership/ title information
- Drinking-water and other utility sources
- Findings and conclusions
- Copies of the report on CD
- Engineering survey results if requested
- Structural survey results if requested
- Hazardous sample results if requested
- Recommendations for further testing if requested.

Phase II ESA Evaluations

- Geophysical and remote sensing investigations
- Site closure and post-closure planning and implementation
- Delineation of wetlands and environmentally sensitive areas
- Practical remediation of contaminated sites
- Complete construction project management
- Cost analysis of environmental liabilities
- Expert testimony
- Compliance Audits and Facility Inspections
- Asbestos, Mold, and Lead Paint Inspections

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EPS is a consulting firm that has helped companies for more than a decade with an interdisciplinary team of experts focused on identifying and facilitating business opportunities and sustainability strategies that maximize value and drive profitable growth. EPS helps its clients maintain regulatory compliance, aim for environmental excellence, and achieve high standards of corporate responsibility—all as elements of profitable growth. Our professional experience acquired through service in commercial, industrial, and governmental sectors provides innovative and cost-effective solutions to our clients' environmental and corporate responsibility needs.

Please contact us for more information.

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