

**STATE WATER RESOURCES CONTROL BOARD  
Underground Storage Tank Loan Program  
Environmental Audit**

Applicant \_\_\_\_\_

Applicant's Address \_\_\_\_\_

Address of the property for which this Assessment is being completed (the "Subject Property")  
\_\_\_\_\_

List the street address, use, and ownership interest in any other property owned by the Applicant (e.g.: 100 Main Street, Los Angeles, 3 years rental as warehouse space).  
\_\_\_\_\_  
\_\_\_\_\_

If the list of other property includes additional properties with petroleum underground storage tanks, please include as Attachment A a copy of the most recent integrity test, air permit, and underground storage tank permit. If the property does not require one or more of these documents, please describe.  
\_\_\_\_\_  
\_\_\_\_\_

Name(s) of individual(s) completing this questionnaire, their position(s), responsibilities, duties, and tenure with the Applicant:  
\_\_\_\_\_  
\_\_\_\_\_

The following questions are necessary to provide the State Water Resources Control Board (the "Board") with information concerning the environmental condition of the Subject Property. The Board will require the person(s) completing this statement to certify that the statement is true and constitutes an accurate account of all known environmental matters related to the Subject Property and its vicinity. The Board will rely on these answers as knowing representations of the Subject Property's condition.

The questions should be answered by one or more persons who are most knowledgeable about the Subject Property. Such persons will be expected to conduct a "reasonable inquiry". The term "reasonable inquiry" shall include a thorough examination of the Subject Property and all property records as well as all matters into which the Applicant has inquired for any purpose, or into which the Applicant has had the right or duty to inquire. "Reasonable inquiry" shall not require an environmental audit or the hiring of a consultant to respond to these questions.

As set out more fully in the loan application and program regulations, the Board may conduct an independent investigation of the answers supplied in this statement at the Applicant's expense. If such an investigation reveals problem areas not disclosed in this statement, the loan decision may be delayed.

The Board's reliance on this statement shall not constitute a commitment to lend funds, nor shall it limit the Board's right to conduct a site investigation at the Applicant's expense prior to issuing a loan commitment.

The Applicant should disclose all known existing or potential environmental issues when answering the following questions. The Board is aware that businesses that apply under the loan program will generate hazardous substances. When fully disclosed, the existence of hazardous substances on the Subject Property will not necessarily result in an automatic loan denial. The Board, in its sole discretion, shall consider other factors as listed in the regulations when determining whether the proposed loan meets the program's goals and the Board's acceptable liability risk.

If the space provided for your response is insufficient, include an attachment to the questionnaire and label the attachment with the number of the questions you are continuing to answer.

Exhibit A contains definitions of the terms used in this statement to aid the Applicant in determining the scope of each question.

Exhibit B contains a list of attachments to be included with this completed questionnaire.

**A. SCOPE OF APPLICANT'S "REASONABLE INQUIRY"**

Is this audit being completed by someone familiar with the Subject Property and the business operations conducted at that property?

Yes  No

If yes, describe why the person completing this audit is knowledgeable (e.g.: because that person owns and manages the business located on the property)

\_\_\_\_\_  
\_\_\_\_\_

**B. PROPERTY INFORMATION**

1. Current and Former Owners and Uses of the Subject Property and Vicinity

(a) Give the name of the present owner and state the current use of the Subject Property

\_\_\_\_\_  
\_\_\_\_\_

Year Acquired \_\_\_\_\_

(b) Do you know who owned the Subject Property prior to the current owner?

Yes  No

If yes, state the names of all such former owners, the approximate dates of their ownership, and their uses of the Subject Property. Note especially any manufacturing or industrial uses, and any uses which required the use, storage, or disposal of pesticides, hazardous substances, or petroleum products.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(c) Are there or have there been tenants or easement holders on the Subject Property?

Yes  No

If yes, state the names of present and former tenants, easement holders, etc. and their uses of the Subject Property. Note especially any manufacturing or industrial uses, and any uses that required the use, storage, or disposal of pesticides, hazardous substances, or petroleum products.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(d) What is the current zoning for the Subject Property?

\_\_\_\_\_

(e) Do you know the prior zoning of the Subject Property?

Yes  No

If yes, please list the previous zoning and the dates when the zoning was changed.

\_\_\_\_\_  
\_\_\_\_\_

(f) If the property is used as a gas station, to the best of your knowledge how long has the property been used for this purpose?

\_\_\_\_\_ Years

(g) Approximately how far below the surface is ground water?

\_\_\_\_\_ Feet

- (h) Are you aware of any previous environmental assessments, audits, or inspections of the Subject Property by any governmental entity, consultant, or other party?  Yes  No

If yes, please describe and include as Attachment B any reports, studies, plans, or other related documents.

2. Current or Proposed Use of Subject Property

- (a) Please describe all current and proposed activities that the Applicant conducts or intends to conduct on the Subject Property. If the property is used as a gas station, please describe any automotive repairs conducted on the premises. If automotive repairs were historically performed on the premises, but not presently, describe the automotive repairs and when they ceased.

---

---

---

---

- (b) In addition to storing gasoline and/or diesel fuel in underground storage tanks, please list all hazardous materials and waste on the premises. Examples of materials that should be listed are solvents and motor oil. Examples of wastes that should be listed are spent solvents, waste oil, and oil covered saw dust.

List of hazardous materials: \_\_\_\_\_

List of hazardous wastes: \_\_\_\_\_

---

---

---

---

For each hazardous waste listed above, include as Attachment C the two (2) most recent manifests obtained from the transporter who picked up the hazardous waste. In the case of waste oil, the transporter may have provided you with a receipt in lieu of a manifest. If the hazardous waste is not picked up by a licensed hazardous waste hauler, please describe disposal procedures.

3. Physical Description of Property

- (a) Please describe all structures on the Subject Property (including approximate age) and include as Attachment D facility map. Include in that map the location of any underground storage tanks, including a description of the size and use of the tank (e.g.: 5,000 gallon, unleaded).

---

---

---

---

- (b) In addition to the tanks identified in the Attachment C facility map, are there now, or have there ever been any tanks, sumps, ponds, lagoons, or other containments (whether under or above ground, inside or outside of any structure) on the Subject Property?  Yes  No

If yes, please include as Attachment E a list describing such containments (including their size, age, and location) and, where possible, list all substances known to be (or to have been) stored or deposited therein.

- (c) Do any of the structures, paved areas, and other work areas contain floor drains or other direct connections to drainage areas, sump, septic systems, or public sewer facilities?  Yes  No

If yes, please describe the drainage system, and the manner in which it is currently used in the Applicant's operation.

---

- (d) Has an asbestos expert or industrial hygienist inspected the Subject Property?  Yes  No

If yes, include the report as Attachment F.

- (e) Is there any PCB equipment (transformers, capacitors, or other electrical equipment) in use or stored on site?  Yes  No

If yes, please list.

---

### C. REGULATORY INFORMATION & HISTORY

1. Retail gasoline dispensing facilities often require permits from the local air quality management district or air pollution control district. Include as Attachment G a copy of the current permit issued by the air district for the business located at the Subject Property. If no permit is required, provide evidence from the Air District granting an exemption.
  2. Owners of petroleum underground storage tanks are required to obtain a permit for these tanks. This permit is issued by the city or county in which the tanks are located. Please include as Attachment H a copy of the current underground storage tank permit for the tanks located on the Subject Property.
  3. Most cities require that gas stations obtain a permit for the storage of hazardous materials. Please include as Attachment I a copy of the hazardous materials storage permit for the business located at the Subject Property. If no such permit is required in your municipality, please state this below.
- 

4. As a condition of the underground storage tank permit discussed above under C.2., tank owners are required to monitor the underground storage tank (UST) system to detect leaks at the earliest possible opportunity. Please include as Attachment J a copy of the monitoring plan approved by the local agency. Please include the three most recent tank and product line integrity tests and/or monitoring logs and data as required by the operating permit and monitoring plan for all permitted underground storage tanks (USTs) located on the subject property.

5. Has any governmental agency issued any letter, notice, or verbal communication indicating that it intended to investigate or seek information concerning environmental matters relating to the Subject Property?  Yes  No

If yes, please include a copy as Attachment K.

6. Have any hazardous substances, pesticides, or petroleum products ever been spilled, deposited, leaked, leached, disposed of, or otherwise placed on or in the Subject Property?  Yes  No

If yes, please specify and detail response and cleanup activities undertaken including any governmental agencies contacted. Include as Attachment L copies of any reports, studies, plans or other documents generated.

---

7. Is the Subject Property or any activity conducted thereon in violation of or subject to penalty under any law, ordinance, rule, or regulation relating to hazardous substances, or the protection of the environment?  Yes  No

If yes, please specify and explain.

---

---

- 8. Has the Subject Property been designated, listed, or identified in any manner by the United States Environmental Protection Agency (the "EPA") or any other governmental agency as a hazardous materials disposal or removal site, superfund or cleanup site, or candidate for removal or closure pursuant to any federal, state, or local law?  Yes  No

If yes, please describe.

---

---

Include as Attachment M copies of any warnings, citations, notices of violation, enforcement actions, and administrative and judicial complaints or orders, and correspondence related to any hazardous substance or environmental law or regulation.

- 9. Are you aware of any litigation or threatened litigation pertaining to the Subject Property?  Yes  No

If yes, please describe.

---

---

**D. APPLICANT INFORMATION**

For each Applicant and each enterprise operating on the Subject Property, list the following:

- 1. Ongoing or threatened environmental cleanup activities for which the Applicant is or may be subject to lawsuit, demand, liability, or responsibility for the conduct of cleanup or payment of cleanup costs.

---

---

- 2. List all related businesses of the Applicant. As used herein, the term "related" means that the Applicant owns at least 51% of another business, or another business owns at least 51% of the Applicant.

---

---

---

As the present owner of the Applicant or having an interest therein, or as an officer or as a general partner of the present owner of the Applicant (or the duly authorized representative of such owner), the undersigned, and each of them, individually certifies that he/she is familiar with the Applicant business and the Subject Property and with all of the operations presently conducted on the Subject Property, has made a diligent inquiry into the present and former uses and activities conducted on the Subject Property, the present and former uses and activities conducted within the vicinity of that property, and all other matters relevant to a full disclosure of all environmental concerns and issues relative to the Subject Property, and that, to the best of the knowledge, information and belief of the undersigned, the information disclosed above is complete, true and correct. The undersigned acknowledges that the Board intends to rely upon the disclosure made above or attached hereto in determining whether and on what terms it will make a loan to the Applicant.

Applicant: \_\_\_\_\_

By: \_\_\_\_\_ Title: \_\_\_\_\_ Date: \_\_\_\_\_

## Exhibit A

1. Hazardous Substance. The terms "Hazardous Substances" and "Hazardous Materials" shall mean, interchangeably, any hazardous waste, toxic substances, or related materials. The term shall include without limitation, any substance, material or waste which is or becomes regulated by any local governmental authority. The term "Hazardous Material" shall also include without limitation, any material or substance defined as "hazardous substances", "hazardous materials" or "toxic substances" in the Comprehensive Environmental Response, Compensation and Liability Act of 1980, as amended (42 U.S.C. § 9601 et seq.)("CERCLA"), the Hazardous Materials Transportation Act, as amended (49 U.S.C. § 1801 et seq.)("HMTA"), The Resource Conservation and Recovery Act, as amended (42 U.S.C. § 6901 et seq.)("RCRA"); those substances defined as "Hazardous Waste" in Section 25117 of the California Health and Safety Code or as "Hazardous Substance" in Section 25316 of the California Health and Safety Code; and in the regulations adopted and publications promulgated pursuant to said laws. The term "Hazardous Materials" shall also include without limitation, any substances that, because of their quantity, concentration or chemical, radioactive, flammable, explosive, infectious, corrosive, reactive, or other characteristics constitute or may reasonably be expected to constitute or contribute to a danger or hazard to the public health, safety or welfare, or to the environment, as well as all petroleum products and pesticides, whether otherwise included within the above definition or not.
2. Permit. The term "permit" shall include any permit, registration, certification or other filing or action which must be obtained from, or filed with any governmental agency, or is otherwise required in order for the Applicant to conduct operations, or own or operate any equipment or facility.

## **Exhibit B**

The questionnaire asks for several attachments. Please clearly identify all attachments and circle the letters below that correspond to the attachments enclosed. The descriptions are merely for reference, the full description of materials to be attached is listed in the questionnaire itself.

<b><u>Attachment</u></b>	<b><u>Description</u></b>
A	Integrity Test, Air Permit and Underground Storage Permit for <u>Other</u> Property with Underground Storage Tanks
B	Environmental Audit
C	Manifests
D	Facility Map
E	Containment List
F	Asbestos Report
G	Air District Operating Permit
H	Underground Storage Tank Permit
I	Hazardous Materials Storage Permit
J	Monitoring Plan
K	Public Agency Environmental Letter
L	Corrective Action Reports
M	Environment Citations

*This document must be complete and returned with the signed Loan Application*