

DID YOU KNOW?

New ASTM Phase I ESA Standard for Forestland & Rural Property

If you require Environmental Due Diligence on rural or forested properties greater than 120 acres, are you using the correct method?



On March 23, 2009, an important amendment to EPA's All Appropriate Inquiries (AAI) rule took effect. The amendment recognizes the ASTM E 2247-08 "Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process for Forestland or Rural Property" as acceptable protocol for meeting AAI under CERCLA. Currently, users and environmental professionals seeking to qualify for one of CERCLA's landowner liability protections must

follow either the AAI rule itself or the ASTM E 1527-05 Standard Practice for Phase I Environmental Site Assessments. The E 1527-05 standard, however, is *not always practical* for due diligence being conducted on large tracts of land, such as forestland or rural properties. The E 2247 standard, first developed in 2002, served that purpose, but had not been recognized by EPA as AAI-compliant until it underwent some necessary revisions in mid-2008. Now environmental professionals conducting AAI-compliant Phase I ESAs on rural or forestland properties greater than 120 acres will be able to follow either ASTM E 1527-05 or ASTM E 2247-08, in addition to the AAI rule itself.

Not sure what applies in your case? Contact Mike Willinger (mwillinger@resourceintl.com) or Anthony Creech (acreech@resourceintl.com). We'll be glad to help!

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