



All Appropriate Inquiries Rule: Reporting Requirements Checklist for Assessment Grant Recipients

WHAT IS “ALL APPROPRIATE INQUIRIES”?

“All appropriate inquiries,” or AAI, is a process of evaluating a property’s environmental conditions and assessing the likelihood of any contamination. Every Phase I assessment conducted with EPA Brownfields Assessment Grant funds **must** be conducted in compliance with the All Appropriate Inquiries Final Rule at 40 CFR Part 312. The All Appropriate Inquiries Final Rule provides that the ASTM E1527-21 and ASTM E2247-16 standards are consistent with the requirements of the final rule and may be used to comply with the provisions of the rule. In addition, all appropriate inquiries must be conducted in compliance with the Final Rule or the ASTM standard to obtain certain protections from liability under the federal Comprehensive Environmental Response, Compensation and Liability Act (CERCLA, aka Superfund).

WHAT ARE THE DOCUMENTATION REQUIREMENTS FOR ALL APPROPRIATE INQUIRIES?

The final rule requires that the results of an AAI investigation be documented in a written report. The specific reporting requirements are provided in 40 CFR §312.21 and §312.31 of the final rule and in §12 of the ASTM E1527-21 standard. All AAI final reports **must**, at a minimum include the following:

1. An **opinion** as to whether the inquiry identified conditions indicative of releases or threatened releases of hazardous substances, and as applicable, pollutants and contaminants, petroleum or petroleum products, or controlled substances, on, at, in, or to the subject property.
2. An identification of “**significant**” **data gaps** (as defined in §312.10 of AAI final rule and §12.5 of ASTM E1527-21), if any, in the information collected for the inquiry. Significant data gaps include missing or unattainable information that affects the ability of the environmental professional to identify conditions indicative of releases or threatened releases of hazardous substances, and as applicable, pollutants and contaminants, petroleum or petroleum products, or controlled substances, on, at, in, or to the subject property. The documentation of significant data gaps must include information regarding the significance of these data gaps.
3. **Qualifications and signature** of the environmental professional(s). The environmental professional must place the following statements in the document and sign the document:
 - “[I, We] declare that, to the best of [my, our] professional knowledge and belief, [I, we] meet the definition of Environmental Professional as defined in §312.10 of this part.”
 - “[I, We] have the specific qualifications based on education, training, and experience to assess a property of the nature, history, and setting of the subject property. [I, We] have developed and performed the all appropriate inquiries in conformance with the standards and practices set forth in 40 CFR Part 312.”

Note: Please use either “I” or “We.”
4. In compliance with §312.31(b) of the AAI final rule and §12.6 of ASTM E1527-21, the environmental professional must include in the final report an **opinion regarding additional appropriate investigation**, if the environmental professional has such an opinion.

For each Phase I Environmental Site Assessment, or AAI, conducted using EPA Brownfields Grant monies, the grantee must complete, sign, date, and submit the following check list with any AAI reports submitted to EPA.

Also see U.S. EPA’s website at www.epa.gov/brownfields for additional information.

Checklist for Phase I Site Assessments Conducted using EPA Brownfields Assessment Grant Funds

Contact Information

Grantee Name: _____

Grant Number: _____

ACRES Property ID: _____

Program Manager Name: _____
(Point of Contact)

Contact Phone Number: _____

Name / Address of Property Assessed: _____

Checklist

Please indicate that each of the following All Appropriate Inquiries documentation requirements were met for the Phase I assessment conducted at the above listed property:

- An ***opinion*** as to whether the inquiry has identified conditions indicative of releases or threatened releases of hazardous substances, and as applicable, pollutants and contaminants, petroleum or petroleum products, or controlled substances, on, at, in, or to the subject property.

- An identification of ***“significant” data gaps*** (as defined in §312.10 of AAI final rule and §12.5 of ASTM E1527-21), if any, in the information collected for the inquiry, as well as comments regarding the significance of these data gaps. Significant data gaps including missing and unattainable information that affects the ability of the environmental professional to identify conditions indicative of releases or threatened releases of hazardous substances, and as applicable, pollutants and contaminants, petroleum or petroleum products, or controlled substances, on, at, in, or to the subject property.

- Qualifications and signature*** of the environmental professional(s). The environmental professional must place the following statements in the document and sign the document:
 - “[I, We] declare that, to the best of [my, our] professional knowledge and belief, [I, we] meet the definition of Environmental Professional as defined in §312.10 of this part.”

 - “[I, We] have the specific qualifications based on education, training, and experience to assess a property of the nature, history, and setting of the subject property. [I, We] have developed and performed the all appropriate inquiries in conformance with the standards and practices set forth in 40 CFR Part 312.”

Note: Please use either “I” or “We.”

In compliance with §312.31(b) of the AAI final rule and §12.6 of ASTM E1527-21, the environmental professional must include in the final report an ***opinion regarding additional appropriate investigation***, if the environmental professional has such an opinion.

Signature of Grantee Program Manager

Date