

Instructions for Worksheet # 4: Due Diligence

Due Diligence (Worksheet # 4)

[Worksheet # 4](#) asks a series of questions to identify the information available for a property and, more importantly, the information that is not available for a property. Enter the appropriate information on the worksheet. If the information is unavailable, unknown, or not applicable to the planned reuse, that should be noted. If there is additional information and no space on the worksheet, feel free to change or add to the worksheet.

In cases where there are multiple properties or groups of parcels under consideration that may have been subject to different land uses, a separate due diligence worksheet should be considered for each property or group of parcels.

Please be aware that the Due Diligence worksheet is not intended to be a comprehensive compilation of the information needed to meet the requirements for All Appropriate Inquiry, but rather a documentation of information that is helpful in identifying obstacles and risks of a planned reuse.

Project Name/Identifier

Enter a short name for your project that was used on Worksheet # 1a.

Project Description

Provide a brief description of the property. A plan map or aerial photograph of the property showing buildings and important physical features with appropriate annotations is very helpful in describing the property.

All Appropriate Inquiries

This section relates specifically to the environmental conditions and the statutory criteria for obtaining certain liability protections under CERCLA (Superfund). Generally, an environmental consultant will provide information concerning compliance with these requirements as part of a Phase I Environmental Site Assessment. Phase I Environmental Site Assessments must be conducted in accordance with the [Connecticut Site Characterization Guidance Document](#) and in accordance with the All Appropriate Inquiry requirements. See [section 4.7.1](#) of the PREPARED Workbook and [Environmental Due Diligence Process Resources](#) for additional information.

Property History

This section looks at what is known with regard to the history of the property that may help identify potential obstacles or risks to the current desired reuse including its:

- past land uses and owners,
- previous reuse plans, and
- other relevant historical practices.

See [section 4.7.2](#) of the PREPARED Workbook for additional information.

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Current Property Status

This section looks at what is known about the current status of the property that may help identify potential obstacles or risks to the current desired reuse including:

- ownership,
- title status,
- zoning,
- physical features on the property, and
- other relevant factors.

See [section 4.7.3](#) of the PREPARED Workbook, [CT State Historic Preservation Office](#), and [Flood Plain Requirements](#) resources for additional information.

Property Appraisal

This section asks for information related to the appraisal for the property and any relevant factors related to that appraisal. See [section 4.7.4](#) of the PREPARED Workbook for additional information.

Regulatory Status

This section summarizes information concerning applicable regulatory requirements and any action taken to comply with regulatory requirements or respond to regulatory requests or orders. For example, is this property in an environmental enforcement program such as RCRA (See [Section 7.3](#) of the PREPARED Workbook) or Superfund (See [Section 7.2](#) of the PREPARED Workbook)? See the [Connecticut Property Transfer Program](#) and [section 4.7.5](#) of the PREPARED Workbook for additional information.

Connecticut Specific Regulatory Status

This section summarizes environmental regulatory issues specific to the state of Connecticut. The questions are intended to identify specific Connecticut regulatory programs and requirements that are or may be applicable to the property. See [Connecticut Cleanup Programs](#), [Connecticut Cleanup Program Policies and Guidance](#), [Land Use Controls](#), [Connecticut Lead/PCB/Asbestos Programs](#), and [Other Program Information](#) resources for additional information.

Environmental Conditions

This section summarizes the known or suspected environmental condition of the property. The first question relates specifically to the recognized environmental conditions that have been identified in a Phase I Environmental Site Assessment or other information identified through other sources. A recognized environmental condition is defined in ASTM E1527 - 13 Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process as:

“the presence or likely presence of any hazardous substances or petroleum products in, on, or at a property: (1) due to any release to the environment; (2) under conditions

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indicative of a release to the environment; or (3) under conditions that pose a material threat of a future release to the environment”.

This would include areas of spills or other releases, hazardous substance storage areas, and areas around building foundations impacted by pesticide application. The rest of the questions are intended to identify:

- data gaps or missing information,
- develop an understanding of potential impact of the environmental conditions, and
- actions taken or underway to address the environmental condition.

Much of the information needed to respond to these questions typically can be obtained from a Phase I Environmental Site Assessment. See [section 4.7.6](#) of the PREPARED Workbook for additional information.

Environmental Restrictions

This section summarizes restrictions that may be on the property that affect the ability to reuse certain areas of the property or require special construction techniques. This includes:

- environmental land use restrictions (ELUR),
- activity and use limitations (AUL), and
- engineered controls (e.g. vapor barriers, caps).

See [section 4.7.7](#) of the PREPARED Workbook and [Land Use Controls](#) resources for additional information.

Other Information

This section summarizes any cleanup or other planned actions for the property related to the environmental condition (e.g., cleanup) or physical condition (e.g., building removals, abatement of hazardous building material, renovation or adaptive reuse of existing buildings).

References

List any reports or other documents relied on for the information provided on this worksheet.

Sources

List the individuals or organizations that have provided information for the due diligence process. This should include individuals and organizations such as

- environmental consultants that conducted environmental due diligence specifically during the due diligence process,
- real estate professionals or attorneys engaged to conduct title searches, property value assessments and other real estate related issues,
- consultants, architects and engineers engaged to evaluate buildings or physical conditions affecting reuse of the property, and
- municipal officials or non-profit organizations that may have conducted community assessments or other stakeholder engagement activities for purposes of due diligence.

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Worksheet Completed By

This worksheet may be completed by a consultant or other third party. Please keep in mind that the information gathered on this worksheet is a compilation of existing information. Because this worksheet captures a significant amount of the information needed to identify obstacles and evaluate potential risks, it is important to know who compiled the information.

The signature on the due diligence worksheet is not a legal sign-off.

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