

# Environmental Questionnaire

SBA Loan  
Number: \_\_\_\_\_

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

Date of Site Visit: \_\_\_\_\_

Name/Title of Person Doing Site Visit: \_\_\_\_\_

Site Name or Business Name: \_\_\_\_\_

Site Street Address: \_\_\_\_\_

City, State, Postal Code: \_\_\_\_\_

County: \_\_\_\_\_

Site Contact Name: \_\_\_\_\_

Site Contact Business Title: \_\_\_\_\_

Site Contact Telephone Number: \_\_\_\_\_

Is Site Contact the Owner or Occupant: \_\_\_\_\_

If neither, Relationship to Site: \_\_\_\_\_

Length of Time Associated with Site: \_\_\_\_\_

Known Past & Present Uses of Property: \_\_\_\_\_

## Adjoining Properties Known Past & Present Uses

*List Name, Address of the Business, and its Current Use Followed by its Past Uses*

↑ North Property: \_\_\_\_\_

Toxic Chemicals/Petroleum Products Evident?  Yes  No *Past Uses:* \_\_\_\_\_

↗ Northeast Property: \_\_\_\_\_

Toxic Chemicals/Petroleum Products Evident?  Yes  No *Past Uses:* \_\_\_\_\_

→ East Property: \_\_\_\_\_

Toxic Chemicals/Petroleum Products Evident?  Yes  No *Past Uses:* \_\_\_\_\_

↘ Southeast Property: \_\_\_\_\_

Toxic Chemicals/Petroleum Products Evident?  Yes  No *Past Uses:* \_\_\_\_\_

↓ South Property: \_\_\_\_\_

Toxic Chemicals/Petroleum Products Evident?  Yes  No *Past Uses:* \_\_\_\_\_

↙ Southwest Property: \_\_\_\_\_

Toxic Chemicals/Petroleum Products Evident?  Yes  No *Past Uses:* \_\_\_\_\_

← West Property: \_\_\_\_\_

Toxic Chemicals/Petroleum Products Evident?  Yes  No *Past Uses:* \_\_\_\_\_

↖ Northwest Property: \_\_\_\_\_

Toxic Chemicals/Petroleum Products Evident?  Yes  No *Past Uses:* \_\_\_\_\_

Question	Owner/Operator	Observed During Site Visit
<b>1. Do any of the past and/or present uses involve environmentally sensitive industries?</b> (See <b>Page 1</b> for Past and Present uses of Property and Adjoining Properties; Refer to the NAICS codes on <b>Page 7</b> to see if they qualify as an Environmentally Sensitive Industry.)		
Of the <b><i>Property</i></b> :	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown
If yes, please list the past/present use(s) and its NAICS code(s) that qualified as environmentally sensitive:		
Of the <b><i>Adjoining Properties</i></b> :	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown
If yes, please list the past/present use(s) and its NAICS code(s) that qualified as environmentally sensitive:		
<b>2. Have Hazardous Substances been used or identified in the past or present?</b>		
At the <b><i>Property</i></b> :	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown
If yes, please explain:		
At the <b><i>Adjoining Properties</i></b> :	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown
If yes, please explain:		
<b>3. Is there storage, generation, treatment, emission, or disposal of Hazardous Substances?</b>		
At the <b><i>Property</i></b> :	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown
If yes, please explain:		
At the <b><i>Adjoining Properties</i></b> :	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown
If yes, please explain:		
<b>4. Do the owners or business operators possess permits to use, store, generate, dispose, treat, emit, or dispose of Hazardous Substances?</b>		
Of the <b><i>Property</i></b> :	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown
If yes, please explain:		
Of the <b><i>Adjoining Properties</i></b> :	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown
If yes, please explain:		

Question	Owner/Operator	Observed During Site Visit
<b>5. Is there evidence of Contamination?</b>		
At the <b><i>Property</i></b> :	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown
If yes, please explain:		
At the <b><i>Adjoining Properties</i></b> :	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown
If yes, please explain:		
<b>6. Are there potential sources of Contamination<sup>1</sup>?</b>		
At the <b><i>Property</i></b> :	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown
If yes, please explain:		
At the <b><i>Adjoining Properties</i></b> :	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown
If yes, please explain:		
<b>7. Does the borrower, seller, or Lender have any knowledge of any past evidence of Contamination or sources of Contamination?</b>		
At the <b><i>Property</i></b> :	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown
If yes, please explain:		
At the <b><i>Adjoining Properties</i></b> :	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown
If yes, please explain:		

<sup>1</sup> Sources of Contamination may include, but are not limited to, the following: (1) damaged or discarded automotive or industrial batteries; (2) pesticides, paints or other chemicals stored in individual containers greater than 5 gallons in volume or 50 gallons in the aggregate; (3) chemicals in industrial drums or sacks; (4) pits, ponds or lagoons used for waste disposal or storage; (5) fill dirt from a contaminated or unknown source; (6); underground or above-ground storage tanks; (7) vent pipes, fill pipes or access ways indicating a fill pipe protruding from the ground; (8) flooring drains or walls within a facility that are stained by substances other than water and/or are emitting noxious odors; (9) clarifiers, pits or sumps; (10) dry wells.

Question	Owner/Operator	Observed During Site Visit
<b>8. Does the borrower, seller, or Lender have any knowledge of any past, threatened, or pending lawsuits or administrative proceedings concerning a Release or threatened Release?</b>		
At the <b><i>Property</i></b> :	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown
If yes, please explain:		
At the <b><i>Adjoining Properties</i></b> :	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown
If yes, please explain:		
<b>9. Has any Governmental Entity taken any regulatory actions for environmental conditions?</b>		
At the <b><i>Property</i></b> :	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown
If yes, please explain:		
At the <b><i>Adjoining Properties</i></b> :	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown
If yes, please explain:		
<b>10. Have any environmental risk studies or assessments been previously performed? (attach copies)</b>		
At the <b><i>Property</i></b> :	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown
If yes, please identify the type of study (questionnaire, TSA, Phase I, Phase II, other), when it was performed, results of the study if known, and attach copies if available:		
<b>11. Is there any presence of lead paint, asbestos, or Polychlorinated Biphenyls ("PCBs")?</b>		
At the <b><i>Property</i></b> :	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown
If yes, please explain:		

**ACKNOWLEDGEMENT:**

I acknowledge that I have read this questionnaire and have responded to the issues and questions to the best of my knowledge. I have prepared the answers to this questionnaire jointly with the bank and its representatives and I have made a full disclosure of my knowledge of suspected or actual environmental concerns regarding this property.

The undersigned owner(s) and/or operator(s) acknowledge(s) and agree(s) that intentionally falsifying or concealing any material fact with regard to the subject matter of this Environmental Questionnaire may, in addition to other penalties, result in prosecution under applicable law including 18 U.S.C. section 1001.

**CURRENT OWNER/OPERATOR:**

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Signature

Printed Name

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Title

Date

**LENDER:**

---

Signature

Printed Name

---

Title

Date

**APPLICANT:**

---

Signature

Printed Name

---

Title

Date

Based on the site visit and answers and information provided in response to the questions above, further investigation (See SOP 50-10 7 at pages 358-360)

\_\_\_ Is not warranted (answers and site visit revealed no evidence of contamination)

\_\_\_ Is warranted (one or more yes answers, incomplete answers, and/or site visit findings indicate potential environmental issues may exist.)

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## DEFINITIONS

As defined in SOP 50 10 7, Effective Date: August 1, 2023 pages 357 – 362 (Appendix 4: Definitions - Environmental).

For purposes of this SOP, the following definitions apply. Terms that are not defined below but are defined in CERCLA, 13 CFR or 40 CFR shall have the meaning provided in CERCLA, 13 CFR, or 40 CFR.

**“Adjoining Properties”** means any real property or properties the border of which is (are) shared in part or in whole with that of the Property, or that would be shared in part or in whole with that of the Property but for a street, road, or other public thoroughfare separating the properties (See 40 CFR § 312.20).

**“Contamination”** means the presence of any Hazardous Substance at or affecting the Property, including any Hazardous Substances that have migrated to or from the Property, in such quantities or under such conditions as to render the Property or the operations conducted thereon subject to, or potentially subject to, a directive or order from a Governmental Entity.

**“Environmental Questionnaire”** means the questionnaire used by a Lender to determine the likelihood that Contamination may be present at Property offered to secure an SBA-guaranteed loan. Environmental Questionnaires must be completed or reviewed by a Lender that has made at least one site visit to the Property and a good faith effort to conduct an interview with the current owner or operator of the Property. An Environmental Professional may, but is not required to, assist with the responses to the questionnaire. An Environmental Questionnaire may be considered if it was completed up to 1 year prior to submission. The current owner or operator of the Property must sign the Environmental Questionnaire. If the current owner or operator of the Property will not sign the Environmental Questionnaire it cannot be used and lender must then, at a minimum, obtain a Transaction Screen.

**“Good Faith”** means the absence of any intention to seek unfair advantage or to defraud another party; and honest and sincere intention to fulfill one’s obligations in the conduct or transaction concerned.

**“Governmental Entity”** means any federal, state, commonwealth, tribal or local government branch, authority, district, agency, court, tribunal, department, officer, official, board, commission or other instrumentality that exercises any form of jurisdiction or authority under any Environmental Law.

**“Hazardous Substance”** means and includes any substance, material, or waste regulated by CERCLA or any other Environmental Law, and specifically includes petroleum products.

**“Lender”** Refers to banks, non-bank lenders, credit unions, certified development companies, and any other entities that participate as a lender in SBA programs. The term Lender does not include the Third Party Lender on a 504 loan.

**“Property”** means any interest in commercial real estate upon which a security interest such as a mortgage, deed of trust, or leasehold deed of trust is required as collateral for a loan or debenture.

**“Release”** means the presence of or any spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, seeping, migrating, dumping, or disposing of any Hazardous Substance into the environment including the abandonment or discarding of barrels, drums, tanks, and similar receptacles and containers, containing Hazardous Substances.

For more information, please call us at 800-419-4923. Ask for Steve Luzkow ([sluzkow@partneresi.com](mailto:sluzkow@partneresi.com)) and he would be more than happy to answer any questions you may have. You may also email [SBAexperts@partneresi.com](mailto:SBAexperts@partneresi.com) or visit us on the web at: [www.partneresi.com](http://www.partneresi.com).

## NAICS CODES OF ENVIRONMENTALLY SENSITIVE INDUSTRIES

### SBA SOP 50 10 7 (Appendix 6: Pages 367-369)

How to determine if an industry is included on this list:

A 3, 4, or 5 digit NAICS code includes all industries beginning with those 3, 4, or 5 digits.

A 6 digit NAICS code includes only that industry under that industrial code.

<b>211</b> OIL & GAS EXTRACTION	<b>457</b> GASOLINE STATIONS & FUEL VENDORS (not required for propane or firewood dealers)
<b>212</b> MINING (EXCEPT OIL & GAS)	<b>481</b> AIR TRANSPORTATION
<b>213</b> SUPPORT ACTIVITIES FOR MINING	<b>482</b> RAIL TRANSPORTATION
<b>237</b> HEAVY & CIVIL ENGINEERING CONSTRUCTION	<b>484</b> TRUCKING (if service bays, truck washing, or fuel tanks present)
<b>311</b> FOOD MANUFACTURING (if fuel tanks present)	<b>486</b> PIPELINE TRANSPORTATION
<b>312</b> BEVERAGE & TOBACCO PRODUCT MANUFACTURING (except breweries, 31212)	<b>488</b> SUPPORT ACTIVITIES FOR TRANSPORTATION (if fuel tanks are present or if repairs or maintenance is performed on site)
<b>313</b> TEXTILE MILLS (not required if sewing, weaving, or hemming only)	<b>53212</b> TRUCK, UTILITY TRAILER, AND RV (RECREATIONAL VEHICLE) RENTAL & LEASING (if repairs, maintenance or vehicle washing are performed onsite)
<b>314</b> TEXTILE PRODUCT MILLS (not required if sewing, weaving, or hemming only)	<b>53241</b> CONSTRUCTION, TRANSPORTATION, MINING & FORESTRY MACHINERY & EQUIPMENT RENTAL & LEASING (if repairs, maintenance or vehicle washing are performed onsite)
<b>316</b> LEATHER & ALLIED PRODUCT MANUFACTURING (not required if assembly only)	<b>53249</b> OTHER COMMERCIAL & INDUSTRIAL MACHINERY & EQUIPMENT RENTAL & LEASING (if repairs, maintenance or vehicle washing are performed onsite)
<b>321</b> WOOD PRODUCT MANUFACTURING (if finishing occurs onsite)	<b>54138</b> TESTING LABORATORIES & SERVICES
<b>322</b> PAPER MANUFACTURING	<b>56171</b> EXTERMINATING & PEST CONTROL SERVICES
<b>323</b> PRINTING & RELATED SUPPORT ACTIVITIES	<b>562</b> WASTE MANAGEMENT & REMEDIATION SERVICES
<b>324</b> PETROLEUM & COAL PRODUCTS MANUFACTURING	<b>6221</b> GENERAL MEDICAL & SURGICAL HOSPITALS (if fuel tanks are present)
<b>325</b> CHEMICAL MANUFACTURING	<b>713990</b> OTHER RECREATIONAL INDUSTRIES (indoor and outdoor shooting ranges only)
<b>326</b> PLASTICS & RUBBER PRODUCTS MANUFACTURING (not required if assembly only)	<b>71391</b> GOLF COURSES & COUNTRY CLUBS
<b>327</b> NONMETALLIC MINERAL PRODUCTS MANUFACTURING	<b>71392</b> SKIING FACILITIES
<b>331</b> PRIMARY METAL MANUFACTURING	<b>71393</b> MARINAS
<b>332</b> FABRICATED METAL PRODUCT MANUFACTURING (not required if assembly only)	<b>7212</b> RV (REC. VEHICLES) PARKS & RECREATIONAL CAMPS (if fuel tanks are present or if vehicle repair or maintenance is performed onsite)
<b>333</b> MACHINERY MANUFACTURING (not required if assembly only)	<b>8111</b> AUTOMOTIVE REPAIR & MAINTENANCE (except for "car wash only" facilities, which can start with a Transaction Screen)
<b>334</b> COMPUTER & ELECTRONIC PRODUCT MANUFACTURING (not required if assembly only)	<b>8112</b> ELECTRONIC & PRECISION EQUIPMENT REPAIR & MAINTENANCE (not required if assembly only)
<b>335</b> ELECTRICAL EQUIPMENT, APPLIANCE & COMPONENT MFG (not required if assembly only)	<b>8113</b> COMMERCIAL & INDUSTRIAL MACHINERY & EQUIPMENT REPAIR & MAINTENANCE
<b>336</b> TRANSPORTATION EQUIPMENT MANUFACTURING	<b>8122</b> DEATH CARE SERVICES (unless no embalming or cremation at the Property)
<b>337</b> FURNITURE & RELATED MFG (if finishing occurs on site)	<b>8123</b> LAUNDRY & DRY CLEANING SERVICES (if dry cleaning operations have ever existed on site)
<b>339</b> MISCELLANEOUS MANUFACTURING (only required if hazardous materials are involved)	<b>812921</b> PHOTOFINISHING LABORATORIES (except one hour)
<b>42311</b> AUTOMOBILE & OTHER MOTOR VEHICLE MERCHANT WHOLESALERS (if service bays present)	
<b>42314</b> MOTOR VEHICLE PARTS (USED) MERCHANT WHOLESALERS	
<b>4235</b> METAL & MINERAL MERCHANT WHOLESALER	
<b>42393</b> RECYCLABLE MATERIAL MERCHANT WHOLESALER	
<b>4246</b> CHEMICAL & ALLIED PRODUCTS MERCHANT WHOLESALERS	
<b>4247</b> PETROLEUM & PETROLEUM PRODUCTS MERCHANT WHOLESALERS	
<b>441</b> MOTOR VEHICLE & PARTS DEALERS (if service bays present)	

**"Records Search with Risk Assessment"** means and includes **(1)** a search of the government databases identified in 40 CFR § 312.26 for an AAI compliant Phase I as well as a search of historical use sources (for example, aerial photography, city directories, reverse directories and/or fire insurance maps) pertaining to the Property and Adjoining Properties; and **(2)** a risk assessment by an Environmental Professional based on the results of the records search as to whether the Property is either "low risk" or "elevated risk" or "high risk" for Contamination.

A **Phase I** should always be obtained if the business sells, supplies or dispenses fuel, gasoline, heating oil or liquefied petroleum (lp) gas, even if the NAICS code for the business is not identified on this list of environmentally sensitive industries.

For a link to the complete guide of terms for the codes, visit: [www.census.gov/eos/www/naics/](http://www.census.gov/eos/www/naics/)

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For more information, call: 1-800-419-4923 or email: [SBAexperts@partneresi.com](mailto:SBAexperts@partneresi.com)