SBA SOP 50 10 8.1 · LENDER FORM

Environmental Questionnaire

To be completed by the Lender, with input from the property Owner and site Operator, for the Collateral Property and each Adjoining Property.

Loan Information

Lender Name _____

Applicant Name _____

OC Name(s) *(if Applicant is an EPC)* _____

SBA Loan Number *(if assigned)* _____ **SBA Loan Name** *(if assigned)* _____

PART I Collateral Property

Address _____

Current Owner _____

Current Operator of Site *(if different from current Owner)* _____

1 Past, Present and Future Uses of the Collateral Property

a. **Past use(s):** Did the past use(s) of the property involve an environmentally sensitive industry? *If yes, list NAICS code(s) from page 321 of SBA SOP 50 10 8.1.* ☐ Yes ☐ No

b. **Present use:** Does the present use of the property involve an environmentally sensitive industry? *If yes, list NAICS code(s) from page 321 of SBA SOP 50 10 8.1.* ☐ Yes ☐ No

c. **Future use:** Does the future use of the property involve a daycare, child care center, nursery school or residential care facility occupied by children **and** was the building constructed before 1980? ☐ Yes ☐ No

- **If yes,** a lead risk assessment (for lead-based paint) and testing for lead in drinking water is required.
- **If no,** proceed to next section.

2 Hazardous Substances at Collateral Property

a. If the property is being used for the storage, generation, treatment, emission or disposal of hazardous substances, then list what hazardous substance(s) *(otherwise, mark N/A)*:

(1) If yes, are all permits current for the storage, generation, treatment, emission or disposal of hazardous substances at the property? *(If permits are not current, please explain.)* ☐ Yes ☐ No

b. List any other hazardous substances identified, either in the past or present, as being at, on, in, into, under, above, from or about the property *(if none, mark N/A)*:

3 Evidence of Contamination at Collateral Property

Is there any evidence of contamination at the property? *(If yes, please explain.)* ☐ Yes ☐ No

4 Potential Sources of Contamination at Collateral Property

Are there potential sources of contamination* at the property? *(If yes, please explain.)* ☐ Yes ☐ No

* 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 aboveground 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.

5 Past Evidence of Contamination at Collateral Property

Does the borrower, seller or LENDER know of any past evidence of contamination or sources of contamination at the property? *(If yes, please explain.)* ☐ Yes ☐ No

6 **Lawsuits or Administrative Proceedings for Release of Hazardous Substances at Collateral Property**

Does the borrower, seller or LENDER know of any past, threatened or pending lawsuits or administrative proceedings concerning a release or threatened release of hazardous substances at the property? *(If yes, please explain.)* ☐ Yes ☐ No

7 **Regulatory Actions by Governmental Entity Involving Collateral Property**

Are there, or have there been, any regulatory actions by any governmental entity for environmental conditions at the property? *(If yes, please explain.)* ☐ Yes ☐ No

8 **Previous Environmental Risk Studies of Collateral Property**

Are there any previously performed environmental risk studies pertaining to the property? ***(If yes, please attach copies.)*** ☐ Yes ☐ No

9 **Lead-Based Paint at Collateral Property**

Is lead-based paint present at the property? *(If yes, please explain.)* ☐ Yes ☐ No

10 **Asbestos or PCBs at Collateral Property**

Is lead-based paint, asbestos or polychlorinated biphenyls (PCBs) present at the property? *(If yes, please explain.)* ☐ Yes ☐ No

Certifications

OWNER

Owner's Remarks

Signature _____ **Date** _____

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.

OPERATOR OF SITE

Operator of Site's Remarks

Signature _____ **Date** _____

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.

LENDER

Lender's Remarks

☐ **I affirm that I have made at least one site visit to the property.**

Signature _____ **Date** _____

PART II Adjoining Property NORTH

The following must be completed for each adjoining property the border of which is shared in part or in whole with the Collateral Property, or that would be shared in part or in whole with the Collateral Property but for a street, road, or other public thoroughfare separating the properties. If needed, make additional copies of pages 5–6 for each adjoining property.

Address _____

Location in relation to Collateral Property North

Current Owner _____

Current Operator of Site *(if different from current Owner)* _____

1 Past and Present Uses of Adjoining Property

a. **Past use(s):** Did the past use(s) of the property involve an environmentally sensitive industry? *If yes, list NAICS code(s) from page 321 of SBA SOP 50 10 8.1.* ☐ Yes ☐ No

b. **Present use:** Does the present use of the property involve an environmentally sensitive industry? *If yes, list NAICS code(s) from page 321 of SBA SOP 50 10 8.1.* ☐ Yes ☐ No

2 Hazardous Substances at Adjoining Property

a. If the property is being used for the storage, generation, treatment, emission or disposal of hazardous substances, then list what hazardous substance(s) *(otherwise, mark N/A)*:

(1) If yes, are all permits current for the storage, generation, treatment, emission or disposal of hazardous substances at the property? *(If permits are not current, please explain.)* ☐ Yes ☐ No

b. List any other hazardous substances identified, either in the past or present, as being at, on, in, into, under, above, from or about the property *(if none, mark N/A)*:

3 Evidence of Contamination at Adjoining Property

Is there any evidence of contamination at the property? *(If yes, please explain.)* ☐ Yes ☐ No

4 Potential Sources of Contamination at Adjoining Property

Are there potential sources of contamination* at the property? *(If yes, please explain.)* ☐ Yes ☐ No

* 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 aboveground 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.

5 Past Evidence of Contamination at Adjoining Property

Does the borrower, seller or LENDER know of any past evidence of contamination or sources of contamination at the property? *(If yes, please explain.)* ☐ Yes ☐ No

6 Lawsuits or Administrative Proceedings for Release of Hazardous Substances at Adjoining Property

Does the borrower, seller or LENDER know of any past, threatened or pending lawsuits or administrative proceedings concerning a release or threatened release of hazardous substances at the property? *(If yes, please explain.)* ☐ Yes ☐ No

7 Regulatory Actions by Governmental Entity Involving Adjoining Property

Are there, or have there been, any regulatory actions by any governmental entity for environmental conditions at the property? *(If yes, please explain.)* ☐ Yes ☐ No

PART II Adjoining Property SOUTH

The following must be completed for each adjoining property the border of which is shared in part or in whole with the Collateral Property, or that would be shared in part or in whole with the Collateral Property but for a street, road, or other public thoroughfare separating the properties. If needed, make additional copies of pages 5–6 for each adjoining property.

Address _____

Location in relation to Collateral Property South

Current Owner _____

Current Operator of Site *(if different from current Owner)* _____

1 Past and Present Uses of Adjoining Property

a. **Past use(s):** Did the past use(s) of the property involve an environmentally sensitive industry? *If yes, list NAICS code(s) from page 321 of SBA SOP 50 10 8.1.* ☐ Yes ☐ No

b. **Present use:** Does the present use of the property involve an environmentally sensitive industry? *If yes, list NAICS code(s) from page 321 of SBA SOP 50 10 8.1.* ☐ Yes ☐ No

2 Hazardous Substances at Adjoining Property

a. If the property is being used for the storage, generation, treatment, emission or disposal of hazardous substances, then list what hazardous substance(s) *(otherwise, mark N/A)*:

(1) If yes, are all permits current for the storage, generation, treatment, emission or disposal of hazardous substances at the property? *(If permits are not current, please explain.)* ☐ Yes ☐ No

b. List any other hazardous substances identified, either in the past or present, as being at, on, in, into, under, above, from or about the property *(if none, mark N/A)*:

3 Evidence of Contamination at Adjoining Property

Is there any evidence of contamination at the property? *(If yes, please explain.)* ☐ Yes ☐ No

4 Potential Sources of Contamination at Adjoining Property

Are there potential sources of contamination* at the property? *(If yes, please explain.)* ☐ Yes ☐ No

* 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 aboveground 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.

5 Past Evidence of Contamination at Adjoining Property

Does the borrower, seller or LENDER know of any past evidence of contamination or sources of contamination at the property? *(If yes, please explain.)* ☐ Yes ☐ No

6 Lawsuits or Administrative Proceedings for Release of Hazardous Substances at Adjoining Property

Does the borrower, seller or LENDER know of any past, threatened or pending lawsuits or administrative proceedings concerning a release or threatened release of hazardous substances at the property? *(If yes, please explain.)* ☐ Yes ☐ No

7 Regulatory Actions by Governmental Entity Involving Adjoining Property

Are there, or have there been, any regulatory actions by any governmental entity for environmental conditions at the property? *(If yes, please explain.)* ☐ Yes ☐ No

PART II Adjoining Property EAST

The following must be completed for each adjoining property the border of which is shared in part or in whole with the Collateral Property, or that would be shared in part or in whole with the Collateral Property but for a street, road, or other public thoroughfare separating the properties. If needed, make additional copies of pages 5–6 for each adjoining property.

Address _____

Location in relation to Collateral Property East

Current Owner _____

Current Operator of Site *(if different from current Owner)* _____

1 Past and Present Uses of Adjoining Property

a. **Past use(s):** Did the past use(s) of the property involve an environmentally sensitive industry? *If yes, list NAICS code(s) from page 321 of SBA SOP 50 10 8.1.* ☐ Yes ☐ No

b. **Present use:** Does the present use of the property involve an environmentally sensitive industry? *If yes, list NAICS code(s) from page 321 of SBA SOP 50 10 8.1.* ☐ Yes ☐ No

2 Hazardous Substances at Adjoining Property

a. If the property is being used for the storage, generation, treatment, emission or disposal of hazardous substances, then list what hazardous substance(s) *(otherwise, mark N/A)*:

(1) If yes, are all permits current for the storage, generation, treatment, emission or disposal of hazardous substances at the property? *(If permits are not current, please explain.)* ☐ Yes ☐ No

b. List any other hazardous substances identified, either in the past or present, as being at, on, in, into, under, above, from or about the property *(if none, mark N/A)*:

3 Evidence of Contamination at Adjoining Property

Is there any evidence of contamination at the property? *(If yes, please explain.)* ☐ Yes ☐ No

4 Potential Sources of Contamination at Adjoining Property

Are there potential sources of contamination* at the property? *(If yes, please explain.)* ☐ Yes ☐ No

* 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 aboveground 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.

5 Past Evidence of Contamination at Adjoining Property

Does the borrower, seller or LENDER know of any past evidence of contamination or sources of contamination at the property? *(If yes, please explain.)* ☐ Yes ☐ No

6 Lawsuits or Administrative Proceedings for Release of Hazardous Substances at Adjoining Property

Does the borrower, seller or LENDER know of any past, threatened or pending lawsuits or administrative proceedings concerning a release or threatened release of hazardous substances at the property? *(If yes, please explain.)* ☐ Yes ☐ No

7 Regulatory Actions by Governmental Entity Involving Adjoining Property

Are there, or have there been, any regulatory actions by any governmental entity for environmental conditions at the property? *(If yes, please explain.)* ☐ Yes ☐ No

PART II Adjoining Property WEST

The following must be completed for each adjoining property the border of which is shared in part or in whole with the Collateral Property, or that would be shared in part or in whole with the Collateral Property but for a street, road, or other public thoroughfare separating the properties. If needed, make additional copies of pages 5–6 for each adjoining property.

Address _____

Location in relation to Collateral Property West

Current Owner _____

Current Operator of Site *(if different from current Owner)* _____

1 Past and Present Uses of Adjoining Property

a. **Past use(s):** Did the past use(s) of the property involve an environmentally sensitive industry? *If yes, list NAICS code(s) from page 321 of SBA SOP 50 10 8.1.* ☐ Yes ☐ No

b. **Present use:** Does the present use of the property involve an environmentally sensitive industry? *If yes, list NAICS code(s) from page 321 of SBA SOP 50 10 8.1.* ☐ Yes ☐ No

2 Hazardous Substances at Adjoining Property

a. If the property is being used for the storage, generation, treatment, emission or disposal of hazardous substances, then list what hazardous substance(s) *(otherwise, mark N/A)*:

(1) If yes, are all permits current for the storage, generation, treatment, emission or disposal of hazardous substances at the property? *(If permits are not current, please explain.)* ☐ Yes ☐ No

b. List any other hazardous substances identified, either in the past or present, as being at, on, in, into, under, above, from or about the property *(if none, mark N/A)*:

3 Evidence of Contamination at Adjoining Property

Is there any evidence of contamination at the property? *(If yes, please explain.)* ☐ Yes ☐ No

4 Potential Sources of Contamination at Adjoining Property

Are there potential sources of contamination* at the property? *(If yes, please explain.)* ☐ Yes ☐ No

* 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 aboveground 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.

5 Past Evidence of Contamination at Adjoining Property

Does the borrower, seller or LENDER know of any past evidence of contamination or sources of contamination at the property? *(If yes, please explain.)* ☐ Yes ☐ No

6 Lawsuits or Administrative Proceedings for Release of Hazardous Substances at Adjoining Property

Does the borrower, seller or LENDER know of any past, threatened or pending lawsuits or administrative proceedings concerning a release or threatened release of hazardous substances at the property? *(If yes, please explain.)* ☐ Yes ☐ No

7 Regulatory Actions by Governmental Entity Involving Adjoining Property

Are there, or have there been, any regulatory actions by any governmental entity for environmental conditions at the property? *(If yes, please explain.)* ☐ Yes ☐ No

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