



## Brownfields Department

GUIDE TO

# Phase I Environmental Site Assessments

### BROWNFIELD PROGRAM PROCESS

Enrollment → Phase I → Phase II → Cleanup → Closure

## What is a Phase I?

A Phase I Environmental Site Assessment ("Phase I") is like a home inspection for a commercial or industrial property. A Phase I Assessment includes many research activities that culminate in a large report. Phase I research activities include an on-site inspection, interviews with people who have knowledge about the site's history and activities, interviews with local law enforcement, and historical records searches through local, state, and federal databases.

The goal of a Phase I is to discover and describe any "Recognized Environmental Conditions" on a piece of property due to its past uses.

Phase I's must follow the most recent standards set by the American Society of Testing and Materials - ASTM - if they want to meet the EPA's All Appropriate Inquiries standard for people seeking **environmental liability relief** as a *bona fide prospective purchaser*.

The current standard is ASTM E1527-21 for commercial properties, and E2247-16 for Forestland or Rural Property.

## What are the risks?

History has shown that when it comes to environmental conditions on sites that are going to be used for human activities, the risk of not knowing far outweighs the risk of discovery. However, it is important to recognize that a Phase I Environmental Site Assessment could name Recognized Environmental Conditions that would need to be disclosed in a real estate transaction.

# FAQ

## Do I really need one?

**Phase I's are essential for anyone looking to redevelop a property that may have environmental issues from current and past activities on site.** Phase I's provide valuable information about a property that helps with future environmental remediation or mitigation, which is critical to reusing the site safely. They also are the key to EPA brownfields liability relief. More information on AAI and liability relief may be found online at <https://www.epa.gov/brownfields/brownfields-all-appropriate-inquiries>.

### USED BY:

- Property purchasers looking to investigate their risk when buying a property
- Cities and economic development authorities looking to build a profile of a property to be developed
- Sellers wanting to make the property more attractive

Although Phase I's are recommended in any commercial property transaction, they are most important at:

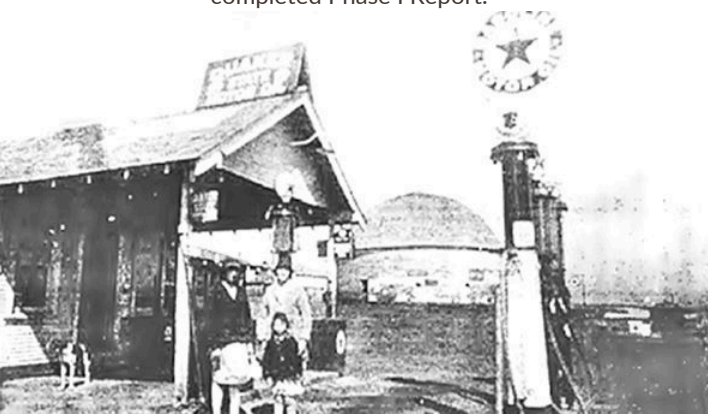
- Properties whose activities on site pre-date modern environmental regulations (1970s)
- Properties whose current activities on site could cause environmental issues
- Tracts of seemingly undeveloped land

## What happens during a Phase I?

- **Records Review & Radius Search:** Consultant will search local, state, and federal environmental databases for the property and properties within a certain radius.
- **Interviews:** The seller and anyone involved in the past activities of the site will be interviewed about the past and current uses of the site.
- **User Questionnaire:** The User of the Phase I will need to fill out a questionnaire that gathers information about their prior knowledge of the environmental conditions on site. Generally, the User is the person who is looking to purchase or redevelop the property.
- **Site Walkthrough:** The landowner at the time of the Phase I needs to sign an access agreement that allows inspectors on site for the walkthrough to document current conditions on site. Photos and notes will be taken. Only the subject property for which the consultant has an access agreement will be visited in person. Off-site conditions will also be documented in the report, but only what is visible from the subject property.



**Report:** The final product of a Phase I Assessment is a Phase I Report. It may take 2-3 months from your enrollment in the Brownfield Program to have a completed Phase I Report.



## What does it cost?

- **FREE** - The OCC Brownfields Department has grant funds to pay for assessments at sites enrolled in our program.
- **\$1,500 - 12,000:** If an entity is not approved for an OCC Assessment or wishes to obtain a Phase I on their own, they should expect to pay between \$1,500 and \$12,000 depending on the size of the property and whether they are also ordering other subsurface surveys.
- To get a Phase I done privately, hire an environmental consulting company that conducts Phase I Environmental Site Assessments. A list of Licensed Environmental Consultants can be found on the OCC's website:  
<https://oklahoma.gov/occ/divisions/petroleum-storage-tank/licensees.html>

**Phase I's may be performed at any time. A city, economic development authority, or seller of a piece of property may wish to get a Phase I as soon as possible so that environmental issues can be discovered and given further assessment and remediation (if necessary) before a sale.**

**However, in order for the Phase I to be considered current and afford the environmental liability protections of AAI requirements to the User, the Phase I must be no more than 180 days old at the date of purchase, measured from the date of the environmental professional's signature. Phase I's may be updated or redone completely to meet these requirements.**

## How do I get an OCC Brownfields Phase I Assessment?

You must be enrolled in our program and have your site work approved by our EPA grant Project Officer. **Email or call us today to request our application packet.**

### ELIGIBILITY REQUIREMENTS:

- **Applicants** must have a credible reuse plan and have no prior involvement with on-site operations. For this reason, we usually do Phase I's for cities, economic development authorities, and buyers.
- **A site** must have a suspicion of being impacted by activities under OCC jurisdiction -- namely petroleum storage tanks and oilfield exploration and production.

Sites that do not meet OCC requirements may be referred to the [ODEQ Brownfields Program](#).

## Contact Us



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## Call Now:

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