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| **Environmental Enlightenment #171** By Ami Adini - Re-issued June 9, 2016   |  | | --- | | This is a SHORT, LIGHT and SIMPLE newsletter. Its purpose is to rekindle in the initiated terminology they have once learned, and enlighten the uninitiated on terms they may have heard but never known the meaning of. | | **Environmental Due Diligence in Real property Transactions**  http://amiadini.com/NewsletterArchive/160609-NL171/envEnl-171_clip_image002.jpg  People who plan to transact with real property: buy, sell, refinance; or even just be the facilitators of the transaction, have various factors to consider.  One is the possibility that the land may be contaminated; and not all land contamination maybe straight off visible to the naked eye.   The contamination might have taken place years ago, long before the interested party had anything to do with the land.  It might even have happened several generations of landowners ago.  http://amiadini.com/NewsletterArchive/160609-NL171/envEnl-171_clip_image004.jpg  How could one then ensure that they would not be held liable for the damage that’s been done to the land, to neighboring properties, or even the contingent damages that may befall a ruined transaction?  To prevent this situation, the EPA has established the “All Appropriate Inquiry (AAI)” process: evaluating the environmental conditions of a property in question and determining the potentials for environmental cleanup liabilities.    The AAI requirements apply to any party who may potentially need to show they are not liable, either as an innocent landowner, a bona fide prospective purchaser, or a nearby property owner.   The AAI Rule requires that the investigative work be done by a qualified Environmental Professional, and it establishes the needed qualifications.  Some of the required research includes interviews with past and present owners, operators and occupants; reviews of historical sources of information; reviews of federal, state, tribal and local government records; and visual inspections of the facility and adjoining properties.  In following the AAI requirements, the Users of the reports obtain immunity from a liability to various federal and state laws that seek to penalize responsible parties for the environmental damage.  The AAI practice of investigation also provides a good commercial approach to investigating various other environmental pitfalls that could be associated with real estate transactions.  A key factor in conducting AAI and/or similar processes is the engagement of professional experts. In many cases, the cost of the investigation dwarfs in orders of magnitude against the financial risks of the transactions. Our firm has been in the forefront of the AAI process since 1987. Feel free to contact us for any question or need. | | You can find past issues of our "Environmental Enlightenment" at [amiadini.com](http://www.amiadini.com/) Wealth of information about environmental site assessments in the real estate transactions and issues concerning assessment and cleanup of contamination in the subsurface soil and groundwater. |  |  | | --- | | Call me if you have any questions. There are **no obligations.**  Ami Adini Environmental Services, Inc. Environmental Consultants & General Engineering Contractors California Lic. #1009513 A B HAZ ASB **818-824-8102**; [**mail@amiadini.com**](mailto:mail@amiadini.com) [www.amiadini.com](http://amiadini.com/)  Ami Adini is a veteran environmental practitioner with over 40 years of experience. He carries a Bachelor of Science degree (B.Sc.) in Mechanical Engineering including academic credits in Nuclear and Chemical Engineering and postgraduate education in these fields. His career includes design and construction of nuclear plant facilities, chemical processing plants and hazardous wastewater treatment systems. He is a former California Registered Environmental Assessor Levels I & II in the 1988-2012 registry that certified environmental professionals in the assessment and remediation of environmentally impacted land, and a Registered Environmental Professional (REP) since 1989 with the National Registry of Environmental Professionals (NREP). He is a California Business & Professions Code Qualifying Responsible Managing Officer (RMO) in the General Engineering Contractor classification with Hazardous Substance Removal and Asbestos certifications, and president of AMI ADINI ENVIRONMENTAL SERVICES, INC. (AAES), a general engineering contractor and consulting firm specializing in environmental site assessments, rehabilitation of contaminated sites and removal of environmental risks from real-estate transactions. (Contact Ami for a complete resume.) **AAES provides practical solutions to environmental concerns using the highest standards of ethics and integrity while providing its clients with maximum return on their investments.** | |