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# PURPOSE

This standard establishes the minimum requirements to identify, comprehend and minimize environmental, safety and/or health (ESH) liabilities associated with facility closures, divestitures, purchases and lease transactions at TI sites worldwide.

# SCOPE

The provisions of this standard apply to all Mergers, Acquisitions, Divestitures and to the purchase or sale of real property and the lease or lease termination of all TI sites worldwide. This standard **DOES NOT** apply to leased space of property:

* Where known prior use has not included manufacturing, chemical usage, chemical storage, production, etc., and
* Where TI will not introduce manufacturing, chemical usage, production, etc.

# reference documents

## TI Standard Policy and Procedure (SP&P) 04-04-01: "Environmental, Health and Safety”

## TI Standard Policy and Procedure (SP&P) 04-07-01: “Records Retention”

## TI ESH Standard 06.12: “Maintenance and Movement of Equipment and Parts”

## ASTM E 1527, Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process

## ASTM E 1903, Standard Guide for Environmental Site Assessments: Phase II Environmental Site Assessment Process

# [Definitions](https://sps01.itg.ti.com/sites/wwf/esh/standards/Knowledge_Bank/00.01.xlsx)

# Requirements

## Mergers and Acquisitions: Due Diligence

5.1.1 The Due Diligence Questionnaire (Appendix B) shall be completed for all mergers and acquisitions prior to the closing of the business transaction.

5.1.2 At a minimum, the following site assessments will be conducted for all real property transfers during mergers and acquisitions:

##### 5.1.2.1 A Phase I Environmental Site Assessment (ESA) shall be completed prior to the sale or purchase of any property.

##### 5.1.2.2 A Phase II ESA shall be conducted, with a minimum objective of establishing baseline conditions and as necessary to address any recognized environmental conditions identified in the Phase I ESA.

## Facility Closure\Transition Plan

A written closure\transition plan (or equivalent) shall be developed following the announcement of a facility closure or divestiture and prior to the start of decommissioning, decontamination, and dispositioning activities, or the removal of any manufacturing tools or equipment.

The written plan shall include, at a minimum, the following:

5.2.1 General Provisions

##### 5.2.1.1. Objectives and strategies of the closure activity including key personnel, responsibilities, timelines, goals, clean-up targets, regulatory requirements, assessments, decommissioning, decontamination, dispositioning and contingencies.

##### 5.2.1.2 Steps to verify objectives, strategies, and clean-up targets were achieved.

5.2.2 Provisions for Equipment decommissioning, decontamination and dispositioning

##### 5.2.2.1 Decommissioning, decontamination, dispositioning and other preparations of Affected Equipment shall be in accordance with TI Standard 06.12: “Maintenance and Movement of Equipment and Parts”. This requirement applies to equipment to be left in place, stored, transferred, or disposed.

##### 5.2.2.2 Work performed on each piece of affected equipment shall be scoped and documented consistent with that equipment’s disposition plans and the closure activity’s objectives and strategies.

5.2.3 Provisions for Facility decommissioning, decontamination and dispositioning

##### 5.2.3.1 The facility decommissioning scope shall include all systems, services, structures, infrastructure and areas which may have been impacted by chemicals or other potentially hazardous industrial materials.

##### 5.2.3.2 Decontamination and clean up shall be consistent with the intended future use of the facility and shall satisfy the minimum in-country requirements. Any specific decontamination goals shall be defined in conjunction with WWESH and WWPS, then documented in the Closure\Transition Plan.

##### 5.2.3.3 Dispositioning shall be consistent with the intended future use of the facility. Any specific dispositioning goals shall be defined in conjunction with WWESH and WWPS then documented in the Closure/Transition Plan.

##### 5.2.3.4 General facility decontamination requirements:

###### 5.2.3.4.1 Work performed on the facility shall be consistent with the requirements of TI Standard 06.12: “Maintenance and Movement of Equipment and Parts”.

###### 5.2.3.4.2 Work shall be performed and verified by qualified personnel.

###### 5.2.3.4.3 Appropriate sampling shall be utilized to confirm clean-up goals have been achieved.

###### 5.2.3.4.4 Confirmation documentation shall be provided to and retained by WWESH.

###### 5.2.3.4.5 Remaining known hazardous materials, stored energy sources, or other hazards shall be clearly labeled, documented, and communicated to the receiver of the facility.

### 5.3 Facility Divestitures

A Phase I Environmental Site Assessment (ESA) shall be completed prior to the divestiture of any real property transfer lease or sale.

### 5.4 Sale and Purchase of Real Property

5.4.1 At a minimum, the following site assessments will be conducted for all real property sold or purchased:

##### 5.4.1.1 A Phase I Environmental Site Assessment (ESA) shall be completed prior to the sale or purchase of any property.

##### 5.4.1.2 A Phase II ESA shall be conducted, with a minimum objective of establishing baseline conditions and as necessary to address any recognized environmental conditions identified in the Phase I ESA.

##### 5.4.1.3 A post closure update of the Phase I and/or Phase II ESA’s or a comprehensive Closure Report documenting the final condition of the facility and property. This shall follow completion of decommissioning, decontamination, disposition and waste disposal activities.

### 5.5 Leased Property

5.5.1 All leased property (where TI is the lessee or lessor) not already defined as exempt in Section 2.0 of this standard.

#### 5.5.1.1 All leased property where design, test or other activities require the limited use of chemicals (solder, flux, isopropyl alcohol, etc.) that are not for manufacturing use:

#### 5.5.1.2 Prior to tenant move in a site walk-through and a TI Environmental Site Assessment (Appendix A) shall be completed. The TI ESA shall be limited to tenant’s activities at the site.

#### 5.5.1.3 Prior to tenant move-out, a TI Environmental Site Assessment (Appendix A) shall be completed. The TI ESA shall include documentation of any decommissioning, decontamination, and waste disposal activities.

#### 5.5.2 All leased property not already covered in Section 5.4.1 of this standard will require the following:

##### 5.5.2.1 Prior to tenant move in or upon notice of move-out a Phase I Environmental Site Assessment (ESA) shall be completed.

##### 5.5.2.2 A Phase II ESA shall be conducted, with a minimum objective of establishing baseline conditions and as necessary to address recognized environmental conditions identified in the Phase I ESA.

##### 5.5.2.3 A post closure update of the Phase I and/or Phase II ESAs or a comprehensive Closure Report documenting the final condition of the facility and property. This shall follow completion of decommissioning, decontamination, and waste disposal activities.

### 5.6 Documentation

###  Records and documentation generated in support of real estate transactions shall be retained in a manner consistent with the TI Standard Policy and Procedure SP&P-04-07-01, Records Retention, for each type of document or record.

### 5.7 Training Requirements

### All qualified employees will be knowledgable and trained in the necessary information in order to complete the review and documentation of site information.

# STANDARD Approval

This standard has been approved by David Thomas, TI Vice President.

# Revision history

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Rev#** | **Date** | **Nature of Revision** | **Author/Editor** | **Approver** |
| A | 02/25/05 | Original | Pat Webb | WWESH |
| B | 11/13/08 | Appendices A and B merged into this document (previously separate file documents). References updated. Hyperlinks updated. | John Willis | WWESH |
| C | 09/01/15 | Content and Appendices updated | Hector Vargas, Joe Bauer, Brian Moilanen | D. Thomas |
|  |  |  |  |  |
|  |  |  |  |  |

1. TI Environmental Site Assessment

Part I: General Information

\_\_\_\_\_ Facility Closure \_\_\_\_\_\_ Pre-Move-In/Acquisition

LOCATION: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

STREET: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ COUNTY: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

STATE: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

COUNTRY: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**PREPARER:**

NAME: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ PHONE: COMPANY: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**OWNER:**

NAME: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ PHONE: COMPANY: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**OCCUPANT(S):**

NAME: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ PHONE: COMPANY: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

NAME: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ PHONE: COMPANY: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

NAME: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ PHONE: COMPANY: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

DATE: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**IF A DIVESTITURE OR CLOSURE:**

**EQUIPMENT:**

Attach list of equipment at the facility

**CHEMICALS:**

Attach list of chemicals used at the facility

**PROVIDE A BRIEF DESCRIPTION OF THE INTENDED ACTIVITIES/USAGE OF THE LOCATION OR PROVIDE A BRIEF DESCRIPTION OF THE ACTIVITIES/USAGE THAT OCCURRED AT THE LOCATION:**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Part II: Questionnaire**

**For each “Yes” answer, provide additional information in comments section**

|  |  |  |  |
| --- | --- | --- | --- |
|  | Owner | Occupants (if applicable) | Site Visit Observations |
|  | Yes | No | Unknown | Yes | No | Unknown | Yes | No |
| 1. Current industrial use? |
|  a. At the property |  |  |  |  |  |  |  |  |
|  b. At any adjacent property |  |  |  |  |  |  |  |  |
|  |
| 2.. Historical industrial use? |
|  a. At the property |  |  |  |  |  |  |  |  |
|  b. At any adjacent property |  |  |  |  |  |  |  |  |
|  |
| 3. Current use as a gasoline station, motor repair facility, commercial printing facility, dry cleaners, photo developing laboratory, junkyard or landfill, or as a waste treatment, storage, disposal, processing, or recycling facility (if applicable, identify which)? |
|  a. At the property |  |  |  |  |  |  |  |  |
|  b. At any adjacent property |  |  |  |  |  |  |  |  |
|  |
| 4. Historical use as a gasoline station, motor repair facility, commercial printing facility, dry cleaners, photo developing laboratory, junkyard or landfill, or as a waste treatment, storage, disposal, processing, or recycling facility (if applicable, identify which)? |
|  a. At the property |  |  |  |  |  |  |  |  |
|  b. At any adjacent property |  |  |  |  |  |  |  |  |
|  |
| 5. Damaged or discarded automotive or industrial batteries, pesticides, paints, or other chemicals? |
|  a. Currently |  |  |  |  |  |  |  |  |
|  b. Historically |  |  |  |  |  |  |  |  |
|  |
| 6. Industrial drums (typically 55 gal (208 L)) or sacks of chemicals located on the property or at the facility? |
|  a. Currently |  |  |  |  |  |  |  |  |
|  b. Historically |  |  |  |  |  |  |  |  |
|  |
| 7. Did you observe evidence or do you have any prior knowledge that fill dirt has been brought onto the property? |  |  |  |  |  |  |  |  |
|  |
| 8. Any pits, ponds, or lagoons located on the property in connection with waste treatment or waste disposal? |
|  a. Currently |  |  |  |  |  |  |  |  |
|  b. Historically |  |  |  |  |  |  |  |  |
|  |
| 9. Any stained soil on the property? |
|  a. Currently |  |  |  |  |  |  |  |  |
|  b. Historically |  |  |  |  |  |  |  |  |
|  |
| 10. Any registered or unregistered storage tanks (above or underground) located on the property? |
|  a. Currently |  |  |  |  |  |  |  |  |
|  b. Historically |  |  |  |  |  |  |  |  |
|  |
| 11. Any vent pipes, fill pipes, or access ways indicating a fill pipe protruding from the ground on the property or adjacent to any structure located on the property? |
|  a. Currently |  |  |  |  |  |  |  |  |
|  b. Historically |  |  |  |  |  |  |  |  |
|  |
| 12. Evidence of leaks, spills or staining by substances other than water, or foul odors, associated with any flooring, drains, walls, ceilings, or exposed grounds on the property? |
|  a. Currently |  |  |  |  |  |  |  |  |
|  b. Historically |  |  |  |  |  |  |  |  |
|  |
| 13. If the property is served by a private well or non-public water system, is there evidence or do you have prior information of contamination? |
|  a. Based on site knowledge |  |  |  |  |  |  |  |  |
| b. Designated as contaminated by any government environmental/health agency? |  |  |  |  |  |  |  |  |
|  |
| 14. Does the owner or occupant of the property have any knowledge of environmental liens or governmental notification relating to past or recurrent violations of environmental laws with respect to the property or any facility located on the property?  |  |  |  |  |  |  |  |  |
|  |
| 15. Has the owner or occupant of the property been informed of the existence of hazardous substances or petroleum products with respect to the property or any facility located on the property? |
|  a. Current |  |  |  |  |  |  |  |  |
|  b. Historical |  |  |  |  |  |  |  |  |
|  |
| 16. Has the owner or occupant of the property been informed of the existence of environmental violations with respect to the property or any facility located on the property? |
|  a. Current |  |  |  |  |  |  |  |  |
|  b. Historical |  |  |  |  |  |  |  |  |
|  |
| 17. Does the owner or occupant of the property have any knowledge of any environmental site assessment of the property or facility that indicated the presence of hazardous substances or petroleum products on, or contamination of, the property or recommended further assessment of the property? |  |  |  |  |  |  |  |  |
|  |
| 18. Does the owner or occupant of the property know of any past, threatened, or pending lawsuits or administrative proceedings concerning a release or threatened release of any hazardous substance or petroleum products involving the property by any owner or occupant of the property? |  |  |  |  |  |  |  |  |
|  |
| 19. Does the property discharge waste water (not including sanitary waste or storm water) onto or adjacent to the property and/or into a |
|  a. Storm water system? |  |  |  |  |  |  |  |  |
|  b. Sanitary sewer system? |  |  |  |  |  |  |  |  |
|   |
| 20. Did you observe evidence or do you have any prior knowledge that any hazardous substances or petroleum products, unidentified waste materials, tires, automotive or industrial batteries, or any other waste materials have been dumped above grade, buried and/or burned on the property? |  |  |  |  |  |  |  |  |
|   |
| 21. Are there records, information, or observations pertaining to any of the following that may indicate a condition of concern? |
| PCB containing equipment (transformer, capacitor, hydraulic equipment) |  |  |  |  |  |  |  |  |
| Asbestos-containing materials |  |  |  |  |  |  |  |  |
| Radon |  |  |  |  |  |  |  |  |
| Lead-based paint |  |  |  |  |  |  |  |  |
| Lead in drinking water |  |  |  |  |  |  |  |  |
| Wetlands |  |  |  |  |  |  |  |  |
| Regulatory compliance |  |  |  |  |  |  |  |  |
| Cultural and historic resources |  |  |  |  |  |  |  |  |
| Industrial hygiene |  |  |  |  |  |  |  |  |
| Health and safety |  |  |  |  |  |  |  |  |
| Ecological resources |  |  |  |  |  |  |  |  |
| Endangered species |  |  |  |  |  |  |  |  |
| Indoor air quality |  |  |  |  |  |  |  |  |
| High voltage power lines |  |  |  |  |  |  |  |  |

**Government Records/Historical Sources Inquiry:**

22. To the extent this information is available and applicable, is the property within the search distance noted below for any of the listed types of sites/facilities (or local equivalents):

Approximate Minimum Search Distance, miles (kilometers)

State or Federal Superfund (NPL list) site 1.0 (1.6)

State or Federal hazardous substance spill/release (CERCLIS) site 0.5 (0.8)

State or Federal Hazardous Waste (RCRA) generators list property and adjoining properties

State landfill and/or solid waste disposal site lists 0.5 (0.8)

State leaking Underground Storage Tank (UST) lists 0.5 (0.8)

State registered UST lists property and adjoining properties

**Comments (attach additional sheets as needed):**

Question # \_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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1. Due Diligence Questionnaire

**Part I: Questionnaire**

ENVIRONMENTAL

For purposes of this section, “Company” means the entity that is (or whose assets are) being considered for acquisition, including any subsidiary (current or former), joint venture or other entity in which the Company owns or controls a twenty percent interest or other entity for whom the Company has assumed environmental responsibility.

A. Environmental

1. Is the Company, or any employee, officer or director of the Company, currently (or, to the extent the findings were significant, in the past) the subject of any audits, investigations, administrative complaints, proceedings, or inquiries or similar proceedings involving any environmental agencies? If so, please describe.
2. Provide copies of any of the following items that occurred during the past three (3) years or that remain outstanding: charges, complaints, claims, citations, or notices of violations, investigations, inquiries, or breaches, and all responses and material correspondence related thereto, pertaining to environmental matters, including without limitation, pollution of air, land, or water, or the release of or exposure to hazardous, toxic or radioactive chemicals, conditions, or materials.
3. Provide copies of all current environmental permits, licenses, registrations or authorizations (collectively referred to as “permits”). Describe any anticipated material changes in permit compliance limits or control requirements (e.g., whether you know that a regulatory body or licensing agency intends to require controls or standards that differ from those under current permits). Describe any limitation on hours of operation contained in applicable permits. Describe any anticipated growth or increase in production that might cause permit limits to be exceeded.
4. Describe any known events of noncompliance with permits or environmental regulations and any spills or unpermitted releases of hazardous or toxic substances, oil, or radioactive materials (whether or not reported to any governmental authority) that occurred or existed during the past five (5) years.
5. Describe the history, prior use, and prior owners and operators of the Company’s leased, owned, and operated sites. List any other names under which the Company has ever conducted business.
6. List by address all real property and facilities formerly owned, operated, or leased by the Company which it does not now own, operate, or lease. (Can include on chart attached as Annex 1.)
7. Provide copies of reports, material correspondence and other documents relating to potentially significant environmental issues associated with properties and facilities currently or formerly owned, operated or leased by the Company.
8. Describe all on-site contamination (include any indication of actual or potential off-site contamination) and any related remediation, investigatory, or corrective actions taken or planned, together with cost estimates for each. Provide documentation concerning all environmental testing or sampling done at any location involved in the business of the Company. Provide copies of all written reports, if any, regarding such contamination, investigations, remediation, and testing affecting the business of the Company, generally.
9. Provide information regarding all on-site waste disposal (including areas contamination left in place) at sites leased, owned, or operated, now or in the past, by the Company.
10. Provide information regarding all off-site waste disposal including current and former treatment, storage, transfer and disposal facilities. Include details regarding the types and quantities of wastes handled at the various facilities, the disposition of those wastes, and the time frame the wastes were disposed.
11. List and describe all facilities leased, owned, or operated by the Company that are located on or near drinking water sources or aquifers.
12. Identify and locate any wetlands, endangered species or other environmentally sensitive features on or adjacent to any property leased, owned, or operated by the Company.
13. List and describe any on-site or off-site waste disposal sites at which remediation or other response action is likely in which the Company is involved (or is likely to be involved) including those sites for which the Company has received notices or requests for information from an applicable governmental authority. Provide any cost estimates for resolution of the Company’s potential liability, as well as documentation providing basis for estimates.
14. Provide copies of material correspondence with environmental regulatory authorities during the past three (3) years or that relates to a matter that remains unresolved, including requests and responses laws and regulations regulating air emissions or solid and hazardous waste or radioactive materials.
15. Provide financial estimates and identify reserves for environmental liabilities, including without limitation, any financial assurances, reserves for closure, post-closure care, and underground storage tanks, as well as documentation providing the basis for these estimates.
16. Provide copies of all estimates or budgets prepared in the last three (3) years for capital projects related to environmental programs.
17. Provide copies of pollution control capital expenditure reports for the last three (3) years (including budgets, requests and authorizations).
18. List and describe any off-site contamination other than those sites listed in request number 12 above, for which a claim against the Company has been made or can reasonably be anticipated. Include copies of any notices furnished to third parties regarding the possibility of off-site contamination.
19. Provide copies of environmental-related litigation and administrative proceeding files relating to open matters or matters settled in the last three (3) years, including without limitation, environmental agency proceedings and toxic tort claims, with respect to the Company and/or property leased, owned, or operated by the Company.
20. Identify the location of all underground tanks and lines at any property leased, owned or operated by the Company, if any, including those no longer used, and describe any history of spills, releases, or leaks.
21. Provide copies of other material environmental or incident reports and correspondence relating to material environmental issues in each case for the past three (3) years or that relate to matters that remain unresolved, include all complaints or logs of complaints from employees or nearby property owners or occupants.
22. Provide copies of any management/review committee reports, records, and intra-company correspondence for the last three (3) years that reflect environmental issues.
23. Provide copies of environmental audit and inspection reports (whether performed by the Company or by third parties) for the last three (3) years, including insurance company audits.
24. Describe the Company’s current use of CFC’s (Ozone Depleting Substances) and global warmers and any plans regarding use of such substances.
25. Provide copies of all current emergency prevention and response plans, including spill response plans, contingency plans, air pollution episodes strategies and response management plans.
26. Please describe the structure of the environmental, health and safety management of the Company, including information on the experience, qualifications, and duties of each person responsible for significant environmental, health and safety compliance obligations.
27. Provide copies of the Company’s current environmental, safety, and health (ESH) organization charts and list of current ESH personnel.
28. Provide copies of the Company’s current environmental policies and procedures.
29. Provide information regarding ISO 9000, ISO 14000, and ISO 16000 certifications and/or management system implementations.
30. Provide copies of any environmental scorecards received from community groups, environmental organizations or customers.
31. Provide copies of insurance policies, especially Environmental Impairment Liability (“EIL”) insurance, and related analysis and records and any claims made thereunder. (Reference XII.1)
32. List and describe any PCB-contaminated or -containing equipment and property.
33. Describe any known, suspected or presumed asbestos-containing materials located on property leased, owned, or operated by the Company. Provide copies of each asbestos survey conducted at such properties.

**Part II: Annex**

COMPANY FACILITIES. Please list all current and former facilities owned or occupied by the Company or any of its present or past subsidiaries or other affiliates.

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| --- | --- | --- | --- | --- | --- |
| FACILITY/SITE ADDRESSAND LOCATION | OWNED | NON OWNED (Indicate Interest) | DATES | ACTIVITIES CONDUCTED (Indicate if subsidiary or other affiliate) | SIC/NAICS CODE(or country equivalent) |
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