



ENVIRONMENTAL QUESTIONNAIRE AND DISCLOSURE STATEMENT

Applicant: _____

Loan Amount: _____

Loan Number: _____

Property Address and Location: _____

CERTIFICATION

The undersigned Applicant, in order to induce Imperial Capital Bank ("Lender") to make the loan to Applicant, hereby certifies to Lender that as the present owner of the above-described property ("Property"), the Applicant and its principals are familiar with the operations presently conducted on the Property, have made a reasonably diligent inquiry into the former uses of the Property and hereby declare that, to the best knowledge of Applicant and its principals, the information disclosed below is true and correct. Applicant understands and acknowledges that Lender will rely on the information provided herein.

DATE: _____

APPLICANT: _____

BY: _____

TITLE: _____

NOTE: If unable to answer, please respond "unknown" or "not applicable." Where space is inadequate to answer, please attach additional pages as needed.

I. GENERAL *(all Applicants fill out this Part)*

A. Current / Former Uses of the Property.

1. Names of current owner(s):

2. Description of current use of the Property:

3. If occupied by anyone other than you or your family, please provide name(s) of current occupants(s) and time(s) of occupancy:

4. Date of completion of original construction and any substantial renovations:

5. Name of previous occupants:

6. Description of previous uses of the Property:

7. Description of current adjacent property uses:

8. Description of previous adjacent property uses:

9. Any unusual or noxious odors or any discoloration of the soil or groundwater?
If so, please describe.

10. Any unusual depressions or mounds on the Property? If so, please describe.

11. Any areas of sparse, sick or dead vegetation on the Property? If so, please describe.

13. Are there now or have there previously been any landfills, disposal facilities, dump sites, or manufacturing or industrial facilities involving harmful materials or chemicals, or federal or state "Superfund" sites within a five mile radius from any border of the Property? If so, please describe:

B. Asbestos.

1. Is there asbestos currently in, on or about the Property or are asbestos containing materials to be used in constructing any improvements?

If your answer to the previous question is "no" or unknown, " please go on to Section C.

2. If so, has a survey been conducted to assess the type, amount, location and conditions of asbestos, and/or the cost or desirability of removing or encapsulating the asbestos? If so, please attach a copy of any survey report.

3. Have asbestos air samples been taken? If so, what are the results?

C. Polychlorinated Biphenyls.

1. Are polychlorinated biphenyls ("PCBs") being used in electrical transformers, capacitors or other equipment at the Property?

If your answer to the previous question is "no" or "unknown," please go on to Section D.

2. If so, please describe the use and quantity of PCBs on the Property:

3. Has there ever been a PCB leak, spill or other contamination affecting the Property? If so, please describe:

D. Storage Tanks, Drums and Pipelines.

1. Are there any above ground or below ground gasoline, diesel, fuel, oil or other chemical storage tanks on the Property?

If your answer to the previous question is "no" or "unknown," please go to question number 4.

2. Have the tanks been inspected or tested for leakage? When was the most recent test? Please attach results of any test or inspection.

3. Are any of the tanks known or suspected to leak now or to have leaked in the past? If so, describe:

4. Are any chemicals stored on the Property in drums or other containers? If so, please describe the substances, quantities stored, and types of containers and their condition.

If your answer to the previous question is "no" or "unknown," please go to question number 7.

5. Have the drums or other containers been inspected or tested for leakage? When was the most recent test? Please attach results of any test or inspection.

6. Are any of the drums or other containers known or suspected to leak now or to have leaked in the past? If so, Please describe:

7. Are any above or below ground pipelines (other than normal sewer and water pipelines) located on the Property? If so, please describe:

If your answer to the previous question is "no" or "unknown," please go to question number 10.

8. Have any of the pipelines been inspected or tested for leakage? When was the most recent test? Please attach results of any test or inspection.

9. Are any of the pipelines known or suspected to leak now or to have leaked in the past? If so, please described:

10. Have there been any spills, leaks, or other releases of chemicals on the Property? If so, please describe the chemicals and quantities released, any cleanup measures taken, and the results of any soil or groundwater samples performed to detect the presence of the chemicals spilled, leaked or released on the Property.

11. Please attach copies of any permits or licenses pertaining to any tanks, drums or pipelines or to the use, storage, handling or disposal of chemicals on the Property. (If there are none, please answer "None.")

E. Air Emissions.

1. Are there any emissions of air pollutants from any source on the property? If so, describe the emissions from each source of air pollutants on the Property, and the source, including fuel burning equipment, and the type of fuel burned.

If your answer to the previous question is "no" or "unknown," please go to Section F.

2. Describe air pollution control equipment used to reduce emissions for each source or air emissions.
3. Are air emissions monitored? If so, indicate frequency of monitoring and attach results for the past twelve months.
4. Please attach copies of any permits or licenses pertaining to operations on the Property.

F. Water Discharges.

1. Do you know of any contaminated groundwater or surface water anywhere within a five mile radius from any border of the Property? If so, please describe.
2. List all sources of wastewater discharges to surface waters, septic systems, holding ponds, waste storage tanks, or waste injection wells.

If your answer to the previous question is "not applicable," please go on to Section G.

3. List all sources of waste water discharge to public sewer systems.
4. For each discharge, list the average daily flow.
5. Please attach copies of any water discharge permits or licenses pertaining to operations on the Property.

G. Waste Disposal.

1. Describe the types of liquid wastes (other than wastewater described in part F above) and solid wastes generated at the Property.

If your answer to the previous question is "not applicable," please go on to Part II or Part III, If applicable (if not applicable, please mark the appropriate box for each Part) and then go to Part IV.

2. Describe how the liquid and solid wastes generated at the Property are disposed.
3. Identify all haulers and transporters of liquid or solid wastes servicing the Property and the destinations of the wastes.
4. Please attach copies of any receipts and manifests given to you by such haulers and transporters.
5. Please attach copies of any waste disposal or discharge permits or licenses pertaining to operations on the Property.

II. INDUSTRIAL PROPERTY. Not Applicable_____

If the Property has been or is used for industrial purposes, the following additional information should be provided.

- A. Has the Property ever been used for disposal of any liquid or solid waste? If so, describe the location of all disposal sites, the type of wastes disposed at each site, the results of any solid or groundwater samples taken in the vicinity of each site, and the manner in which each site not presently in use was closed.
- B. Have evaporation or storage ponds ever been located on the Property? If so, describe the location of all the ponds, the type of wastes placed in each pond, the results of any soil or groundwater samples taken in the vicinity of each pond, and the manner in which each pond not presently in use was closed.
- C. Have wastewater treatment facilities, such as acid neutralization vaults, ever been located on the Property? If so, please describe the location of all facilities, the types of wastes treated in each facility, the results of any soil or groundwater samples taken in the vicinity of each facility, and the manner in which each facility not presently in use was closed.

- D. Are there raw chemical or waste chemical storage areas on the Property? If so, please describe the location of all such areas, the type of products or wastes stored in each area, the amount of products or wastes stored in each area, the results of any solid or groundwater samples taken in the vicinity of each area, and the manner in which each area not presently in use was closed.

III. AGRICULTURAL PROPERTY. Not Applicable_____

If the property has been or is used for agricultural purposes, the following additional information should be provided.

- A. Have pesticides, herbicides, or other agricultural chemicals ever been applied to the Property? If so, please describe the locations where such pesticides, herbicides or other chemicals were applied, the type of pesticides, herbicides or other chemicals applied in each area, and the results of any soil groundwater analyses performed to detect pesticides, herbicides or other chemicals used at the site.
- B. Have pesticides, herbicides, or other agricultural chemicals been mixed, formulated, rinsed, or disposed of on the Property? If so, please describe the locations where such pesticides, herbicides or other chemicals were mixed, formulated, rinsed or disposed of, the type of pesticides, herbicides or other chemicals mixed, formulated, rinsed or disposed of at each location, and the results of any soil groundwater analyses performed to detect pesticides, herbicides or other chemicals used at the site.

IV. INVESTIGATION, ENFORCEMENT AND REMEDIATION. (All Applicants Fill Out This Part)

- A. Please attach a complete dated copy of each test, study, report, or assessment which has been performed or prepared with respect to the Property's soil, air or water conditions or quality or with respect to any other environmental condition or contamination affecting the Property.
- B. Has any public agency ever investigated or cited the Property for violation or possible violation of any environmental law or commenced an enforcement or clean-up action under any environment law with respect to the Property? If so, please describe:
- C. Has any public agency ever listed the Property as a site requiring or qualifying for cleanup under any environmental law? If so, please describe:
- D. Do you know of or suspect any other process, activity, action or event occurring in, or about, adjacent or near to the Property that is presently, or with the passage of time may be, an environmental or health hazard? If so, please describe in detail, including, but not limited to, activity, action or event, when and where occurred or occurring, source or cause