

How to find out more . . .

The information contained in this brochure is not meant to be all-inclusive and is intended only as an introduction to the environmental hazards which may affect residential real estate. Environmental hazards other than those listed may exist, and other hazards may be identified in the future. This information is presented for informational purposes only, with the understanding that the publisher is not engaged in offering legal or other professional advice. If legal or other professional advice is required, the services of skilled professionals should be obtained.

Buyers who need more information about the environmental condition of a residential property should contact their local Board or Association of REALTORS® or visit the Information Desk at the Arizona Department of Environmental Quality, to purchase a Real Estate Information Packet.

AZ Dept. of Environmental Quality

1110 W. Washington St.
Phoenix, Arizona 85007

Information Center602-771-2300
Superfund Hotline602-771-4360
General Information602-771-4300
Asbestos Hotline602-771-2301

US Environmental Protection Agency

75 Hawthorne Street
San Francisco, California 95105
Region 9 (San Francisco)415-947-8000

AZ Radiation Regulatory Agency

4814 South 40th Street
Phoenix, Arizona 85040
www.arra.state.az.us
Radon Questions.....602-255-4845

National Lead Information Center

English and Spanish.....800-424-LEAD (424-5323)



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Take a look at your environment



AN ENVIRONMENTAL REAL ESTATE CONSUMER GUIDE



ARIZONA ASSOCIATION OF REALTORS®
The Voice for Real Estate® in Arizona

The issue

Our environment today consists of state-of-the-art inventions and innovations such as computers, microwaves, fax machines, hair dryers, linoleum, and pressed wood products. Lead solder is used in residential water supply lines, electric blankets cover our beds, gasoline fuels our cars, energy is carried through transformer lines to power stations to our homes, and we send our clothes to the dry cleaners. These wonderful modern conveniences have become necessities rather than luxuries.

Do these conveniences pose a health risk?

Let's look . . .

As technology was advancing by mega-leaps, our tracking of health effects was slow and tedious. Not until the late '70s and early '80s did we begin to realize the impact our industrial society was having on our environment, including our air and water.

Pesticides, DDT, asbestos, and automobile exhaust foul our air and our land. Our appliances emit a small to large magnetic field when operating. Our modern conveniences have shown to pose possible health risks. This brochure is an attempt to help you, the consumer, to identify potential health risks and to determine what type of environment you and your family will live in.

BUT — DON'T PANIC!

Just because a specific area may have been identified as having a potentially hazardous condition doesn't mean there is great danger. It is possible that the condition is perceptual in nature rather than scientifically identified as hazardous to one's health.



What to look for

Definitions of potentially "hazardous conditions" or environmental "buzz" words follow:

Air Pollution

can be a gaseous or solid substance found in the air such as dust, bacteria, mold, pollen, and chemicals. Long-term inhalation can produce moderate to severe health effects.

Asbestos

a fibrous material used in flooring, walls, exterior shingles, ceiling tiles for insulation and as a fire retardant. When disturbed, particles become airborne and can be inhaled. The negative health effects may include cancer.

Benzene

a highly volatile component of gasoline, generally inhaled when gasoline is open to the air. Prolonged exposure is known to cause cancer.

CERCLA

The Comprehensive Environmental Response, Compensation and Liability Act of 1980 (CERCLA) commonly known as **Superfund**, is administered by the US Environmental Protection Agency (EPA). **Superfund** laws and funding allow response to releases of hazardous substances and provide for cleanup by either the responsible parties or the **Superfund** if no responsible parties are identified. Priorities for cleanup are established by the National Priorities List (NPL).

EMF

Electric and Magnetic Fields are found in the vicinity of transmission lines (power lines), domestic appliances such as hair dryers, electric blankets, toasters, blenders, and food processors. Some studies suggest that EMFs can produce adverse health effects when humans are in close proximity to the field for extended periods of time.

Environmental Site Assessment

Level/Phase One:

A record analysis including a review of the property's chain of title for property uses, including the use or storage of hazardous substances or petroleum. Also includes a visual inspection of the property.

Level/Phase Two:

Observations and tests made by a qualified environmental consultant (identification and collection of samples based on prior use or obvious indicators from phase one).

Level/Phase Three:

Cleanup and mitigation by professionals (engineers, environmental professional testing companies) when hazardous conditions are discovered. Authorities need to be notified at this phase.

Formaldehyde

a colorless, gaseous chemical compound used in pressed wood products (i.e., furniture, cabinets, etc.), home insulation, glue, resins, and bonding agents which can cause severe allergic reactions.

Hazardous Substances

any element, compound, mixture, solution or substance which, when released to the environment, may present a substantial danger to the public health, welfare or the environment.

Lead

a metal used in paint, as a pipe solder, stained glass window joint solder, found in automobile exhaust. Fetuses and young children may suffer impaired mental and physical development if lead is ingested or auto exhaust inhaled, even at low levels.

Mold

a fuzzy, cobweblike growth produced on organic matter by several types of fungi. Molds thrive on a great many organic substances and, provided with sufficient moisture, they rapidly disintegrate wood, paper, and leather. Some individuals may experience health problems related to mold exposure.

Noise

being in the take-off or landing pattern of an airport, in close proximity to a freeway, near a warehouse or commercial enterprise, close to a school or being near a hotel or fire station, may preclude "quiet enjoyment" of your home.

NPL Site

National Priorities List (NPL) Site, also known as Federal **Superfund** site. Boundaries encompass any area where hazardous substances are located and can shift or expand over time. NPL sites are not precise boundaries of contamination.

PCB

a poisonous industrial chemical used in electrical equipment, such as transformers and capacitors, and which is suspected of causing cancer.

Pesticides

chemicals used to kill animal and plant pests. Many of these chemicals have the potential to affect human health if swallowed, inhaled, or allowed to contact the skin for even short periods of time. Some chemicals, such as DDT, will persist in the soil for many years.

Radon

a naturally occurring, odorless, tasteless radioactive gas from earth and rock which can penetrate dwellings through cracks in the foundation and may cause cancer after long periods of inhalation.

Septic Tanks

or alternative waste disposal systems found in locations where no sewer system is available. Seepage of discharge into the groundwater ultimately may reach the public and may cause severe health problems.

Superfund

(See CERCLA)

UST

underground storage tanks which can corrode, causing the tank's contents to leak and contaminate the surrounding soil and groundwater. Fuel oil tanks used to heat homes or swimming pools, as well as gas tanks, when found to leak, can require treatment of contaminated soil by costly removal.

WQARF

the Water Quality Assurance Revolving Fund (WQARF — pronounced *wharf*) is Arizona's version of the Federal **Superfund** and is often referred to as the State **Superfund**.

WQARF Study Area

defined geographical regions in Arizona where releases of hazardous substances have caused groundwater contamination. WQARF is used to identify the source and extent of contamination, as well as the parties responsible for the releases. WQARF Study Areas are not precise boundaries of contamination.

What can you do about it?

(Minimize Your Risk)

How do we minimize future liability as well as our health risks when purchasing property?

Buyers should make all reasonable investigations regarding the environmental condition of the property prior to purchase.



Checklist for Consumers

- ✓ Request a property disclosure statement from a Seller/Landlord/Agent. This should include any facts which would be material to the sale, such as property condition and use, both past and present.

- ✓ Request a detailed statement of intended use of the property from your tenant.

- ✓ Request a property inspection by a qualified individual on any property purchase. If you are purchasing a property over 10 years of age, you may want special environmental inspections done to determine if there is an existence of asbestos, formaldehyde, leaking underground storage tanks or lead-based paint, especially if you intend to do remodeling. Tests for radon in certain areas are also recommended.

- ✓ Determine whether or not the property is located in a **Superfund** (WQARF or CERCLA) area.

- ✓ Check with the Arizona Department of Environmental Quality (ADEQ) to find out about any new, specially designated problem sites.

- ✓ Take time to be diligent prior to acquiring the property. It's incumbent upon a buyer to learn about these potential problems in order to be completely comfortable about the property before buying it.

Material disclosures:

Any known information which may affect the consideration to be paid for the property and is material to the sale must be disclosed to the buyer. Environmentally hazardous conditions are material and must be disclosed.

Homeowners not liable

It is important to remember that homeowners who have not caused or contributed to *Superfund* contamination are not liable for any of the costs of cleaning up a Superfund site. Both federal and state law¹ and federal and state policy protect innocent homeowners from this liability. In addition, in the entire history of *Superfund* neither the EPA nor the Arizona Department of Environmental Quality has ever held an innocent homeowner liable for *Superfund* clean-up costs.

¹42 U.S.C. 9607(b)
A.R.S. 49-283.E.