

## SRPC EPA BROWNFIELDS ASSESSMENT PROGRAM

# FREQUENTLY ASKED QUESTIONS

**Q: What is SRPC's Brownfields Assessment Program?**

A: SRPC has received two separate \$200,000 grant awards from EPA to establish and maintain a Brownfields Assessment Program. The goal of the program is to work with member communities on the identification, assessment, and redevelopment of vacant or underutilized properties. **There is no cost to property owners to participate in the assessment program.**

**Q. What is a brownfield?**

A. The Environmental Protection Agency (EPA) defines a brownfield as "real property, where the expansion, redevelopment, or reuse of which may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant". It is estimated there are more than 450,000 brownfields in the U.S.

**Q. How many brownfield properties are there in the SRPC Region?**

A. It is difficult to determine the exact number of brownfield sites in the region; however, the number is expected to be over 100. SRPC is currently in the process of developing an inventory of potential brownfields sites in the brownfields region (Strafford County).

**Q. What are examples of Brownfields in our community?**

A. Brownfields are often abandoned, closed, or under-used industrial or commercial properties. They can also be former schools, hospitals, multi-family residential properties, former gas stations, dry cleaners, warehouses, commercial properties, car dealerships, etc. Single family residential properties are generally not considered brownfields.

**Q: What is an eligible site?**

A: Generally, sites that have a real or perceived environmental concern are eligible to participate in the Brownfields Program. Public and private property may be eligible. There are some restrictions, however. SRPC works with its Qualified Environmental Professional (QEP), Credere Associates, NHDES, EPA, and the SRPC's Brownfields Advisory Committee to confirm eligibility and select sites for assessment.

**Q: How can I enroll a site in the SRPC Brownfields program?**

A: If you are interested in participating in the SRPC Brownfields program, please contact SRPC to discuss the property. The property owner, buyer, or community must complete, sign, and submit a site nomination form to SRPC. The form is available on the SRPC website (<http://strafford.org/econdev/brownfields.php>). After reviewing the nomination form and talking with the applicant, SRPC will submit an eligibility determination form to EPA for approval. Once approved, SRPC will contact the applicant to schedule a site visit. **Please note that a willingness to participate form and an access agreement must be signed by the current owner of the property in order to participate in the Brownfields Assessment Program. These will be available through SRPC after the Site Nomination process is complete.**

**Q: What are the brownfields assessment processes covered by the project?**

A: The brownfields assessment process follows the general environmental due diligence process for commercial real estate transactions. There are some additional programmatic requirements that need to be followed. These consist of the following tasks:

**1. Site Nomination and Eligibility Determination**

For a site to be considered for participation in the Brownfields Assessment Program, a Site Nomination Form must be submitted to SRPC. The Site Nomination Form provides basic information regarding the

current status of the site, a history of past environmental studies, if any have occurred, and information regarding possible redevelopment plans. Sites selected for assessment during this grant period are dependent upon a set of criteria created by the SRPC Brownfields Advisory Committee. The only criterion that must be fulfilled is the willing participation of the property owner in the program. For sites with perceived or actual petroleum contamination (e.g., gas stations), in order to be eligible, the current and immediate past owner may not be the responsible party for petroleum contamination, or the operation must be determined to be financially non-viable.

## **2. Phase I Environmental Site Assessment**

The purpose of the Phase I Environmental Site Assessment (ESA) is to determine the likelihood that some form of environmental contamination is present at the site. EPA rules for "All Appropriate Inquiry" require an environmental professional complete a thorough site investigation including a visual site assessment; interview with past and present owners and occupants; a search for any environmental liens; a review of historical documents; a search of federal, state, and local databases regarding contamination at or near the site; and a number of other investigations. Completion of a Phase I ESA affords a prospective purchaser, innocent landowner, or contiguous property owner protection from future liability for contamination that is currently present at the site. Findings in a Phase I ESA report will determine whether or not further site investigation is warranted.

## **3. Site-Specific Quality Assurance Project Plan (SSQAPP)**

If a Phase II ESA is to be completed on a property to confirm or dismiss any identified RECs (Recognized Environmental Conditions) or other environmental findings, a Site Specific Quality Assurance Project Plan (SSQAPP) (i.e., environmental work plan) is developed that will identify the types of explorations, number of samples, and methods to be used to meet the ESA's objectives. This is equivalent to a proposal in a private industry setting. However, it is prepared in a format consistent with the QEP's EPA and NHDES approved Generic Quality Assurance Plan (QAPP). A QAPP specifies Standard Operating Procedures for both field sample collection and laboratory analyses; Data Quality Objectives (DQO); analytical sensitivity; quality assurance/control and corrective measures; and standardized report formats. The QAPP has been vetted and approved by the EPA and NHDES for all work on brownfield sites. The SSQAPP, which is tailored to each site, is also reviewed and approved by the EPA and the NHDES prior to beginning any Phase II ESA field work.

## **4. Phase II Environmental Site Assessment**

Once the SSQAPP is approved by EPA and NHDES, Phase II ESA field work can begin. A Phase II ESA typically includes a more thorough review of conditions at the site by:

- Performing soil borings or test pits and collecting soil samples
- Installing groundwater monitoring wells and collecting groundwater samples from each well
- Analyzing all soil and groundwater samples for the presence of contaminants
- Assessing the presence of hazardous building materials (asbestos, lead, PCBs, etc.)

Phase II investigations allow for a more comprehensive report of what contaminants are present on the property and how much of the contaminant is present. Reports that note levels of contaminants above the state standard likely will contain a recommendation for a Phase III Investigation and/or Remedial Action Plan.

## **5. Phase III Site Investigation (i.e., Additional Characterization) and Remedial Action Planning**

A Phase III Investigation and Remedial Action Plan is typically the final stage of a Brownfields Assessment Program. Phase III investigations may consist of the additional collection of soil and groundwater samples and continued investigation of any anomalies discovered during the Phase II investigation; further assessment of the extent and quantity of hazardous building materials; hazardous waste disposal characterization; soil samples for disposal facility pre-acceptance, etc.

The Remedial Action Planning consists of the preparation of an Analysis of Brownfields Cleanup Alternatives (ABCA), which weighs the feasibility, practicality, cost, and benefits to human health and the environment for at least three cleanup alternatives, recommends a proposed Remedial Action Plan based on the evaluated alternatives, and provides any additional supporting documents.

Completion of a Phase III/ABCA/Remedial Action Plan triggers on-site cleanup efforts. Parties that have been found not liable for contamination can receive a covenant from the EPA or NHDES. This covenant is valid under certain conditions including reasonable steps that current owners/purchasers of the property must take in order to stop the current release of the contamination, prevent any further releases, and prevent or limit human, environmental, or natural resource exposure to any hazardous substance released on or from the property. These are typical goals of a Remedial Action Plan.

#### **6. Environmental Clean-up and Site Redevelopment (not covered by Assessment Grant)**

There are a number of low-interest rate revolving loans available for clean-ups. Eligibility for those loans varies. It is important for prospective purchasers and current property owners, who may be held liable for contamination, to determine their eligibility for these loans prior to determining their participation in the Brownfields Assessment Program. Some grant funds are available for clean-up but such funds are highly competitive. SRPC cannot currently provide grant funds for site clean-up or redevelopment but we are able to provide information that will assist a property owner or prospective purchaser in finding organizations that provide clean-up assistance funds.

For more information, please contact:  
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