

NRPC EPA Brownfields Assessment Program FAQs

Q: What is NRPC's Brownfields Assessment Program?

In partnership with the EPA, NRPC works to identify, assess and characterize known or potential sites contaminated with hazardous substances or petroleum. 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?

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

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

It is difficult to determine the exact number of brownfield sites in the region; however, the number is expected to be over 100. NRPC is currently in the process of developing an [Environmental Site Inventory](#) of potential brownfields sites in the Commissions' region of 13 municipalities.

Q. What are examples of a brownfield site in our community?

Brownfield sites are often abandoned, vacant, or under-used industrial or commercial properties. They can also be former schools, hospitals, multi-family residential properties, gas stations, dry cleaners, warehouses, or car dealerships. Single family residential properties are generally not considered brownfield properties.

Q: What sites are eligible for the Brownfields Assessment Program?

Generally, sites that have a real or perceived environmental concern are eligible to participate. Public or private property may be eligible. The NRPC Brownfields Advisory Committee works with its Qualified Environmental Professional (QEP) [Credere Associates](#), and the [New Hampshire Department of Environmental Services \(NHDES\)](#) and EPA regulatory agencies to confirm eligibility according to [EPA criteria](#).

Q. Where in the Region has NRPC conducted brownfields assessments?

Since 2004 NRPC has been the recipient of four separate EPA Brownfields Cooperative Agreements which have enabled us to conduct work on many sites in the region, including Hudson, Merrimack, Milford, Nashua, and Wilton. Visit our [Brownfields Assessments Project Portfolio](#) for specifics on each project.

Q: How can I enroll a site in the Brownfields Assessment Program?

If you are interested in participating in the NRPC Brownfields Assessment Program, the property owner, buyer, or representative must submit a [Site Nomination form](#) to NRPC. Upon acceptance of the nomination form and discussion with the applicant, NRPC will request eligibility determination from the EPA for approval. If approved, the NRPC will contact the applicant to schedule a site visit. **An access agreement must also be signed by the current owner of the property after the site nomination process is complete.**

Q: What processes are covered by the Brownfields Assessment Program?

The Program adheres to environmental due diligence procedures utilized for commercial real estate transactions. There are also additional programmatic requirements that are required. The Brownfields Assessment Program covers the following tasks:

1. **Site Nomination and Eligibility Determination**
For a site to be considered for the Program, a [Site Nomination Form](#) must be submitted to the NRPC. The form provides information regarding the current site status, past environmental studies, if any, and possible redevelopment plans. Sites selected for assessment are dependent upon criteria created by the NRPC Brownfields Advisory Committee. The most significant criterion is the willing participation of the property owner. Also, for sites with perceived or actual petroleum contamination (e.g. gas stations) to be eligible, the current and immediate past owner cannot be the responsible party, unless the operation is determined to be financially non-viable.
2. **Phase I Environmental Site Assessment**
The purpose of the Phase I Environmental Site Assessment (ESA) is to identify recognized environmental conditions (RECs) which include the presence or likely presence of any hazardous substances or petroleum products at the property. EPA's "All Appropriate Inquiry" requires an environmental professional complete a thorough site review regarding previous owners and uses of the property. The assessment at a minimum includes; A records review of federal, state, and local databases, and research of the physical settings such as topographic and geological maps and aerial photographs; Site reconnaissance including a site-walk of the property and observation of the vicinity; and Interviews with past and present owners and occupants, and state and/or local government officials, if able. Completion of a Phase I ESA affords a prospective purchaser, innocent landowner, or contiguous property owner, protection of future liability for contamination that is currently present at the site.
3. **Site-Specific Quality Assurance Project Plan**
If a Phase II ESA is recommended for a property to confirm or dismiss identified RECs during Phase I, a Site-Specific Quality Assurance Project Plan (SSQAPP) is developed that will detail the types of explorations, number of samples, and methods to be used to meet the ESA's objectives. The SSQAPP is equivalent to an environmental work plan and is prepared in a format approved by the EPA and NHDES. The SSQAPP also specifies Standard Operating Procedures for sample collection, laboratory analytical methods and Data Quality Objectives. Each SSQAPP is reviewed and approved by the EPA and the NHDES prior to beginning any Phase II ESA field work.
4. **Phase II Environmental Site Assessment**
Phase II ESA investigations are initiated once the SSQAPP is approved. A Phase II ESA is a more comprehensive review of site conditions and will potentially involve the following:
 - a. Conducting soil borings or test pits with the collection and analysis of soil samples
 - b. Installation of groundwater monitoring wells with the collection and analysis of groundwater samples
 - c. Assessing the presence or absence of hazardous building materials (asbestos, lead, PCBs, etc.)

If detected contaminants of concern exceed regulatory safety levels, a Phase III Investigation and/or Remedial Action Plan will typically be recommended.

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

Phase III Investigations and Remedial Action Plans are typically the final stage of a Brownfields Assessment Program. Phase III investigations may consist of additional collection of soil and groundwater samples, further assessment of hazardous building materials, and waste disposal characterization.

Remedial Action Planning will include an Analysis of Brownfields Cleanup Alternatives (ABCA), which weighs the feasibility, practicality, cost, and benefits to human health and the environment among at least three cleanup alternatives, and a proposed Remedial Action Plan based on the evaluated alternatives. Completion of a Phase III/ABCA/Remedial Action Plan will initiate on-site cleanup efforts. Any parties that have been found not liable for contamination can receive a covenant from the EPA or NHDES.

Q. What is NOT covered by the program?

Environmental clean-up and site redevelopment is not covered by this program. There are low-interest rate revolving loans available for property remediation based on eligibility. 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 participation in the Brownfields Assessment Program.