

Brownfields: Properties with Character and Environmental Due Diligence

Massachusetts Land Trust
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MassDEP

Commonwealth of Massachusetts
Department of Environmental Protection

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Collaboration & Teamwork

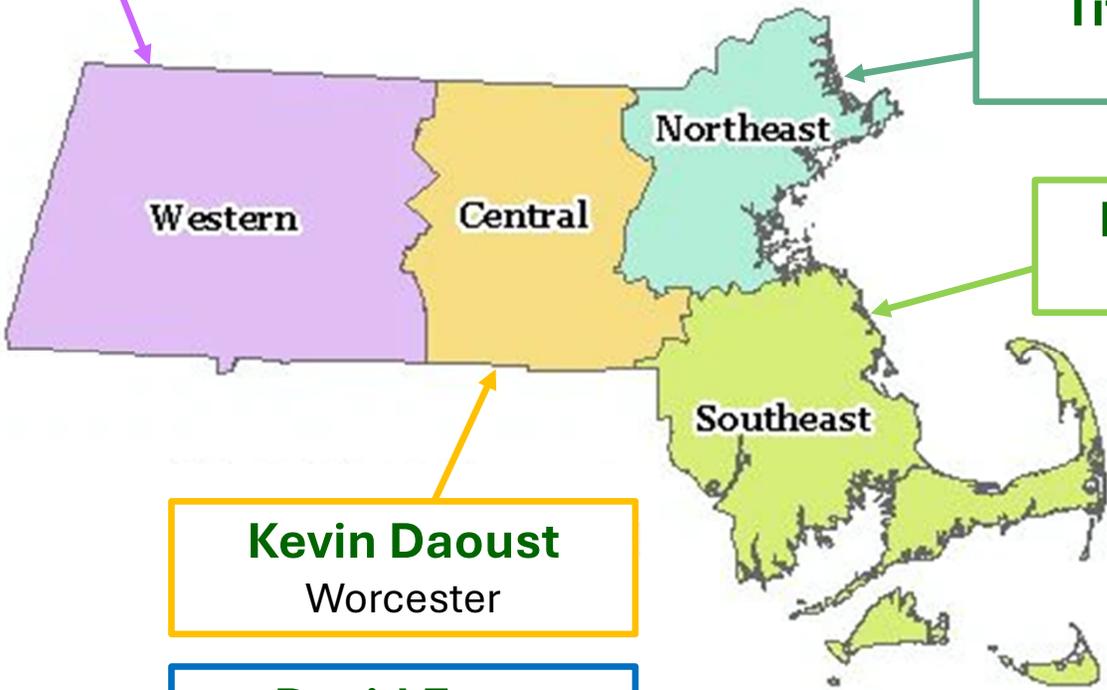
Caprice Shaw
Springfield

Tiffany Duhl
Woburn

Kait Carvalho
Lakeville

Kevin Daoust
Worcester

David Foss
Statewide



Mass DEP Programs



Bureau of Water Resources

- Drinking water
- Wastewater
- Wetlands
- Watershed Planning & Protection



Bureau of Air and Waste

- Clean Air
- Hazardous Waste regulation
- Solid Waste



Bureau of Waste Site Cleanup

- Emergency Response
- Audits
- Brownfields**
- Site Management



MassDEP



Stuff Happens!



MassDEP



4,500 Gallon Petroleum Spill

<https://www.lohud.com/story/news/local/westchester/north-salem/2019/02/19/tractor-trailer-overturms-route-116-north-salem/2913249002/>

What is a Brownfields?

EPA Definition

Real property, the expansion, redevelopment, or reuse of which may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant.

Common Examples

Vacant or underutilized:

- Commercial / industrial buildings
- Former commercial / industrial sites
- Gas / service stations
- Agricultural sites
- Public / institutional facilities
- Rail yards / rail corridors

Contamination
may not be confirmed!



Brownfields: Different Shapes & Sizes



Lancaster MA
Former Elementary School
Objective: **Workforce Housing**

Montague MA
(Turners Falls)
Previously residential
Historic urban fill
Objective: **Affordable Housing**



Dorchester MA
Vacant Lot
Objective: **Community Garden**



ASTM Phase I Environmental Site Assessment

- Conduct environmental due diligence prior to acquisition of property; less than 180 days before acquisition
- Evaluate the property's environmental conditions and assesses potential liability for contamination

RECs: Recognized Environmental Conditions

- Satisfy EPA's "All Appropriate Inquiries" standard



[AAI Final Rule – EPA Fact Sheet](#)



Pre-purchase due diligence

M.G.L. Chapter 21E Brownfields Liability Relief

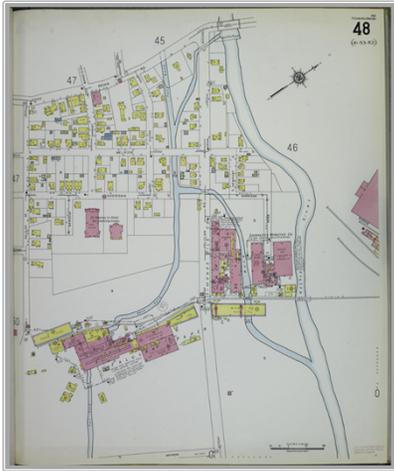
The Brownfields Act (2002) established statutory liability relief for certain parties undertaking brownfields projects.

- Eligible Person
 - “Eligible” Owners & Operators
 - Downgradient Property Owners
 - Tenants
 - Redevelopment Authorities & CDCs
 - Secured Lenders



Relief After Meeting Cleanup
Standards
No Significant Risk
After Permanent Solution or ROS





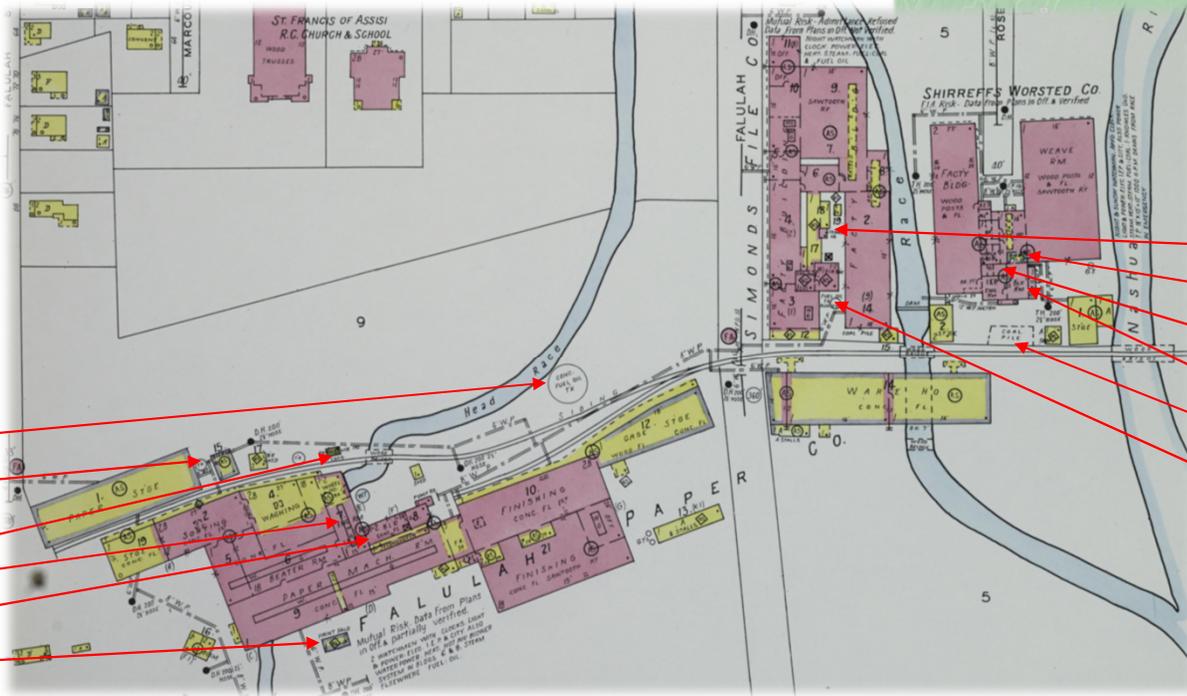
1936 - Sanborn Map Fitchburg (MA)



Falulah Paper

Waterpower
Hot air blower system
Steam 'elsewhere'
Heat Fuel Oil

- Large Concrete Fuel Oil Tank
- Unlabeled tanks (x2)
- Transformer House
- Engine Room
- Boiler Room
- Paint Shed



Shirreffs Worsted

Heat: Steam
Fuel: Coal & Fuel Oil

- Transformer House
- Dye House
- Engine Room (x2)
- Boiler Room (x2)
- Coal Pile (x2)
- Fuel Oil Tank (buried)

Example RECs: Recognized Environmental Conditions



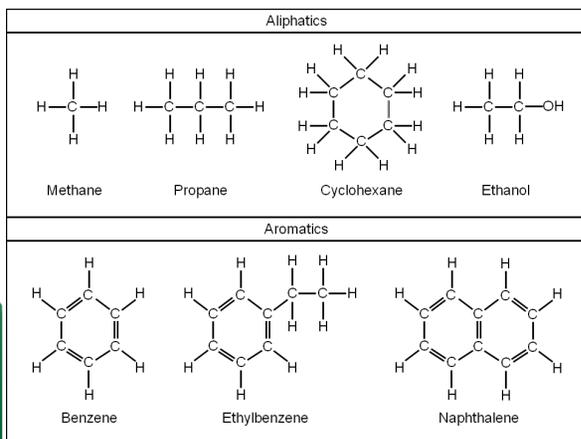
Petroleum

- No.2 Heating Oil
- No. 6 Oil
- Bunker C
- Gasoline
- Diesel
- Motor Oil

ASTs



USTs



Contaminants: Organic Compounds

VOCs

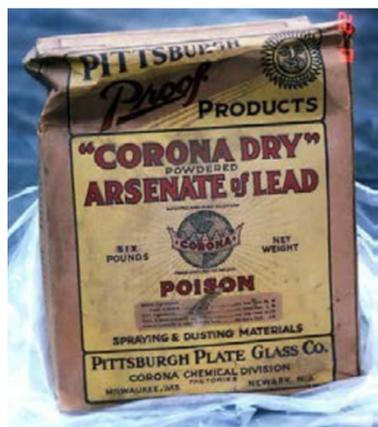


PAHs

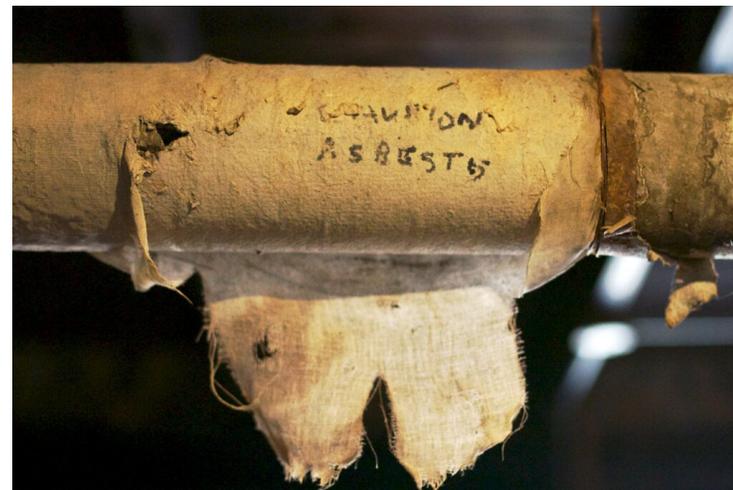


Contaminants: Metals

Arsenic



Lead



Asbestos



Mercury



Mass.gov Search Mass.gov SEARCH

MassDEP OFFERED BY Massachusetts Department of Environmental Protection

Brownfields Program

Promoting the assessment, cleanup, and redevelopment of underutilized and contaminated properties.



About Brownfields

"Brownfield" properties are frequently underused or abandoned due to historic industrial or commercial use, documented contamination, or the perception of potential contamination. Some brownfields properties have been reported to MassDEP because of known contamination, while others may not have been assessed and the extent of potential contamination remains unknown.

Background <ul style="list-style-type: none"> Intro to Brownfields Brownfields Act Summary Brownfields Roundtables 	Lookup/Search <ul style="list-style-type: none"> Find Site Cleanup Professionals (LSPs) Search Sites & Reportable Releases Statewide List of Brownfields in Massachusetts (XLS) 	Brownfields Contacts <p>David Foss, david.foss@mass.gov Statewide Brownfields Coordinator</p> <p>Regional Brownfields Contacts</p>
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Brownfields Program:

<https://www.mass.gov/brownfields-program>

Link to Brownfields Assistance Request Form

<https://www.mass.gov/info-details/brownfield-resources>

Assistance Request Form



Massachusetts Department of Environmental Protection
Bureau of Waste Site Cleanup

REQUEST FOR BROWNFIELDS ASSISTANCE

Brownfields are abandoned or underutilized properties where redevelopment or reuse is complicated by the presence of real or perceived environmental contamination in environmental media (e.g. soil or groundwater). With the support of US EPA funding, the MassDEP Brownfields Program is making resources available to conduct brownfields assessments on behalf of municipalities and other eligible entities. All applicants must meet EPA eligibility for brownfields funding under CERCLA 104(k).

To determine eligibility, please complete the following form and if necessary, attach additional pages. MassDEP will review requests on an on-going basis while funding is available.

I. Requestor Information

Name: _____
 Street Address: _____
 City/Town: _____ State: _____ Zip Code: _____
 Primary Contact: _____ Title: _____
 Telephone No.: _____ E-mail: _____

Check all that apply:

Prospective Purchaser Current Mortgage Holder
 Current Owner Current tenant, lessee, or licensee
 Municipality with tax lien Other, describe: _____

Does applicant have permission to access the property and grant access to others?
 Yes No

II. Property Description – Brownfield Site

Property/Site Name: _____
 Former Business Name (if applicable): _____
 MassDEP Release Tracking No. (RTN): _____
 Street Address (Brownfield site): _____
 City/Town: _____ Assessor's Parcel ID: _____
 Tax Map / Lot No.: _____
 Approximate Property Acreage (attach site map, if available): _____

Is the property in a community with Environmental Justice criteria: Yes No
 Link: MassMapper [EJ Map](#)

Property Owner (if not currently owned by applicant)

Name: _____
 Street Address: _____
 City/Town: _____ State: _____ Zip Code: _____
 Telephone No.: _____ E-mail: _____

III. Property Information (Attach supporting information, if necessary)

Property History:

Past Ownership:

Current Use(s):

Yes No Are there any buildings or structures on the property? If yes, describe:

Yes No Are any previous Environmental Assessment reports available?
 If yes, please attach an executive summary or copy of findings and conclusions.
 Yes No Unknown If the property is an MCP disposal site, is there documentation of regulatory compliance and enforcement (e.g. a Notice of Noncompliance (NON)):

Types of contaminants found (if known, check all that apply):

Petroleum products PCBs (Polychlorinated Biphenyls)
 Asbestos Lead
 Volatile Organic Compounds Other metals _____
 Polycyclic Aromatic Hydrocarbons
 Other _____

Media affected (if known, check all that apply):

Soil Drinking Water
 Air Sediments
 Surface Water Unknown
 Groundwater

IV. Assistance Requested

Describe the scope of the assistance being requested:

ASTM Phase I Environmental Site Assessment
 Hazardous Building Material Survey
 ASTM Phase II Environmental Site Assessment (Limited sampling)
 MCP Phase II (Comprehensive Site Assess) / Phase III (Remedial Action Plan)
 Cleanup Planning and/or Reuse Planning
 Community Outreach
 Other _____

Describe proposed redevelopment or reuse plans for the property:

Briefly describe any public interest and/or community involvement in site reuse planning to date:

Yes No Has the applicant previously applied for and/or received Brownfields funding for the assessment of this property?
 If yes, please explain type of funding, date(s) applied, and if funding was awarded:

Via electronic mail, send the completed **Request for Brownfields Assistance** form to:
 David Foss, Statewide Brownfields Coordinator David.Foss@mass.gov

TO BE COMPLETED BY MassDEP

Funding Source	Owner
CWAG-ST 104k	Private
BIL 128a	Public

Reviewed by:

Statewide Coord.	DEP Region
Division Director	Reg. Coordinator
	BWSC DRD

QA/P Needed Yes / No **RCA to TFS**

Brownfields Funding

CWAG-ST Assessment

\$2,000,000 thru 2029

128a BIL Assess. or Cleanup

≈ \$4,000,000 thru 2027

- ★ Assessment Site
- ★ Cleanup Site
- 🏠 Supporting Planned Housing

Non-Profit
Housing Developer

