

METROHARTFORD BROWNFIELDS ASSESSMENT PROGRAM INFORMATION NEEDED TO DETERMINE SITE ELIGIBILITY

A. BACKGROUND INFORMATION

1. Municipal Official Completing Form:

Name:	Phone #:
Title:	Email:
Signature:	Date: <i>Today's date.</i>

2. Property & Site Information:

Property Name:	Acreage of Site:
Property Address:	Work to be done: <input type="checkbox"/> Phase I <input type="checkbox"/> Phase II <input type="checkbox"/> Phase III <input type="checkbox"/> Other
Current owner of the property: Current Owner's Address: Classification of Owner (i.e., corporation, trust, individual, municipality):	Explain Other:
Have prior EPA grant funds been awarded to this site? <input type="checkbox"/> Yes <input type="checkbox"/> No	If YES, what dollar amount was awarded previously? Acres Property ID Click or tap here to enter text.

B. INFORMATION REQUIRED FOR ELIGIBILITY DETERMINATION

1. Does the site meet the EPA definition of a Brownfields (*a real property, the expansion, redevelopment or reuse of which is complicated by the presence or potential presence of hazardous substances, pollutants or contaminants*)? Yes No

2. Type of contamination present: Hazardous Substances Petroleum Co-Mingled
(*If the site has both hazardous substances and incidental petroleum contamination, check the "co-mingled" box. If the site has hazardous substances and distinguishable petroleum contamination, check both Hazardous and petroleum boxes. Approval from both the State DEEP and EPA will be required.*)

3. Describe the operational history and current uses(s) of the site, including date of acquisition

by current and immediate past owner. Please attach deed for current and immediate past owner:

[Click or tap here to enter text.](#)

4. Describe the environmental concerns at the site, including when and how the site became contaminated and, to the extent possible, the nature and extent of the contamination. If the environmental concerns are unknown, or if the land has been vacant for many years, why do you think it is contaminated?

[Click or tap here to enter text.](#)

5. Are there any known ongoing or anticipated environmental enforcement or other actions (at the federal, state or local level) related to the site? Yes No

If yes, please explain and provide any known information regarding the responsibility of any party for contamination or hazardous substances at the site:

[Click or tap here to enter text.](#)

6. Describe the proposed redevelopment or reuse of the property and how it will benefit the community and its residents. Include information on any anticipated jobs or business creation, affordable housing units, historic preservation, blight remediation, quality of life, and/or environmental benefits.

[Click or tap here to enter text.](#)

7. Would the site be subject to the provisions of the Connecticut Transfer Act (i.e., generated hazardous waste or operated as a dry cleaner, auto body shop, or furniture stripping facility)? *(Note: See CTDEEP web site for more information on the [Connecticut Transfer Act](#). If a Phase I ESA has not been prepared, and the status of the site under the CT Transfer Act is unknown, please state this.)*

[Click or tap here to enter text.](#)

C. SITES NOT ELIGIBLE FOR FUNDING

Please answer the following questions to the best of your knowledge:

1. Is your facility listed (or proposed for listing) on the [National Priorities List](#)?
 Yes No
2. Is your facility subject to unilateral administrative orders, court orders, administrative orders on consent, or judicial consent decrees issued to or entered into by parties under CERCLA?
 Yes No

3. Is the property subject to the jurisdiction, custody, or control the US government? (Land held in trust by the US government for an Indian tribe is eligible.)
 Yes No

*Note: If you answered YES to any of the above (C.1-3), your property is **not** eligible.*

D. SITES NOT ELIGIBLE FOR FUNDING WITHOUT A PROPERTY SPECIFIC DETERMINATION:

Certain properties cannot be approved without a “Property Specific Determination”. Please answer the following questions to the best of your knowledge:

1. Is your site/facility subject to a planned or **ongoing** CERCLA removal action?
 Yes No
2. Has your site/facility been issued or entered into a unilateral administrative order, a court order, an administrative order on consent, or a judicial decree or to which a permit by the U.S. or an authorized state under the Solid Waste Disposal Act (as amended by the Resource Conservation and Recovery Act (RCRA)), the Federal Water Pollution Control Act (FWPCA), the Toxic Substances Control Act (TSCA), or the Safe Drinking Water Act (SDWA)? Yes No
3. Is your site/facility subject to corrective action orders under RCRA (sections 3004(u) or 3008(h))? Yes No
4. Is your site/facility a land disposal unit that has submitted a RCRA closure notification under subtitle C of RCRA or is subject to closure requirements specified in a closure plan or permit? Yes No
5. Has your site/facility had a release of polychlorinated biphenyls (PCBs) that is subject to remediation under TSCA? Yes No
6. Has your site/facility received funding for remediation from the Leaking Underground Storage Tank (LUST) Trust Fund? Yes No

Note: If you answered YES to any of the above (D.1-6), additional guidance from CRCOG’s EPA Project Officer will be necessary to prepare a property specific determination. CRCOG will seek guidance from EPA and contact you. Refer to Section 1.5 of the [Information on Sites Eligible for Brownfields Funding Under CERCLA 104\(k\)](#).

*** For petroleum sites, please proceed to Section F – PETROLEUM ONLY SITES ***

For sites with Hazardous Substances, please proceed to Section E (below)

E. PROPERTY OWNERSHIP ELIGIBILITY – HAZARDOUS SUBSTANCES

Information on Liability and Defense/Protections - Answer questions 1-3 if the municipal applicant for the MetroHartford Brownfields Program does NOT own the site:

1. Did the current property owner ever arrange for the disposal of hazardous substances at the site, or transport hazardous substances to the site? Yes No
2. Did the current property owner ever cause or contribute to any releases of hazardous substances at the site? Yes No
3. Describe the current property owner's relationship with the municipality (if the municipality is applying on behalf of another entity) and the owner's role in the work to be completed.
Click or tap here to enter text.

Information on Liability and Defense/Protections - Answer the following (questions 5-14) if the municipal applicant for the MetroHartford Brownfields Program OWNS the site or WILL OWN the site during the grant performance period.

4. How was the property acquired (or how will it be acquired)?
 - a. Negotiated purchase from a private individual
 - b. Purchase or transfer from another governmental unit
 - c. Tax Foreclosure
 - d. Eminent Domain
 - e. Abandonment
 - f. Seizure or other law enforcement action
 - g. Donation
 - h. Other (explain): Click or tap here to enter text.
5. The date the property was acquired (or the anticipated date when it will be acquired): Click or tap here to enter text.
6. The name and identity of the party from whom the property was (or will be) acquired?
Click or tap here to enter text.
7. Describe all familial, contractual, corporate or financial relationships or affiliations the municipality has or has had with all prior owners or operators of the property.
Click or tap here to enter text.
8. Did the disposal of all hazardous substances at the site occur before the municipality acquired

(or will acquire) the property? Yes No

9. Did the municipality ever arrange for the disposal of hazardous substances at the site, or transport hazardous substances to the site? Yes No

10. Did the municipality ever cause or contribute to any releases of hazardous substances at the site? Yes No

11. Did the municipality uphold their continuing obligations (*See Section III.B of the Enforcement Discretion Guidance Regarding Statutory Criteria for Those Who May Qualify as CERCLA Bona Fide Prospective Purchasers, Contiguous Property Owners, or Innocent Landowners ("Common Elements")*) after ownership, including exercising appropriate care and complying with any land use restrictions? Yes No

12. Did the municipality perform any environmental inquiry prior to the acquisition of the property (such as a Phase I Site Assessment)? Yes No

13. If a pre-purchase/acquisition inquiry was performed, describe the types and dates of the assessments performed, indicate on whose behalf the assessments were performed, and indicate whether the prospective owner performed the pre-purchase inquiry in accordance with EPA's All Appropriate Inquiries rule (or ASTM E1527-13, or its equivalent at the time of purchase). Also, provide the name and contact information for the firm(s) which conducted the assessment(s).

Click or tap here to enter text.

*** If you have completed Section E, please proceed to Section G – ACCESS ***

F. PROPERTY OWNERSHIP ELIGIBILITY – PETROLEUM ONLY SITES

These questions need only be answered for sites where petroleum is the only contamination that may be an issue.

Petroleum-only sites will be submitted to the state for eligibility determination. CRCOG will contact CT DEEP to obtain the information they require to determine site eligibility. Applicants may be asked to provide additional information to assist the DEEP's determination of eligibility. A copy of this application and DEEP determination will also be provided to the EPA. See Section 1.3.2 of the [Information on Sites Eligible for Brownfields Funding Under CERCLA 104\(k\)](#).

Examples of potential petroleum contaminants include cutting oils, transformer oils, #2 and #6

fuel oil, jet fuels, kerosene, diesel fuel, gasoline, motor and lubricating oils, animal and vegetable fats and oils (corn oil, olive oil, tallow, meat rendering, fish oil, etc.), fuel oil sludge, waste oil, paraffin wax, asphalt, tar, crude oil, naphtha, mineral spirits, refinery petroleum waste, high temperature heating oils (dowtherm, therminol, etc.), coal tar, and PCB transformer oil.

1. On what date and by what method did the current owner acquire the property (e.g., purchase, tax or mortgage foreclosure, donation, eminent domain, etc.)? Please attach a copy of the deed for acquisition of the property by the current owner.
Click or tap here to enter text.
2. Who was the immediate past owner of this site and classification of immediate past owner (i.e., corporation, trust, individual, municipality)? Please attach a copy of the deed for acquisition of the property by the immediate past owner.
Click or tap here to enter text.
3. Did the current and/or immediate past owner dispense or dispose of, or own the subject property during the dispensing or disposal of, any petroleum or petroleum products, or exacerbate existing petroleum contamination on the site? Yes No Unknown
If Yes, explain: Click or tap here to enter text.
4. If the answer to question F.3 is yes, did the responsible party take reasonable steps to address the petroleum contamination on site (i.e., stop on-going discharges, protect human health and the environment)? Yes No Explain: Click or tap here to enter text.
5. Additionally, if the answer to F.3. is YES, is the responsible party financially capable of assessing and cleaning up the site? YES NO
Explain: Click or tap here to enter text.

*Note: If question F.3 identified a responsible party who is liable for petroleum contamination at the site, and that party is financially viable to pay for assessment and cleanup costs, then the site is **not** eligible. If the identified responsible party took reasonable steps to address the petroleum contamination at the site, and/or is not financially viable to pay for the assessment and cleanup costs, then the site may still be eligible.*

6. Has any responsible party been identified for the site through, either:
 - a. A judgment rendered in a court of law or an administrative order that would require any person to assess, investigate, or cleanup the site: Yes No
 - b. An enforcement action by federal or state authorities against any party that would require any person to assess, investigate, or cleanup the site: Yes No

- c. A citizen suit, contribution action or other third-party claim brought against the current or immediate past owner, that would, if successful, require the assessment, investigation, or cleanup of the site: Yes No

7. Is the site subject to any RCRA orders issued under 9003(h) of the Solid Waste Disposal Act? Yes No

*Note: If the answer to any of the questions in F.6 or F.7 is yes, the site is **not** eligible. It is the grantee's responsibility to provide as much information as needed by the state to make the determination. It is not the responsibility of the state to do the research to determine liability or viability. If the applicant cannot provide CRCOG with enough information, there is a possibility the determination will be delayed.*

In addition, all petroleum sites need a written determination by CT DEEP consistent with guideline requirements to determine site eligibility. CRCOG will request this letter and provide a copy to EPA. DEEP will determine if the site is "relatively low risk" compared to other "petroleum-only" sites in the state. Answers to the following questions will assist the State in making this determination.

8. Is the site currently being cleaned up using LUST trust fund monies?
 Yes No
9. Is the site currently subject to a response under the Oil pollution Act (OPA)?
 Yes No

G. ACCESS

1. Does the municipality have access to this property? (either through direct ownership or an existing access agreement) Yes No
2. If the municipality currently does not have access, will the municipality be able to obtain access for CRCOG to this property? Yes No
3. Does the municipality intend to use the access provision of [CGS Section 22a-133dd](#)? Yes
 No

A signed access agreement allowing CRCOG's LEP to conduct the environmental investigation, obtained by the municipality, will be required prior to beginning any environmental site assessments or remedial action plans. A statement explaining that the municipality is exercising its right to access the site pursuant to CGS Section 22a-133dd may be used for this purpose if the municipality is not able to obtain a signed access agreement.

H. NATIONAL HISTORIC PRESERVATION ACT (NHPA) COMPLIANCE

Note: If you answer YES to any of the following questions, additional information may be required. CRCOG will contact you after consultation with the EPA.

1. Is your selected property (site) currently listed in the National Register of Historic Places and/or is it a designated National Landmark? Yes No
2. Is your selected property (site) eligible to be listed in the National Register of Historic Places? A searchable database of properties included on the National Register of Historic Places is available at <https://www.nps.gov/subjects/nationalregister/database-research.htm>.
 Yes No

To support your response, please provide any and all documentation from the federal government and/or State Historic preservation Officer (SHPO) (i.e., SHPO Determination Letter) which you may obtain independent of the Brownfields application process.

3. Is your selected property (site) part of a designated Historic District? Yes No
4. Will your project impact the viewshed of any adjacent or surrounding designated Historic District or registered historic structures? Yes No
5. Does your project have the potential to impact archeological resources? Yes No

I. OPPORTUNITY ZONE

1. Is the property in an Opportunity Zone? Yes No
For information on Opportunity Zones, see www.opportunityzones.hud.gov

J. OTHER SITE INFORMATION

General categories: Location factors, reuse factors (proposed benefits of reuse, including: affordable housing; economic development and job creation; and quality of life and health/environmental benefits. Take into account likelihood of proposed reuse's implementation within a reasonable timeframe); **alignment with community needs, alignment with EPA and CRCOG priorities, eligibility and feasibility factors, community support, other**

Location Factors:

1. What infrastructure (water service, sewer service, road network, other) currently exists at the site? [Click or tap here to enter text.](#)

2. Describe access to major transportation routes from the site (proximity to highway, major roadway, rail, transit).
3. Is the site located within ½ mile of a *CTfastrak* or *CTrail* – Hartford Line Station? If so, please name the station and provide the approximate distance of the site from the station.
4. Is the site located within a [primary or secondary Environmental Justice Area](#)?
 Yes No
 Information about environmental justice communities is available at <https://portal.ct.gov/DEEP/Environmental-Justice/Environmental-Justice-Communities>.
5. Is the site located within the Central Business District? Yes No
6. An Empowerment Zone/Enterprise Zone? Yes No

A list of Enterprise Zones is available at https://portal.ct.gov/DECD/Content/Business-Development/06_Tax_Incentives/Enterprise-Zones/Enterprise-Zone-targeted-investment-communities/Contact.

7. Is the site identified on [CRCOG's MetroHartford Targeted Brownfield Inventory Map](#)?
 Yes No

Environmental Factors:

8. Is the site located within a(an):

- b. Flood Plain? Yes No

Federal Emergency Management Agency Flood Zone maps are available at <https://www.fema.gov/flood-maps>.

- c. Aquifer Protection Zone? Yes No

An interactive map of aquifer protection zones in Connecticut is available at <https://ctdeep.maps.arcgis.com/apps/webappviewer/index.html?id=6b33fc05fcce4c5286fafae1b2cccbfb>.

- d. Natural Diversity Database Areas: Is the site located within an area included in Connecticut's Natural Diversity Database?

Information on the Natural Diversity Database is available at <https://portal.ct.gov/DEEP/Endangered-Species/Natural-Diversity-Data-Base-Maps>.

- e. Other (Identify):

9. Does the site contain wetlands or is it located within 100 feet of a wetland? Yes No

A list of municipal inland wetland agencies is available at <https://portal.ct.gov/-/media/DEEP/water/wetlands/AgentTownStaffDirectorypdf.pdf>.

10. Describe the site's potential contribution to open space, conservation and/or stormwater improvement

Reuse and Feasibility Factors:

11. How will the community, its residents, and the Greater Hartford region benefit from the proposed site assessment, and eventual site cleanup and reuse (i.e. housing choices, housing affordability, economic development, creation of open space, removal of blight, quality of life, historic preservation, anticipated job or business creation/retention)?

12. Provide evidence of local community support for this project, including: 1) written proof that the Chief Elected Official of the municipality supports your request (this may be a signed letter); 2) listing of any approved development/redevelopment/conservation plans for this property and the immediate area, and 3) other evidence of community support (i.e. neighborhood group resolutions) as applicable.

13. What is the condition of the abutting/surrounding properties?

14. What is the potential that adjacent parcels can be redeveloped as a single brownfield?

Property Use:

15. Is the property currently vacant? YES NO

If the property is vacant, how long has it been vacant?

If the property is occupied, to what extent? over 75% 25-75% less than 25%

16. Describe the town's redevelopment goals for the property.

17. How is the site zoned currently?

18. Describe the potential redevelopment's compatibility with local zoning and local and regional plans.

19. Have developers expressed an interest in purchasing and redeveloping the property within the last 12 months? YES NO

If yes, for what use?

20. Describe how this assistance will improve the likelihood of site reuse, as well as the likelihood of proposed reuse implementation within a reasonable timeframe.

Catalytic Factors:

21. Is the proposed or envisioned redevelopment/reuse opportunity compatible with surrounding uses?
22. Does this property have the ability through its reuse or development to positively generate similar improvements in the surrounding area? Explain.
23. Does the property and/or proposed redevelopment have the ability to incorporate Smart Growth principles, including but not limited to: intensification of the existing use, mixed use, contribute to a walkable neighborhood, create a range of housing opportunities and choices, and preserve or restore a property in a historic district or building/property with historic significance?

K. ADDITIONAL INFORMATION. Please attach any additional information relevant to a site, including copies of previous environmental site assessments conducted at this site.

(To be filled out by the assessment assistance applicant)

The information provided above is accurate to the best of my knowledge.

Click or tap here to enter text.

Click or tap to enter a date.

Title: Click or tap here to enter text.

Date

L. PROPERTY ELIGIBILITY APPROVAL

(To be filled out by CRCOG staff)

This site has been determined to be potentially eligible for the use EPA Brownfields Assessment Assistance and is being referred to the U.S. EPA and/or the CT DEEP for their review and site eligibility determination.

	<u>Enter date.</u>
CRCOG Brownfields Staff	Date

This site has been determined to be eligible for the use of EPA Brownfields Assessment Funds by:

<u>Agency</u>	<u>Date Approved</u>	<u>Form of Approval</u> <u>(Letter or Email)</u>

Other CRCOG Comments on this Project: