For EPA Internal Use ONLY

ASSESSMENT PROGRAM
INFORMATION NEEDED TO DETERMINE SITE ELIGIBILITY (updated 4/11)

(Use Tab, arrow keys or mouse to move through questions; use Spacebar or mouse to check boxes)

A. BACKGROUND INFORMATION

Date: October 21, 2014

Grant number: BF96166601

1. Grant recipient: City of Chicopee, MA
2. Person providing site information: Lee M. Pouliot
3. Property/site name: 296 Front Street
4. Property address: Assessors Parcel ID #0097-00035, 296 Front Street Chicopee, MA 01020
5. Current property owner: The Estate of Josephine Peters
6. Work to be done: ☒ Phase I ☐ Phase II ☐ Phase III ☐ Other
   Explain Other:

B. SITES ELIGIBILE FOR FUNDING

1. Does the site meet the 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 box the "co-mingled" box. If the site has hazardous substances and distinguishable petroleum contamination, you must obtain approval from the State and EPA.)

Describe the operational history and current use(s) of the site: 296 Front Street is an exisiting residential property located on 0.144 acres (6,282 square feet) of property in the City's downtown neighborhood. Historically, the property has been under residential use and is zoned as Residential C. The existing six-family home on the property is described as a three story walk up style home built around 1920. The home has a finished area of approximately 5,610 square feet. Currently, the property is vacant and was owned by Josephine Peters, who is now deceased.

3. 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? : The City is unaware of any environmental concerns at the property and no reports are listed in the MassDEP Reportable Release Database. However, there is the potential for hazardous building materials (asbestos, lead-based paint, etc.) to be buried upon the site as at one time the property supported two residential structures. Based on the building's age and that a known demolition was conducted on the property, the City would like to advance a Phase I Study to confirm that no environmental concerns exist. The study will enhance the ability to market the property for reuse.

4. Describe the proposed expansion, redevelopment or reuse of the property: The condition of the property provides for limited reuse and interest in the property is also limited. It is the City's opinion that the existing building is not not worth the required investment to rehabilitate. It is expected that an abutting property owner or the City will eventually acquire the property. Demolition of the structure with the addition of open space and/or parking is the anticipated reuse for this property.

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 your facility 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 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 (SWDA)? ☐ 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), please call your Project Officer and she/he will explain how to prepare a property specific determination. Refer to Appendix 2, Section 2.5, of the Proposal Guidelines for additional information.

**** For petroleum sites, please proceed to Section F – Petroleum Only Sites**

E. PROPERTY OWNERSHIP ELIGIBILITY

1. Are there any known ongoing or anticipated environmental enforcement actions (at the federal, state or local level) regarding the responsibility of any party for contamination or hazardous substances at the site? ☐ Yes ☒ No If yes, please explain:

Information on Liability and Defenses/Protections - Answer the following if the assessment grant recipient does NOT own the site:

1. Did the assessment grant recipient ever arrange for the disposal of hazardous substances at the site, or transport hazardous substances to the site? ☐ Yes ☒ No

2. Did the assessment grant recipient ever cause or contribute to any releases of hazardous substances at the site? ☐ Yes ☒ No

3. Describe the assessment grant recipient's relationship with the current owner and the owner's role in the work to be completed: The City will complete the proposed Phase I study without the consent of the owner's estate. The site can be viewed from a city parcel on one side or from an interested prospect's parcel on the oposite side without the need to enter the property to complete the study. The property is being marketed with a provision that no environmental work will take place prior to closing.

Information on Liability and Defenses/Protections - Answer the following if the assessment

grant recipient owns the site or will own the site during the grant performance period:

1. 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. ☐ Donation
   f. ☐ Other (explain):

2. What was the date when the property was acquired (or the anticipated date when it will be acquired)? Property will likely receive an offer once the Phase I study has been completed. Parties are reluctant to place a bids on a property where no environmental work is permitted. The property will likely transfer before December 2015.

3. What is the name and identity of the party from whom the property was (or will be) acquired? The Estate of Josephine Peters

4. Describe all familial, contractual, corporate or financial relationships or affiliations the assessment grant recipient has or has had with all prior owners or operators of the property: N/A

5. Did disposal of all hazardous substances at the site occur before the assessment grant recipient acquired (or will acquire) the property? ☒ Yes ☐ No

6. Did the assessment grant recipient ever arrange for the disposal of hazardous substances at the site, or transport hazardous substances to the site? ☐ Yes ☒ No

7. Did the assessment grant recipient ever cause or contribute to any releases of hazardous substances at the site? ☐ Yes ☒ No

8. Did the assessment grant recipient perform any environmental inquiry prior to the purchase of the property? ☒ Yes ☐ No

9. If a pre-purchase inquiry was performed, describe the types and dates of the assessments performed, indicate on whose behalf the assessments were performed, and indicate whether the applicant performed the pre-purchase inquiry in accordance with EPA's All Appropriate Inquiry rule (or ASTM E1527-05, or its equivalent at the time of purchase): This proposal is to complete a Phase I Assessment of the property prior to the City or other party placing an offer to purchase.

F. PETROLEUM ONLY SITES - PROPERTY OWNERSHIP ELIGIBILITY

Petroleum-only sites are to be submitted to the state for eligibility determination. Please contact your state representative to obtain the information they require to determine site eligibility. As a courtesy, send a copy of the site eligibility information to your EPA Project Officer so he or she is aware of potential upcoming work. The assessment grant recipient must provide their EPA Project

Officer with a copy of the state's determination letter. The following questions are typical of the petroleum site information you may need to provide to the state:

1. Did the current and/or immediate past owner dispense or dispose of petroleum or petroleum products, or exacerbate existing petroleum contamination on the site? ☐ Yes ☐ No

Note: If the answers to question F.1 is no, the site may be eligible.

2. If the answer to either question F.1 is yes, did the responsible party take reasonable steps to address the petroleum contamination on site? ☐ Yes ☐ No Explain:

3. If the answer to either question F.1 is yes, is the responsible party financially capable to assess and clean up the site? ☐ Yes ☐ No Explain:

Note: If question F.1 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.*

4. Is the site "relatively low risk" compared with other "petroleum-only" sites in the state:

   a. Is the site currently being cleaned up using LUST trust fund monies? ☐ Yes ☐ No

   b. Is the site currently subject to a response under the Oil Pollution Act (OPA)? ☐ Yes ☐ No

Note: If the answers to questions F.4a and F.4b are no, the site would be considered to be of relatively low risk for purposes of determining eligibility.

5. 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

6. 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.5 or F.6 is yes, the site is **not** eligible.*

G. ACCESS

Does the assessment grant recipient have access or an access agreement for this property?
☐ Yes ☒ No

H. NATIONAL HISTORIC PRESERVATION ACT (NHPA) COMPLIANCE

Note: If you answer yes to any of the following questions you should contact your project officer to determine if any additional information is required.

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? ☐ Yes ☒ No

   In order 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 EPA 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 Districts or registered historic structures? ☐ Yes ☒ No

5. Does your project have the potential to impact archaeological resources? ☐ Yes ☒ No

I. SITE ELIGIBILITY

(To be filled out by EPA Project Officer.)

The site, at the above-described property, is eligible for assessment work: ☑ Yes ☐ No

Christie Lombard — 10/21/2014

Project Officer — Date

Need for Attorney Consultation: ☐ Yes ☐ No Notes: