

Housing Development  
Assistance Program  
(HDAP)

OHFA Phase I  
Environmental  
Review Standards  
for HOME/HDAP  
Projects

Revised 10/26/2011

Ohio Housing  
Finance Agency

OHFA ENVIRONMENTAL REVIEW REQUIREMENTS FOR HOME/HDAP PROJECTS  
***Housing Credit Program Year 2012***

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## **SECTION I. INTRODUCTION AND OHFA SITE SELECTION CRITERIA**

In a concerted effort to efficiently discern the environmental impacts of affordable housing developments funded in part through its various programs, the Ohio Housing Finance Agency (OHFA) requires site-specific environmental screening for all development proposals being considered for financing. Before any proposal can be formally accepted for OHFA's HDAP/HOME program, the project must complete OHFA's Phase I Environmental Site Assessment process. The OHFA Phase I ESA is designed to satisfy the Underwriting requirements of OHFA and requires numerous elements beyond those routinely required by ASTM.

The purpose for this publication is to inform developers of proposed projects, Environmental Consultants, and interested parties of OHFA's ESA (environmental review) requirements. Environmental consultants can trust that these guidelines and directives will be used to evaluate Phase I submissions for all projects funded by OHFA with federal HOME/HDAP funds. Consultants should use this document to plan their work accordingly for each project for which they are involved. All Phase I ESAs must meet these requirements. ESAs that do not satisfy OHFA's environmental review requirements or are incomplete will be returned to the sponsor. **Questions concerning OHFA's environmental review requirements should be directed to Kevin Clark, Administration Manager, Ohio Housing Finance Agency, 57 East Main Street, Columbus, OH 43215, phone: 614-752-4550, e-mail: [kclark@ohiohome.org](mailto:kclark@ohiohome.org).**

While OHFA remains sensitive to the desire of developers to locate a site that is cost effective for the development of affordable housing, staff urges developers and projects sponsors to strongly consider prospective sites from a HOME/HDAP environmental perspective. Sites exhibiting no obvious negative environmental influences will obviously be more suitable for development. Sites should be avoided if they are exposed to excessive noise or physical hazards from railroad, vehicular, or air traffic; high tension power lines or high pressure gas transmission pipelines, sanitary landfills or auto salvage yards; sewage treatment plants; stored hazardous materials on or near sites; buried or spilled hazardous wastes; operating oil wells; mine shafts; gravel pits; wetlands; orchards; and prime agricultural soils classification.

Projects requiring construction in a 100-year flood plain will be rejected unless all necessary governmental permits are obtained and all buildings, parking areas, and pedestrian and vehicular ingress and egress areas are elevated at least one foot above the 100-year flood plain elevation when the development is completed. Developments will be required to satisfy HUD's "Eight Step" procedure if any construction is proposed in the 100-year flood plain or appropriate permitting if any construction is proposed in a wetland area. This process is costly and requires significant time to complete.

## **SECTION II. SPECIAL INSTRUCTIONS**

All Phase I ESA requirements detailed in this document must be completed and documented at the time of submittal. Environmental Site Assessments that do not satisfy OHFA's environmental review requirements or are incomplete will result in rejection. Rejected ESAs will be returned to the project sponsor. At any time that a Recognized Environmental Condition (REC) is discovered, it must be

adequately resolved by the Environmental Consultant. Costs to mitigate REC's as well as abatement costs for Asbestos, Lead and/or UST remediation must be included with the ESAs. Bids must be from certified contractors and must accurately document the proposed remediation cost.

Please note: The the Phase I summary sheet (page 16) must be used for each Phase I submitted.

### Housing Credit Applications

Projects funded with HOME/HDAP funding require that OHFA satisfy the environmental review requirements established under NEPA **prior** to HDAP loan closing. This process may include obtaining the approval of the State Historic Preservation Office (SHPO) and involves a published notification and public comment period. **Barring objections, this process routinely requires two to three months to complete.** Development proposals that involve construction in environmentally sensitive areas such as wetlands, floodplains or near adverse impacts such as railroads, freeways will require additional review time beyond the seventy-five day NEPA period and may require design responsive mitigation measures.

### SECTION III. PHASE I ENVIRONMENTAL SITE ASSESSMENT

This document is written for the Environmental Consultant who is performing the environmental review and explains in detail OHFA's environmental review requirements. Not every property will warrant the same degree of investigation, and the level of environmental review will be guided by the nature of the property. The Environmental Site Assessment (ESA) must conform to ASTM Environmental Site Assessment Standards for Commercial Real Estate Transactions, **E 1527-05**, and with additional OHFA requirements outlined herein. The review must be conducted in a manner consistent with the meaning of the phrase "all appropriate inquiry into previous ownership and use of the property consistent with good commercial or customary practices" [42 USC 9601 (35)(b)].

#### 1. Environmental Database Review - Federal and State:

Within each search radius of the databases listed below, sites must be geo-coded to indicate the location in reference to the project

Database	Radius (Miles)
A. NPL Sites:	1
B. CERCLIS & NFRAP:	½
C. RCRA CORRACTS	1
D. RCRA TSD:	½
E. RCRA Generator list:	Project and adjoining properties
F. ERNS Reports:	Project
G. Landfill/Solid Waste:	½
H. Ohio DERR:	½

- I. Ohio Brownfields: ½
- J. LUST sites: ½
- K. Registered UST sites: Project and adjoining properties

## 2. Local Database Review

A review of local databases will be conducted for the subject project and adjoining properties. At a minimum that review will include:

- A. City Fire Marshal Records
- B. City or County Public Health Department Records

## 3. Land Use History

Current and past land uses of the project site must be documented from present day back to the obvious first use or to 1940, whichever is earlier. Historical timeframe gaps of use must be addressed in the report.

An historical review of fire insurance maps, (Sanborn) are required for all sites to assure the least potential risk from environmental contamination, copies of these maps must be included in the Phase I. **For properties where Sanborn coverage is not available, the historical review must include historical aerial photographs.** In the event that either fire insurance maps or aerial photos do not meet the interval requirements of the ASTM standards, a review of street directories must be included.

Street directories and Sanborn maps are deemed to be “reasonably obtainable” and may be ordered from:

- ❑ Environmental Recourses Data, Inc. [www.edrnet.com](http://www.edrnet.com)
- ❑ Environmental FirstSearch Inc. [www.efirstserach.com](http://www.efirstserach.com)

Sanborn maps and aerial photos must clearly indicate site boundaries. If a Sanborn map is not available a “No Coverage” certificate must be provided.

## 4. Site Visit - The assessment must include the following:

- A. General Tasks
  - a. Provide photographs depicting the project and adjacent properties/land uses. High quality color copies or original photographs must be provided.
  - b. Identify approximate age and note the condition of interior and exterior transformers, and whether PCB-content labels are present. Also identify the owners of all transformers.

- c. Provide a review of all land uses both current and past. Include the project site(s) and adjacent property. Specifically note any operations using hazardous substances.
  - d. Identify both vacant and occupied adjacent land or buildings, including but not limited to parking lots, roadways, waterways and playgrounds.
  - e. A current USGS 7.5 min. topographical map with scaled project site location shown is required.
  - f. Identify all major potable water supplies within a ½-mile radius.
  - g. Identify all containers such as paint cans, gas cans and/or 55-gallon drums abandoned or otherwise and note their location on the site map. Note any noxious odors.
- B. Rehab Projects/Building Interiors
- a. Identify staining of walls, floors, ceilings, or floor drains caused by liquids other than water.
  - b. Any former or current uses that utilize, produce or dispose of hazardous substances.
  - c. Identify all types of businesses that have occupied the facility and adjacent property.
  - d. All floor drains, sump pumps, in use or abandoned should be noted and identified on the site plan.
  - e. Identify both above and below ground storage tanks.
  - f. Identify hazardous wastes and substances stored and their quantities.
  - g. Identify infestations of birds or bats, or accumulations of their droppings.
- C. Exterior, (identify the following):
- a. Water discharges into waterways such as a stream or ditch on or adjacent to the project.
  - b. Extensive filling or grading, or hummocky (uneven) or undulating (smooth) surface topography filling or grading that may suggest trash or other solid waste disposal.
  - c. Storage area of hazardous substance on the project and adjacent property.
  - d. Any area of stressed vegetation from causes other than lack of water, stained soils, or leachate break-outs.
  - e. Disposal of trash or other waste outside of approved containers/areas. The nature of the items disposed should be described in the report and the location shown on the site plan.
- D. Rehab and Project Subject to Demolition
- a. Asbestos Containing Materials (ACM's) - Friable and Non-Friable

If these conditions are present, and the project is planned for rehabilitation, then the scope of the removal/encapsulation and a cost estimate from a reputable licensed contractor must be submitted.

b. Lead-Based Paint

Buildings constructed before January 1, 1979 must provide a scope of work for the removal/encapsulation and the cost for this activity by a reputable licensed contractor.

c. Formaldehyde Insulation

If formaldehyde insulation is observed, and the structure is to be renovated, the extent and cost for abatement of the insulation (removal / encapsulation) must be supplied.

E. Wetland and 100-Year Floodplain Observation

- a. **Wetlands** present on the proposed development site must be accurately noted on the site plan. The Phase I ESA must address the presence of any wetlands on the subject site. The following site conditions will trigger the need for a wetland screening on undeveloped sites: streams or possible wetland hydrology or vegetation observed at the project site, NRCS SSURGO soil map units classified as hydric by the County NRCS, or those classified as having hydric components where the land formations associated with the hydric components are present, or wetlands shown on the project site on the USDI National Wetland Inventory map. Do not use the STATSGO soil classifications provided by some database search companies. If wetlands are identified a delineation must be performed. For rehabilitation projects, streams and known wetlands should be shown on the site plan and any impacts to these areas should be described. **Any wetlands and their relation to the building footprint must be clearly located on the proposed development site plan. If any identified wetlands/waters of the US will be affected by the proposed development, the project will need to obtain all necessary permits from USACE and OEPA for wetland or stream impacts before the environmental review will be completed. If the project will be configured to avoid impacts to wetlands/waters of the US, the project will need to obtain concurrence from USACE that wetlands/waters of the US have been accurately identified (i.e., project will need to request a jurisdictional determination).**
- b. FEMA elevations for the project of the 100-year flood plain and the flood way are required. FEMA Flood Hazard maps including the Control Panel Number are

required; **FEMA Map Center Firmettes are preferred, screen shots from the FEMA web site or third party products are not acceptable.** Project boundaries must be noted on the FEMA map. The project including buildings, parking lots, roadways, and pedestrian areas must be at least one foot above the 100-year flood plain at project completion.

## 5. Manmade Hazards

- A. **Noise Analysis. No new construction will be allowed within 100 feet of a rail line.** The following information must be provided for all roadways within 1,000 feet of the project site boundaries and having 4 or more lanes and/or an ADT of 10,000 vehicles or more, to assist in the noise analysis that will be performed for the project site: Traffic count data that differentiates between cars and heavy trucks/buses and that identifies daytime versus night-time (10 PM to 7 AM) are preferred. Also included in the data must be: the width of roadway; speed limit; road gradient; location of any stop signs within 1,000 feet, year in which data was collected and expected growth (percentage per year) of traffic volume in the future. Roadways must be identified on a location map and data clearly labeled with the roadway name used on the map. **Any applicable setback and its relation to site buildings must be located on the proposed development site plan.**
- B. **Underground Storage Tanks (UST's).** Abandoned or temporarily closed UST's will require closure. Historical tank locations lacking closure documentation will require verification sampling. The Bureau of Underground Storage Tank Regulation closure assessment procedures (OAC 1301:7-9-12(I)) are the standard by which closure or verification sampling will be evaluated, including for unregulated USTs. Regulated UST closures will be required to present OHFA with a BUSTR No Further Action determination before construction can begin.
- C. **Aboveground Storage Tanks (AST's).** For above ground storage tanks at the project site or adjacent sites, and for AST's near the project site and having a direct line of sight to the project site, the following information must be provided in order to facilitate evaluation according to procedures set forth in HUD's guidebook entitled Siting of HUD-Assisted Projects Near Hazardous Facilities: 1) Scaled drawing or figure showing project site boundaries, location of AST's and any associated dikes, AST facility loading/unloading or staging areas for vehicles used for roadway, rail or water transport of the products stored in the AST's, and existing barriers (hills, berms, buildings) between the project site and the AST's; 2) Type and capacity of each AST; 3) Contents (specific chemical name, not trade name) of each AST; 4) Whether each AST's contents are under pressure or not; 5) Capacity of the largest container or container compartment that would be filled/staged/parked in each depicted loading/ unloading or staging area; 6) Height and nature (soil, construction materials) of any depicted existing barriers (hills, berms, buildings); and 7) Contact name and phone number for each AST facility.
- D. **EMF (Electric Magnetic Fields).** Sites impacted by high-voltage power transmission lines

(60 kV and higher) will normally require a set back sufficient to achieve a 2 mG exposure limit; an exposure of 2-3 mG will require additional evaluation, exposures above 3 mG are not acceptable. The EMF setback requirement is for transmission lines only. EMF exposures may be measured by the power company owning the transmission lines or may require determination by an independent on-site survey. For an outline of the required elements of an EMF study, contact OHFA. **Any applicable setback and its relation to site buildings must be clearly indicated on the proposed development site plan.**

**E. High Pressure Buried Gas Lines or Liquid Petroleum Transportation Pipelines.** No residential structures will be allowed within 10 feet of the outer boundaries of the pipeline easement. Projects with sites located within 220 yards of a buried high-pressure gas transmission line (4" diameter or larger and 400 psi or higher) or liquid petroleum transportation pipeline must comply with HUD's buried pipeline policy, found in HUD Handbook 4135.1 Version 2 Chapter 2, requiring a statement from an authorized official of the pipeline company certifying compliance with 49 CFR 192.607, 192.609, 192.611 and 192.613. The location and capacity of any buried pipelines located on or near the proposed development site, and the pipeline easement limits, must be noted in your report and located on the site map. **Any applicable setback and its relation to site buildings must be located on the proposed development site plan.**

6. **Site Map Requirements.** A site map must be included with the Phase I ESA; it must be to scale, noting features previously outlined. Adjoining property uses and proximity to adjoining structures must also be identified. The sizes and locations of gas and electric transmission utilities, wetlands, and flood plain boundaries must be noted. Aerial photos may be used as a site map, however the plotted scale should not exceed 1" = 100' and the resolution should be sufficient to distinguish site features. **Projects need to include a copy of the proposed development site plan with their application.**

7. **OHFA Sellers Environmental Questionnaire and Disclosure Statement** (copy attached, page 11). This document is to be completed by the current property owner, reviewed by the Environmental Consultant performing the Phase I ESA, and included in their Phase I report.

8. **Phase I ESA Evaluation, Report, Recommendation, and Reliance**

**A. The professional opinion of the environmental consultant** assessing risks related to the proposed development site/project **must be provided in the Phase I**. A recommendation as to the need for any additional or detailed investigation to identify any potential contamination, related liabilities and projected clean-up must also be included. The consultant **MUST STATE** one of the following in the report:

- "We have performed an Environmental Site Assessment in conformance with the scope and limitations of ASTM Practice E1527-05 of [insert address or legal description], the property. Any exceptions to or deletions from this practice are described in Section [ ] of this report. This assessment has revealed no evidence of recognized environmental

conditions in connection with the property."

(Or)

- "We have performed an Environmental Site Assessment in conformance with the scope and limitations of ASTM Practice E1527-05 of [insert address or legal description], the property. Any exceptions to or deletions from this practice are described in Section [ ] of this report. This assessment has revealed no evidence of recognized environmental conditions in connection with the property except for the following: (list exceptions)."

**Documentation:** The ASTM recommended report format should be followed when submitting the Environmental Site Assessment. Opinions and conclusions of the environmental consultant must be supported in the analysis and **will include all documentation** to support it – even those that reveal no findings must be included. The **Phase I ESA's and the Letter of Reliance must be dated within 6 months of time of submission.** For further information see Sec 4.6 and Sec 4.7 ASTM, E-1527-05.

## 9. OHFA as an Insured Party

**The environmental consultant utilized for the proposed project is required to list the Ohio Housing Finance Agency as an insured party on their errors and omissions insurance policy. This insurance must cover OHFA for losses up to one million dollars and be listed on the consultant's insurance binder, a copy of which is required with the Phase I submittal.**

The consultant performing the Environmental Site Assessment must complete and sign the "**Letter of Reliance and Phase I Summary Cover Sheet**" and submit them with their Phase I report. Each must be in the format supplied in this document. The supplied forms are provided for the consultant's benefit; alterations are discouraged and will result in a delay or possible rejection of the review.

## **SECTION IV. PHASE II REQUIREMENTS/"R.E.C.s"**

Recognized Environmental Conditions including petroleum products at concentrations meeting the ASTM definition of REC, and/or historical uses that represent the potential for the presence of hazardous substances will require additional investigation. Applications for funding through OHFA programs may be rejected based on potential environmental issues inadequately investigated. These issues may present a clear ongoing health hazard to residents of the proposed project, and/or present an unacceptable degree of lender or owner liability. Applicable federal and state environmental standards and OHFA requirements must be complied with for any proposed remediation.

Upon completion of the Phase I ESA the report must adequately resolve any REC's identified in a manner that provides enough information so that the Environmental Consultant can opine whether "**a professional opinion can be provided to support that there is no reasonable basis for suspecting the disposal or release of hazardous substances or petroleum products at the site with respect to the recognized environmental conditions assessed, and that no further assessment is necessary or that with respect to the recognized environmental conditions assessed, hazardous substances or**

**petroleum products have been released or disposed at the property (ASTM E-1903) based on the data.”**

The designation and use of **HREC** (Historically Recognized Environmental Conditions) is limited to previously remediated historical impacts **and** for which closure documentation from a regulatory agency exists. For all existing HREC’s a copy of the closure documentation must be included with your report. Any HREC’s that lack the appropriate closure documentation will be treated as REC’s and will need to be resolved accordingly. The sampling plans for Phase II data quality objectives; sample location, quantity, and analytical procedures chosen must be consistent with the identified REC’s, applicable exposure pathways, and generic residential land use category. The scope of sampling designs must define the nature and extent of impact and characterize all applicable and relevant pathways. Additional sampling will be required if sampling plans do not provide comprehensive reliable results. Sampling plans will include trip blanks, soil bore logs, laboratory QA/QC reports, and Chain of Custody documents. At the sponsor’s request, OHFA will pre-review a proposed scope of service for proposed Phase II sampling. If a pre-review is desired, both a copy of the proposed scope of service and a copy of the Phase I ESA must be provided.

## **SECTION V. NEPA REVIEW**

NEPA reviews are required by OHFA for all planned projects using HOME/HDAP funds. This review is mandated by the Code of Federal Regulations (24 CFR Part 58.36) and cannot be compromised, circumvented, or deviated from in any fashion. The NEPA review emphasizes preservation of natural and historical features and highlights issues that may require design review by other regulatory agencies such as Ohio Department of Natural Resources, USDI Fish & Wildlife Service, and Ohio Historic Preservation Office. This review includes all of the following areas (and in certain circumstances may require detailed studies):

- Historic Preservation
- Floodplain Management
- Wetlands
- Coastal Areas
- Endangered Species
- Prime Agricultural Land
- Noise Assessment
- Wild and Scenic Rivers

## **SECTION VII. SELECTING AN ENVIRONMENTAL CONSULTANT**

While OHFA cannot endorse any specific environmental consulting firm, it is vital to this process that owners and developers seek a professional firm that is well versed and specialized in this profession. Environmental consultants should serve an integral role in identifying and analyzing environmental conditions at a proposed site. Development teams should base their selection of a consultant first on whether or not they have experience working with OHFA, and then on the following factors:

- (1) The environmental firm should have the staff capacity necessary to perform all work in a timely fashion and the demonstrated ability to communicate and construct an ESA so other professionals can understand and rely on the information.

(2) The firm should be able to demonstrate a proven history of completing ESAs in a manner consistent with ASTM and OHFA requirements. The firm should also have a proven track record of dealing with difficult sampling, testing, and mitigation matters at proposed residential sites.

(3) Your environmental consultant should possess experience working with the specific project type you are proposing (new construction, rehab, historic renovation, rural or urban, etc.)

Please note: No reputable environmental consultant will unequivocally certify a site to be environmentally clean. Environmental consultants are expected to provide a professional opinion regarding the probability of contamination being present at a site. At that time, risk levels may be assessed and accepted or a determination made to proceed with a Phase II Environmental Site Assessment.

**SELLER'S ENVIRONMENTAL QUESTIONNAIRE AND DISCLOSURE STATEMENT**

Dear Land Owner:

The prospective purchaser of your land is approaching you with this questionnaire because they are seeking HOME funds from the Ohio Housing Finance Agency (OHFA). The use of HOME funds through OHFA requires the completion of this document: "Sellers Environmental Questionnaire and Disclosure Statement".

OHFA requires of the purchaser to include this completed questionnaire with the project's Environmental Site Assessment (ESA) Phase I report. We ask that you, the **property owner** make a good faith effort to answer the questions in the checklist. Please take time and care to check whatever records are in your possession. Should you respond to any of the questions in the affirmative or if answers are unknown, are qualified or cannot be obtained, please understand that the burden is on the purchaser and his/her environmental consultant to determine whether further inquiry is appropriate. Please make your best effort to document the reason for any affirmative answer to provide the purchaser with all appropriate information. And again, please keep in mind that the prospective purchaser's environmental consultant must determine if further inquiry is warranted.

**Purchaser:** \_\_\_\_\_

**Purchaser's Telephone No.:** \_\_\_\_\_

**Owner's Name:** \_\_\_\_\_

**Owner's Telephone No.:** \_\_\_\_\_

**Subject Property:** \_\_\_\_\_

1. **Land use:** Is the property or adjoining property currently used for manufacturing or industrial use? Adjoining properties include those that border the immediate site and include properties across the street from the property.

YES NO (If "YES", please describe)

**Subject Property:** \_\_\_\_\_

**Adjoining property north:** \_\_\_\_\_

**Adjoining property south:** \_\_\_\_\_

**Adjoining property east:** \_\_\_\_\_

**Adjoining property west:** \_\_\_\_\_

2. Has the property or adjoining property been used for manufacturing or industrial purposes in the past?

YES NO (If "YES", please describe)

**Subject Property Previous use:** \_\_\_\_\_

**Previous use (north):** \_\_\_\_\_

**Previous use (south):** \_\_\_\_\_

**Previous use (east):** \_\_\_\_\_

**Previous use (west):** \_\_\_\_\_

3. Are there any pesticides, automotive or industrial batteries, paints or other chemicals stored on the property or at the facility (other than undamaged containers of consumer products under five gallons in total volume)?

YES NO (If "YES", please describe)

4. Are there any plastic or metal industrial drums (typically 55-gallon) located on the property or at the facility?

YES NO (If "YES", please describe)

5. Has fill dirt been brought onto the site that could be contaminated?  
YES NO (If "YES", please describe)
6. Have any construction debris, substances identified as hazardous, unidentified waste materials, tires, automotive or industrial batteries or any other waste materials been dumped above grade, buried and/or burned on the site?  
YES NO (If "YES", please describe)
7. Are there any pits, ponds or lagoons located on the property in connection with waste treatment or waste disposal?  
YES NO (If "YES", please describe)
8. Is there any soil on the property that has been obviously stained?  
YES NO (If "YES", please describe)
9. Are storage tanks above or underground located on the property?  
YES NO (If "YES", please describe)
10. Are vent pipes protruding from the ground at the property or adjacent to any structure located on the property?  
YES NO (If "YES", please describe)
11. Does the property discharge waste water, other than storm water, directly to a ditch or stream on or adjacent to the property?  
YES NO (If "YES", please describe)
12. If the property is served by a private well or non-public water system has the well or water system been designated as contaminated by a governmental environmental or health agency?  
YES NO (If "YES", please describe)

13. **Asbestos**: Does the property or any buildings located on the property contain any asbestos?  
YES NO (If "YES", please describe)
14. **Polychlorinated biphenyls (PCBs)**: Have polychlorinated biphenyls been used in electrical transformers, capacitors or other equipment at the property?  
YES NO (If "YES", please describe)
15. Is there a transformer that is not owned by a public or private utility or group and for which there are no records indicating the absence of PCBs?  
YES NO (If "YES", please describe)
16. **Radon**: Has the property or any buildings located on the property been tested for radon?  
YES NO (If "YES", please describe)
17. **Urea-Formaldehyde**: Does the property or any buildings located on the property contain any urea-formaldehyde materials?  
YES NO (If "YES", please describe)
18. **Lead**: Does the property or any buildings located on the property contain any lead-based paint or lead plumbing?  
YES NO (If "YES", please describe)
19. **Miscellaneous**: Do you, the owner of the property or operator of the facility, have any knowledge of environmental liens or governmental notification relating to violations of environmental laws in regards to the property or any facility located on the property?  
YES NO (If "YES", please describe)

20. Have you, the owner of the property or operator of the facility, been informed of the presence of hazardous substances or environmental violations in regards to the property or the facility located on the property?

YES NO (If "YES", please describe)

21. Are you aware of any environmental assessment of the property that indicated the presence of hazardous substances on the site or recommended further assessment of the property?

YES NO (If "YES", please describe)

22. Are there past, current or pending lawsuits or administrative proceedings for alleged environmental damages involving the property or any owner or tenant of the property?

YES NO (If "YES", please describe)

23. Does the purchase and/or sales price of this property reflect the presence of hazardous substances on the property?

YES NO (If "YES", please describe)

24. **Agricultural Land/Orchards/Plant Nurseries/Golf Courses**: Have pesticides, herbicides or other agricultural chemicals been stored, mixed on or applied to the property?

YES NO (If "YES", please describe)

25. **This questionnaire was completed by the property owner (required): Owner's/ Seller's**  
**Signature:** \_\_\_\_\_ **Owner's**  
**Printed Name:** \_\_\_\_\_  
**Address:** \_\_\_\_\_  
**City, State, Zip:** \_\_\_\_\_  
**Telephone Number:** \_\_\_\_\_  
**Relationship to Site:** \_\_\_\_\_

**SECTION IX. OHFA Phase I Summary Cover Sheet**

Project Name: \_\_\_\_\_

Consultants' / Firm Name: \_\_\_\_\_

**Consultants' Fax No.:** \_\_\_\_\_ **Email:** \_\_\_\_\_

Project #: \_\_\_\_\_ Report Date: \_\_\_\_\_

Answer all questions below and note the appropriate page or appendix in your report that contains the supporting documentation. **Summary Cover Sheets containing unknown or incomplete responses will not be processed and will be returned for correction.**

**1. Report Findings**

a. Does this site contain any Wetlands?                      Yes                      No; see report page / appendix: \_\_\_\_\_

(if Yes, meet OHFA requirements in Sec. IV.D.5)

b. Is this site in the 100 year Flood Plain?                      Yes                      No; see report page / appendix: \_\_\_\_\_

(if Yes, meet OHFA requirements in Sec. IV.D.5)

c. Does this site contain any UST's or AST's?                      Yes                      No; see report page / appendix: \_\_\_\_\_

(if Yes, meet OHFA requirements in Sec. IV.D.6)

d. Does the Phase I ESA reveal any REC's?                      Yes                      No; see report page / appendix: \_\_\_\_\_

(if Yes, meet OHFA requirements in Sec. IV.D.5)

e. Are there any regulated substances on the site that exceed applicable residential screening levels?

Yes                      No; see report page / appendix: \_\_\_\_\_  
(if Yes, meet OHFA requirements in Sec. V.)

f. Is remediation required?                      Yes                      No; see report page / appendix: \_\_\_\_\_

(if Yes, meet OHFA requirements in Sec. V)

g. Are there any high power electrical transmission lines within 500 feet of the subject site?

Yes                      No; see report page / appendix: \_\_\_\_\_  
(if Yes, meet OHFA requirements in Sec IV.D.6)

h. Are there any buried high-pressure gas transmission lines (4" in diameter and 400 psi or greater) within 1000 feet of the subject site?

Yes                      No; see report page / appendix: \_\_\_\_\_  
(if Yes, meet OHFA requirements in Sec IV.D.6)

i. Is the subject site within 1,000 feet of a major roadway or 100 feet of a rail line?

Yes                      No; see report page / appendix: \_\_\_\_\_  
(if Yes, meet OHFA requirements in Sec. IV.D.6)

j. Were any Asbestos Containing Materials identified on site?

Yes                      No; see report page / appendix: \_\_\_\_\_  
(if Yes, meet OHFA requirements in Sec. IV.D.4)

k. Were any Lead Based Paint hazards identified on site?

Yes \_\_\_\_\_ No; see report page / appendix: \_\_\_\_\_  
(if Yes, meet OHFA requirements in Sec. IV.D.4)

**2. Report Documentation**

a. OHFA Letter of Reliance completed? Yes, see report page / appendix: \_\_\_\_\_

**No (if No, do not submit report)**

b. OHFA as an insured party? Yes, see report page / appendix: \_\_\_\_\_

c. Sellers Disclosure Statement completed? Yes, see report page / appendix: \_\_\_\_\_

**No (if No, do not submit report)**

d. FEMA Flood Plain Map Included? Yes, see report page / appendix: \_\_\_\_\_

**No (if No, do not submit report)**

e. Sanborn Maps or N.C. Letter Included? Yes, see report page / appendix: \_\_\_\_\_

**No, (if No, do not submit report)**

f. Development Site Plan Included Yes, see report page / appendix: \_\_\_\_\_

**No (if No, do not submit report)**

I represent that this Summary Cover Sheet accurately reflects the environmental information contained in the above captioned document.

\_\_\_\_\_  
**Signature of Environmental Consultant / Date**

\_\_\_\_\_  
**Print or Type Legal Name**

**SECTION X.**

**LETTER OF RELIANCE**

(DATE)

PRIVILEGED AND CONFIDENTIAL

Project Administration Manager  
Ohio Housing Finance Agency  
57 East Main Street  
Columbus, Ohio 43215

RE: Phase I ESA for: (Insert Development Name)

Dear Project Administration Manager:

Please find enclosed the Phase I Environmental Site Assessment for the subject property dated ( ) to the Ohio Housing Finance Agency and Ohio Department of Development.

It is my understanding that the information contained in the Environmental Site Assessment will be used by OHFA in considering proposed financing of residential development of the property and, furthermore, that OHFA and the Ohio Department of Development (ODOD) may rely upon the Environmental Site Assessment as if it were issued to OHFA and ODOD.

I **certify** that the attached is a true, correct and complete copy of the Environmental Site Assessment and that the report represents my professional opinion of the site as of this date. I also confirm the evaluation, recommendations and conclusions contained in the Environmental Site Assessment as of this date and that the Environmental Site Assessment has been performed in conformance with the scope and limitations of **both** the ASTM Practice E1527-05, and OHFA'S Environmental Review Requirements.

Sincerely,

(CONSULTANT)

## HOME Phase I ENVIRONMENTAL CHECK LIST

You should ask your environmental consultant these questions before submitting their report:

Q 1. "Does your report satisfy current ASTM's and OHFA' S requirements?" If "NO", why? Your report will not be accepted.

Q 2. "Is OHFA' S Environmental Questionnaire and Disclosure Statement completed and included in the report?" If "NO", why? Your report will not be accepted.

Q 3. "Did you include OHFA' S Letter of Reliance in your report?"

If "NO", why? Your report will not be accepted.

Q 4. "Is my site in the 100-year flood plain, in a wetland or near a jurisdictional waterway?"

**If "YES" for flood plain:** Is a topographical survey of the project site included in your report? Proposed housing, walkways, and parking surfaces are to be one foot above the 100-year flood plain elevation and must be reflected on the site plan.

**If "YES" for wetland/jurisdictional waterway:** Has the screening/delineation been submitted to USACE for a jurisdictional determination or wetland permit? **If the topographical survey and/or screening/delineation and USACE correspondence are not included in your report it will not be accepted.**

Q 5. "Did you include copies of Historical Fire Insurance Maps in your report?"

**If "NO", why?** Is it because coverage was not available from EDR/Sanborn? Are the "No Coverage" Certificates included in the Phase I report? Did you review historical street indexes for the site?

Q6. "Did you complete the OHFA Phase I ESA Summary Cover Sheet?"

If "NO" why? Your report will not be accepted.

If "YES", go to Q 7.

Q7. "Did you list any Recognized Environmental Concerns in your report?"

If "NO", you are done.

If "YES", go to Q 8.

Q8. "Has adequate additional investigation been done to resolve all Recognized Environmental Conditions listed in your report?"

If "NO", go to Q 9.

If "YES", you are done.

Q 9. *"Is the lack of resolution due to a need for remediation?"*

If "NO," **why? Your report will not be accepted.**

If "YES", go to Q 10.

Q 10. *"If any remediation (including ACM, LBP, etc.) is required is it detailed in your report?"*

If "YES", you are done.

**If "NO", your report will not be accepted.**

**PROJECT INFORMATION CHECKLIST**

<b>INFORMATION REQUIRED WITH INITIAL SUBMITTAL</b>	
<b>All Projects</b>	
_____	A complete hard copy of the Affordable Housing Funding Application with tabs separating sections
_____	Project team’s single point of contact for environmental review questions, including address, phone, fax and e-mail
_____	Any changes to the project since submission of the application. If changes have been made to the project site plan or building floor plans or elevations, provide revised copies of these drawings. For rehabilitation projects, if changes have been made to the scope of work, provide updated scope.
_____	<p>If not included in the Site Control Documentation, a complete project site list with site locations and addresses for <u>all</u> parcels in the project. Prepare a table similar to the attached example for the project sites.</p> <p><i>Changes to project site lists after initiation of the Environmental Review Record will result in a charge to the project sponsor of \$150 per change. Changes requiring an additional site visit will result in a \$700 charge, per additional visit.</i></p>
_____	If not included in the Site Control Documentation, site maps and directions to the sites. Include project area and site-specific maps for <u>all</u> parcels.
_____	Newspaper where legal notices will be published; include phone number of legal notice department
_____	Local review location <u>near project site</u> ; the intent is that persons directly impacted by the project due to proximity can review the record without traveling great distances. Must have seating area where record can be examined and contact person willing to help interested members of the public get access to the review record. Provide contact name, facility name, address, phone and hours. Typical locations include, but are not limited to, local library, offices of existing phase of project or (in case of rehab) project offices, local government offices or local project team member offices.

<b>INFORMATION REQUIRED WITH PHASE I SUBMITTAL</b>	
<b>All Projects</b>	
_____	Phase I ESA completed to OHFA requirements
_____	If clearinghouse response was not received before application was submitted, provide response as it becomes available.
_____	Description of solid waste handling at the project: Will project residents have individual bins or transport trash to central location? If central location, where? If central location is within project building(s), who is responsible for moving waste to hauler's pick-up point? How often will trash be picked up for hauling? Municipal or private hauler? If project residents could have limited mobility (elderly, handicapped), will assistance be provided to residents unable to transport their own trash to the collection point?
_____	Project Engineer/Project Architect needs to provide a description of the storm water control at the site (how collected, where released, etc.), including any comments that can be specifically directed toward limitations of the soils on-site
	Indicate what energy source will be used for heating and cooling. If air conditioning will <u>not</u> be provided, indicate as such.
	If there is a known oil or gas well on the project site or within 300 feet of its boundaries, provide scaled map showing well location relative to site boundaries and buildings.
	Provide a list of permits and approvals that will be required from the local or county government or state building office for construction, and the name(s) and phone number(s) of those supplying this information.
	For sites with an existing or planned detention/retention basin or other water body, provide slopes of basin or land surface adjacent to water body and indicate any planned fencing or landscaping at the basin/water body.
	For sites with existing or proposed retaining walls or steep slopes (greater than 4:1), indicate how accidental access to the walls/slopes, and therefore accidental slips, trips and falls, will be prevented.
_____	Copies of information request letters submitted to local health department, fire department, police department and school district, and the responses. If responses are via phone, provide respondent's name and phone number and a description of the responses. See attached form letters; wording should be copied exactly. If desired, phone responses can be recorded on a copy of the original letter. Senior housing projects that can commit to allowing no school-age co-tenants may indicate as such and omit the school district letter.
_____	Map showing locations of nearest grocery, pharmacy, store(s) providing basic items such as clothing and household goods, hospital, physician's office or clinic, parks and/or open space, library and recreational facilities relative to the project site

<b>All Projects, Continued</b>	
<p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>	<p>Any additional coordination or studies that have been conducted. If these studies are in progress, please indicate that they are pending and submit them as soon as they are complete:</p> <ul style="list-style-type: none"> <li>• geotechnical soil testing</li> <li>• traffic studies</li> <li>• noise surveys or mitigation plans</li> <li>• Floodplain LOMA, LOMC, or similar floodplain modification documents</li> <li>• For projects receiving Historic Tax Credits, Parts 1 and 2 of Historic Preservation Certification Application</li> <li>• Local government Environmental Reviews and review officer name and phone</li> <li>• USDA Rural Development environmental review coordination requests and replies (with ODNR Natural Heritage, USDI Fish &amp; Wildlife Service, Ohio Historic Preservation Office)</li> <li>• Copies of building permits or other local permits that have been obtained</li> </ul>
<b>Developed Properties: Rehabilitation, Adaptive Reuse, and Projects Intending to Demolish Existing Buildings</b>	
<p>_____</p>	Evidence of the age of the structure(s).
<p>_____</p>	Digital photographs or four sets of original, 35 mm, color photographs of the front, side and rear elevations of each building, the overall project site and the surrounding properties and area/streetscapes.
<p>_____</p>	Map key for photographs, showing locations from which photos were taken and directions of shots.
<p>_____</p>	Rehab and AR: Project Engineer/Architect needs to review buildings and comment briefly on any structural concerns and the necessary mitigations. Please also have Project Architect/ Engineer specifically comment on whether any of the structural concerns are attributed to soil conditions.
<p>_____</p>	Rehab and AR: List of utility providers for project (water, sanitary sewer, electricity, natural gas). If any utility providers will be changed as a result of the project, provide a letter from each new provider indicating that service is available to the project site and listing any conditions that must be met before service is provided.
<p>_____</p>	Demolition/New Construction: Follow requirements for utility letters in New Construction section below.
<b>Vacant Properties (New Construction)</b>	
<p>_____</p>	Submit four sets of original, 35 mm color photographs of each site and surroundings and key the photographs to a map of the neighborhood.
<p>_____</p>	Provide letters from all applicable utility providers (water, sanitary sewer, electricity, natural gas) indicating that service is available to the project site and listing any conditions that must be met before service is provided.

## FIRE DEPARTMENT LETTER

[Date]

[Fire Department address]

Attn: [Fire Chief]

Re: Data Request for HUD Environmental Review, [Project Name] project  
[Project Address/Intersection]  
[City/Village/Township], [County] County, Ohio

Dear [Chief's Name]:

We are requesting information on behalf of the Ohio Housing Finance Agency in connection with the environmental review record for the [Project Name] project in [City/Village/Township], [County] County, Ohio. The project involves the [new construction *or* rehabilitation *or* adaptive reuse] of [Brief project description: number of buildings, number of units, senior housing/multi-family/single-family/permanent supportive housing/etc.]. A location map is attached.

Please provide the following information:

1. What station will provide service to this location?
2. What is the approximate response time for fire and medical emergencies?
3. Who provides ambulance service in the [city *or* village *or* township]?
4. Is the fire department included in the building plan review process? If not, would the fire department like to review the plans for this project?

Thank you for your assistance in this matter. If there are any questions regarding this request for information, please contact me at [phone number and/or e-mail].

Sincerely,

**HEALTH DEPARTMENT LETTER**

[Date]

[Health Department address]

Attn: [Health Commissioner/Head of Office]

Re: Data Request for HUD Environmental Review, [Project Name] project  
[Project Address/Intersection]  
[City/Village/Township], [County] County, Ohio

Dear [Commissioner's Name]:

We are requesting information on behalf of the Ohio Housing Finance Agency in connection with the environmental review record for the [Project Name] project located in [City/Village/Township], [County] County, Ohio. The project involves the [new construction *or* rehabilitation *or* adaptive reuse] of [Brief project description: number of buildings, number of units, senior housing/multi-family/single-family/permanent supportive housing/etc.]. A location map is attached.

Please provide the following information:

Is the health department aware of any environmental concerns at the project site or in the area?

Is the health department aware of any air quality concerns at the project site or in the area?

Thank you for your assistance in this matter. If there are any questions regarding this request for information, please contact me at [phone number and/or e-mail].

Sincerely,

## POLICE DEPARTMENT LETTER

[Date]

[Police Department address]

Attn: [Chief of Police Name]

Re: Data Request for HUD Environmental Review, [Project Name] project  
[Project Address/Intersection]  
[City/Village/Township], [County] County, Ohio

Dear [Chief's Name]:

We are requesting information on behalf of the Ohio Housing Finance Agency in connection with the environmental review record for the [Project Name] project located in [City/Village/Township], [County] County, Ohio. The project involves the [new construction *or* rehabilitation *or* adaptive reuse] of [Brief project description: number of buildings, number of units, senior housing/multi-family/single-family/permanent supportive housing/etc.]. A location map is attached.

Please provide the following information:

1. Is criminal activity a significant problem in the area of the project site, as compared with the city in general? If so, what steps can the project take to promote safety in the area?
2. What is the approximate response time for emergency calls?
3. Are numerous traffic violations or accidents reported at the intersections near the project site? Is the area safe for pedestrian traffic?

Thank you for your assistance in this matter. If there are any questions regarding this request for information, please contact me at [phone number and/or e-mail].

Sincerely,

**PUBLIC SCHOOL DISTRICT LETTER**

[Date]

[School District Address]

Attn: [Superintendent]

Re: Data Request for HUD Environmental Review, [Project Name] project  
[Project Address/Intersection]  
[City/Village/Township], [County] County, Ohio

Dear [Superintendent's Name]:

We are requesting information on behalf of the Ohio Housing Finance Agency in connection with the environmental review record for the [Project Name] project located in [City/Village/Township], [County] County, Ohio. The project involves the [new construction *or* rehabilitation *or* adaptive reuse] of [Brief project description: number of buildings, number of units, senior housing/multi-family/single-family/permanent supportive housing/etc.]. A location map is attached.

Please provide the following information:

1. Which schools within the system will students be attending?
2. Can the schools adequately absorb an influx of students that may result from the construction?
3. Will these students be on bus routes or will students walk to school?
4. Are pre-school and adult education available through the school system?
5. If available, please provide literature regarding the school system.

Thank you for your assistance in this matter. If there are any questions regarding this request for information, please contact me at [phone number and/or e-mail].

Sincerely,

## Decision Points for Commonly Required Additional Studies for Specific Review Areas

**Floodplain:** Is project in the 100-year floodplain as depicted on the FEMA FIRM map? If so, all buildings, parking areas, and pedestrian and vehicular ingress and egress areas must be elevated at least one foot above the 100-year flood plain elevation. A topographical survey of the project site depicting ground elevation (existing and finished, if filling will be done) and locations and elevations of all buildings, parking areas, and pedestrian and vehicular ingress and egress areas will be required.

**Wetlands:** For developed project sites (rehabilitation, adaptive reuse), if no known wetlands, or detention basins or drainage ways with wetland vegetation, exist then no further wetland evaluation will likely be necessary. If such features exist, a wetland screening may be required. Consultation with OHFA is recommended.

For undeveloped or partially developed (i.e., existing single-family residence on large lot to be demolished) sites, if the project site has any of the following a wetland/waters of the U.S. screening will be required.

- Hydric soils, as defined by NRCS Ohio County lists (please do not use the state or federal hydric soils lists)
- Soils with potential hydric inclusions, plus land formations indicated by the NRCS as the likely location of the hydric inclusions, as defined by the Ohio County lists
- Apparent wetland hydrology: standing water or areas with surface features indicating standing water during at least part of the growing season
- Apparent wetland vegetation
- Waterways, including drainage swales, that will be impacted by the project

If wetlands are identified, a full delineation should be performed. If any identified wetlands/waters of the U.S. will be impacted by the proposed development, the project will need to obtain all necessary permits from USACE and OEPA for wetland and stream impacts before the environmental review will be completed. If the project will be configured to avoid impacts to wetlands/waters of the U.S., the project will need to obtain concurrence from USACE that wetlands/waters of the U.S. have been accurately identified (i.e., project will need to request a jurisdictional determination) before the environmental review will be completed. In both cases, the project will need to provide all reports and correspondence and a site plan showing buildings, pavement and other features with respect to the locations of the wetlands/waters of the US.

**Soil Suitability:** If any soil type on a new construction or demolition-construction project site is characterized by the NRCS as moderately or severely limited for small commercial construction in the case of multi-family housing, or residences with or without basements (as appropriate) for single-family housing, a geotechnical survey will be required. This requirement will apply for the new construction area of any rehabilitation or adaptive reuse project site having a new construction (community building, addition to existing building) component. For rehabilitation or adaptive reuse without a new construction component, the Project Engineer/Architect should review the existing building(s) for structural concerns and comment on necessary repairs or modifications.

**Traffic:** If the police department identifies traffic hazards in the project area that could directly impact the project site and/or project resident safety during normal activities (at a bus stop, for example), or if there is heavy vehicle and/or truck/bus traffic at the project ingress/egress, then either a traffic study will be required or written confirmation of satisfactory resolution of the issue with the local traffic planning department (or equivalent) will be required.

**Noise:** Initial noise studies, if required, will be performed as part of the NEPA review after the project application is received. The project will be notified of the results of the study: either the noise level at the project site is acceptable, or additional information will be requested. If the project team is aware of a potential noise issue at the project site, they are free to proceed with mitigation design ahead of official notification.

**Historic Properties:** Request for OHPO coordination will be submitted as part of the NEPA review after the project application is received and the site visit is complete. If sufficient photographs and site plans have been submitted by the project team to characterize the site and surroundings prior to the site visit, the coordination request will be submitted at that time. OHPO's response will determine the need for any additional studies or coordination. Note: Projects receiving historic tax credits must submit both the Part 1 and Part 2 Historic Preservation Certification Applications before a request for OHPO coordination can be submitted as part of the HOME funds environmental review process.

**Prime Farmland:** Any NRCS coordination necessary for this issue will be handled as part of the NEPA review.

### OHFA Phase I ESA Review Checklist

✓	Item	Location in report, comments and notes
	Letter of Reliance (OHFA form)	
	Prepared within 6 months prior to funding notification?	Date of Report _____ Date of Site Visit _____ Date of Database Search _____
	Phase I Summary Cover Sheet (do Report Findings and Report Documentation correspond to report?)	
	USGS topographic map	
	Color photographs	
	Sanborns or Sanborn NC letter	
	Adequate historic research, site & adj.: To earlier of 1940 or first developed, at appropriate intervals	
Database Search Review (if scattered sites, apply to each site):		
	NPL	1 mile
	CERCLIS	½ mile
	CERCLIS NFRAP	½ mile
	RCRA CORRACTS	1 mile
	non-CORRACTS TSD	½ mile
	RCRA Generators	property & adjoining
	ERNS	property
	Ohio DERR	½ mile
	Ohio Brownfields	½ mile
	Landfills	½ mile
	Leaking UST	½ mile
	Registered UST	property & adjoining
	Database Sites: evaluation of significance	
	Local database review/agency interview	
	Site visit: All exterior areas observed; common and maintenance/utility interior areas entered	
	Site map requirements met	
	ACM, LBP, histoplasmosis investigated	
	Floodplain requirements met	
	Wetlands requirements met	
	UST requirements met	
	AST requirements met	
	EMF requirements met	
	Pipeline requirements met	
	Roadway noise information provided	
	Sellers Questionnaire attached	
	Professional Opinion and Proof of Insurance	
	Environmental Professional qualifications	