

EPA REGION 4 AND SUPERFUND REDEVELOPMENT

EPA Region 4 works in partnership with EPA's national Superfund Redevelopment Initiative (SRI) to support the reuse and redevelopment of Superfund sites.

Region 4's Superfund Redevelopment program works closely with local governments, communities and other stakeholders in considering future use opportunities and integrating appropriate reuse options into the cleanup process at Superfund sites whenever possible.

Region 4 also focuses on removing unnecessary obstacles preventing the productive reuse of these sites. SRI and Region 4 have developed a range of services and tools to help make this possible. This fact sheet provides more information about these resources.



Getting Started with Redeveloping a Superfund Site

Working on the redevelopment of Superfund sites usually involves tackling a range of reuse-related issues and challenges. Successful projects from around the country show how it can be done, and in a variety of ways.

- » EPA's [Getting Started with Superfund Redevelopment](#) guide lays out process steps and highlights key issues and considerations for prospective purchasers and other parties to think about during reuse planning. When considering the future use of a site, the steps need to be tailored to the characteristics of each site and community.

- STEP 1** Gather Information about the Site or Property and Contact the Owner(s).
- STEP 2** Access EPA Region 4's Prospective Purchaser Inquiry Service.
- STEP 3** Review Associated Legal Issues and Obtain Liability Clarification and Assurances.
- STEP 4** Consider Future Use Possibilities.
- STEP 5** Identify Potential Barriers to Reuse.
- STEP 6** Address Potential Lender Concerns about Financing.

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Prospective Purchaser Inquiry (PPI) Service

EPA Regions use a variety of tools to respond to information requests from prospective purchasers and other parties. Region 4's Prospective Purchaser Inquiry (PPI) Service provides accurate, comprehensive information about Superfund sites – for both removal and long-term remedial sites. The service is free of charge. The information helps prospective purchasers make informed and timely decisions. Through this service, EPA is able to make sure that people have current and accurate information about a site's Superfund status.

There is no requirement that people contact EPA before purchasing property that is part of a Superfund site. However, discussions with EPA staff can help clarify appropriate land uses, liability issues and protections, and timelines for proposed activities. In turn, informed purchasers are able to make sure that redevelopment activities are consistent with a site's remedy and to coordinate with EPA to ensure the long-term protection of human health and the environment.

What Happens during a PPI?

- A prospective purchaser contacts EPA about a particular Superfund site and requests a PPI.
- EPA Region 4 puts together a PPI response team. The team can include site project managers and technical staff as well as the site attorney, a cost recovery specialist, the regional lead attorney for reuse and redevelopment, and the regional SRI reuse coordinator.¹
- The PPI response team will schedule a conference call or meeting with the prospective purchaser within five business days of the initial inquiry.
- During the meeting, EPA's PPI response team summarizes site conditions and cleanup status, available information tools and resources, and landowner liability protections. The prospective purchaser shares their redevelopment project and timeframes, including potential challenges and obstacles as well as opportunities.
 - » Before the meeting, the prospective purchaser may provide EPA with redevelopment plans, engineering maps and other project information, if available.²
 - » During the meeting, EPA staff and the prospective purchaser discuss the redevelopment plans and how they relate to the site's cleanup and long-term remedy, and whether there are any obvious incompatibilities between the proposed redevelopment and the site cleanup. EPA staff also inform prospective purchasers of the risks associated with purchasing contaminated property.
 - » The first meeting may lead to follow-up meetings, given the complexity of site conditions, cleanups and redevelopment planning. Prospective purchasers factor the latest information from the meeting(s) into their business decisions.



¹ EPA attorneys provide information about site liability but do not offer legal advice to prospective purchasers. The purchasers should obtain their own counsel for legal advice.

² This information is provided to aid in discussions with the prospective purchaser about its redevelopment plans and that EPA does not conduct a formal review or approve such plans.

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PPI Considerations

For sites early in the cleanup process, the group may discuss potential ways to integrate remedy and reuse considerations. EPA encourages sustainable reuse of sites, and may talk to the group about ways to adopt more sustainable approaches for land use, building and infrastructure design and construction. This foresight enhances community health and livability, conserves resources and strengthens environmental protection.

At sites with remedies already in place, the group may discuss how to ensure the compatibility of redevelopment plans with remedy components.

EPA's discussions with prospective purchasers and the assumptions made are based on known current site conditions. EPA cannot warrant the compatibility of a cleanup with any specific use of a site.¹

EPA also encourages prospective purchasers to contact the state to discuss any state-related cleanup and liability issues.

If a prospective purchaser decides to move forward with purchasing a site property, EPA can provide additional revitalization tools such as status/comfort letters and Ready for Reuse Determinations, and can offer to settle EPA's lien authorities.

1 EPA facilitates revitalization by providing environmental status information, engaging with prospective purchasers, communities and other site stakeholders, and supporting reuse planning efforts that take cleanup considerations into account. EPA does not determine specific reuses for a site or favor one developer over another. Land use determinations are primarily a local government responsibility.

PPI Meeting Discussion Topics

- » What is the current status of EPA's cleanup? What are the future anticipated actions?
- » Is the proposed redevelopment compatible with EPA's cleanup and a site's institutional controls?
- » Does the prospective purchaser understand applicable federal landowner liability protections?
- » How will EPA settle or resolve any Section 107(l) Superfund liens or Section 107(r) Windfall liens?

Reuse and Remedial Considerations



EPA may be able to adjust cleanup plans to accommodate a redevelopment project, particularly if the project strengthens a remedy's protectiveness. For example, if a developer identifies a priority location for a parking lot at a site, EPA can evaluate whether the asphalt lot could serve as part of a site's capped area, or whether monitoring wells could be flush mounted to minimize the impact on parking facilities.

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Additional Resources

- » Frequently Asked Questions about Superfund Redevelopment: <https://www.epa.gov/superfund-redevelopment-initiative/frequent-questions>
- » The Top Ten Questions to Ask When Buying a Superfund Site: <https://www.epa.gov/enforcement/report-top-10-questions-ask-when-buying-superfund-site>
- » The Revitalization Handbook - Revitalizing Contaminated Lands: Addressing Liability Concerns: <https://www.epa.gov/enforcement/revitalization-handbook>
- » Process for Risk Evaluation, Property Analysis and Reuse Decisions (PREPARED) Workbook: <https://www.epa.gov/brownfields/prepared-workbook-brownfields-and-land-revitalization-new-england>
- » Technical Assistance, Tax Incentives and Grants Used at Superfund Sites: <https://www.epa.gov/superfund-redevelopment-initiative/technical-assistance-tax-incentives-and-grants-used-superfund>
- » Reuse "How-To" Technical Reports: <https://www.epa.gov/superfund-redevelopment-initiative/reuse-how-reports>
- » Economic Benefits of Superfund Redevelopment: <https://www.epa.gov/superfund-redevelopment-initiative/redevelopment-economics>
- » Find Superfund Sites Currently in Reuse: <https://www.epa.gov/superfund-redevelopment-initiative/find-sites-reuse>

Contact Information

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