

Lamoille County Planning Commission

Lamoille County Brownfields Program

*Helping investors with remediation,
rehabilitation & redevelopment*

Lamoille County Planning Commission

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One of the legacies of Lamoille County's rich economic past is an inventory of commercial and industrial properties. Sometimes these properties (or properties nearby them) are abandoned, idled or underused because business expansion or site redevelopment is complicated by real or perceived environmental contamination. These sites are known as *brownfields*. The Lamoille County Brownfields Program helps owners and developers facing unknown costs and liability issues address brownfield challenges. Our services include:

- Conducting research to flag areas of a property that would benefit from further investigation (Phase I environmental site assessment);
- Conducting field tests to confirm whether contamination exists, and if so, to what extent (Phase 2 assessment);
- Developing corrective action plans including an investigation of alternative solutions and their costs to protect construction workers, develop clean up plans, and/or help the site clear any regulatory requirements. Redevelopment planning is part of this service; and
- Providing technical assistance to address site specific issues, such as understanding liability laws and insurance and creating strategies for funding cleanup and redevelopment.



This former operations site for the Vermont Electric Cooperative was converted into affordable housing.

All assessment activities and testing is completed by environmental professionals in accordance with the most recent federal standards. Our program helps you investigate both known and suspected issues, including hazardous materials, petroleum products, lead, asbestos, and environmental fungi (mold).

Participation in the program is strictly voluntary and free of charge. Inquires into the program are held confidential to the extent possible to protect property owners who are undecided about program benefits. Our goal is to help recycle properties bank into use as industrial or commercial sites, as green space, or for housing, non-profit or municipal uses.

About the Program

What are the Benefits?

- **Services are provided free of charge.** The Program pays the entire cost of assessment and corrective action planning up to \$200,000 per site as long as funding is available. This saves most property owners \$3,000 to \$100,000.
- **Site conditions are better understood.** The perception of environmental contamination can be a substantial barrier to site redevelopment. Almost all potential buyers, lending institutions, and investors require that an environmental assessment be conducted. Assessments provide a better understanding of site conditions, helping to dispel the perception of contamination or verifying its extent, how it can be addressed, and cost impacts.
- **Information is provided about liability and cleanup.** Concerns about liability may discourage those who see redevelopment potential in a property. Our services include technical assistance about liability issues, cleanup options and financing available for cleanup.
- **Experts work with you.** Our program draws together a site-specific group of experts from local municipalities, regional organizations, and state agencies. They provide advice and technical assistance to help guide owners and developers through the assessment and redevelopment process, directly you to funding or working through hurdles.

How Do I Participate?

Participation is strictly voluntary, and inquiries are held confidential to the extent possible until the property owner decides to participate in the program. An agreement describes what to expect from the program. Because participation is voluntary, owners can withdraw from the program at any time.

What Should I Expect?

Once the agreement is signed, the owner is asked to fill out a site nomination form describing what is known about the site's history and use, and describing any redevelopment plans. The Brownfields Steering Committee reviews all nominations and decides which sites are assessed. Sites of particular interest to the Committee include those in downtown and village centers; sites with redevelopment potential, especially those with a willing developer or redevelopment plans; and sites addressing local or regional needs, such as affordable housing. Owners and developers are invited to meet with the Committee during the site review process.

If a site is accepted into the program, the Lamoille County Planning Commission hires an environmental professional to complete the environmental assessment. The Commission provides copies of both draft and final documents to owners and prospective developers. Owners can then decide whether to proceed with further assessment or corrective action planning.



Testing is designed so as not to interrupt normal business operations.

How Long Does the Process Take?

Timing is unique to each site. Owners should expect it to take 3-4 months from the time an agreement is signed to completion of a Phase 1 assessment report. The time for completion of a Phase 2 assessment and corrective action plan depends on the degree of investigation needed. Phase 2 assessments at most sites have taken 4-8 months. Corrective action planning depends on the availability of redevelopment plans and the level of detail in those plans. At sites with a high level of detail, corrective action planning has taken 2-3 months, which include required review and public comment periods.

The Lamoille County Brownfields Program is funded through a grant from the US Environmental Protection Agency (EPA). This allows services to be provided free of charge. Work completed through the grant program must be coordinated with the Vermont Department of Environmental Conservation and the EPA. This means the assessment process can take longer than those funded privately.

Are There Risks from Involving My Property in the Program?

A property is either clean or contaminated. If contamination is present, the risks and liability from it already exists for the property owner. Participation in the program will not increase this risk or liability. Existing State and Federal regulations require responsible parties (including owners of contaminated properties) to clean a site to meet a standard connected to the level of property use. Even if a site is sold, the previous owners may still be responsible for cleanup costs, whether or not they caused or contributed to the contamination. Conducting environmental site assessments does not change that. It may, however,

help an owner or prospective developer understand what, if any, risk exists and how to address it.

Participation in the program does bring the potential for contamination to the attention of State and Federal agencies. Generally, the Federal government does not pursue property cleanup unless there is an ongoing release of contamination or the site is defined as a federal Superfund site. Due to the screening process, sites accepted into the Lamoille County Brownfields Program are not likely to be Superfund-eligible.

The Vermont Department of Environmental Conservation is responsible for monitoring contaminated properties in Vermont. The Department will require an owner to address any contamination that is confirmed. Cleanup may be required. However, sometimes the corrective action may be no using a portion of a site or notifying future owners or tenants that the contamination exists. We encourage those interested in the program to understand potential risks and benefits before agreeing to participate.

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