



Environmental Review Standards for HOME Funded Projects

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OHFA ENVIRONMENTAL REVIEW REQUIREMENTS FOR HOME FUNDED PROJECTS

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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 the Ohio Housing Finance Agency's (OHFA) ESA (environmental site assessment) and ER (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 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 need to be revised, or an addendum to the original report must be provided to meet the requirements of this standard.

Questions concerning OHFA's environmental review requirements should be directed to The Office of Planning, Preservation & Development, Ohio Housing Finance Agency, 57 East Main Street, Columbus, OH 43215, phone: 614-466-0400.

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 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 or improperly closed 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, and both the "Eight Step" procedure and appropriate permitting if any construction is proposed in a wetland area. This process can be costly and requires significant time to complete.

An overview of the HOME ER process as administered by OHFA and Ohio Development Services Agency (ODSA) Office of Community Development (OCD) staff:

1. Projects are notified by OHFA that they are scheduled to receive federal funds.
2. OHFA's ER contractor will provide initial guidance to the projects' designated point of

contact/developer. The developer will be given a timeframe in which to supply OHFA's contractor with the responses to these standards.

3. OHFA's ER contractor will schedule a site visit and notify the developer of such.
4. OHFA's contractor will provide the developer with a "Needs List" of any additional items that are site specific and required to complete the environmental review record (ERR). In the event that OHFA's contractor discovers items of concern after the initial needs list response, a project could receive an additional needs list(s).
5. Once all of the requested items are supplied to OHFA's contractor, the contractor will complete the ERR and supply the developer with a list of site specific mitigations. Once the mitigations are agreed to, OHFA's contractor will release the ERR to OHFA and ODSA OCD (Office of Community Development).
6. Once OCD has reviewed the ERR, the developer will be contacted with the instructions for posting the public notice. Once the notice is published, the comment period will begin. This is typically a 4 to 6 week process.
7. Once the posting period is complete, OCD will submit a formal request for release of funds (RROF) to HUD
8. Once HUD issues the release the project will be notified. At this point, and not until then, construction can commence.

It is important to understand that the above outlined process can take about 60-360 days from start to finish. It is also important to know that the shorter time frame relies on a "clean site" and a motivated developer. Should either of these two things be missing the process will take longer, so PLEASE plan accordingly. Information submitted in response to this standard is preferred in electronic form with items numbered or otherwise clearly named. The information can be provided on a cd, uploaded to an ftp site with instructions and password information or in any other manner acceptable to OHFA's contractor.

SECTION II CHOICE LIMITING ACTIVITIES

OHFA will be reviewing all projects for compliance with the requirements of 24 CFR Part 58 which includes compliance with the restriction against conducting choice limiting activities. **Once a project sponsor contemplates an application for federal funding, no choice limiting activities may be conducted.** OHFA considers choice limiting activities to include site purchase or physical alterations of the site or the site improvements. This can include, but is not limited to the following:

- Demolition
- Tree removal
- Clearing and grubbing
- Placement of fill
- Mobilization of construction related equipment or material to the site
- Excavation

- Structure modifications

SECTION III PHASE I ENVIRONMENTAL SITE ASSESSMENT

Section III of this document is written for the Environmental Consultant who is performing the Phase I Environmental Site Assessment. The Environmental Site Assessment (ESA) must conform to ASTM Environmental Site Assessment Standards for Commercial Real Estate Transactions, E 1527-13, 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)]. Phase I ESAs will be reviewed for strict adherence to the ASTM standards and reports must include all of the ASTM required text. Additional information specific to OHFA's HOME requirements is also required. The checklist used to review Phase I ESAs (Attachment B) is provided for reference. We encourage all Phase I ESA providers to review the checklist when preparing Phase I ESAs. The subsections below describe the requirements for a Phase I ESA for OHFA federally funded projects.

Note that Phase I ESAs must have been prepared within 6 months of funding notification from OHFA in order to be valid. If reports are older than 6 months, a Phase I ESA update will be required. Phase I ESA updates may be provided as addendums to the original report and must contain the following, at a minimum:

- Updated regulatory database search
- Updated environmental lien search
- Updated site visit
- Updated interviews
- Updated environmental professional's statement (ASTM 12.13) and REC statement (12.8)

A. Interview Requirements. Interviews with the owner and the client (the user of the report) must be included. Additionally, interviews with BOTH the health department and the fire department are required and responses must be included in the Phase I ESA in order for the report to be fully compliant. In addition to asking the typical Phase I ESA questions, we encourage Phase I providers to also ask the questions in Attachments D (Fire Department Letter) and E (Health Department Letter) of this document. If the consultant desires, the letters can be edited to include both the OHFA and the typical Phase I ESA questions. A response to these form letters **must** be obtained either by the ESA consultant or by the project team.

B. Federal and State Environmental Database Review. Listed sites identified within the search radius for each of the databases listed below must be geo-coded to a scaled map showing the location of the listed facilities in relation to the subject site. Each database site within the applicable search radius must be evaluated for significance as required by ASTM E1527-13 paragraph 8.1.10. The evaluation discussion must include reasons for the environmental professional's conclusions. Because distance is considered in the exclusion from consideration of sites outside the ASTM radii, distance alone will not be considered sufficient justification for removing a database site from consideration as a recognized environmental condition. **File reviews will generally be required for active release sites within 500 feet of the project site and may be required in other site-specific cases.** In the case of scattered sites projects, each project site must be evaluated separately for each search radius

database. In such cases, the database search must be performed to allow this individual evaluation (i.e., you should be able to check for NPL site within one mile of each of the scattered sites, etc.).

- NPL sites: Identify/list sites within 1-mile radius
- Delisted NPL sites: Identify/list sites within ½-mile radius
- CERCLIS sites: Identify/list sites within ½-mile radius
- CERCLIS NFRAP sites: Identify/list sites within ½-mile radius
- RCRA TSD: Identify/list sites within ½-mile radius
- RCRA CORRACTS: Identify/list sites within 1-mile radius
- RCRA Generator list: Property and adjoining properties, including across public thoroughfares
- ERNS Reports: Property only
- Federal IC/EC (institutional/engineering controls) registries: Property only
- ACRES (federal Brownfields) sites: Identify/list sites within ½-mile radius
- Solid waste/Landfill sites: Identify/list sites within ½-mile radius
- Ohio DERR sites: Identify/list sites within 1-mile radius
- Ohio EPA Brownfields Inventory sites: Identify/list sites within ½-mile radius
- LUST sites: Identify/list sites within ½-mile radius
- Registered UST sites: Property and adjoining properties

C. Local Environmental Database Review. The Environmental Site Assessment will document local environmental records for the subject property and adjoining parcels. This review will minimally include:

- City Fire Department records
- City or County Public Health Department records

D. Prior Land Use History. Document current and past uses of the property from the present back to the property's first developed use or to 1940, whichever is earlier. Any significant gaps in the use history of the site should be clearly identified in the report. All sites require a historical review of available fire insurance maps (Sanborn, etc.) for the property and the adjoining sites at a minimum. For properties where Sanborn coverage is not available, the historical review must include historical aerial photographs. The Phase I ESA must include true copies of available fire insurance maps and/or high quality color photographs of available aerial photographs. If historical fire insurance maps and/or aerial photographs are not available on intervals sufficient to satisfy ASTM requirements, or when no recent Sanborns are available, a review of local street directories for the subject property and adjoining parcels must be included. A review of street directories is required for urban areas due to the relative lack of useful information on aerial photographs in such areas. If data failure is encountered, provide documentation that all Standard Historical Sources identified by ASTM in Section 8.3.4 of E1527-13 were consulted; provide justification if any sources are deemed not likely to be useful without having been consulted.

Sanborn Map searches and street directories are deemed to be "reasonably obtainable" and may be ordered from:

- Environmental Data Resources, Inc., 3530 Post Road, Southport, CT 06490, phone: 800- 352-0050, fax: 1-800-231-6802, web: www.edrnet.com/.
- Current & Historic Research, P.O. Box 176, Lewisville, Indiana 47352, phone: 765-524- 1392 (Sanborns available only through 1950s and must be supplemented by additional historic resources such as aerial photographs after that date).
- Historic Information Gatherers, Inc., 1589 Hwy. 7, Suite B2, Hopkins, MN 55305, phone: 952-253-2004, web: www.historicalinfo.com.

The location of the proposed project site boundaries must be noted on the historic aerial photos and the Sanborn fire insurance maps. Unmarked maps will be returned for clarification. If map coverage does not exist for the subject site, please provide a copy of the “NO COVERAGE” certificate.

E. Site Visit. Either the environmental professional, as defined by 40 CFR §312.10(b), shall perform the site visit and interviews or evidence of the environmental professional’s participation in planning the site visit and interviews shall be provided. At a minimum, all exterior areas will be examined and all interior common and maintenance/utility areas will be entered. The assessment must include the following:

a. General Site Setting:

- Review of past and present land use of **subject site and adjoining properties**, noting any operations using or producing hazardous substances or petroleum products.
- A color copy of the current USGS 7.5 min. topographic map with scaled project site boundary shown is required.
- A site plan showing empty and occupied user spaces, recreational facilities, parking lots, roads and surface water on the project site. Adjoining site uses, including names of any commercial or industrial tenants, must be shown on the site plan and described in the report. Show the locations of any potential environmental concerns, even if analysis determines they are not RECs.
- Photographs of site interior, exterior and adjoining properties. In the report, provide high resolution copies of the photos scaled to a minimum size of 3”x5”, or if providing smaller photo copies in the report the original photo files must be provided separately.
- Identification of strong, pungent or noxious odors and metallic or plastic storage drums (usually 55-gallon), whether leaking or not. Containers identified as containing hazardous substances or petroleum products are to be noted on the site plan.
- Above ground and underground storage tanks, both interior and exterior, and known or suspected former tank locations.
- Electrical generators, transformers, power transmission lines and equipment that may contain PCBs. If transformers are present, please identify their age and owner and describe any labels indicating PCB content.

b. Interior Observations:

- Type of business currently or previously conducted at the facility (commercial, multifamily housing, industrial, etc.).
- Operations that utilize, generate, store or dispose of hazardous substances or petroleum products.

- Approximate quantities of hazardous substances/petroleum products used or stored and hazardous wastes generated from site operations. All bulk storage areas should be noted in the report and depicted on the site plan.
- Stained flooring, drains or walls caused by substances other than water.
- Location of floor drains, sumps etc. should be noted in the report and depicted on the site plan.

c. Exterior Observations:

- Hazardous substance/petroleum product storage areas on project site and adjoining parcels. Note all aboveground storage tanks visible from the project site in any direction.
- Areas of obviously stained soil, leachate break-outs from waste disposal facilities or stressed vegetation (from sources other than lack of water).
- Extensive filling or grading, or hummocky or undulating surface topography suggesting trash or other waste disposal.
- Disposal of trash or other waste outside of approved containers/areas. The nature of the items disposed should be described in the report, a photo or photos provided and the location shown on the site plan.
- Water discharge into ditch or stream on or adjacent to property.

d. Observations for structures undergoing demolition and/or rehabilitation:

- **Friable and Non-friable Asbestos Containing Materials (ACM's).** If Asbestos Containing Materials are present, and the structure is to be renovated or demolished, a survey will be required. The survey does not need to be conducted at the time of the Phase I ESA.
- **Lead-Based Paint.** If the structure was constructed before Jan 1, 1979 and it is to be renovated/remodeled, a survey will be required. The survey does not need to be conducted at the time of the Phase I ESA. If a structure was previously present, examine the ground for paint chips or painted building debris and report the results in the phase I ESA.
- **Histoplasmosis.** In the Phase I ESA, comment on the presence or absence of bird or bat infestations in any buildings on the site. Infestations of birds or bats in existing buildings that result in accumulation of bird droppings or bat guano will require clearing of the infestation, removal of the droppings or guano, and wipe tests to verify complete remediation.

e. 100 Year Flood Plain and Wetland Observations:

- **Floodplain.** Geological, hydrogeological, and hydrological data for the project site including the 100- year flood plain and flood way elevation as determined by FEMA, if present at or adjacent to the project site. You must include a copy of the FEMA Flood Hazard map including the Community Panel Number in your report. FEMA Map Center Firmettes or copies of the actual Flood Hazard Map are preferred; screen shots from the FEMA web site or third party products are not acceptable. The site boundaries must be noted on the FEMA map. 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 when the development is completed. If any part of the project buildings, parking areas, or pedestrian or vehicular ingress and egress areas will lie within the 100-year flood plain as shown on the

FEMA map, a topographic survey of the project site and its buildings, parking areas and pedestrian and vehicular ingress and egress areas must be provided by the project team.

- **Wetlands.** The Phase I ESA must address the potential for the presence of any wetlands on the project site. This must include observations during the site visit for the presence of any swales, drainageways, ditches, depressions or low lying areas of the site. The aerial photographs should also be screened for areas on the site that historically appeared wet. The report must include a copy of the USFWS National Wetland Inventory Map, or the current Wetlands Data Layer of the National Spatial Data Infrastructure, with the project site boundary clearly indicated. The County hydric soil lists are the standard for determining hydric soils and should be included, together with a map of the USDA SSURGO soil map units at the project site. All of these components must be discussed in the text of the report.

f. Manmade Hazards:

- **Underground Storage Tanks (USTs).** Abandoned or temporarily closed USTs will require closure. Historical tank locations lacking closure documentation will require verification sampling. The Bureau of Underground Storage Tank Regulations 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. Please refer to the BUSTR site check procedure for sites where tanks have already been removed if applicable [OAC 1301:7-9-13(F)(3)(b)(iii)]. Former dispenser island locations, pipe elbow locations (bends in the piping runs) and remote fill locations will need to be sampled in addition to former tank locations. Care should be taken not to drill through any remaining underground tanks or piping.
- **Aboveground Storage Tanks (ASTs).** For above ground storage tanks at the project site or adjoining sites, and for ASTs near the project site and having a direct line of sight to the project site from any distance, 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 ASTs 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 ASTs, 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 if available; otherwise trade name and manufacturer) 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 existing barriers (hills, berms, buildings) between the AST and the project site; and 7) Contact name and phone number for each AST facility. The AST should be mapped on the ESA report's site map (preferred) or location map.
- **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 the HUD-approved model, "GRI-00/0189, A Model for Sizing High Consequence Areas Associated with Natural Gas Pipelines." The

model was created in October 2000, by C-FER Technologies for the Gas Research Institute and has been adapted by HUD for determining the required set-back distance of project structures from high-pressure pipelines. An equation has been developed that relates the diameter and operating pressure of a pipeline to the size of the area affected by thermal radiation in the event of a credible worst-case failure event. The hazard area radius, as determined by the model, shall be used as the required minimum distance from the pipeline to the project structures. The location and capacity (size and pressure) of any buried pipelines located on or near the proposed development site, and the pipeline easement limits, must be provided.

F. Site Map Requirements. The Phase I ESA must include a site map, to scale, noting features previously outlined in this document, including locations of buildings and pavement. All on-site and adjoining identified environmental concerns must be shown, whether evaluation determines that they are “recognized environmental conditions” or not. The site map must also identify adjoining property uses and proximity to adjoining structures. Commercial and industrial uses must be identified by business name. Location and size of gas and electric transmission utilities, wetlands, and flood plain boundaries must be noted. An aerial photo may be used as a base map for the site plan, however the plotted scale should not exceed 1” = 100’ and should be of sufficient resolution to distinguish site features.

G. Vapor Intrusion. When environmental concerns are being identified and evaluated, the potential for intrusion of harmful vapors into the project buildings must be considered. ASTM practice E2600-10 and guidance developed jointly by OEPA DERR and VAP may be consulted for methods to identify potential vapor intrusion risks and to evaluate whether additional investigation is prudent. Conclusions must be presented as part of the results section of the Phase I ESA report.

H. Phase I ESA Evaluation and Report

a. Professional opinion of the environmental consultant assessing risks related to the proposed development site plus a recommendation as to the need for any additional or detailed investigation to identify any potential contamination, related liabilities and projected clean-up. The environmental consultant must include recommendations for any conditions related to contamination that has the potential to impact the health of future residents, even if the consultant’s analysis shows that the condition does not meet the definition of recognized environmental condition. In compliance with ASTM E1527-13 paragraph 12.6, “The opinion shall specifically include the environmental professional’s rationale for concluding that a condition is or is not currently a recognized environmental condition” for all known or suspect recognized environmental conditions, historical recognized environmental conditions and de minimis conditions. The consultant **MUST STATE** one of the following, using this language, in the report:

- "We have performed an Environmental Site Assessment in conformance with the scope and limitations of ASTM Practice E1527-13 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 E1527-13 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)."
- b. The use of the **HREC** (Historically Recognized Environmental Condition) designation is limited to historical impacts that have been previously remediated to the satisfaction of the applicable regulatory authority or meeting unrestricted use criteria established by a regulatory authority; **and** for which closure documentation from a regulatory agency exists. If a HREC exists on site, please include a copy of the closure documentation with your report. HRECs lacking appropriate closure documentation will be treated as an REC and will need to be resolved accordingly.
- c. **Documentation.** The report of findings for the Environmental Site Assessment should in general follow the ASTM recommended report format. The report will include all documentation to support the analyses, opinions and conclusions of the environmental consultant. All sources, including those that reveal no findings, should be well documented, and copies included in the report. Any source materials that were reviewed in color should be copied in color. The Phase I ESA and the consultant's Letter of Reliance must have been prepared within six months of funding notification. **A Phase I ESA and/or Letter of Reliance prepared more than 6 months prior to the funding award notification will require update.** For further information see Sec 4.6 and Sec 4.7 ASTM, E-1527-13.
- d. **Qualifications of the Environmental Consultant.** The qualifications of the environmental professional(s) and the qualifications of the personnel conducting the site reconnaissance and interviews, if conducted by someone other than an environmental professional, must be included in the report's appendices. The consultant **MUST STATE** both of the following, using this language, in the report:
- "[I, We] declare that, to the best of [my, our] professional knowledge and belief, [I, we] meet the definition of Environmental professional as defined in §312.10 of 40 CFR 312."
 - "[I, We] have the specific qualifications based on education, training, and experience to assess a property of the nature, history, and setting of the subject property. [I, We] have developed and performed the all appropriate inquiries in conformance with the standards and practices set forth in 40 CFR part 312."
- e. **The "Letter of Reliance"** must be completed and signed by the environmental consultant performing the Environmental Site Assessment and submitted with their Phase I report. The Letter of Reliance **must be in the format** supplied in this document. Any changes, limitations to or deviations from the supplied forms will result in delays or rejection of the proposal.
- f. **Environmental Lien/AUL Information.** To meet the Environmental Lien/Activity Use Limitation requirement, either an environmental lien search must be performed or a copy of the title search Schedule B should be provided. This item may be provided by the project sponsor to meet this requirement.
- g. **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 submission.

SECTION IV PHASE II ENVIRONMENTAL SITE ASSESSMENT REQUIREMENTS

Section IV of this document should be shared with the Environmental Consultant who is proposing Phase II environmental investigations such as soil, groundwater, soil vapor or air sampling. Recognized Environmental Conditions (RECs), including historical uses and nearby uses that represent the potential for the presence of hazardous substances or petroleum products at concentrations meeting the ASTM definition of REC, require additional investigation. Both concerns due to owner liability and concerns due to tenant health risk should be considered in planning Phase II activities. Concerns that are inadequately investigated, that present a clear ongoing health hazard to residents of the proposed development, and/or present an unacceptable degree of lender or owner liability, may be the basis for termination of processing of the proposal. Any proposed remediation must comply with applicable federal and state environmental standards.

RECs identified in the Phase I ESA must be adequately resolved so that the Environmental Consultant can opine whether **“the data provides sufficient information to support a professional opinion 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).”** Evaluation of the data must also accomplish one of the following three goals: 1) determine that there is no evidence that human health or the environment may be harmed by the condition(s) being evaluated; 2) determine that human health or the environment may be harmed by the condition(s) being evaluated and provide recommendations for protecting human health and the environment from harm; or 3) determine that human health or the environment may be harmed by the condition(s) being evaluated and provide recommendations for further investigation that will lead to design of protective measures.

Phase II Sampling Plans

Prior to developing a Phase II sampling plan, the environmental consultant must review available regulatory agency files for sites that are identified as RECs or as presenting a health risk to project site residents. This will ensure that data already collected for the suspect site is taken into account in the sampling plan, and in some cases may provide sufficient information to conclude that the suspect site's environmental condition will not have an impact on the project site or future residents. A complete copy of the reviewed file(s) must be provided to OHFA's consultant except in cases where OHFA's consultant has approved the omission of portions of very large files.

The sampling design must be sufficient in scope to define the nature and extent of impact and to characterize all applicable and relevant pathways. Data quality objectives for Phase II sampling plans; sample location, quantity, and analytical procedures chosen must be consistent with the identified RECs or other identified health risks being evaluated, applicable exposure pathways, and residential land use. Because site plans are subject to change depending on multiple factors that are evaluated during the environmental review process, Phase II sampling plans should not be based on future placement of such improvements as buildings, pavement, tenant gardens or recreational areas, but

rather should focus on identifying the source and concentration distribution of contaminants. Sampling plans that lack sufficient rigor to provide reliable results will be considered to be incomplete and Phase II reports based on such plans will be returned to the environmental consultant for additional sampling. Appropriate QA/QC samples, including at a minimum one trip blank per group of samples, must be included. At the sponsor's request, OHFA's consultant will pre-review a proposed scope of service for Phase II sampling. Sufficient information should be provided to OHFA's consultant to support the preliminary review; if the review is evaluating plans for additional sampling then documentation of the initial sampling round(s) should be provided.

Sampling Methodology

Sampling methods should be suited to the contaminant and medium being evaluated and to the goals of the investigation, and should be performed according to guidance available from OEPA (particularly the VAP program) and USEPA, and from BUSTR where a regulated underground storage tank is involved. Certain methods are not appropriate for certain situations: centrifugal pumps may be used for purging but not for sampling ground water; peristaltic pumps and tubing with a check valve at the lower end may be used to sample groundwater for non-volatile contaminants but not for volatile and semi-volatile components or dissolved gases; temporary groundwater monitoring wells may be used to screen for the presence or absence of a contaminant but the analytical results may not be used to determine compliance with action levels; composite soil samples may be used for waste characterization if approved by the disposal facility but not for site contaminant level determination.

For any soil gas sampling conducted, sample analysis must include an analysis of the soil gas sample for atmospheric gases in an effort to determine if the sample is representative of soil gases or is pulling air into the well from above ground.

Phase II ESA Conclusions and Reporting Requirements

The Phase II ESA report must include a description of all equipment and techniques used, a description of on-site conditions (temperature, precipitation, changes in conditions over the course of the event, etc.) at the time of field activities, maps of sampling locations and other pertinent features, borehole logs, monitoring well construction diagrams, laboratory reports including QA/QC information and chain of custody documentation, a table or tables comparing sample results to the appropriate action levels, and conclusions and recommendations based on the analytical data. If soil vapor or sub-slab or indoor air samples are collected, provide a record of barometric pressure and wind speed and direction at intervals throughout the work from a local weather station; this information may often be obtained via online data sites such as Weather Underground. Incomplete Phase II reports will be returned to the environmental consultant for completion.

If modeling of subsurface conditions is performed, the model should be appropriate to the conditions encountered and should be adjusted to reflect these conditions wherever practicable. All input data must be provided.

SECTION V

SUBMISSION REQUIREMENTS

The following items are needed for OHFA's contractor to begin the environmental review process. These items should be submitted as soon as possible after notification of funding has been received.

1. Project team's single point of contact for environmental review questions including email and phone number.
2. Identify any significant changes to the project design or project team since submission of the application.
3. A complete copy of the Phase I ESA report prepared in accordance with this standard.
4. Newspaper where legal notices will be published; include phone number and contact person responsible for publication.
5. Local review location near project site (for public comment period); 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.
6. 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. Response should track storm water from roofs, lawns and pavement through any on-site control or transport features and to the discharge or infiltration point(s). Submission should be a copy of Project Engineer/Architect letter or e-mail addressing the issue.
7. 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 the government officials (or URLs of the web sites) supplying the information used to compile the list.
8. Indicate the energy source that will be used for heating and cooling.
9. Provide utility information – water and wastewater providers, electricity and natural gas (if applicable). For previously undeveloped sites, provide letters from utilities confirming that service is available to the project site(s).
10. Indicate how trash will be collected at the project site: trash chute, dumpsters or individual totes, weekly/biweekly/other, private or municipal hauler.
11. 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. A site plan with topographic contours is preferred. Indicate whether detention/retention basins are designed to contain water all the time, or just during/immediately after rain events.

12. For sites with existing or proposed retaining walls or steep slopes (greater than 4H:1V), indicate how accidental access to the tops of the walls/slopes, and therefore accidental slips, trips and falls, will be prevented. Provide a site plan with topographic contours.

13. Copies of information request letters/questionnaires (see Attachments D through G) submitted to local health department, fire department, police department, local school district, **and the responses**. If written responses are not received in a timely manner, project sponsors may call the various agencies directly to obtain responses. If responses are obtained via phone, provide respondent's full name and phone number and a description of the responses; recording this information on a copy of the letter during the phone call is often convenient.

14. For rehab and adaptive reuse projects: 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. Submission should be a copy of Project Engineer/Architect letter or e-mail.

15. 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:

- geotechnical soil testing
- traffic studies
- noise mitigation plans
- Phase II ESA sampling reports and related plans for controlling/removing contaminants
- Floodplain LOMA, LOMC, or similar floodplain modification documents
- For projects receiving Historic Tax Credits, Parts 1 and 2 of Historic Preservation Certification Application
- Local government Environmental Reviews and review officer name and phone
- USDA Rural Development environmental review coordination requests and replies (with ODNR Natural Heritage, USDI Fish & Wildlife Service, Ohio Historic Preservation Office)

16. Review the attached standard mitigations and provide signed copy (see Attachment A).

SECTION VI. ADDITIONAL STUDIES FOR SPECIFIC REVIEW AREAS

This section provides information about review areas which commonly require additional reviews or studies. If the particular impact area applies, project sponsors may wish to begin these studies in advance of the environmental review records being initiated by OHFA's contractor. Alternatively, project sponsors can wait until OHFA's contractor notifies them that additional studies will be necessary.

Floodplain: Is the 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 are present or only detention basins or drainage ways with wetland vegetation exist and will not be disturbed by the project then no further wetland evaluation will likely be necessary. If potential wetland features exist and may be disturbed, a wetland screening may be required. Consultation with OHFA is recommended.

For undeveloped or partially developed (e.g., existing single-family residence on large lot to be demolished or expansion of existing development is planned) 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 that correspond to the likely location of the hydric inclusions, as defined by the NRCS Ohio County hydric soils lists. For example, if the hydric soils list for the county indicates that hydric soils may occur in depressions and drainageways within a given soil map unit, such land formations occurring at the project site require evaluation.
- Apparent wetland hydrology: standing water or areas with surface features indicating standing water during at least part of the growing season
- Apparent wetland vegetation; seek a wetland professional's opinion if there are areas of vegetation that are different than the surrounding vegetation and that occur within a low-lying area, even if the area does not appear to have standing water
- 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 and obtain 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 in relation 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.

If ODNR maps mines on or directly adjacent to the project site, a geotechnical study may be required; please consult with OHFA and OHFA's consultant.

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 or limited sight lines 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 by OHFA's consultant as part of the NEPA review after the project application is received. **Please do not have outside consultants prepare noise studies.** 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. Note that due to the potential for vibration noise, no construction will be permitted within 100 feet of a rail line.

Historic Properties: Request for State Historic Preservation Office (SHPO) coordination will be submitted by OHFA's consultant as part of the NEPA review after the project application is received and the site visit is complete. **Please do not have outside consultants submit coordination requests.** 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 prior to the site visit. SHPO'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 SHPO coordination can be submitted as part of the environmental review process.

Attachment A: Standard Mitigations

1. No construction activity, purchase of property, or other choice limiting activities (as detailed in Section II of the OHFA Environmental Review Standards dated May 2016) will occur in advance of the completion of the environmental review record.
2. Any proposed changes to the project must be conveyed to OCD and OHFA promptly. The Environmental Review must be reevaluated by OCD and OHFA prior to initiation of any proposed changes.
3. Project personnel shall be notified, both verbally and through notations on the final construction drawings, that work shall be halted and OCD and OHFA notified immediately if archaeological remains are discovered during construction to allow for coordination with SHPO regarding appropriate actions.
4. If an additional phase or affiliated project is proposed by a member of the current project team, this additional work must be coordinated with SHPO, prior to initiation and regardless of the funding source.
5. Best Management Practices and Reasonably Available Control Measures [OAC Rule 3745-17-08(B)] shall be employed by the Contractor to control fugitive dusts during construction activities.
6. Construction drawings/specifications shall be modified to include the following statement: "The Contractor shall at no time incorporate any materials that are composed of or contain any amount of asbestos. The substitution of materials that contain any amount of asbestos will in no circumstances be acceptable. Upon completion of the project, the Contractor and Project Architect shall submit written statements or certifications asserting that no asbestos containing materials were used in any portion of the construction."
7. Noise-producing construction activities should be avoided during the designated noise-sensitive period (10:00 pm to 7:00 am).
8. Project personnel shall be notified, both verbally and through notations on the final construction drawings, that work shall be halted if indicators of contamination (fill other than "clean hard fill," discolored soils or chemical/petroleum odors) are identified during construction to allow for a qualified environmental professional to inspect the site and make recommendations regarding appropriate actions.
9. Unless the project provides documentation that it is exempt, a site specific Storm Water Pollution Prevention Plan must be developed in accordance with the NPDES Construction Storm Water Permit, which will detail the appropriate Best Management Practices to control erosion until final site stabilization is achieved. In accordance with the construction storm water permit, site inspections must be conducted at least every 7 days and within 24 hours after a significant rain event. During the site inspections, erosion control measures should be observed to ensure

they are functioning correctly. If the project is exempt from construction storm water permitting, no Storm Water Pollution Prevention Plan is required but the Contractor must follow storm water management best practices during construction to prevent erosion and siltation of runoff from any excavated or exposed soils.

10. The Project Sponsor/Project Developer shall ensure that contractors arrange for proper disposal at appropriately-licensed facilities of all solid and/or hazardous waste generated by the construction, as well as any materials currently dumped on the property. The Property Manager will contract with a public or private hauler for removal of waste generated by the occupant households, or will ensure that residents have arranged for trash removal with the local service provider. For elderly residents, the Property Manager shall ensure that trash removal is arranged for residents who are not physically capable of removing their household wastes.
11. The Property Manager shall notify prospective tenants that the unit was constructed as part of a federally funded project and that an environmental review of the project was completed as required under the National Environmental Policy Act. The Property Manager shall advise tenants that the review will be maintained on file by the Project Sponsor throughout the tax credit period and is available for review by the prospective tenant.
12. The Project will follow Occupational Safety and Health Administration (OSHA) recommendations and guidelines during construction activities to ensure worker and public safety. This will include safety equipment to be worn by workers and barriers to public access.
13. Prior to move-in, management shall advise tenants, in person, of safety precautions, including use of locks and other safety features, 911 emergency service, and available neighborhood watch programs.
14. All units shall be equipped with air conditioning systems
15. A spill response kit should be present on the site during construction activities and chemical storage on-site should be minimized.

I have reviewed the above listed standard mitigations for federally funded projects in the state of Ohio and agree to comply with them upon implementation of the project. I understand that project specific mitigations will be developed during the course of the environmental review record, and a review of these additional mitigations will also be necessary.

Name

Date

Attachment B: OHFA Phase I ESA Review Checklist

Prepared within 6 months prior to funding notification?

Date of Site Visit
Date of Report

Date of Database Search
Date of notification

✓	Item	Standard ¹	Comments and notes			
	Prepared within 6 months prior to funding notification	OHFA, based on ASTM 4.6	Notified date		Report date	
			Site visit date		Database date	
	Letter of Reliance (OHFA form)	OHFA				
	OHFA as additional insured (\$1M E&O)	OHFA				
	USGS topographic map (color copy)	ASTM 8.2.4				
	Color photographs	OHFA				
	Environmental lien/AUL information	ASTM 6.2				
	Owner & occupant interviews	ASTM 10 et seq				
	ESA User interview	ASTM 6 & 10				
	Sanborns or Sanborn NC letter	OHFA				
	Adequate historic research, site & adj.: To earlier of 1940 or first developed; document data failure if applicable	ASTM 8.3 et seq (esp. 8.3.4) & 8.1.5				
	Discretionary setting sources? ²	ASTM 8.2.4				

Database Search Review³ (Standard is ASTM 8.2.1): Column A – Searched to correct radius; Column B – Discussed in text.

A	B	Database	Radius	A	B	Database	Radius
		NPL	1 mile			Federal Brownfields	½ mile
		Delisted NPL	½ mile			Ohio DERR	1 mile
		CERCLIS	½ mile			Landfills/SWF	½ mile
		CERCLIS NFRAP	½ mile			Leaking UST	½ mile
		RCRA CORRACTS	1 mile			Registered UST	property & adj.
		non-CORRACTS TSD	½ mile			Ohio IC/EC	property
		RCRA Generators	property & adj.			Ohio VCP	property
		Federal IC/EC	Property			Ohio Brownfields	½ mile
		ERNS	Property				

✓	Item	Standard ¹	Comments and notes
	Database Sites: evaluation of significance	ASTM 12.6	
	Subject property and adjacent site file review(s) or justification for not performing file review(s)	ASTM 8.2.2	
	Local HD database review/interview	AS p. 5, ASTM 11	
	Local FD database review/interview	AS p. 5, ASTM 11	
	Site visit: All exterior areas observed; common and maintenance/utility interior areas entered	ASTM 9 et seq	
	Site map requirements met	OHFA	
	ACM investigated (rehab/demo)	OHFA	
	Lead-based paint investigated (rehab/demo)	OHFA	
	Histoplasmosis investigated (rehab)	OHFA	
	Floodplain requirements met	OHFA	
	Wetlands requirements met	OHFA	
	UST requirements met	OHFA	
	AST requirements met	OHFA	
	Pipeline requirements met	OHFA	
	Professional Opinion (REC statement)	ASTM 12.8	
	Environmental Professional statement	ASTM 12.13	
	EP meets standard for training/experience?	ASTM 3.2.32	
	Additional work recommended/needed/completed?	OHFA	

¹OHFA Environmental Review Requirements and ASTM E1527-13

²Not required, but highly recommended if conclusions are drawn based on estimated direction of groundwater flow

³Based on the purpose of approximate minimum search distances as presented in ASTM 8.2.1, evaluation of significance and removal of database sites from consideration as an REC cannot rely solely on distance from subject property. Checked items indicate that the information is in compliance with the OHFA and ASTM standard and no additional information is needed; items with an "X" indicate information is missing and details of required information will often be provided in the comments column.

(DATE)

Office of Planning, Preservation & Development
Ohio Housing Finance Agency, 4th Floor
57 East Main Street
Columbus, Ohio 43215
RE: Phase I ESA for: (Insert Development Name)

Please find enclosed the Phase I Environmental Site Assessment for the subject property dated (insert date) and addressed to the Ohio Housing Finance Agency (OHFA) and Ohio Development Services Agency (ODSA).

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 ODSA may rely upon the Environmental Site Assessment as if it were issued to OHFA and ODSA.

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 E1527-13, and OHFA'S Environmental Review Requirements.

Sincerely,

(CONSULTANT)

Attachment D: 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. Are you aware of any USTs at or near the project site?
2. Are you aware of any hazardous-material responses or other environmental concerns in the project area?
3. Do you have file(s) available for the project site that can be made available for review, or can copies be provided?
4. What station will provide service to this location?
5. What is the approximate response time for fire and medical emergencies?
6. Who provides ambulance service in the [city *or* village *or* township]?
7. 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,

[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?

Do you have file(s) available for the project site that can be made available for review, or can copies be provided?

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,

Attachment F: 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,

[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 attend?
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 classes 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,