

VIRGINIA DEPARTMENT OF TRANSPORTATION HAZARDOUS MATERIALS DUE DILIGENCE CERTIFICATION FOR LOCALLY ADMINISTERED PROJECTS (EQ-121)	FORM EQ-121 (Revised 2/27/09)
	UPC: <u>15958</u>
	Project: <u>U000-127-139, PE-101, RW-201, C-501</u>

I. APPLICABILITY:

This form must be completed by the LPA and submitted to the VDOT District Environmental Manager who will use this as documentation to support the Environmental Certification (Form EQ-103) and/or PS&E Re-evaluation (Form EQ-200) for any construction project. No project will receive certification to advance to construction until the form is received.

II. CONDITIONS:

The LPA shall complete this form when all hazardous materials-related issues have been identified and addressed for the project. It is not necessary that all hazardous materials issued be resolved prior to submission of this form, however, a plan must be in place to ensure resolution. This form must be submitted prior to acquiring project Right-of-Way. All existing right of way, or properties to be acquired for use as right of way, must receive an appropriate level of study. This includes existing VDOT right of way, locality-owned, proffered, or donated properties.

III. CERTIFICATION:

I hereby certify that:

- (1) The City of Richmond has performed studies, analyses, reviews and/or investigations of hazardous materials-related issues for all properties that it has acquired or intends to acquire for the project. Such studies, investigations, etc. constitute an appropriate level of inquiry to identify the likely presence of any hazardous substances or petroleum products or conditions that indicate an existing release, a past release, or the material threat of a release of hazardous substances into the soil, groundwater or surface water of the property or adjacent properties, or the presence of such impairments associated with buildings or structures. The following lists the consultants and reports that were utilized in the conduct of the due diligence studies:

Consultant	Title of Consultant Report	Report Date
EEE Consulting, Inc.	Hazardous Materials Technical Report	April 2013

- (2) (Choose one of the following):


- No potential or actual contaminated environmental media or other environmental impairments that would affect construction were identified within the project right-of-way.
- Actual or potential environmental impairments have been noted on the following properties and as indicated, a cost estimate(s) of potential remediation/closure activities to meet state and/or federal regulations is provided as well as an indicator of any coordination made with the Virginia Department of Environmental Quality and/or the U.S. Environmental Protection Agency:

Property	Parcel Number	Agency Coordination?	Closure/Remediation Estimate
		<input type="checkbox"/> Yes <input type="checkbox"/> No	\$
		<input type="checkbox"/> Yes <input type="checkbox"/> No	\$
		<input type="checkbox"/> Yes <input type="checkbox"/> No	\$
		<input type="checkbox"/> Yes <input type="checkbox"/> No	\$
		<input type="checkbox"/> Yes <input type="checkbox"/> No	\$
		<input type="checkbox"/> Yes <input type="checkbox"/> No	\$
		<input type="checkbox"/> Yes <input type="checkbox"/> No	\$

Attach additional pages as necessary.

- (3) Where actual or potential environmental impairments have been identified, appropriate actions have been taken (or will be taken) to address these issues in terms of avoidance, containment, management, minimization or remediation. Where such actions are required to be taken during construction, appropriate contract provisions have been/will be developed to incorporate those costs as pay items in the contract.
- (4) Estimated costs for regulatory closure/remediation have been/will be taken into consideration in determining fair market value for properties to be acquired.
- (5) All structures will be inspected for the presence of asbestos-containing materials (ACM) and any regulated ACM will be removed in accordance with state and federal requirements.
- (6) The construction contractor will be made aware of any environmental issues that may be encountered during construction and will be provided access to any study results to assist the Contractor in developing and implementing appropriate Employee Health and Safety measures.

Certification provided on behalf of The City of Richmond by:



 Local Official

Date: 12/10/13

Capital Projects Administrator

 Title

User Provided Information

In order to qualify for one of the *Landowner Liability Protections identified in the Phase I ESA Standard 1527-05*, the *user* must provide the following information (if available) to the *environmental professional*. Failure to provide this information could result in a determination that “*all appropriate inquiry*” is not complete for the Phase I ESA.

Please fill out the questionnaire below and attach any pertinent information.

YES	NO	QUESTION	IF “YES” PLEASE DESCRIBE
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Are you aware of any environmental cleanup liens against the property that are recognized under law (federal, state, and/or local)?	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Are you aware of any activity or use limitations that are in place at the site and/or have been recorded in a registry under law?	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	As the user of this ESA do you have any specialized knowledge or experience related to the property or nearby properties and its respective use?	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Does the proposed purchase price paid for the property reasonably reflect the fair market value? If you conclude that there is a difference, have you considered the reason for the lower purchase including possible contamination?	Reasonably reflects fair market value.
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Do you know the past uses of the property?	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Do you know of specific chemicals that are currently or once were present on the property?	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Do you know of any spills or other chemical releases that have been taken place at the property?	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Do you know of any environmental cleanups that have taken place at the property?	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	As the user of this ESA, based on your knowledge and experience related to the property are there any obvious indicators that point to the presence or likely presence of contamination on the property?	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Are there helpful documents available that could inform us about past and current uses on the property? (Such information could be MSDS, environmental permits and reports, tank registrations, safety plans, etc.) <i>If “yes” is there the possibility of obtaining a copy?</i>	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Is there a legal description and recorded plat available? If “yes” please provide Deed Book/Plat Book and Page Number if possible.	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Do you have the current property owner’s contact information? <i>If “yes” please provide.</i>	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	How is the property currently zoned? Commercial, residential, industrial, mixed use? Are there any zoning restrictions the limit the activity use of the property? (i.e. Chesapeake Bay Preservation Area, Groundwater Protection Area, 50 or 100 year Flood zone).	CBPA located on parcels.

Name: [Signature]

Title/Position: Capital Projects Administrator

Organization: City of Richmond DPW

Date: 12/10/13

