

EPA Comfort Letter Intake Form



What is an EPA Comfort or Status Letter?

EPA's comfort letters, sometimes also called status letters, are informational tools designed to provide requestors with important information about a Superfund site property, including a site's cleanup status and property restrictions, proposed reuse compatibility, federal Superfund liability protection options and potential EPA liens. EPA also offers Prospective Purchaser Inquiry (PPI) Support calls with prospective owners and lessees of site property to discuss these topics in more detail.

What Does EPA Need for Your Comfort Letter Request?

A written response from you will allow EPA to offer you a comprehensive Comfort Letter and the most support. You can email or mail your answers to the questions below to the contact person listed at the end of this document.

The response should include the following information (to the best of your knowledge):

Comfort Letter Recipient Information			
Name:	Charles <i>First Name</i>	R. <i>Middle Name</i>	Lyddane <i>Last Name</i>
Address:	Ex. 6 Personal Privacy (PP) <i>Street</i>		
	Malvern <i>City</i>	PA <i>State</i>	19355 <i>Zip code</i>
The name of the person or legal entity acquiring the property interest (e.g., title, lease, or easement) and the exact location of the property (e.g., street address and tax parcel numbers).			
Green Fig Power Solutions LLC			

1. How do you intend to use the property?

Please be as specific as possible as it is important that your proposed reuse does not impact the cleanup. Provide specific information on any and all operations related to the storage, treatment or generation of any type of hazardous substance. If you plan on any soil disturbance or well drilling, a thorough explanation of these activities is important. Sharing the most detailed description possible will enable EPA to provide you with as complete a response as possible on whether your proposed reuse is compatible with the cleanup and current/future property restrictions. If your proposed use is still undefined, an initial EPA Comfort Letter may not be able to address all of your specific concerns. If you have site plans or other materials, please attach those to this intake form.

Answer:

Possible Green Energy Project – BESS and Solar

2. Please explain the 1) legal property interest that will be acquired (e.g., title, lease, or easement), 2) how it will be acquired, and 3) from what person or entity you are acquiring the property interest.

Specific information concerning the type and method of property interest acquisition is helpful for determining what federal Superfund liability protections may be available. For example, will you buy the property or lease it?

Note: Governmental entities that acquire property through certain methods such as tax foreclosure, seizure or condemnation may qualify for the State/Local Government Exemption to federal Superfund liability.

Answer:

Title purchased from Whiteland Holdings

3. Are you familiar with the available federal Superfund liability protection options that most prospective purchasers and some lessees will need to evaluate and comply with BEFORE taking a property interest to avoid potential liability?

For example, the most used liability protection requires that a compliant environmental assessment be obtained in advance of acquiring the property interest.

EPA's "Top Ten Questions to Ask Before Buying a Superfund Site" fact sheet provides helpful information. [HYPERLINK "<http://www.epa.gov/superfund-redevelopment/top-10-questions-ask-when-buying-superfund-site>"]

Answer:

Yes. The owners have maintained BFPP status.

4. Do you plan to conduct, or have you conducted, any environmental assessment (for example, a Phase 1 Environmental Site Assessment) at the property?

Answer:

yes

5. Do you have any affiliation or relationship with the current or previous owners, or with any other potentially liable party at this Superfund site, other than a sale or lease negotiation? Identify all activities you have conducted at or in connection with the property.

Answer:

We are a separate SPE

6. Do you intend to lease or rent out any portion of the property?

If you do want to rent out the property, keep in mind that, as the property owner, you will need to make sure that the tenants do not create any environmental risk. Renters may want to speak with EPA about their own federal liability protection options.

Answer:

no

7. EPA would appreciate any additional property-related information that you may be able to share, such as benefits from the reuse of the property.

This could include information such as "This redevelopment project will create X number of jobs, affordable housing units or wildlife habitat."

Answer:

The redevelopment would create part of a 300- 700 MW BESS and solar power system

8. Are you aware of any EPA liens on the property?

Answer:

There are none.

9. Are you in contact with state (and potentially local) environmental agencies?

Since EPA's letter will address potential liability from the federal perspective only, it is helpful if you are able to advise EPA if you have contacted local and state environmental agencies.

Answer:

Yes and we have hire ACRI Environmental and Jenifer Fields, a former EPA employee as a consultant

10. How quickly would you like a Comfort Letter response from EPA?

By providing the information above, EPA will be able to prepare a site-specific Comfort Letter. EPA's Comfort Letter will also share additional sources of information for the property and tell you if EPA is aware of any property-related considerations that may require special care.

Answer:

As soon as practical.

EPA's mailing address is:
United States Environmental Protection Agency, Region 3
4 Penn Center

1600 JFK Boulevard
Philadelphia, PA 19103
Attn: Jaclyn Kondrk (3SD12)

If you have questions about this intake form, please contact:
Jaclyn Kondrk, Superfund Redevelopment Coordinator
U.S. Environmental Protection Agency, Region 3
215-814-3358
[HYPERLINK "mailto:Kondrk.jaclyn@epa.gov"]