



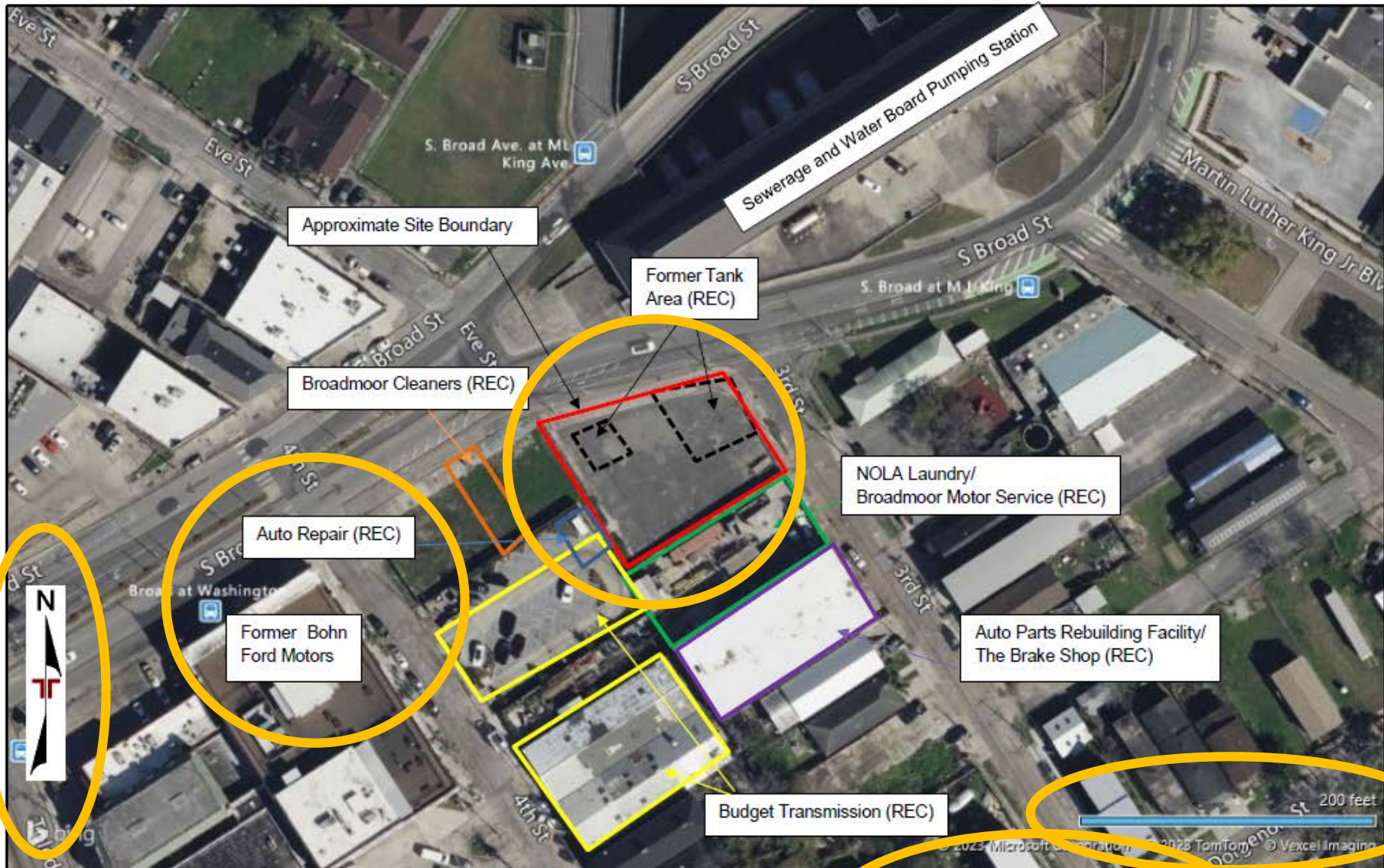
# PERFORMING A PHASE I ESA: IDENTIFYING POTENTIAL HURDLES AND DETERMINING WHAT ROAD TO TAKE

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# HOW TO READ A PHASE I ESA

- **Executive Summary:** Read it, but don't stop there!
- **User Reliance:** Is the report written for the right entities?
- **Historic & Current Site and Adjacent Property Use:** Are they included & what are they?
- **Interviews:** Were the correct people interviewed? If not, why not?
- **Site Reconnaissance:** Was the site visit thorough? If not, why not? Are photos of Recognized Environmental Concerns (RECs) included?
- **Site Plan:** Is the property boundary correct? Is the map accurate? Does it note any RECs?



<p>AERIAL PHOTOGRAPHY PROVIDED BY MICROSOFT BING MAPS</p> <p>DIAGRAM IS FOR GENERAL LOCATION ONLY, AND IS NOT INTENDED FOR CONSTRUCTION PURPOSES</p>	<p>Project Manager: KAW</p> <p>Drawn by: KAW</p> <p>Checked by: RAK</p> <p>Approved by: RAK</p>	<p>Project No. ET237257</p> <p>Scale: AS SHOWN</p> <p>File Name: Exhibits</p> <p>Date: 11/3/2023</p>	<p><b>Terracon</b></p> <p>524 Elmwood Park Blvd Ste 170 New Orleans, LA 70123-6814</p>	<p><b>SITE DIAGRAM</b></p> <p>TBA WO 15 - 2600 S. Broad St. 2600 S. Broad Street New Orleans, Louisiana</p>	<p>Exhibit</p> <p>2</p>
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# HOW TO READ A PHASE I ESA

- **Historical Records:** Compare the report with your interpretation of the historical records
- **Environmental Records Search:** Is the site listed? What facilities are less than a ¼ mile from the site?
- **Agency File Review:** Did they look up the site in EDMS? How did they search for the site?
- **Data Gaps:** What is missing? Can those gaps get closed?
- **Findings and Conclusions:** Does everything add up? Any RECs? Any business risks? Ask questions!



# RECOGNIZED ENVIRONMENTAL CONCERNS

- What are RECs?
- What do you do about them?
- Recommended additional investigation
  - Talk to your environmental consultant
  - Ask for specific recommendations as a separate document
- Business Risks (If you ask your consultant to include them)
  - Example: Lead, Asbestos & Mold

# WHY PERFORM A PHASE I ESA?

## WHO ORDERS A PHASE I ESA?

- Prospective Purchasers
- Current Owners
- Funders/ Lenders/  
People Financing a Project

- Reduce risk
- Identify potential issues
- Liability Protection
  - Documents what was at the site before you took ownership
- Funding Requirement
  - \*\*\*Brownfield Cleanup Grants\*\*\*
    - Bank Funding
    - Other Grants/ Loans
- Facilitate Site Reuse



# PHASE I ESA - ENVIRONMENTAL LIABILITY

- LDEQ and EPA cannot require **you** to cleanup the site
- May still need to assess/cleanup the site for reuse to prevent exposure
- Does not provide general liability protection as a landowner
  - *i.e. Anyone can still sue you*

# YOU'VE COMPLETED A PHASE I ESA: NOW WHAT???

- No RECs
- RECs
  - Impacts on Redevelopment
  - Regulatory Requirements
- Business Risks
  - Example: Lead, Asbestos & Mold
- Options:
  - Move forward with project?
  - Back out of project?
  - Move forward with Phase II and/ or Cleanup before/ after the sale



# QUESTIONS??

- What questions do you have about Phase I ESAs?
- What's a time when a Phase I ESA revealed something interesting about a site?