E. Hazardous Substances (Superfund Liability) Requirements (detailed discussion starting on Page 49 of this guide)

Pre-Planning Issues

E.1. Who will conduct the historical review (to determine the possible presence of hazardous substances) of the construction site?

E.2. If this is a Superfund or brownfield property, who will identify and analyze if there are specific issues associated with the site (e.g., are there ongoing or remaining cleanup or long-term maintenance obligations associated with the site)?

E.3. Who will ensure that soil, air, and water samples are collected and analyzed, if necessary?

E.4. If a hazardous substance is found, who will contact the National Response Center?

E.5. Who will coordinate with EPA regarding any necessary site cleanup activities?

E.6. Who will follow the steps of the Brownfields Program if the construction site is a brownfield site?

E.7. Who will maintain documents/records containing hazardous substance information?

Project-Related Wastes

E.8. Who accepts responsibility for generated wastes? The waste “generator” is the person whose activity first “produces” the waste.

E.9. Who will ensure proper handling, storage, transport, and disposal of wastes?

E.10. Who will ensure that reporting obligations are met?

E.11. Who will work with EPA to conduct site cleanup, if necessary?