

THE NRG REPORT

Important Changes To The EPA's "All Appropriate Inquiry" Rule

Prospective purchasers of contaminated property would do well to familiarize themselves with the new Environmental Protection Agency (EPA) standards for Site Assessment, which took effect on November 1, 2006. These new "All Appropriate Inquiry" standards will most significantly affect purchasers of property that have a high likelihood of contamination and any parties that seek grants under the EPA Brownfields Program.

As part of the 2002 federal Brownfields program, legislators sought to facilitate the re-development of commercial properties by offering purchasers liability relief from being named a "potentially responsible party" in future claims resulting from past contamination. In order to take advantage of this program, potential purchasers were required to perform environmental site assessments on the property, prior to its purchase, in order to document potential liability concerns. Prior to the recent changes, the EPA required that these site assessments be conducted consistent with American Society of Testing Materials (ASTM) Phase I standards (ASTM 1527-00). The new standard, ASTM 1527-05, considerably increases the level of assessment required to qualify for federal liability protection. And perhaps even more significantly, the new standards rely more heavily on the professional judgment of the environmental professional performing the assessment.

The new "All Appropriate Inquiry" Rule and ASTM standard requires that...

- *Environmental professionals performing site assessments must meet increased qualifications. The new standards specify the types of licenses and specific work experience required by the environmental professionals performing the assessments.*
- *Assessments must be performed within one year prior to the purchase of the property, and certain aspects must be performed within 180 days.*
- *More expansive reviews of historical property records must be performed.*
- *More extensive interviews must be conducted, including those with owners of neighboring properties.*
- *Environmental professionals must identify "data gaps" in available information, which could affect the assessment of the property.*
- *Property owners must commit to addressing data gaps post-purchase.*
- *Potential purchasers of properties must assume greater responsibilities, with respect to assessing potential liabilities associated with the properties.*

Norfolk Ram Group, LLC's (Norfolk's) experienced environmental professionals are trained in providing site assessments in conformance with the new ASTM standard 1527-05 requirements of the new "All Appropriate Inquiry Rule." If you would like to know more about All Appropriate Inquiries, have questions about the recent changes or are interested in discussing a potential project, please contact Norfolk's Brian V. Moran, P.E., LSP at (508) 428-1276, extension 12, or email Brian at bmoran@norfolkram.com. Norfolk can also be accessed on the internet at www.norfolkram.com.

Norfolk Announces Smart Growth Award

Norfolk Ram Group, LLC (Norfolk) has been chosen by the Commonwealth of Massachusetts for a 2006 Smart Growth Award. Recognized for their work for the Town of Cohasset, and more specifically for their continued environmental expertise pertaining to the Lily Pond and Peppermint Brook Best Management Practices (BMP) Implementation Project, Norfolk's goal for the town has been two-fold. Norfolk has engineered a project that will first, reduce nutrient loading and control in-take vegetation levels for the pond, and second, will support a long-term water supply management strategy that is best suited for the community.

With a population of 7,261, the Town of Cohasset relies primarily on the Lily Pond Surface Water Treatment Plant, in order to supply the Town with 90% of its drinking water. A eutrophic, shallow, 51-acre pond, consisting of 1,603 acres, Lily Pond's water supply comes directly from both the Peppermint and Brass Kettle brooks.

In an effort to preserve and protect Cohasset's primary water source, Norfolk has implemented Low Impact Development (LID) practices, including raingardens and bioretention swales. The final project will consist of 31 raingardens and two vegetated, bioretention swales. As of today, five of the raingardens and both

bioretention swales have been constructed. These natural processes will allow the runoff to filter through specially engineered soils, which will reduce pollutant and nutrient levels, lower elevated temperature levels during the summer, and mitigate any potential flooding. After the stormwater drains through the engineered soils, the "treated" stormwater is collected by under-drains and either returned back to the stormwater system, or infiltrated back into the ground.



Example of community raingarden

For more information on Norfolk's involvement with the Town of Cohasset, stormwater management or LID practices, please contact Norfolk's Mark S. Bartlett, P.E., TURP at (508) 747-7900, extension 131, or via email at mbartlett@norfolkram.com. Norfolk can also be visited on the internet at www.norfolkram.com.

Norfolk Assists Town of Carver in Obtaining \$200,000 Grant

Norfolk Ram Group, LLC, in partnership with the Town of Carver, Massachusetts, is pleased to announce the award of a \$200,000 Brownfields Grant from the Environmental Protection Agency (EPA) for the clean-up and re-development of a prime parcel of land located in downtown Carver Center. The Town of Carver was awarded the grant, which had been prepared and submitted by Norfolk on their behalf, in May of 2006. The funds will be used specifically to remediate fuel oil contamination from a leaking underground storage tank and convert the site into a valuable community asset, possibly including Town administrative facilities.

The EPA's Brownfields grant program promotes the re-development of an estimated 450,000 abandoned and contaminated sites throughout the country. Peabody, Boston, Northampton, and Haverhill were among the other EPA Brownfields Grant recipients in the state in 2006.

If you would like to know more about Norfolk's involvement with the Town of Carver, or the EPA Brownfields grant program, please contact Norfolk's Mark S. Bartlett, P.E., TURP at (508) 747-7900, extension 131, or via email at mbartlett@norfolkram.com. Norfolk can also be accessed on the internet at www.norfolkram.com.

Source: Carver Reporter, May 2006

Norfolk Welcomes its New Employees

Wayne Perry has over 30 years of experience in design, permitting and construction of civil and environmental engineering projects for both public and private sector clients. Mr. Perry specializes in consulting services in connection with wastewater and water designs and processes. Mr. Perry is a registered Professional Engineer in 11 states and a Licensed Site Professional in the state of Massachusetts.

Steven Perdios is an EIT with 11 years of experience in managing the design of wastewater, water and drainage projects for both public and private sector clients within the New England region. Mr. Perdios' projects have included conceptual, preliminary and detailed designs of CSO facilities, sewer system evaluation studies, collection system designs and rehabilitations, facility planning, sewer separation design, combined sewer system improvements, resident construction engineering, water and wastewater marketing, and the supervision of administration and construction services.

James Downing is a recent graduate, with one year of experience in wastewater and infrastructure projects for both public and private sector clients in the U.K. Mr. Downing's projects have included supervising on-site construction as a resident construction engineer. Within these projects Mr. Downing's roles have included project management, supervision of subcontractors, construction site surveying, utility installation, and construction program planning and administration.

Norfolk Ram Group, LLC is a full-service environmental and civil engineering consulting firm, which specializes in environmental compliance, permitting, assessment, design/build remediation, and civil engineering.

The NRG Report is published by Norfolk Ram Group, LLC.

One Roberts Road
Plymouth, Massachusetts 02360
(508) 747-7900 phone
(508) 747-3658 fax

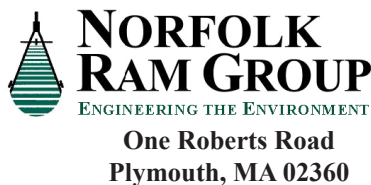
25 Birch Street, Building B
Milford, Massachusetts 01757
(508) 478-1276 phone
(508) 478-1498 fax

Visit our website at:

www.norfolkram.com

Editorial Review Board:
Brian Moran, P.E., LSP,
Principal
Mark Bartlett, P.E., President
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