

Phase I Environmental Site Assessment (ESA) ORCA Requirements

The Phase I ESA must conform to ASTM E1527-21 standards. These standards are sufficient to satisfy the EPA's All Appropriate Inquiries (All) final rule at [40 CFR 312.11](#). The Phase I ESA must be prepared/certified by "environmental professionals" as defined by EPA [40 CFR 312.10](#).

OHCS requires all projects to submit a Phase I ESA conducted no more than six months prior to submission to the Procorem WorkCenter during the Impact Assessment phase of the ORCA.

Phase I ESA Requirements for Projects Receiving Federal Funds

Projects receiving federal HOME, HOME-ARP, or Housing Trust Fund (HTF) resources require a valid Phase I ESA conducted no more than six months prior to the completion of the Part 58 environmental review. Phase I ESAs conducted more than six months (and less than a year) before the completion of the Part 58 environmental review will need the following components updated:

- interviews with owners, operators, and occupants
- searches for recorded environmental cleanup liens
- reviews of federal, tribal, state, and local government records
- visual inspections of the property and of adjoining properties
- the declaration by the environmental professional responsible for the assessment or update.

Phase I ESAs older than one year may be used for reference only and are not valid for the purposes of the Part 58 environmental review.

The Phase I ESA must also include the following two elements:

1. The statement of purpose in the Phase I ESA introduction includes language stating compliance with HUD's 24 CFR 58.5(i)(2) or 50.3(i) requirements, including relevant non-scope contamination issues
2. The Phase I findings and conclusions should state whether any further investigation or corrective action is needed to ensure that the property meets requirements at 58.5(i)(2) or 50.3(i)

24 CFR 58.5(i)(2) or 50.3(i) requirements are as follows:

- All property proposed for use in HUD programs be free of hazardous materials, contamination, toxic chemicals and gasses, and radioactive substances, where a hazard could affect the health and safety of occupants or conflict with the intended utilization of the property.
- Environmental review of multifamily and non-residential properties shall include evaluation of previous uses of the site and other evidence of contamination on or near the site, to assure that occupants of proposed sites are not adversely affected by the hazards.

- Particular attention should be given to any proposed site on or in the general proximity of such areas as dumps, landfills, industrial sites, or other locations that contain, or may have contained, hazardous wastes.
- The responsible entity shall use current techniques by qualified professionals to undertake investigations determined necessary.