



Description of Environmental Requirements

The following details the environmental requirements, generally applicable to MassHousing-financed projects:

Developments shall comply with all federal, state, and local environmental laws and the regulations and rules applicable thereunder, and this compliance shall be documented in satisfactory written reports from appropriately licensed professionals.

The Mortgage shall include an environmental rider which shall contain provisions with respect to the containment and removal of hazardous waste and toxic substances as may be found on the Development, and/or as may be required by applicable environmental regulations or laws, as well as obligations with respect to regulatory compliance and the payment of environmental costs.

The following provides descriptions of the documentation required for environmental reviews. While listed by priority, it is advisable to submit each item as soon as available to expedite processing.

Required to initiate reviews:

- **Phase I Environmental Site Assessment (ESA)** completed within six (6) months of application, is required for MassHousing loan commitments. The ESA must include all elements of the current version of the Environmental Protection Agency's (EPA) All Appropriate Inquiry (AAI) and ASTM E-1527 standards as adopted by HUD. If the ESA or other sources recommend or otherwise indicate additional investigation or actions, documentation of such is also required.
- **Project Notification Form (PNF)** with the required USGS map attachment. For reference:
 - <http://www.sec.state.ma.us/mhc/mhcpdf/pnf.pdf>
 - <http://www.sec.state.ma.us/mhc/mhcpdf/pnfguide.pdf>
 - I. For projects receiving Federal Funding (in the form of mortgage insurance through federal programs), sent directly to MassHousing, not MHC. List "MassHousing" under "Agency Name" and list "Permanent mortgage financing" under "Type of license or funding". Also send copy of other related information if any applies.
 - II. For projects with no Federal Funding, send directly to MHC.
- **FEMA/FIRM flood map** with the property location identified and the legend with flood zone definition included. If the property contains more than one flood zone, delineate them clearly on a site plan. If in a flood hazard zone, flood insurance may be required.

Required prior to MassHousing submittal to HUD (or prior to closing if not receiving Federal funding):

- State the presence or absence of wetlands and, if present, delineate on a site plan (may be included in the Phase 1 ESA).
- Provide a statement describing the presence of endangered plants or animals, or lack thereof (may be included in the Phase 1 ESA).
- Provide approximate distances to nearest airport, highway and/or rail traffic

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- If the building(s) was/were originally constructed prior to 1978, whether renovated subsequently or not, provide a survey for lead-based paint (LBP).
- If the building(s) was/were originally constructed prior to 1983, whether renovated subsequently or not, provide a survey for asbestos containing materials (ACM)

Required prior to closing:

- Provide radon gas sampling per current EPA protocol.
- If the building(s) was/were originally constructed prior to 1978, provide (a) a LBP Operations and Maintenance Plan and (b) Letters of Compliance with the Massachusetts Lead Paint Law for each dwelling unit that is not restricted to occupancy by elderly residents only.
- If the building(s) was/were originally constructed prior to 1983 provide an ACM Operations and Maintenance Plan.
- List properties within 1/2 mile if any are known to store commercial quantities of flammable or explosive materials.
- Provide Reliance Letter(s) for environmental reports or include reliance on the report by Massachusetts Housing Finance Agency within the body of the report.
- As may apply, provide itemized description, costs, specifications and/or protocols for work involving hazardous or environmentally regulated materials, if any.