

**For EPA Internal Use ONLY**

**ASSESSMENT PROGRAM  
INFORMATION NEEDED TO DETERMINE SITE ELIGIBILITY (updated 4/11)**

(Use Tab, arrow keys or mouse to move through questions; use Spacebar or mouse to check boxes)

**A. BACKGROUND INFORMATION**

Date: January 15, 2015

1. Grant number: BF96166601
2. Grant recipient: City of Chicopee, MA
3. Person providing site information: Lee M. Pouliot
4. Property/site name: Former Lyman Company (Dwight Manufacturing Company Mill #7)
5. Property address: 165 Front Street & Depot Street Chicopee, MA 01013 Assessors IDs 0095-00003 & 0095-0004B
6. Current property owner: G & W Realty Trust, C/O William S. Wright, Trustee
7. Work to be done:  Phase I  Phase II  Phase III  Other  
Explain Other: Representative Hazardous Building Materials Survey

**B. SITES ELIGIBLE FOR FUNDING**

1. Does the site meet the definition of a Brownfields (*a real property, the expansion, redevelopment or reuse of which is complicated by the presence or potential presence of hazardous substances, pollutants or contaminants*)?  Yes  No
2. Type of contamination present:  Hazardous Substances  Petroleum  Co-Mingled  
(*If the site has both hazardous substances and incidental petroleum contamination, check the box the "co-mingled" box. If the site has hazardous substances and distinguishable petroleum contamination, you must obtain approval from the State and EPA.*)
3. Describe the operational history and current use(s) of the site: The John R. Lyman Company building was constructed around 1890 and served as the manufacturing headquarters for the John R. Lyman Company (also known as LymTech Scientific), which produces specialized wiping materials used in the medical and electronics industries since the early 1900's. The building is historically known as the Dwight Manufacturing Company Mill #7 and focused on textile production prior to ownership by the Lyman Company. In 2011, the company constructed a new facility in one of the City's Industrial Parks and moved operations out of the historic mill

building. Since that time the property has remained mostly vacant.

4. Describe the environmental concerns at the site, including when and how the site became contaminated and, to the extent possible, the nature and extent of the contamination. If the environmental concerns are unknown, or if the land has been vacant for many years, why do you think it is contaminated? : The extent of any known or unknown environmental contamination has not been fully studied. The subject property is adjacent to the Cabotville Mill Complex that operated as a textile mill on the site as early as 1832. A review of known environmental documents revealed an existing Activity and Use Limitation (AUL) for a small area of the property. In addition, two storage tanks have been removed from the property.
5. Describe the proposed expansion, redevelopment or reuse of the property: The current property owner has been marketing the property for some time and is in negotiations with a prospective developer who is interested in restoring and converting the building into a residential project focusing on live/work lofts. Such a redevelopment is consistent with the West End Brownfields Area-Wide Plan (AWP) which focused on the Lyman and Cabotville Mills (Mill District) as a significant driver in the redevelopment of additional Brownfields within the neighborhood. The City is supportive of this project advancing and would like to assist in the completion of assessment work.

**C. SITES NOT ELIGIBLE FOR FUNDING**

Please answer the following questions to the best of your knowledge:

1. Is your facility listed (or proposed for listing) on the National Priorities List?  Yes  No
2. Is your facility subject to unilateral administrative orders, court orders, administrative orders on consent, or judicial consent decrees issued to or entered into by parties under CERCLA?  Yes  No
3. Is your facility subject to the jurisdiction, custody, or control the US government? (Land held in trust by the US government for an Indian tribe is eligible.)  Yes  No

*Note: If you answered YES to any of the above (C. 1-3) your property is **not** eligible.*

**D. SITES NOT ELIGIBLE FOR FUNDING WITHOUT A PROPERTY SPECIFIC DETERMINATION:**

Certain properties cannot be approved without a “Property Specific Determination”. Please answer the following questions to the best of your knowledge:

1. Is your site/facility subject to a planned or ongoing CERCLA removal action?  Yes  No
2. Has your site/facility been issued a permit by the U.S. or an authorized state under the Solid Waste Disposal Act (as amended by the Resource Conservation and Recovery Act (RCRA)), the Federal Water Pollution Control Act (FWPCA), the Toxic Substances Control Act (TSCA), or

the Safe Drinking Water Act (SWDA)?  Yes  No

3. Is your site/facility subject to corrective action orders under RCRA (sections 3004(u) or 3008(h))?  Yes  No
4. Is your site/facility a land disposal unit that has submitted a RCRA closure notification under subtitle C of RCRA or is subject to closure requirements specified in a closure plan or permit?  Yes  No
5. Has your site/facility had a release of polychlorinated biphenyls (PCBs) that is subject to remediation under TSCA?  Yes  No
6. Has your site/facility received funding for remediation from the Leaking Underground Storage Tank (LUST) Trust Fund?  Yes  No

*Note: If you answered YES to any of the above (D. 1-6), please call your Project Officer and she/he will explain how to prepare a property specific determination. Refer to Appendix 2, Section 2.5, of the Proposal Guidelines for additional information.*

**\*\* For petroleum sites, please proceed to Section F – Petroleum Only Sites**

#### **E. PROPERTY OWNERSHIP ELIGIBILITY**

1. Are there any known ongoing or anticipated environmental enforcement actions (at the federal, state or local level) regarding the responsibility of any party for contamination or hazardous substances at the site?  Yes  No If yes, please explain:

#### **Information on Liability and Defenses/Protections - Answer the following if the assessment grant recipient does NOT own the site:**

1. Did the assessment grant recipient ever arrange for the disposal of hazardous substances at the site, or transport hazardous substances to the site?  Yes  No
2. Did the assessment grant recipient ever cause or contribute to any releases of hazardous substances at the site?  Yes  No
3. Describe the assessment grant recipient's relationship with the current owner and the owner's role in the work to be completed: The Grant recipient, the City of Chicopee, has a well-established working relationship with the current property owner whom was very active on the West End Brownfields AWP Steering Committee. Additionally, the City is working with the prospective developer regarding rehabilitation plans for the building. An access agreement between the City of Chicopee and property owner will be executed prior to any on-site review or hazardous

materials survey efforts being completed.

**Information on Liability and Defenses/Protections - Answer the following if the assessment grant recipient owns the site or will own the site during the grant performance period:**

1. How was the property acquired (or how will it be acquired)?
  - a.  Negotiated purchase from a private individual
  - b.  Purchase or transfer from another governmental unit
  - c.  Tax foreclosure
  - d.  Eminent domain
  - e.  Donation
  - f.  Other (explain): N/A; City will not own or retain ownership of the Site.
  
2. What was the date when the property was acquired (or the anticipated date when it will be acquired)? The property was acquired by the current owner in the early 1900's. Pending final purchase negotiations, the property will likely transfer to the prospective developer by March 2015.
  
3. What is the name and identity of the party from whom the property was (or will be) acquired? The property will be acquired from the G&W Realty Trust, C/O Willam S. Wright, Trustee
  
4. Describe all familial, contractual, corporate or financial relationships or affiliations the assessment grant recipient has or has had with all prior owners or operators of the property: As a municipality, the grant recipient has collected property taxes from the current and prior owners. The Current owner also participated in an EPA funded Area-Wide Brownfields Planning Grant awarded to the Pioneer Valley Planning Commission of which included the subject property.
  
5. Did disposal of all hazardous substances at the site occur before the assessment grant recipient acquired (or will acquire) the property?  Yes  No
  
6. Did the assessment grant recipient ever arrange for the disposal of hazardous substances at the site, or transport hazardous substances to the site?  Yes  No
  
7. Did the assessment grant recipient ever cause or contribute to any releases of hazardous substances at the site?  Yes  No
  
8. Did the assessment grant recipient perform any environmental inquiry prior to the purchase of the property?  Yes  No
  
9. If a pre-purchase inquiry was performed, describe the types and dates of the assessments performed, indicate on whose behalf the assessments were performed, and indicate whether the applicant performed the pre-purchase inquiry in accordance with EPA's All Appropriate Inquiry rule (or ASTM E1527-05, or its equivalent at the time of purchase): The pre-purchase inquiry will be performed on the subject property prior to the property's sale the the prospective developer.

## F. PETROLEUM ONLY SITES - PROPERTY OWNERSHIP ELIGIBILITY

*Petroleum-only sites are to be submitted to the state for eligibility determination. Please contact your state representative to obtain the information they require to determine site eligibility. As a courtesy, send a copy of the site eligibility information to your EPA Project Officer so he or she is aware of potential upcoming work. The assessment grant recipient must provide their EPA Project Officer with a copy of the state's determination letter. The following questions are typical of the petroleum site information you may need to provide to the state:*

1. Did the current and/or immediate past owner dispense or dispose of petroleum or petroleum products, or exacerbate existing petroleum contamination on the site?  Yes  No

*Note: If the answers to question F.1 is no, the site may be eligible.*

2. If the answer to either question F.1 is yes, did the responsible party take reasonable steps to address the petroleum contamination on site?  Yes  No Explain:
3. If the answer to either question F.1 is yes, is the responsible party financially capable to assess and clean up the site?  Yes  No Explain:

*Note: If question F.1 identified a responsible party who is liable for petroleum contamination at the site, and that party is financially viable to pay for assessment and cleanup costs, then the site is **not** eligible. If the identified responsible party took reasonable steps to address the petroleum contamination at the site, and/or is not financially viable to pay for the assessment and cleanup costs, then the site may still be eligible.*

4. Is the site “relatively low risk” compared with other “petroleum-only” sites in the state:
  - a. Is the site currently being cleaned up using LUST trust fund monies?  Yes  No
  - b. Is the site currently subject to a response under the Oil Pollution Act (OPA)?  Yes  No

*Note: If the answers to questions F.4a and F.4b are no, the site would be considered to be of relatively low risk for purposes of determining eligibility.*

5. Has any responsible party been identified for the site through, either:
  - a. A judgment rendered in a court of law or an administrative order that would require any person to assess, investigate, or cleanup the site:  Yes  No
  - b. An enforcement action by federal or state authorities against any party that would require any

person to assess, investigate, or cleanup the site:  Yes  No

c. A citizen suit, contribution action or other third party claim brought against the current or immediate past owner, that would, if successful, require the assessment, investigation, or cleanup of the site:  Yes  No

6. Is the site subject to any RCRA orders issued under 9003(h) of the Solid Waste Disposal Act?  
 Yes  No

*Note: If the answer to any of the questions in F.5 or F.6 is yes, the site is **not** eligible.*

## **G. ACCESS**

Does the assessment grant recipient have access or an access agreement for this property?

Yes  No

## **H. NATIONAL HISTORIC PRESERVATION ACT (NHPA) COMPLIANCE**

*Note: If you answer yes to any of the following questions you should contact your project officer to determine if any additional information is required.*

1. Is your selected property (site) currently listed in the National Register of Historic Places and/or is it a designated National Landmark?  Yes  No

2. Is your selected property (site) eligible to be listed in the National Register of Historic Places?  Yes  No

In order to support your response, please provide any and all documentation from the federal Government and/or State Historic Preservation Officer (SHPO). (i.e., SHPO Determination Letter which you may obtain independent of the EPA process.

3. Is your selected property (site) part of a designated Historic District?  Yes  No

4. Will your project impact the viewshed of any adjacent or surrounding designated Historic Districts or registered historic structures?  Yes  No

5. Does your project have the potential to impact archaeological resources?  Yes  No

## **I. SITE ELIGIBILITY**

*(To be filled out by EPA Project Officer.)*

The site, at the above-described property, is eligible for assessment work:  Yes  No

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Project Officer

January 16, 2015  
Date

Need for Attorney Consultation:  Yes  No Notes:

Additional Information: