



## MassHousing Environmental Requirements

Last updated 03/25/2022

### Summary

This document outlines the requirements, recommendations, and expectations of MassHousing's Design and Construction Department regarding Environmental matters.

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.

MassHousing reserves the right to waive or alter the requirements set forth in this document.

### (1) Requirements 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 all projects, send electronically the signed PNF with attachments directly to MassHousing. List "MassHousing" under "Agency Name" and list the type(s) of funding under "Type of license or funding". Also send copy of other related information if any applies. MassHousing will submit the completed PNF to the State Historic Preservation Officer (SHPO) and Tribal Historic Preservation Officer (THPO) as applicable to the type of funding.

- **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. Flood hazards may extend the environmental review process and should therefore be brought to MassHousing's attention as early in the process as possible.
- Radon testing performed by a Qualified Radon Professional in accordance with EPA, ASTM, and all State and Federal regulations (for existing buildings only, new construction radon testing at final completion).
- For renovation projects, provide hazardous material reports and O & M plans for lead, asbestos, polychlorinated biphenyls (PCB), and as recommended by the Licensed Site Professional (LSP).

- Provide Reliance Letter(s) for environmental reports or include reliance on the report by Massachusetts Housing Finance Agency within the body of the report.

Additional information may be requested based on findings in reviewed materials and as recommended by the LSP.

## **2) Requirements prior to final closing:**

Professional sign-off on any environmental scope and remediation closure

Radon testing performed by a Qualified Radon Professional in accordance with EPA, ASTM, and all State and Federal regulations.

- 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.
- As may apply, provide itemized description, costs, specifications and/or protocols for:
  - 1) Continued work necessary involving hazardous or environmentally regulated materials
  - 2) Ongoing maintenance and/ or monitoring requirements related to environmental remediation.