

**Chittenden County Brownfields Program
Owner Participation Agreement**
(form revised ~~August 2016~~ May 2019)

Name of Site: _____

Site Address: _____

Name of Owner: _____

I, _____, the undersigned owner(s) of the referenced property, agree to participate in the Chittenden County Brownfields Program. As a voluntary participant in this program, I agree to the following conditions:

- My property (or interest therein) will be included in the Chittenden County Brownfields Program inventory of sites;
- I will share documents and information relevant to the assessment and redevelopment processes;
- I will disclose and share prior environmental assessment actions and records;
- I am granting access to Chittenden County Regional Planning Commission (CCRPC) and their consultants ~~access~~ to the referenced property; and
- I give CCRPC or its designees permission to share information about Brownfields investigations conducted at my property ~~ease study~~ with others, including but not limited to via CCRPC Brownfields Advisory Committee meetings, the CCRPC website and newsletter, conferences, public forums, publications and other websites.
- Any press release, public communication or product pertaining to the work assisted by the program shall include the following statement: "Funding for this project was provided by the Chittenden County Regional Planning Commission through their Environmental Protection Agency Brownfield Assessment Grant." CCRPC staff shall be invited to attend any press or public events such as groundbreakings, grand openings, etc. in order to be able to promote the Program.

I understand that:

- Information collected by CCRPC or its consultant(s) is public information and will be available for public review;
- I have a right to terminate my voluntary participation in this program. Notification of termination must be submitted in writing to CCRPC;
- ~~If public funds have been expended on my property, I must reimburse this cost to prevent any future disclosure (note: reimbursement is not required if disclosure is not an issue)~~ Should I desire to not have the results be disclosed and made available to the public by the CCRPC of any assessments and studies conducted on my property funded in whole or in part by the CCRPC, I must first notify CCRPC within 15 calendar days of receipt of draft results of the assessment study of my desire to have not have the results be public and must pay CCRPC's contractor directly for the full cost within 30 calendar days of receipt of the draft results of the assessment/study;
- However, notwithstanding the clause above, under Vermont law, the property owner is responsible for notifying the Vermont Agency of Natural Resources immediately regarding releases that have occurred. The State may require additional site work, which may or may not be funded by the Chittenden County Brownfields Program depending on the circumstances;

- As a condition of federal funding, CCRPC is required to ensure that its work on the property meets certain federal requirements, such as those related to environment, health, and/or historic resources. I will cooperate with CCRPC to assist it to meet these requirements;
- ~~The Chittenden County Brownfields Program and CCRPC is not responsible for the cost of any cleanup activities that may be needed at the property and, as the current owner, I may have to bear these cleanup costs according to existing state and federal laws; and~~
- As the current owner, I may or may not have to bear these cleanup costs according to existing state and federal laws; and
- CRPC's agreement to conduct environmental site assessment activities at this property does not mean that CCRPC has determined that redevelopment plans for this property are in conformance with the local municipal zoning and subdivision regulations, or the most recent version of the *Chittenden County Regional Plan*.
- Subject to this permission/participation, CCRPC agrees to:
- Consider including the property in the Chittenden County Brownfields Program and provide access to program benefits;
- Maintain confidentiality of owner's proprietary information (owner must identify proprietary information);
- Consult with the owner prior to any on-site activities; and
- Provide the owner with a copy of the draft and final assessment reports. These reports will identify whether a contaminant release has occurred or is suspected to have occurred.

Acknowledgement:

Signature of Property Owner(s)*

Signature of Executive Director, CCRPC

Printed Name(s) of Property Owner*

Charles L. Baker
Printed Name of Executive Director, CCRPC

Date

Date

*This agreement must be signed by all persons having an ownership interest in the property, or CCRPC must be provided with documentation demonstrating that the signer has the legal authority to sign on behalf of all owners.