

Town of Brattleboro Brownfield Program

**OWNER PARTICIPATION AGREEMENT**

Site Name \_\_\_\_\_ Parcel ID# \_\_\_\_\_

Address \_\_\_\_\_, Brattleboro VT 05301

I/we, \_\_\_\_\_, the undersigned owner(s) of the referenced property agree to participate in the Town of Brattleboro Brownfield Program. I/we understand that by being an active participant in the program, I/we agree that:

- My/our property will be included in the Site Inventory which allows the Town of Brattleboro to track the progress of sites within the Brattleboro Brownfield Program. Program progress will be provided to the U.S. EPA Brownfield Program within Brattleboro's quarterly reports.
- Documents and information concerning the site which are relevant to the redevelopment and reuse will be shared with potential developers;
- I/we will disclose to and share with the Town of Brattleboro all prior environmental assessment actions and records concerning the site;
- I/we hereby grant access to the site pursuant to the Access Agreement attached to this Agreement as Exhibit A.
- I/we hereby hold the Town of Brattleboro and the environmental consultant(s) harmless and free from any and all liability.

I/we understand that:

- I/we have the right to terminate my/our voluntary participation in this program, and that notification of termination must be submitted in writing to the Brattleboro Planning Department;
- Some of the information collected by the Town of Brattleboro and/or its environmental consultant(s) will be considered public information and upon request, may need to be made available for public review. I/we understand that my/our proprietary information will not be made public. If at any time I/we wish to revoke my/our consent on the non-proprietary information concerning my/our site, then and in that event I/we may be required to reimburse any public funds therefore to expended in connection with my/our site;
- The Town of Brattleboro may be required to complete a Section 106 Historic Review for property/buildings over 50 years old;
- The Town of Brattleboro or its environmental consultant(s) may be required to disclose any detected or perceived imminent threats to human health or the environment to the appropriate government agencies. For instance, if a tank is observed leaking fuel, the Town of Brattleboro or its environmental consultant(s) will be required to report the event to the Vermont Agency of Natural Resources; and

- Under Vermont law, the site owner is responsible for notifying the Vermont Agency of Natural Resources immediately regarding releases that have knowingly occurred, such as contaminant spills. The State may require additional site work, which may or may not be funded by the Brattleboro Brownfield Program depending on the circumstances.

Subject to this permission/participation, the Town of Brattleboro agrees to:

- Include this property/site in its program and provide access to program benefits;
- Maintain the confidentiality of the owner's proprietary information, to the extent allowed by law;
- Consult with the Property Owner prior to any on-site activities.
- Provide the owners(s) with a copy of the draft and final assessment reports, which will identify whether a contaminant release occurred or is suspected to have occurred.

The parties have executed this Owner Participation Agreement on the dates set forth below.

\_\_\_\_\_  
Property Owner (signature)

\_\_\_\_\_  
Town Manager  
Town of Brattleboro

\_\_\_\_\_  
Corporate Office/Owner (signature)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date