FREQUENTLY ASKED QUESTIONS

CLICK ON A QUESTION TO VIEW THE ANSWER

1 What is a "Superfund site"?

2 How is Superfund Redevelopment different from the Brownfields program?

3 Is a Superfund site safe for reuse?

4 Are there some Superfund sites that may not be reused?

5 Will the goal of reuse lead to the selection of less-protective cleanups in order to facilitate reuse?

6 Will plans for reusing a site result in longer cleanups?

7 Liability is often a concern at Superfund sites. How does EPA address the liability of those who are interested in reusing a site?

8 What will EPA do to help communities reuse Superfund sites?

9 What reuse activities can EPA fund using Superfund money?

10 What is EPA's authority to consider reuse as part of the remedial process?

11 How many sites are in reuse?

7

Liability is often a concern at Superfund sites. How does EPA address the liability of those who are interested in reusing a site?

The 2002 Brownfields Amendments created new liability protection for a "bona fide prospective purchaser" (BFPP). A key advantage of the BFPP protection is that it is self-implementing and, therefore, EPA is not required to make determinations as to whether a party qualifies for BFPP status. A party can achieve and maintain status as a BFPP so long as that party meets the statutory criteria. Section 107(r) protects a party as a BFPP from owner/operator liability if the party acquires property after January 1, 2002, and meets the criteria in CERCLA § 101(40) and § 107(r). For more information, see **The Revitalization Handbook** and the **Top Ten Questions to Ask When Buying a Superfund Site.**