

Streamlined Uniform Environmental Covenants for Downgradient Groundwater Impacts
Frequently Asked Questions
Updated March 17, 2015

1. **What is the intent of this document?** The Georgia Environmental Protection Division (EPD) is utilizing this "Frequently Asked Questions" as a means to provide additional information on the intent and purposes for a streamlined Uniform Environmental Covenant (UEC) for properties in the Voluntary Remediation Program (VRP) with groundwater impacts. The VRP is formally defined in the Georgia Voluntary Remediation Program Act (VRPA) which can be obtained at http://epd.georgia.gov/sites/epd.georgia.gov/files/related_files/site_page/GVRPA.pdf. If you are a property owner whose property has been impacted by a release from an adjoining property in the VRP and have further questions, EPD encourages you to contact us to discuss the intent of the UEC and its impact to your property.
2. **What is the Voluntary Remediation Program?** Detailed information on the VRP can be found at <http://epd.georgia.gov/voluntary-remediation>. Documents specific to the release that has impacted your property may also be found there.
3. **Why am I being asked to sign a streamlined UEC for groundwater when my property is not a Brownfield property or listed on the HSI?** Investigative work on the adjoining site included the characterization and delineation of impacted groundwater and has resulted in the definition of a plume of regulated substances exceeding regulatory standards. The investigation revealed that this plume extended beyond the source property boundary and impacts have been identified on your property.
4. **Why is a Uniform Environmental Covenant required in the VRP?** Per the VRPA, any voluntary remediation property or site relying on controls, including, but not limited to, groundwater use restrictions for the purposes of certifying compliance with cleanup standards, shall execute a covenant restricting such use in conformance with Chapter 16 of Title 44, the "Uniform Environmental Covenants Act" http://epd.georgia.gov/sites/epd.georgia.gov/files/related_files/site_page/UECA.pdf.
5. **What does this mean for my property with regard to future use?** At a VRP site where groundwater contamination exceeding cleanup standards is known to exist on adjacent properties, the VRP applicant must address any potential exposure pathways. If you have been asked to execute a UEC, the UEC must restrict the use or extraction of groundwater for any other purposes besides site characterization unless conducted under a plan approved in writing by EPD to eliminate the potential exposure pathway. For your property, future use of groundwater would be restricted as noted above.
6. **How does this restriction affect the value of my property?** The EPD protects and restores Georgia's environment and serves the public by implementing state laws, rules, and policies to protect human health and the environment. Information about potential financial impacts to your property may be obtained from a registered Real Estate Agent and/or Appraiser or from an Attorney who specializes in Real Estate and/or Environmental matters.
7. **Why should I sign a UEC for my property?** As a property owner, your participation in the development and implementation of a UEC for your property that protects both human health and the environment

supports all Georgians right to and responsibility for a healthy environment and the appropriate management of our natural resources.

8. **What costs do I have to bear for this UEC?** Typically, all costs associated with the site investigation and development, filing, and recording of the UEC are borne by the applicant for the VRP site. EPD is not a party to those negotiations.
9. **Can an environmental covenant be removed from a Property?** Yes, the UEC that has been signed with regard to your property may be terminated in accordance with OCGA 44-16-9 and 44-16-10, once certain requirements have been met. A model UEC termination document is available at http://epd.georgia.gov/sites/epd.georgia.gov/files/related_files/site_page/UCTermination.doc.
10. **What happens if the VRP applicant withdraws from the program or is removed from the Program by EPD?** If the site is listed on the HSI and your property is sub-listed due to impacts to groundwater, it would be subject to HSRA and further work would be required of the responsible parties (RPs). If the site was not on the inventory, the site may be evaluated for potential HSI listing. Should the site withdraw or be removed from the VRP, EPD will notify the RPs of the next action or document.
11. **Can you provide additional information regarding the environmental covenant?** Additional information including a model streamlined environmental covenant is located at the following link <http://epd.georgia.gov/uniform-environmental-covenants>.