

USEPA Brownfields Program

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“The Brownfields Program...has grown to be a model for community revitalization and economic development. It is a national effort implemented one community at a time to address sites in a holistic and inclusive way that engages the affected community or neighborhood; prioritizes brownfield sites; uses market and infrastructure studies and analysis; and identifies and secures resources to implement the coordinated brownfields projects, all in a way that will effect robust economic revitalization.”

- ▶ –Mathy Stanislaus
- ▶ Assistant Administrator,
- ▶ U.S. EPA Office of Solid Waste and Emergency Response

Comprehensive Environmental Response, Compensation & Liability

- ▶ Established in 1980 to...
 - Address closed and abandoned hazardous waste sites
 - Clean up releases or threatened releases to the environment of hazardous substances that may endanger public health or the environment.
 - Identify and take action against polluters to require cleanup actions and/or payment

Comprehensive Environmental Response, Compensation & Liability

- ▶ Expensive cleanups that take a long-time
- ▶ Potential for federal liability added uncertainty to the redevelopment process and hindered financing
- ▶ Properties left abandoned or underused because of they appear contaminated or potentially contaminated
- ▶ Abandoned or “moth-balled” properties contribute to community decline and environmental justice issues

EPA's Response: The National Brownfields Program

- ▶ EPA's 1995/1996 Action Agenda
- ▶ Small Business Liability Relief and Brownfields Revitalization Act (SBLRBRA)
 - 2002 Amendment to CERCLA (Superfund Law)
 - Provides Superfund Liability Relief & Specific Statutory Authority for Brownfields and State/Tribal Response Program Grant

Liability Relief for New Property Owners

- ▶ To manage superfund liability, new owners must meet a CERCLA defense to liability:
 - Tax foreclosure, eminent domain.
 - Innocent landowner defense, contiguous property owner.
 - **As of 2002, Bona Fide Prospective Purchaser (BFPP)**
 - All Appropriate Inquiry
 - ASTM 1527-13 Phase I Environmental Site Assessments

After



Before



emPower Plant®, St. Joseph, MO

Authorized Brownfield Funding

**\$200 MILLION*
COMMUNITIES**

**\$50 MILLION
STATES &
TRIBES**

***25% For Petroleum**

**ASSESSMENT
GRANTS**

**CLEANUP
REVOLVING LOAN
FUND GRANTS**

**DIRECT CLEANUP
GRANTS**

**JOB-TRAINING
GRANTS**

**BROWNFIELDS
TARGETED
ASSESSMENTS (TBA)**

**STATE & TRIBAL
RESPONSE
PROGRAM GRANTS**

**CERCLA
104(k)**

**CERCLA
128(a)**

Brownfields Definition

“... real property, the expansion, redevelopment, or reuse of which may be complicated by the presence or potential presence of hazardous substances, pollutants, contaminants, controlled substances, petroleum or petroleum products, or is mine-scarred land.”*

CERLCA Section 101(39)

*Allows for assessment of Petroleum, Asbestos & Lead Paint, Mold, Guano, Vapor Intrusion, Meth Labs, etc.



*Before:
former Kansas City Terminal
Railway yard, Kansas City, MO*

The Brownfields Process

Old Gas Station,
St. Louis, MO



Wine Bar/Restaurant



Community Engagement



- ▶ **Identify** Properties
- ▶ **Assess** Environmental Conditions
 - Phase I assessment
 - Site visit, interviews, records search
 - Phase II assessment
 - Site sampling
- ▶ **Cleanup**
- ▶ **Sustainable Redevelopment**

What EPA assistance opportunities are available for brownfields?

▶ *Free Technical Assistance*

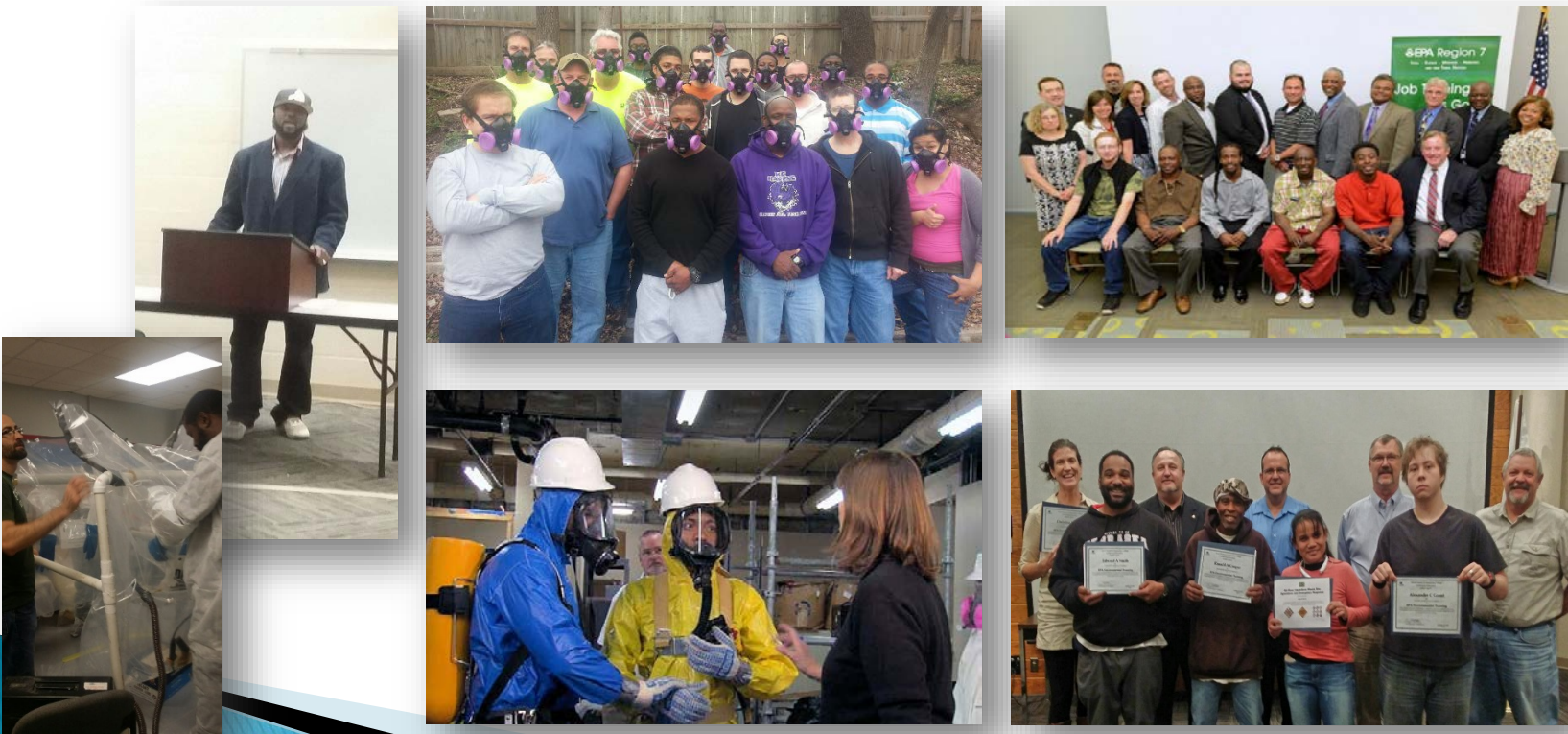
- Technical Assistance for Brownfields (TAB, CDFA, Groundworks USA)
- Targeted Brownfields Assessments

▶ *Competitive Grants*

- Environmental Workforce & Job-training Grants
- Assessment, Revolving Loan Fund and Cleanup Competitive Grants
- Area-wide Planning Grants

Environmental Workforce Development and Job-training Grants

- ▶ Funds programs that prepare trainees for employment in the environmental field



Competitive Funding Offered for Assessment and Cleanup

Hazardous Substance or Petroleum Funding

▶ Assessment Grants

- Environmental investigation of single or multiple sites
- Site-specific limitation (no more than \$350,000/site)
- Amounts up to \$1 million, but averaging \$200,000

▶ Revolving Loan Funds

- Capitalize a recipient-controlled cleanup loan and subgrant program for brownfield cleanup
- 20% contribution required

▶ Cleanup Grants

- Up to \$200,000 per site for brownfields cleanup
- 20% contribution required
- Must own property

Usually at least 80% of funds are used to hire environmental professionals.

Next Competition: Area-wide Planning Grants

1. Identify future uses of Brownfields
2. Create a set of area-wide strategies
3. Develop strategies for facilitating reuse of existing infrastructures
4. Determine next steps and identify resources needed for implementation of area-wide plan

*Must have a brownfield within target area

Who makes sure clean is clean?: State and Tribal Response Programs

- ▶ EPA provides funding to “Establish and Enhance” Response (Cleanup) Programs
- ▶ Used to increase the capacity of States and Tribes to ensure response actions are protective of human health and the environment.
- ▶ Provides additional federal liability protection



Former Meat Packing Plant
Omaha, NE



Former Frozen Soup Factory
Cedar Rapids, IA

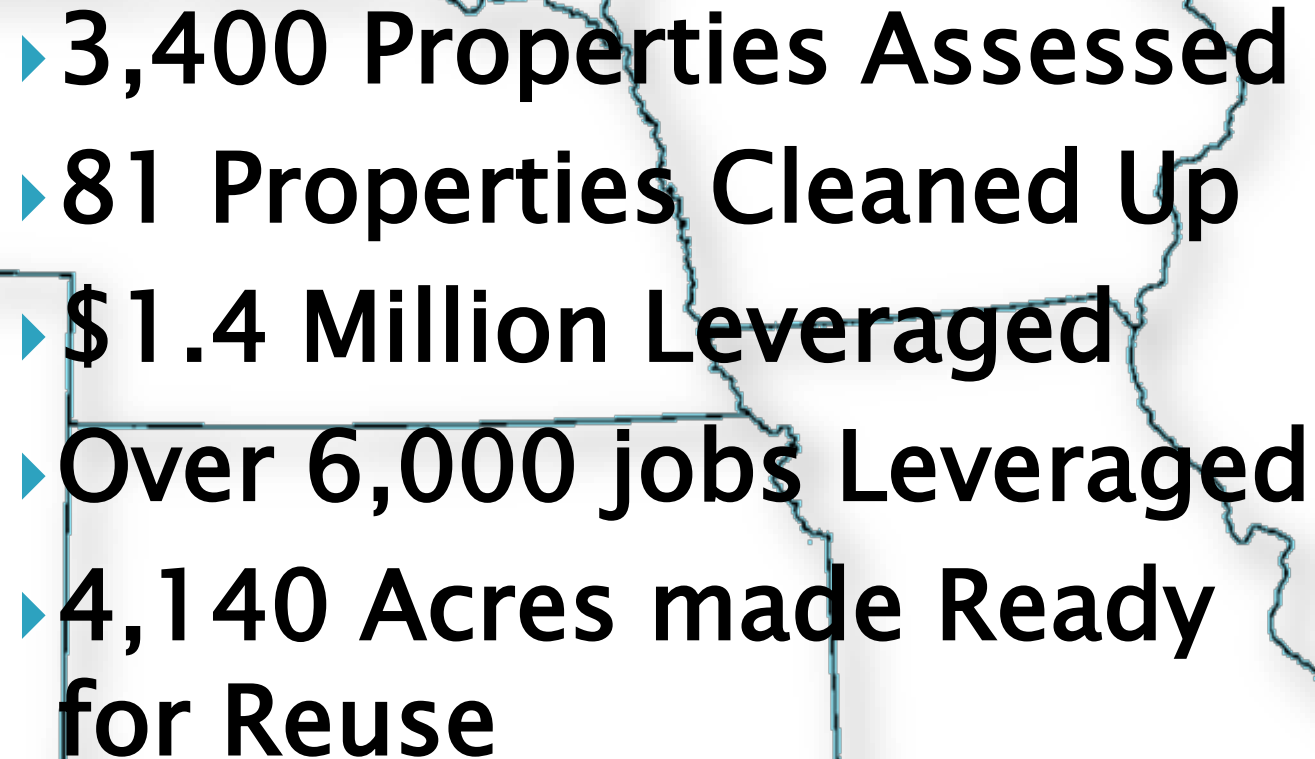


Dilapidated Drive-In
Coffeyville, KS



Abandoned Gas Station
St. Louis, MO

Regional Results

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- A light blue map of the region, including parts of Missouri, Arkansas, and Louisiana, is shown in the background. The map is outlined in a darker blue. The text is overlaid on the map.
- ▶ **3,400 Properties Assessed**
 - ▶ **81 Properties Cleaned Up**
 - ▶ **\$1.4 Million Leveraged**
 - ▶ **Over 6,000 jobs Leveraged**
 - ▶ **4,140 Acres made Ready for Reuse**



New Community Center
Omaha, NE



Newbo City Market
Cedar Rapids, IA



New School
Coffeyville, KS



Skate Park
St. Louis, MO

What's on EPA's horizon?

- ▶ Urban Agriculture Initiatives
- ▶ Expanded efforts in Community Engagement and Environmental Justice
- ▶ Smart Growth & Sustainability Demonstration Projects
- ▶ Climate Resiliency
- ▶ Sustainable Energy
- ▶ Additional Land Revitalization Tools
- ▶ Expanded Federal Agency Collaboration (HUD/DOT/EPA/USDA partnerships)