

Engaging Communities on Cleaning Up Contaminated Sites: EPA's Brownfields Program

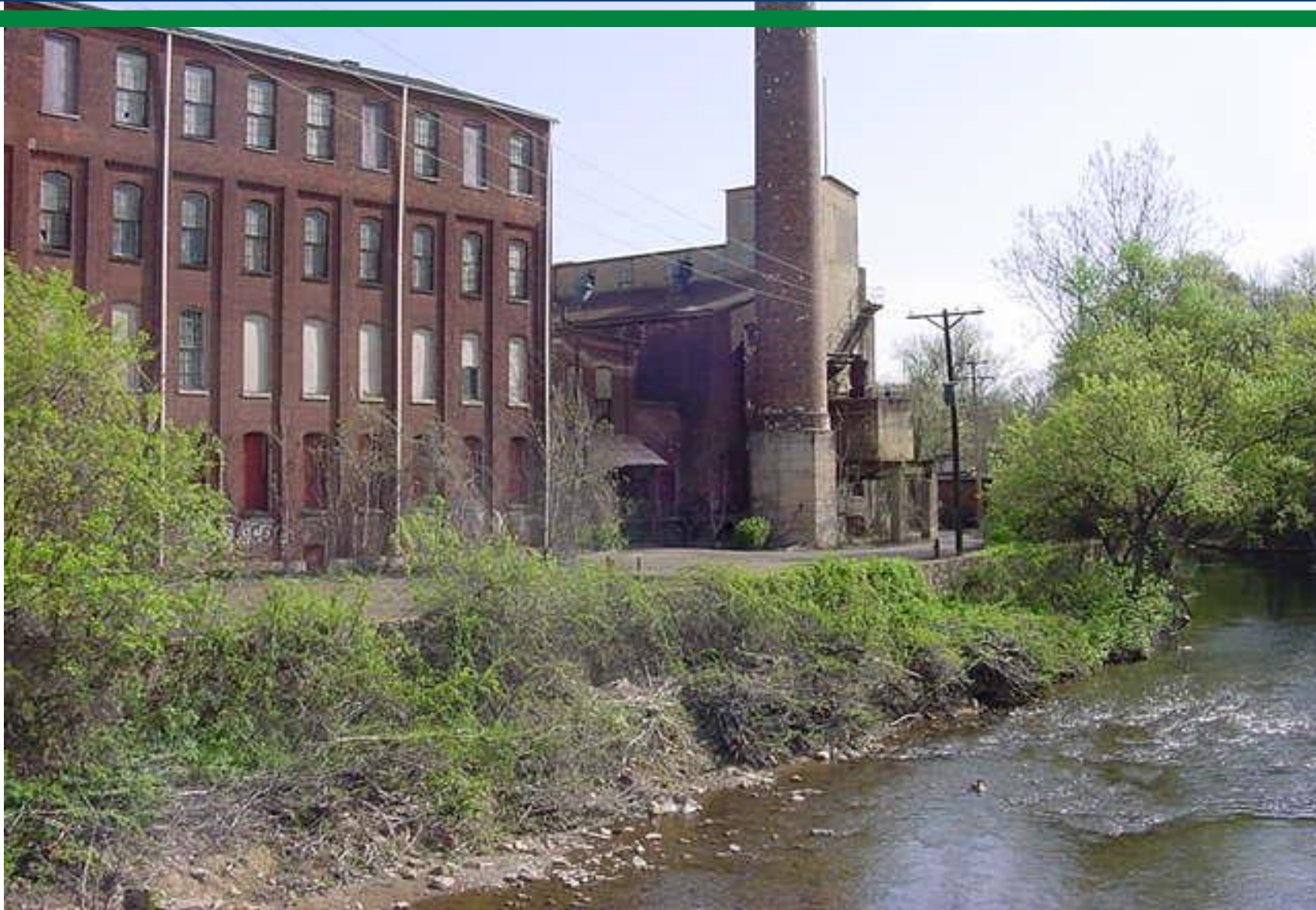
September 11, 2018



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EPA Brownfield Definition

A brownfield is a property --the expansion, redevelopment, or reuse of -- which may be complicated by the presence or **potential presence** of a hazardous substance, pollutant, or contaminant.

It is estimated that there are more than 450,000 brownfields in the United States.

Types of Brownfields

Other types of brownfields

- Car repair facilities
- Former military bases
- Power plants
- Closed landfills
- Manufacturing plants
- Aviation facilities
- Abandoned railroads or switching yards
- Foundries

Overview of EPA's Brownfields Program

Since its inception in 1995, EPA's Brownfields Program has grown into a proven, results-oriented program that has changed the way contaminated property is perceived, addressed, and managed.

EPA's Brownfields Program is designed to empower states, communities, and other stakeholders in economic redevelopment to work together in a timely manner to prevent, assess, safely clean up, and sustainably reuse brownfields.

Brownfields Laws and Regulations

2002 Small Business Liability Relief and Brownfields Revitalization Act

The Small Business Liability Relief and Brownfields Revitalization Act (Pub.L. No. 107-118, 115 stat. 2356) was enacted on **January 11, 2002**. This Act amended the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA or Superfund) by providing funds to assess and clean up brownfields; clarified CERCLA liability protections; and provided funds to enhance state and tribal response programs. Other related laws and regulations impact Brownfields cleanup and reuse through financial incentives and regulatory requirements.

Grants Stimulate Cleanup and Redevelopment

Brownfields grants continue to serve as the foundation of EPA's Brownfields Program. These grants support revitalization efforts by funding environmental assessment, cleanup, and job training activities.

- [Brownfields Assessment Grants](#) provide funding for Brownfields inventories, planning, environmental assessments, and community outreach.
- [Brownfields Revolving Loan Fund Grants](#) provide funding to capitalize loans that are used to clean up brownfields.
- [Brownfields Cleanup Grants](#) provide funding to carry out cleanup activities at brownfield sites owned by the applicant.
- Brownfields [Area-Wide Planning Grants](#) provide funding to communities to research, plan and develop implementation strategies for cleaning up and revitalizing a specific area affected by one or more brownfields sites.
- [Brownfields Job Training Grants](#) provide environmental training for residents of Brownfields communities.

Brownfields Technical Assistance and Research

Technical Assistance and Research Projects under Section 104k(6)

- [Technical Assistance to Brownfields Communities \(TAB\)](#)
 - New Jersey Institute of Technology (NJIT)
 - Kansas State University (KSU)
 - Center for Creative Land Recycling (CCLR)
- [Council of Development Finance Agencies \(CDFA\)](#)
- [Groundwork USA](#)
- [Hazardous Materials Training and Research Institute at Eastern Iowa Community College \(HMTRI\)](#)
- [University of Louisville](#)

Other Technical Assistance Programs and Tools

- [Brownfields Road Map to Understanding Options for Site Investigation and Cleanup, Sixth Edition](#)
- [Brownfields Grant Recipients' Road Map to Understanding Quality Assurance Project Plans](#)
- [The Brownfields and Land Revitalization Technology Support Center \(BTSC\)](#)
- [Hazardous Waste Clean-Up Information \(CLU-IN\)](#)

Technical Assistance to Brownfields Communities

The TAB program provides technical assistance to communities to increase their understanding and involvement in brownfields cleanup, revitalization and reuse. TAB grantees serve as an independent resource to help communities, among other things, understand:

- the health impacts of brownfields sites
- how science and technology are used for site assessment, remediation, redevelopment and reuse, and
- how to comply with voluntary cleanup requirements.

[Center for Creative Land Recycling: About Us video](#)

Targeted Brownfields Assessments

EPA's Targeted Brownfields Assessment (TBA) program helps states, tribes, and municipalities minimize the uncertainties of contamination often associated with Brownfields. This program supplements other efforts under the Brownfields program to promote the cleanup and redevelopment of brownfields.

TBAs are conducted by an EPA contractor on behalf of an eligible entity. Services include site assessments, cleanup options and cost estimates, and community outreach. Services are for an average of \$100,000. The sites for this program are selected locally, once a year.

Land Revitalization

Land revitalization puts previously contaminated properties back into productive use. Reusing cleaned up sites protects public health and the environment by preventing sprawl, preserving green space and reinvigorating communities.

EPA's Land Revitalization Program ensures that reuse considerations are integrated into all of EPA's cleanup decisions including cleanups affecting brownfields, underground storage tanks, and Superfund redevelopment.

What is land revitalization?

Land revitalization is the sustainable redevelopment of abandoned properties. The program encourages communities and land owners to reuse and redevelop land that was previously contaminated and turns it into public parks, restored wetlands, and new businesses. Revitalizing an area cleans up a community to make it safer, greener, and offers more jobs to its residents.

EPA's Brownfields **Area-Wide Planning** Grant Program

Two-year grant given to:

- Assist with community involvement, research & develop planning/implementation strategies related to brownfields cleanup and reuse
- Focus on catalyst/high priority brownfields sites and surrounding area

Funds (up to \$200K) provided to:

- Identify community priorities
- Evaluate existing conditions within the project area
- Identify future uses for catalyst brownfield sites, develop site reuse plans & determine related land revitalization improvements
- Identify resources needed and leveraging opportunities to help implement site reuse plans
- Develop the brownfields area-wide plan

**Groundwork Hudson Valley
Brownfields Area Wide Plan**



Some Key Programmatic Elements of AWP

- Common BF AWP grant-funded activities:
 - Research - various community involvement activities, market/economic analysis, known environmental issues, infrastructure conditions, public health, other plans
 - Develop site reuse plans & determine related land revitalization improvements
 - List implementation actions - resources needed and leveraging available for brownfields cleanup/reuse
- Substantial involvement from EPA project officer
- Ineligible activities
 - Assessment, cleanup activities
 - Marketing of properties for redevelopment
 - Comprehensive planning or zoning, design guidelines, visioning, etc. (if general & unrelated to BF catalyst sites)
 - Survey design, distribution or collection
 - Additional ineligible activities listed in RFP



A Yonkers community planning meeting

Area-Wide Plan for Brownfields Assessment, Cleanup, and Subsequent Reuse

“Area-Wide” = focus on a specific project area (e.g., a neighborhood, downtown district, local commercial corridor, community waterfront, old industrial corridor, etc.) affected by one or more brownfield sites

Primary focus on the eventual cleanup and reuse of the catalyst, high priority brownfield site(s) within the project area

- a site which, once remediated and reused,
- has the potential to spur additional revitalization within the BF AWP project area,
- and meets the definition of a “brownfield site” per statute CERCLA § 101(39)

All grant funded activities must be for research and/or technical assistance activities, per statutory authority CERCLA § 104(k)(6)



SoBro Brownfields AWP Visioning Session

Why Take an **Area-Wide Plan** Approach?

Multiple sites are often connected through proximity and infrastructure.

Brownfields limit the economic, environmental and social prosperity of their surroundings:

- Area revitalization is critical to the successful long-term reuse of the brownfield site(s)
- Approaching brownfields cleanup and reuse collectively within the area can be more effective than a single site focus
- Strategic site(s) can serve as the catalysts for area revitalization – projects focus around those opportunities

Involvement from diverse group of community stakeholders & partnerships to champion the effort.



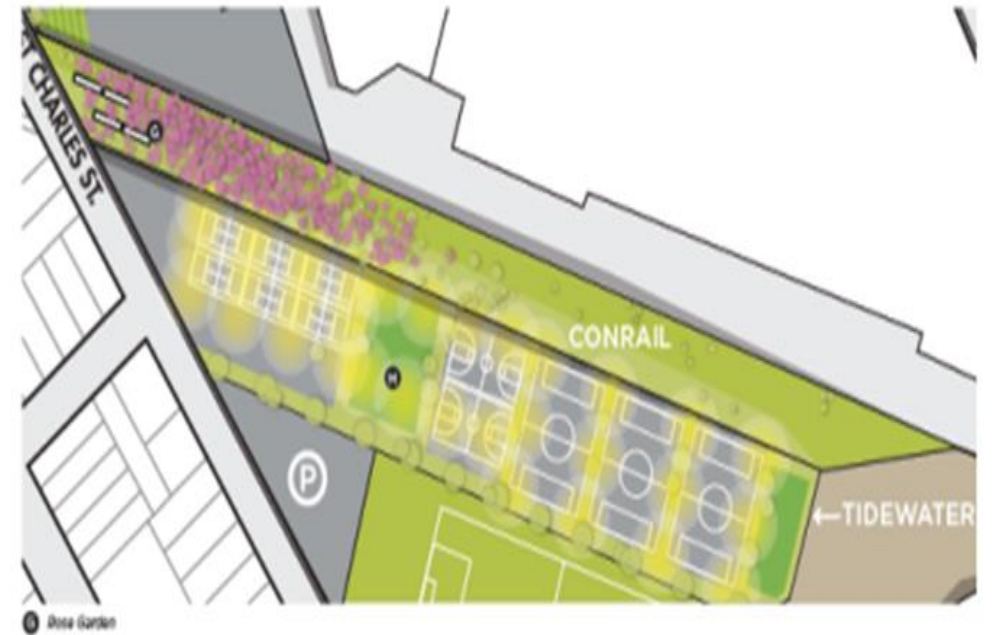
Lawrence Street Festival Yonkers, NY

Designed to Align **Community Involvement**, Expertise, Partnerships & Financial Resources

- Community input shapes plan priorities
- Research on brownfield site(s) and project area conditions
- New & enduring partnerships supporting project area revitalization

leads to....

- Feasible cleanup/reuse scenarios for brownfield site(s)
- Plan implementation strategies
 - What are the short-term & long-term goals & actions?
 - What resources do you have or need to accomplish each goal/action?
 - Who is going to lead each goal/action?



**Ironbound Community Corporation
Brownfields AWP, Newark NJ**

More about the BF AWP Grant Program

Brownfields Area-Wide Planning Program

Introduction

The Environmental Protection Agency (EPA) created the Brownfields Area-Wide Planning (BF AWP) Program to assist communities in responding to local brownfields challenges, particularly where multiple brownfield sites are in close proximity, connected by infrastructure, and overall limit the economic, environmental and social prosperity of their surroundings. Through the BF AWP Program, EPA provides assistance to advance community brownfield revitalization efforts. The BF AWP program is part of the Partnership for Sustainable Communities collaboration among EPA and the Departments of Transportation (DOT) and Housing and Urban Development (HUD). (www.sustainablecommunities.gov)

Brownfields Area-Wide Planning Program Goals

EPA developed the BF AWP Program to enhance EPA's core brownfields assistance programs² by helping communities perform the research needed to develop an area-wide plan for brownfields assessment, cleanup, and reuse. The resulting area-wide plans provide direction for future brownfields cleanup, reuse and related improvements that are:

- Protective of public health and the environment;
- Economically viable; and
- Reflective of the community's vision for the area.

Core Elements of Brownfields Area-Wide Planning

Core elements of the BF AWP Program include:

- Collecting information and identifying community priorities related to brownfields cleanup and near- and long-term revitalization;
- Evaluating existing environmental conditions, local market potential, and needed infrastructure improvements;
- Developing strategies for brownfields site cleanup and reuse; and
- Identifying resources or leveraging opportunities to help implement the plans, including specific strategies for public and private sector investments and improvements necessary to help with cleanup and area revitalization.

EPA's Brownfields Area-Wide Planning Program

Initiated in 2010, the BF AWP Program provides grant funding and technical assistance to brownfields communities selected via a national grant competition. These communities are using EPA resources to research area-wide planning approaches that will help them achieve brownfields cleanup and reuse in the future. The BF AWP grant recipients represent a cross section of community leaders on brownfield issues, include public and non-profit organizations, and are distributed across the country. Find more information at www.epa.gov/brownfields/areawide_grants.html. EPA expects to award additional BF AWP grants as funding is available.

1 A brownfield is a property, the expansion, redevelopment, or reuse of which may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant. See www.epa.gov/brownfields/basic_info.htm
2 Please visit www.epa.gov/brownfields/grant_info.htm

Fact Sheet



AWP Site Demolition/Press Event
Camden, NJ

<http://www.epa.gov/brownfields/types-brownfields-grant-funding>
(click on tab for "AWP")

Brownfields Area-Wide Planning Pilots

Ideas and Lessons Learned for Communities

EPA United States Environmental Protection Agency

EPA 560-R-13-002
June 2014

Lessons Learned

Brownfields Laws and Regulations

2018 BUILD Act

The Brownfields Utilization, Investment and Local Development (BUILD) Act was enacted on **March 23, 2018** as part of the Consolidated Appropriations Act, 2018. The BUILD Act reauthorized EPA's Brownfields Program, and made **amendments to the 2002 Small Business Liability Relief and Brownfields Revitalization Act**. Authorized changes affect brownfields grants, ownership and liability provisions, and State & Tribal Response Programs. EPA is developing policy guidance to implement the BUILD Act.

2018 BUILD ACT (Highlights)



Bigger cleanup grants

Now up to \$500,000.



Non-profits can now apply for assessment and RLF grants, as well as LLCs and community development entities that are non-profit.



Administrative costs can be funded by up to 5% of the grant award.



Multi-purpose grants

(assessment and cleanup combination) up to \$1M can be offered.



Authorized new grant program

available to states to provide training, technical assistance or research for small communities (population $\leq 15,000$). Maximum of \$20,000 per community.



Publicly owned sites acquired prior to Jan 11, 2002 can apply as long as the entity is not responsible for the contamination.



New ranking criteria focusing on renewable energy or energy efficiency projects and waterfront developments.



More certainty of liability protection for local or state governments that take control of contaminated sites. No longer has to be “involuntary” acquisition.



For petroleum Brownfield sites, removed the language and requirement that they be “of relatively low risk” in order to be eligible for funding.

Brownfields Program Accomplishments and Benefits

EPA's Brownfields program empowers states, communities, and other stakeholders to work together to prevent, assess, safely clean up, and sustainably reuse brownfields. Revitalizing brownfield sites creates benefits throughout the community.

- Projects leveraged **\$16.99** per EPA dollar expended
- Leveraged more than **132,000 jobs** nationwide
- Can increase **residential property values 5% - 15.2%** near brownfields sites when cleanup is completed
- Can increase **local tax revenues** when cleanup is completed

Brownfields Program: Accomplishments and Benefits

Leveraging Resources to Revitalize Communities

The Brownfields Program tracks the many accomplishments leveraged by the program's investments in our nation's communities.

Summary of Brownfields Program Accomplishment as of March 1, 2018*			
Performance Measure	FY2018 Targets	FY2018 Accomplishments	Cumulative Program Accomplishments
Properties Assessed	1,300	618	27,689
Jobs Leveraged	7,000	3,801	132,967
Dollars Leveraged	\$1.1 BN	\$0.702 BN	\$25.264 BN
ACRES Made Ready for Anticipated Reuse	5,500	1,344	70,641

Why Brownfields?

*Why do we care about **brownfields**?*

- Perceived or real contamination
- Land has economic value
 - Access to existing infrastructure (roads, sewer)
 - Additional tax revenue
 - Availability of existing buildings
- Removes stigma of blight
- Reduces sprawl



THANK YOU!!

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Your Friendly Region 2 Brownfields Team!!!