

Brownfields 101

Washington State Brownfields Conference
Spokane - May 29 & 30, 2019



EPA Region 10 Brownfield Team

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Where Did Brownfields Come From?

Universe of Contaminated Properties



**1,300 Superfund
NPL sites**



3,700 RCRA sites



**450,000
Brownfields**



**555,000
Underground
Storage Tanks**



Origins of the Brownfields Program

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.

“Properties stuck in outer space of development”

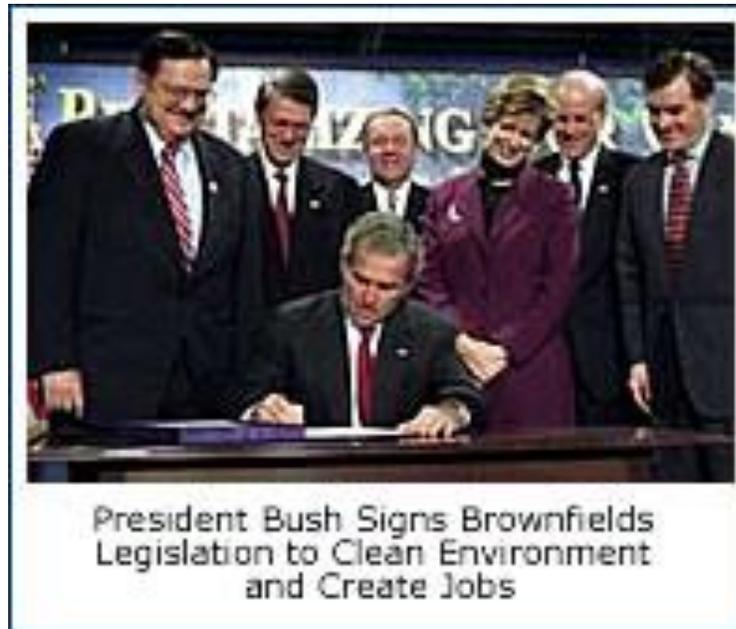
- ▶ In the **early 1990's**, the U.S. Conference of Mayors pointed to brownfields as one of the most critical problems facing cities. Blighted properties, or brownfields, pushed down property values and tax revenues. Properties were not getting addressed or cleaned up and were worsening to further community blight.
- ▶ In **January 1995**, EPA provided small amounts of seed money to local governments that launched hundreds of two-year Brownfields "pilot" projects and developed guidance and tools to help states, communities and other stakeholders in the cleanup and redevelopment of Brownfields sites.
- ▶ During pilot grants it was noted there was a lack of environmental training among local workforces so in **1996** EPA signs a Memorandum of Understanding with the Dept. of Labor, focusing on job training and employment opportunities related to the Brownfields program for local youth and adults. ³

A pilot grant was awarded to
Spokane in 2002



Brownfields Program becomes Law

- ▶ The success of this brownfields initiative led to legislative proposals, and in 2002, the [Small Business Liability Relief and Brownfields Revitalization Act](#) (the "Brownfields Law") codified many of EPA's practices, policies and guidance.
- ▶ The Brownfields Law expanded EPA's assistance by providing new tools for the public and private sectors to promote sustainable brownfields cleanup and reuse. It also expanded funding for brownfields assessment and cleanup competitive grants as well as clarified liability protections.



Brownfields Law

January 11, 2002

- ▶ Small Business Liability Relief & Brownfields Revitalization Act
 - ▶ Amends CERCLA
 - ▶ Defines “Brownfields Site”
 - ▶ Authorizes funding for:
 - ▶ Assessment, Cleanup, and Revolving Loan Fund Grants
 - ▶ Targeted Brownfields Assessments (TBAs)
 - ▶ State and Tribal Response Programs
 - ▶ Research, Training and Technical Assistance Grants
 - ▶ Clarifies Superfund liability and provides liability protections for:
 - ▶ Innocent landowners
 - ▶ Contiguous property owners
 - ▶ Bona fide prospective purchasers

BUILD Act of 2018

In March 2018, Congress passed the BUILD Act, which amends the Brownfields provisions of CERCLA, as part of the FY 2018 Omnibus Bill and reauthorized the Brownfields Provisions through 2023.

- ▶ More Redevelopment Certainty for Governmental Entities – acquisition no longer needs to be “involuntary”
- ▶ Increased Funding for Remediation Grants
- ▶ Alaska Native Village and Native Corporation Liability Relief
- ▶ Multipurpose Brownfields Grants
- ▶ Petroleum Brownfield Enhancement
- ▶ Bona Fide Prospective Purchaser definition was amended to include language related to those who have tenancy or leasehold interests in the facility.
- ▶ Allowing Administrative Costs for Grant Recipients
- ▶ Expanded Eligibility for Non-Profit Organizations
- ▶ New ranking criteria focusing on renewable energy or energy efficiency projects and waterfront developments.
- ▶ Small Community Technical Assistance Grants (up to \$20k)
- ▶ Publicly owned sites acquired prior to January 11, 2002 can apply for assessment and remediation (RLF and cleanup) grants as long as the entity is not responsible for the contamination.

Spokane received Assessment Grants in 2005 and 2015,
an Area-Wide Planning Grant in 2015,
and 3 Cleanup Grants in 2017





Is this a Brownfield?

Brownfields Revitalization

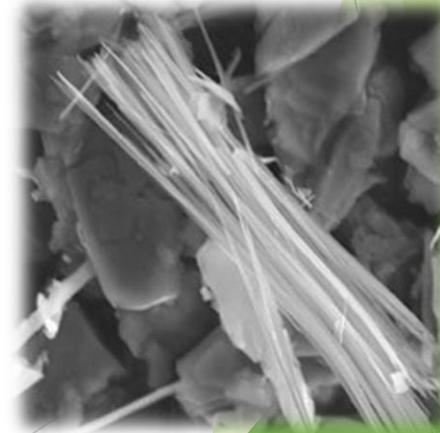


Who is Eligible for EPA Grant Funding?

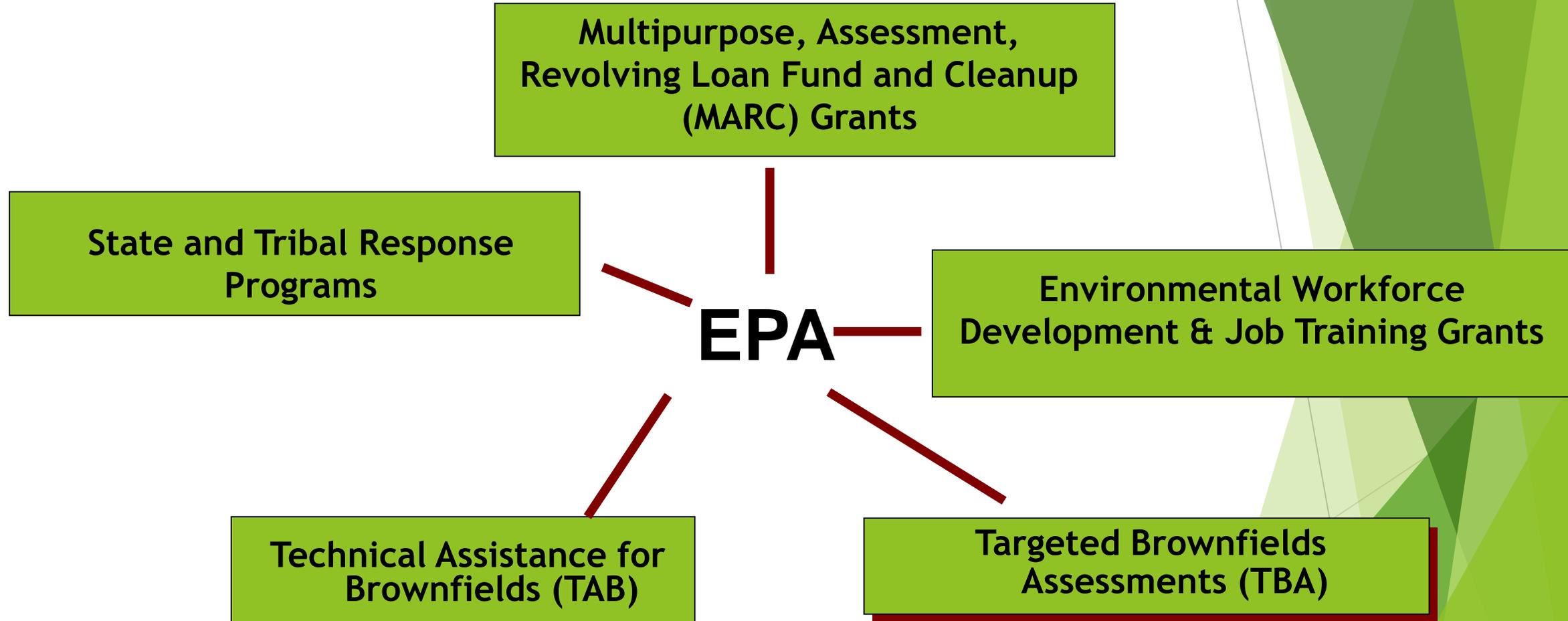
- ▶ Local Governments
- ▶ Land Clearance Authorities/Quasi-Governmental Entities Under Local Governmental Control
- ▶ State Legislated Government Entities
- ▶ Regional Councils of Government or Group of Local Governments
- ▶ Redevelopment Agency (State Chartered/Sanctioned)
- ▶ States and Tribes
- ▶ Nonprofits and Qualified Community Development Entities
- ▶ Private Developers (as RLF loan recipients)

What can be addressed under a Brownfield Grant?

- ▶ Hazardous Substances
- ▶ Petroleum Contamination
- ▶ Asbestos & Lead Paint are eligible
- ▶ Controlled Substances (e.g., Meth labs)
- ▶ Mine-Scarred Lands
- ▶ Other environmental contaminants
- ▶ General Redevelopment Issues



EPA Brownfields Funding Opportunities



Assessment Grant Program

- ▶ Community-wide – up to \$300K
- ▶ Site-specific (single site) – up to \$200K or \$350K with a waiver
- ▶ Assessment Coalitions (1 lead + at least 2 partners) – up to \$600K

Planning activities are also eligible under Assessment grants and include:

- Site Reuse Assessment
- Market Evaluation
- Market Analysis
- Infrastructure Evaluation
- Land Use Assessment
- Site Design / Reuse Vision
- Redevelopment Planning
- Development of a Target Area-wide Plan



Cleanup Grant Program

To carry out cleanup activities at Brownfield sites

- ▶ **Must own site at time of application**
- ▶ Applicants can apply for up to \$500,000 to address one or more brownfield sites within one proposal and only one proposal per applicant.
- ▶ For this first year although the BUILD Act allows it, we will not increase it to \$650,000.
- ▶ 20% cost share requirement.
- ▶ Tribes, nonprofit organizations, and local governments with a population < 50,000, may request a cost-share waiver.



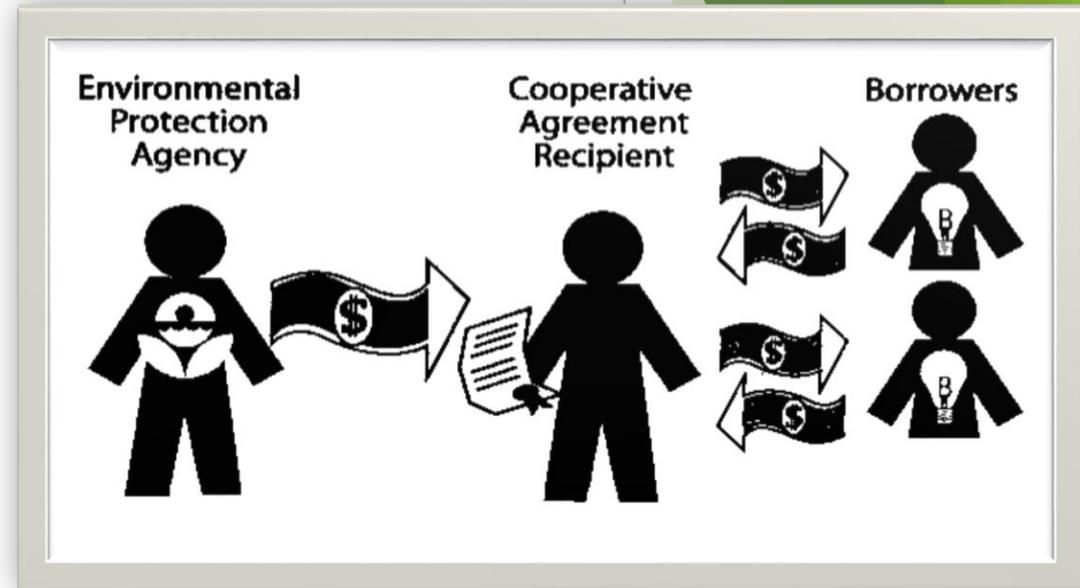
Multipurpose Grant Program

- ▶ Applicants can apply for up to \$800,000 to complete at least one Phase II environmental site assessment, one cleanup, and an overall plan for revitalization.
- ▶ In addition to those activities, recipients can develop brownfields inventories and cleanup plans, prioritize sites & conduct community involvement activities.
- ▶ Multipurpose Grant applicants **must own** at least one site within their target area by the time of the proposal submittal date (December – most likely).
- ▶ Eligible entities include the same as those that can apply for assessment and cleanup grant funding.
- ▶ \$40,000 cost share requirement.
- ▶ Coalitions cannot apply for Multipurpose Grants in the pilot year (FY19).

Revolving Loan Fund Grant Program

To make subgrants or low interest loans to carry out cleanup activities at brownfield properties

- ▶ Up to \$1M per eligible entity
- ▶ Coalitions may apply (1 lead + at least 1 partner)
- ▶ (Minimum) 50% loans
- ▶ (Maximum) 50% cleanup subgrants
- ▶ Cost share requirement of 20%
- ▶ Competition will take place every other year, next one in FY2020



Environmental Workforce Development & Job Training Grants

- ▶ Goal is to provide full-time, sustainable employment in various aspects of environmental cleanup
- ▶ Targets unemployed and underemployed individuals
- ▶ 3-year grants
- ▶ Up to \$200,000 for each award
- ▶ FY19 Request for Proposals – Summer 2019



State and Tribal 128(a) Response Program Funding

- ▶ EPA provides funding to States and Federally Recognized Tribes to develop a brownfields program.
- ▶ Program is broad and allows states and tribes flexibility in implementation.
- ▶ Establishment and Enhancement of Four Elements & Public Record.



brownfields EPA-560-F-08-299
September 2008
at-a-glance

SEQUIM BAY ESTUARY Jamestown S'Klallam Tribe, Sequim Bay, WA
Cleanup Grant

Former Industrial Property Cleaned Up and Restored to Natural Estuarine Habitat

ADDRESS:	56 Old Blyn Highway, Sequim, Washington 98382
PROPERTY SIZE:	82.31 acres
FORMER USES:	Log storage and shipping for past 100 years
CURRENT USES:	Natural Estuary

EPA GRANT RECIPIENT:
The Jamestown S'Klallam Tribe received a \$156,000 Brownfields Cleanup Grant for hazardous substances contamination.

PROJECT PARTNERS:
More than 20 local, state, federal, and private entities are involved in the project, including: Clallam County, Washington Department of Fish & Wildlife, Washington Department of Natural Resources, U.S. Fish and Wildlife Service, and private land owners.



For additional data and geographic information for this and other Brownfields Grants, please visit EPA's **EnviroMapper** - [www.epa.gov/epaospr/EnviroMapper](http://www.epa.gov/epaospr/epaospr/EnviroMapper)

PROJECT BACKGROUND:
In Clallam County Washington, the Jamestown S'Klallam Tribe is part of a much larger project to restore estuary function to the south end of Sequim Bay, which had been degraded by 100 years of industrial and infrastructure development. The area of the Brownfields project was used to store timber logs in the estuary. The logs were brought to the site, rafted together into the water, and tied to creosote-treated pilings until they were towed off to area lumber mills. These creosote-treated pilings caused sediment pollution and habitat degradation by eliminating intertidal and subtidal area that formerly supported shellfish, eelgrass, and other natural estuarine habitat.

KEY ACCOMPLISHMENTS:

- Removal of 99 creosote pilings from the estuary
- Removal of 350 tons of contaminated soil and 600 tons of solid waste on adjacent shoreline and riparian wetlands
- Restoration of 82-acre area to natural ecosystem functions

OUTCOME:
The restoration of the 82-acre area on tribal land was completed in August 2005 and provides clean sediment and habitat for shellfish, salmon, and other natural species to repopulate the area. In the future, this increase in natural species will provide increased economic benefits for the Jamestown S'Klallam Tribe as finfish and shellfish are important food and revenue sources. It will also increase community economic tourist-related benefits through an expanded area for kayaking and bird watching. The tribe leveraged an additional \$64,000 in state and federal funding to fund this cleanup.



Removal of pilings during restoration.

FOR MORE INFORMATION: Visit the EPA Brownfields Web site at <http://www.epa.gov/brownfields/> or call EPA Region 10 at (206) 553-1200



Targeted Brownfields Assessments (TBA)

EPA performs work using contractor resources

- ▶ Phase I ESA
- ▶ Phase II ESA
- ▶ Cleanup options and cost estimates
- ▶ Requester must secure site access
- ▶ Redevelopment certainty
- ▶ Other Services - Community Visioning for Brownfield Revitalization



Technical Assistance

Technical Assistance to Brownfields (TAB)

- ▶ Understanding the regulatory process
- ▶ Grant writing/reviewing assistance
- ▶ Brownfields financing
- ▶ Environmental planning and management



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Thank You!

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