

Tribal Brownfields

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May 2019

WA Brownfield Conference



The Program Basics

- What are brownfields?
- What funding opportunities are available?
- What can you do with the Response Program funding?
- What other types of assistance is there?
- Contacts and where to learn more?



What are “brownfields”?

Defined as “real property, the expansion, redevelopment, or reuse of which may be complicated by the *presence or potential presence* of a hazardous substance, pollutant, or contaminant.”

Includes: “mine-scarred lands”, property contaminated by “controlled substances” (e.g., meth labs), and petroleum

Examples: abandoned gas stations, illegal dump sites, abandoned fish processing or mill facilities, hospitals, dry cleaners



What are not brownfields?

- Sites listed on the National Priorities List (NPL) or those proposed for listing
- Sites where there has been an administrative order under CERCLA
- Sites under the jurisdiction, custody, or control of the US (military bases, etc)
(This does NOT include land held in trust for tribes)



What resources are available?

EPA has three primary resources:

Capacity Building

- State & Tribal Response Program Grants (128(a))

Competitive Grants

- Assessment, Cleanup, Revolving Loan Fund
- Job-training Grants

Technical Assistance

- Targeted Brownfields Assessments



State & Tribal Response Program Funding

- What is it for?
 - To “establish and enhance” a response program
- Who is eligible?
 - Any federally recognized Indian tribe
 - States
- Is it a competition?
 - No, it’s a non-competitive application, but sharing it with 50 states, other tribes, and territories
 - Next date of application – Fall of 2019 – due mid December of 2019



Response Program – What can you do with the funding?

- Primary Purpose: to “establish or enhance” a response program
 - States and Tribes define it’s “response program”
 - Allowable activities are broad and include:
 - Hiring staff, developing regulations, ordinances, plans, outreach, community involvement, training, etc.



Response Program – Use of funding cont.

- Secondary use – Site-specific activities
 - Conducting assessment and cleanup activities
 - Must be at brownfields sites
 - EPA expects to see established programs, before cleanup occurs – need capacity to manage a cleanup
 - Site-specific work keeps in line with the “polluter pays” principle



Response Program - Requirements for Funding

- Eligible tribes willing to develop a response program that includes:
 - taking steps to meet the “four elements”
 - establish and maintain a “public record

Programs must demonstrate meeting these requirements after first year of funding to qualify for additional funding.

- Cooperative Agreement reporting requirements.
- No Cost Share requirement.



Response Program – The Key Elements

- Timely survey and inventory of brownfields sites (creating a list of potentially contaminated sites)
- Oversight and enforcement authorities or other mechanisms, and resources, that are adequate to ensure that a response action will protect human health and the environment (involved in oversight of local cleanups or assessments – coordination with ADEC as an example)



Key Elements Cont'd

- Mechanisms and resources to provide meaningful opportunities for public participation (outreach to community on Brownfields and what your program is accomplishing)
- Mechanisms for approval of cleanup plans & cleanups are complete. (in AK, coordination with ADEC contaminated sites program)



Response Program - The “Public Record”

- In order to continue receiving funding, the tribe must establish and maintain a “public record” of sites detailing...
 - response actions completed in the previous year, ongoing, and those planned to be addressed in the upcoming year
 - Must also identify whether or not the site, on completion of the response action, will be suitable for unrestricted use and, if not, identifies the institutional controls relied on in the remedy.

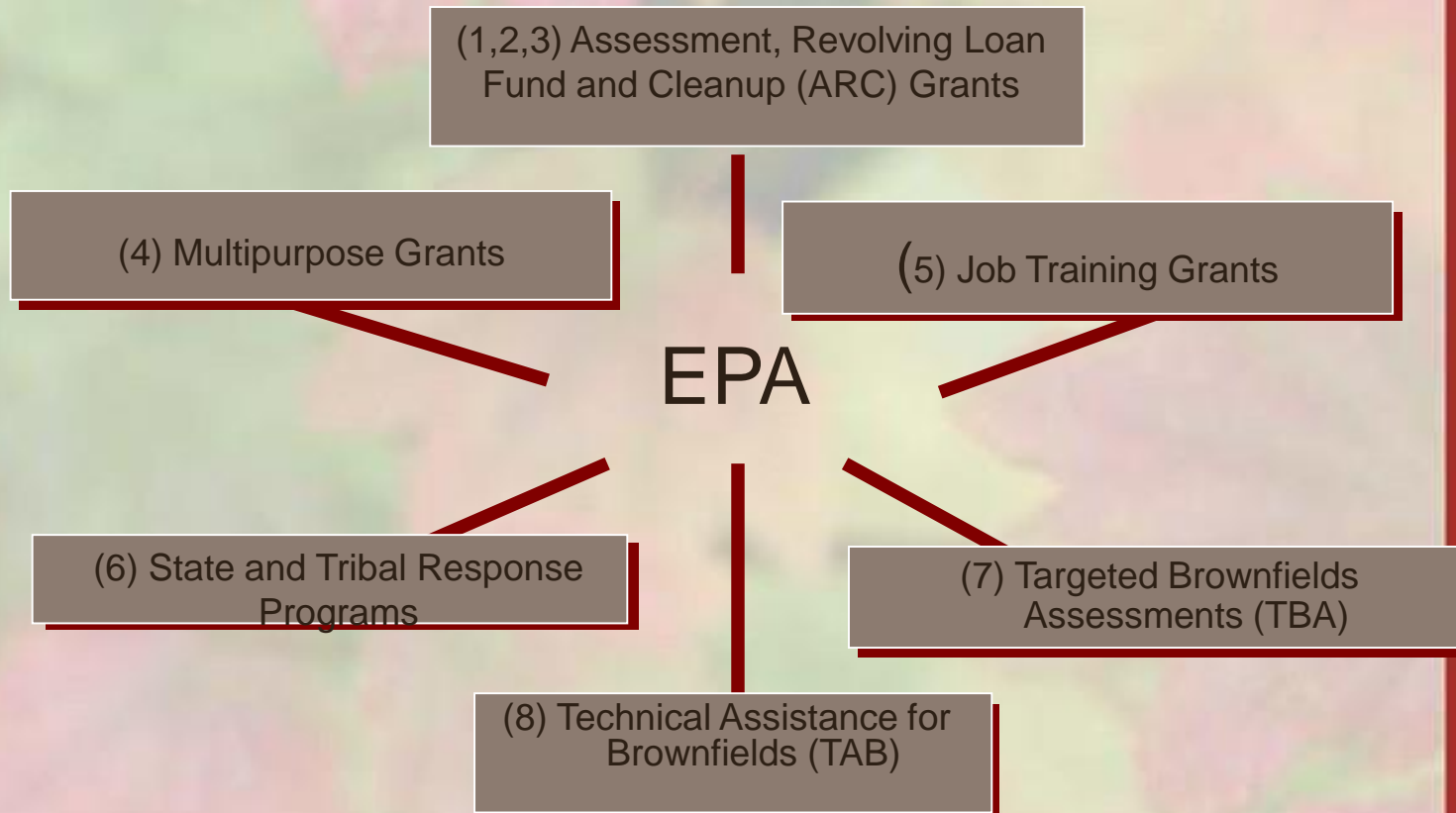


Examples of Program Activities

- BF Inventory updates and research
- Council presentation on BF Response Program and activities
- Attend training and conferences which focus on furthering brownfields knowledge
- Get involved with local assessment and cleanup work to share the information with your community and have oversight
- Yearly public record updates (record of ongoing assessments and cleanups)
- Applying for Targeted Brownfield Assessments for sites with reuse in mind



EPA Brownfields Funding Opportunities



What are the other resources available?

Targeted Brownfields Assessments (TBA)

- This is a service by EPA Region 10 Brownfields Program, not a grant
- Brandon Perkins is the R10 EPA TBA Coordinator
- His contact info: perkins.brandon@epa.gov or 206 553-6396





Brownfields in Region 10

Serving the people of Alaska, Idaho, Oregon, Washington and 270 Native Tribes

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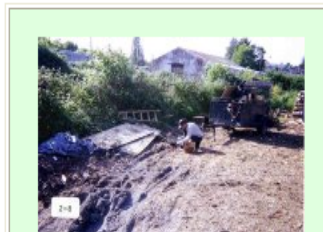
Related Links

Regional Calendar

Freedom of Information
Act (FOIA)

Record Center

Targeted Brownfields Assessments



Rainier Court

[What is a TBA?](#)

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Rainier Court

What is a Targeted Brownfields Assessment (TBA)? [\(Top\)](#)

A Targeted Brownfields Assessment (TBA) is a study conducted by EPA to determine the nature and extent of contamination. If requested, the assessment may also include an analyses of options and cost estimates associated with these options. This assessment work will be conducted by environmental consultants already under contract with EPA. The value of these is assessments is approximately \$50,000.

Who is Eligible to Apply? [\(Top\)](#)

These environmental site assessments are available to public, quasi-public or non-profit entities (such as, municipalities, tribal governments and community development organizations) interested in redeveloping abandoned or underutilized properties. To qualify for an assessment, there must be a potential release of hazardous substances at the site.

EPA will generally approve expenditures for targeted Brownfields assessments when the property is publicly held. If a public or non-profit entity is aware of a Brownfields site that is privately held but has potential for redevelopment that will offer significant public benefit, EPA will consider spending TBA funds at the site. The EPA's selection process will be aimed at projects where a party has concrete redevelopment plans for the site once the assessment is complete. Redevelopment can involve the creation of commercial, industrial, recreational or conservation uses.

How to Apply [\(Top\)](#)

If you are interested in receiving assistance from EPA in the form of a Brownfields Targeted Site Assessment, you should complete the [attached questionnaire](#) and return it to EPA at the following address: [read about .pdf](#)

TARGETED BROWNFIELDS SITE ASSESSMENTS
c/o Joanne LaBaw
U.S. Environmental Protection Agency - Region 10
1999 Sixth Ave., Suite 800 (EPA 115)

What are the other resources available?

- ❖ EPA Technical Assistance to Brownfields (TAB) Communities Program
 - ❖ Ignacio Dayrit of CCLR Center for Creative Land Recycling
 - ❖ <http://cclr.org>
 - ❖ Ignacio.Dayrit@cclr.org
- ❖ EPA Tribal Technical Assistance to Brownfields (TAB) Program
 - ❖ Joy Britt and Bailey Richards of Alaska Native Tribal Health Consortium (ANTHC) partnering with Blase Leven of Kansas State University (KSU)
 - ❖ www.ksutab.org
 - ❖ jdbritt@anthc.org
 - ❖ bkrichards@anthc.org
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Region 10 Contacts

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Regional website – Search “R10 Brownfields”

<http://yosemite.epa.gov/R10/CLEANUP.NSF/sites/bf>

