

HOMES JOBS COMMUNITY



*NDC Washington
Webinar Series*

Washington Update : Brownfields Reauthorization Legislation

Presented by: Jane Campbell & Ken Baker

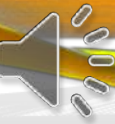
Special Guest: Patricia Overmeyer

May 17, 2018



EPA's Brownfields & Land Revitalization Program

Program overview



OBLR Supports Brownfields Revitalization Through:

a) Grants and technical assistance to promote:

- planning, assessment, clean up and reuse of brownfield sites
- environmental workforce development and job training

b) Liability protections to encourage acquisition and investment in brownfield reuse

c) Establishing and enhancing state and tribal response programs



Brownfields Assessments

Grant & technical assistance support for sites with known or potential contamination:

- **Inventory:** Compile a list of brownfields
- **Characterization:** Identify past uses
- **Assessment:** Determine existing contamination
- **Area-Wide, Cleanup and Redevelopment Planning:** Scope and plan process for site assessment, cleanup and reuse
- **Community Involvement:** Inform and engage stakeholders



Brownfields Cleanup

Grants provide funding to carry out cleanup activities at one or more brownfield site(s):

- **Cleanup Grants** - cleanup planning and contaminant abatement at one or more sites owned by the recipient.
- **Revolving Loan Fund (RLF) Grants** – capitalize a RLF program to provide loans and subgrants for cleanups.



Environmental Workforce⁵ Development & Job Training (EWDJT)

- Grants provide funding to recruit, train, and place unemployed and under-employed residents of communities affected by solid and hazardous waste.
- Support training in programs across EPA: solid waste, Superfund, brownfields, emergency response, waste and stormwater, chemical safety, etc.



EWDJT Program participants in personal protective equipment for a HAZWOPER training exercise



TECHNICAL ASSISTANCE

Technical Assistance to Brownfields Communities (TAB Program)

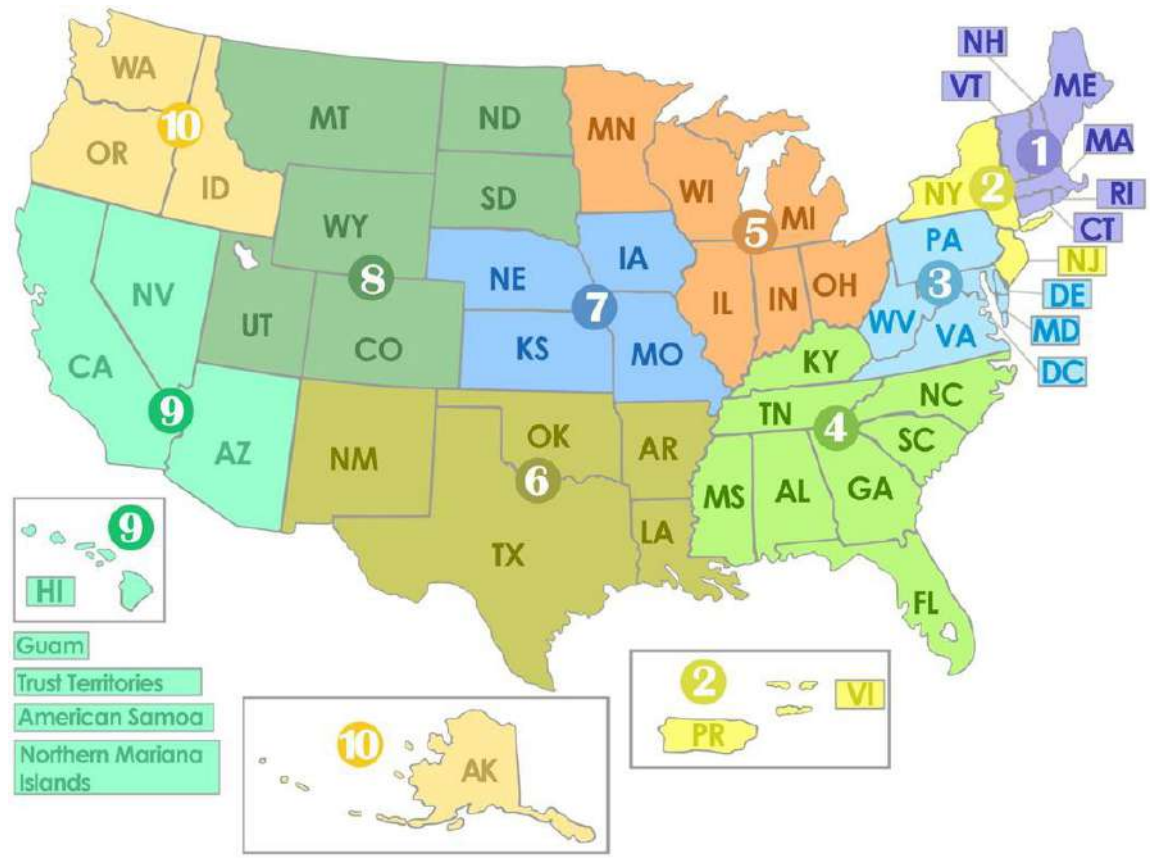
- Provides geographically-based technical assistance and training to communities and other stakeholders on brownfield issues.
- Available to help guide communities through the cleanup and redevelopment process. TAB Grantees can offer:
 - help in preparing grant proposals,
 - performing site inventories,
 - reviewing historical information,
 - assisting with the design of the investigation/sampling/field analysis,
 - and cleanup and redevelopment planning



TECHNICAL ASSISTANCE

TAB Grantees by EPA Regions

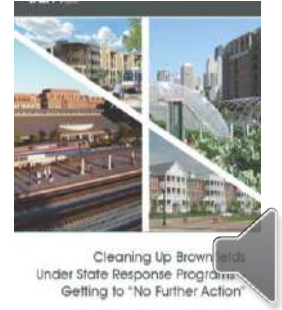
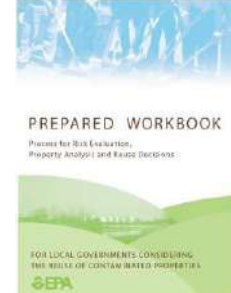
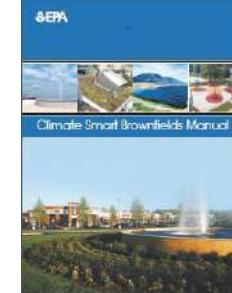
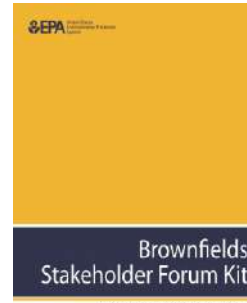
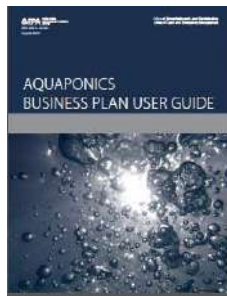
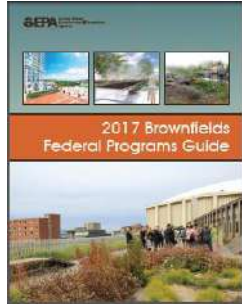
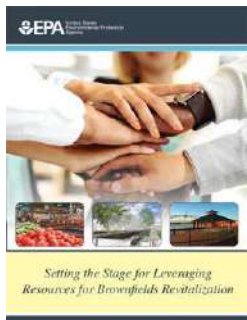
- EPA Regions 1, 3 and 4:
- [New Jersey Institute of Technology \(NJIT\)](#)
- EPA Regions 5, 6, 7, 8 and nationwide:
- [Kansas State University \(KSU\)](#)
- EPA Regions 2, 9 and 10:
- [Center for Creative Land Recycling \(CCLR\)](#)



Land Revitalization

Tools and technical assistance that help communities sustainably reuse properties

- Guides for brownfields leveraging, federal programs, stakeholder engagement, state response, urban agriculture, aquaponics, etc.
- Assistance for feasibility studies, market analyses, stakeholder engagement, including green & healthy practices into site cleanup, design and (de)construction, etc.



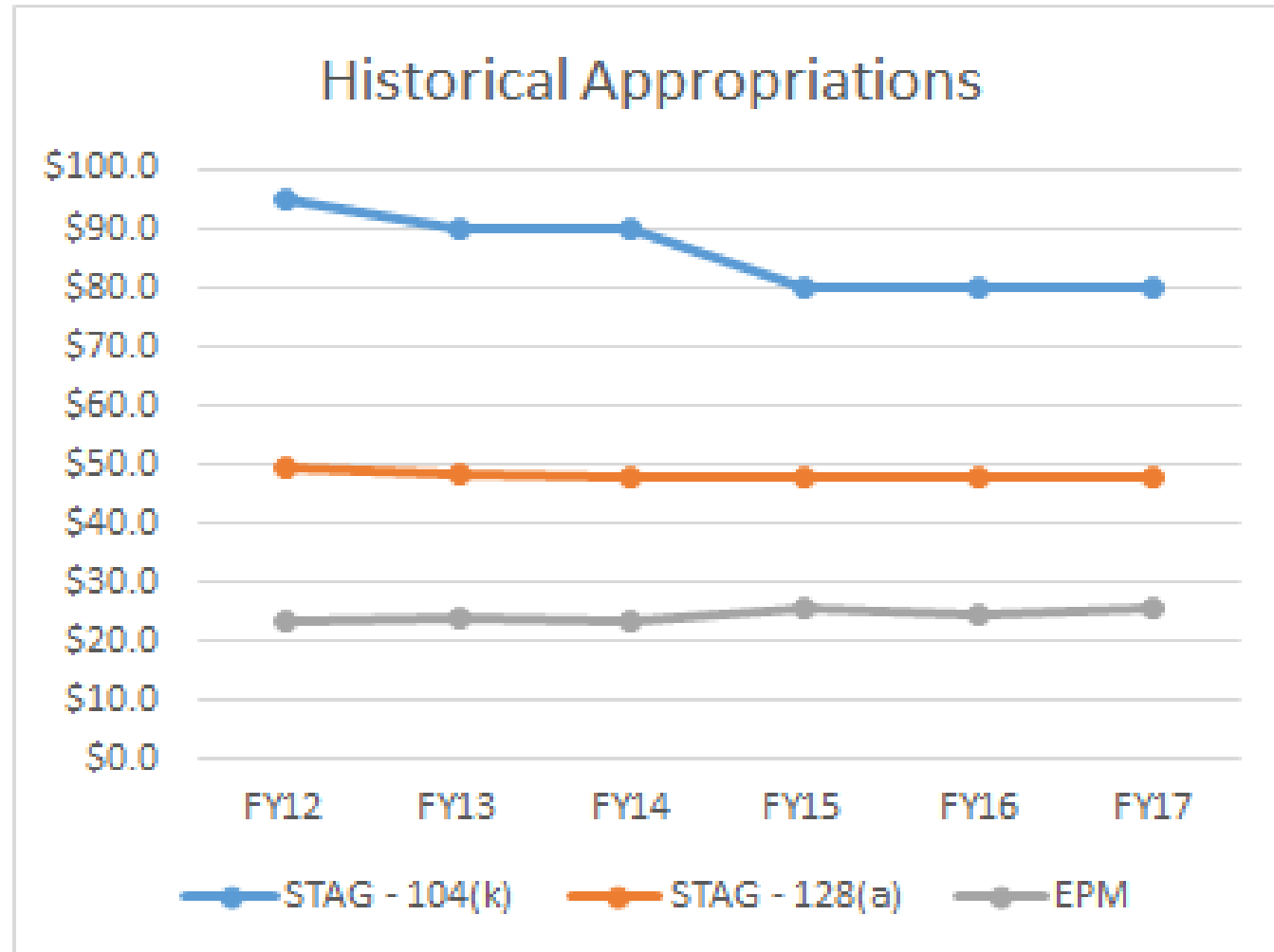
PERSPECTIVE: HISTORICAL FUNDING LEVELS

	FY13	FY14	FY15	FY16	FY17	Avg	FY17 v FY13
Total 104(k) Appropriation	\$89.8	\$90.0	\$80.0	\$80.0	\$80.0		
Assessment	\$34.4	\$43.6	\$41.9	\$33.1	\$36.1	\$37.8	\$1.7
RLF	\$11.8	\$10.9		\$11.1		\$11.3	
Cleanup	\$16.3	\$13.7	\$12.4	\$11.0	\$12.7	\$13.2	(\$3.6)
RLF Supp	\$15.0	\$11.1	\$12.2	\$10.7	\$4.8	\$10.8	(\$10.2)
TBA	\$5.3	\$5.7	\$5.0	\$6.1	\$5.3	\$5.5	
EWDJT	\$3.2	\$3.6	\$3.6	\$3.5	\$2.7	\$3.3	(\$0.5)
AWP*	\$3.9		\$4.2		\$3.8	\$4.1	(\$0.1)
128(a)	\$46.7	\$47.7	\$47.7	\$48.7	\$47.7	\$47.7	(\$1.0)
<i>*first AWP awards in FY10 - \$3.8 M</i>							

FY18 President's Budget Request

104(k) - \$69.0 M
 128(a) - \$33.2 M
 EPM - \$15.0 M

HISTORICAL FUNDING LEVELS



Cumulative Program Accomplishments Since 1998 Through FY17

- Assessed **>27,000 brownfield** properties
- Cleaned up **>1,600 properties**
- Made **>6,200 properties** ready for reuse
- Made **>70,000 acres** ready for reuse
- Leveraged **>129,000 jobs**
- Leveraged **>\$24.7 billion** in public and private funds



Before: Standard Oil Filling Station in St. Louis, Missouri



After: Olio wine bar and eatery in St. Louis, Missouri



BUILD ACT AMENDMENTS TO BROWNFIELDS LAW – GRANT PROGRAMS

- **Expanded Eligibility for Nonprofit Organizations** and limited liability corporations
 - Adds 501(c)(3) nonprofits as eligible to receive assessment and RLF grants
- **Increased Funding for Cleanup Grants**
 - Up to \$500k per site; waiver up to \$650k
- **Established a Multi-Purpose Grant (§104(k)(4))**
 - Up to \$1 M; no more than 15% of appropriation
 - New ranking criteria
- **Removed Administrative Cost Prohibition**
 - Recipients may use up to 5% of award on administrative costs

BUILD ACT AMENDMENTS TO BROWNFIELDS LAW – OWNERSHIP AND LIABILITY

- Amended §101(20)(D) by removing “involuntarily” and **providing certainty to governmental entities that acquired ownership or control of a site by virtue of its function as sovereign.**
- Amended §101(20) to **provide relief for Alaska Native Villages and Native Corporations**
-
- Added **liability exemption for certain publicly owned sites for grant eligibility**
 - Can receive grant funds for sites acquired prior to January 11, 2002, so long as did not contribute/cause contamination.
- Revised §101(40) Bona Fide Prospective Purchaser definition to include tenancy or leasehold interests.

Contact Us about Brownfields

US EPA

Office of Brownfields and Land Revitalization

<https://www.epa.gov/brownfields>

Patricia Overmeyer

Overmeyer.patricia@epa.gov

US EPA

Office of Brownfields and Land Revitalization

Mail Code 5105 T

1200 Pennsylvania Ave. NW

Washington, DC 20460



Contact

...



Jane L. Campbell
Director of the Washington Office
NDC

jcampbell@ndconline.org

202-400-3680

NDConline.org



Ken Baker
Policy Associate
NDC

kbaker@ndconline.org

202-400-3680

NDConline.org