

#### Welcome to the CLU-IN Internet Seminar

### **Brownfields Nonprofit Outreach Training**

Sponsored by: Brownfields Region 6

Delivered: August 31, 2010, 1:00 PM - 3:00 PM, EDT (17:00-19:00 GMT)

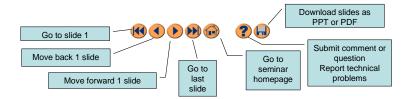
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Visit the Clean Up Information Network online at www.cluin.org

## Housekeeping

- Please mute your phone lines, Do NOT put this call on hold
   press \*6 to mute #6 to unmute your lines at anytime
- Q&A
- · Turn off any pop-up blockers
- Move through slides using # links on left or buttons



- This event is being recorded
- Archives accessed for free <a href="http://cluin.org/live/archive/">http://cluin.org/live/archive/</a>

2

Although I'm sure that some of you have these rules memorized from previous CLU-IN events, let's run through them quickly for our new participants.

Please mute your phone lines during the seminar to minimize disruption and background noise. If you do not have a mute button, press \*6 to mute #6 to unmute your lines at anytime. Also, please do NOT put this call on hold as this may bring delightful, but unwanted background music over the lines and interupt the seminar.

You should note that throughout the seminar, we will ask for your feedback. You do not need to wait for Q&A breaks to ask questions or provide comments. To submit comments/questions and report technical problems, please use the ? Icon at the top of your screen. You can move forward/backward in the slides by using the single arrow buttons (left moves back 1 slide, right moves advances 1 slide). The double arrowed buttons will take you to 1st and last slides respectively. You may also advance to any slide using the numbered links that appear on the left side of your screen. The button with a house icon will take you back to main seminar page which displays our agenda, speaker information, links to the slides and additional resources. Lastly, the button with a computer disc can be used to download and save today's presentation materials.

With that, please move to slide 3.



## **Brownfields**

Challenging our Communities in a Changing World to Foster New Beginnings

## Purpose

- The purpose of this presentation is to provide an overview of the Brownfields Program.
- o The topics of discussion includes:
  - Definition and Examples of Brownfields
  - Program Resources
  - Program Criteria

# What are Brownfields?

Small Business Liability Relief and **Brownfields Revitalization Act** 

#### Amends CERCLA by:

- Providing grants to assess and cleanup sites
- Providing liability exemptions

#### **Defines brownfields 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."

6

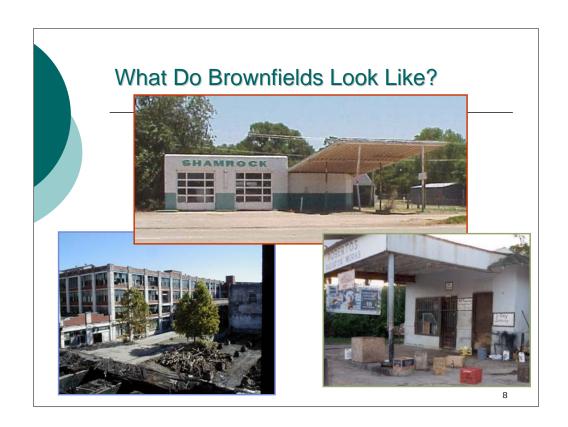
BF Act is actually an amendment to CERCLA - Comprehensive Environmental Response, Compensation and Liability Act. CERCLA has very strong liability language which is often a deterrent to redevelopment of sites, as we talked about earlier. The BF Act amends CERCLA to alleviate some of those liability concerns.

Current funding level is around \$75M

## The Brownfields Gamut

There are an estimated 450,000 brownfields sites nationwide!



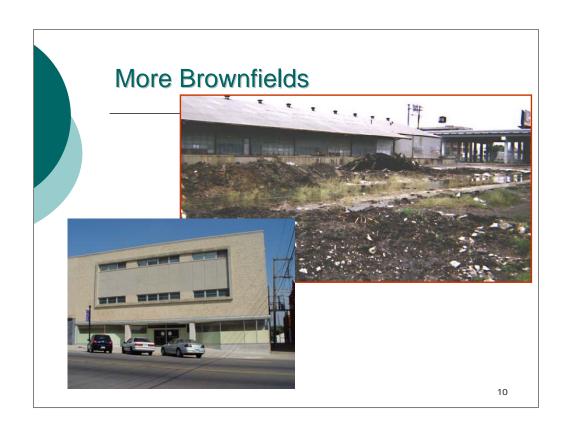


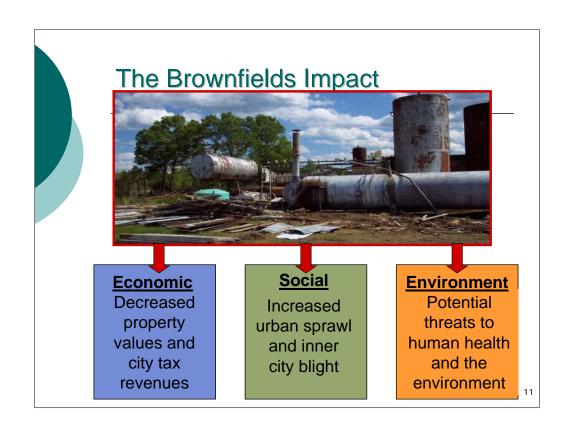






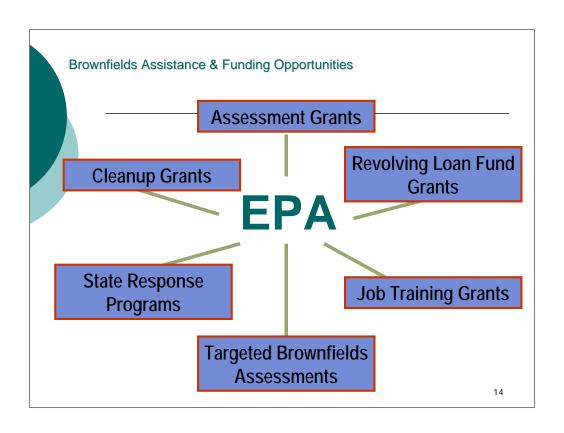


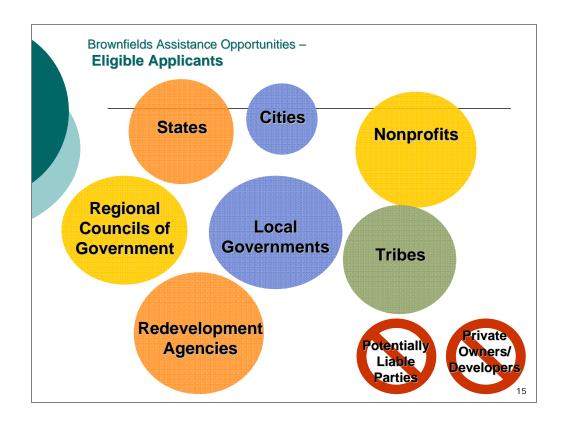






# **Brownfields Resources Available**





Since you're here, you guys must be eligible applicants with eligible sites! But just FYI . . .



Who's not eligible? Basically responsible parties and private owners.

What sites aren't eligible? Key words – NPL, any kind of state, federal or court order sites, and any site owned by the federal gov't

#### Brownfields Assessment Grants

Community- Wide	Site-Specific	Coalition
Up to \$200,000 for hazardous substances and \$200,000 for petroleum	Up to \$200,000 for hazardous substances or petroleum	Up to \$1,000,000 for hazardous substances and/or petroleum
No waiver of funding limit	May request a waiver for up to \$350,000	No waiver of funding limit
Maximum combined amount \$400,000	Maximum combined amount \$350,000	Maximum combined amount \$1,000,000

#### Example eligible activities:

- 3 year performance period
- No cost share
- ✓ Inventory Brownfields
- √ Phase I / II Environmental Assessments
- ✓ Cleanup / Reuse Plans
- Community and Stakeholder Outreach

17

#### \* Petroleum sites are eligible IF

"Relatively low risk site" when compared with other petroleum contaminated sites

No viable RP

Granted entity is not potentially liable for cleaning up site Not subject to RCRA 9003 (h) order

All petro sites MUST have a state petroleum determination letter BEFORE they can be approved by EPA

Who received a petroleum grant? Let's talk!

## Brownfields *Cleanup* Grants

#### Site-Specific

Up to \$200,000 for hazardous substances and/or petroleum

Applicant must own site at time of proposal

Applicant can <u>not be</u> <u>potentially liable for</u> <u>contamination</u> under CERCLA

Non-profit organizations are eligible to apply

Applicants may apply for funding for up to 3 sites

- 3 year performance period
- 20% Cost Share

#### Example eligible activities:

- ✓ Cleanup
- ✓ Cleanup Planning
- ✓ Confirmatory sampling ONLY

## **Brownfields Cleanup Grants**

- > Prior to Clean up Grant proposal submittal:
  - •Non profit must have EPA approved Phase I and Phase II
  - •ESA's must conform to EPA's All Appropriate Inquiries (AAI) or ASTM format
  - •Cost for assessments can be up to \$100K
- > ESA Funding Options:
  - Non profits can fund ESA themselves or
  - Non profits may secure free ESA services from:
    - Local Brownfields Assessment Grantee
    - State Brownfields Program
    - EPA R6 Brownfields Program

#### Brownfields Revolving Loan Fund Grants

#### Community-Wide

Up to \$1,000,000 per eligible entity

Funding to capitalize a revolving loan fund and provide subgrants for cleanup activities

Applicant can <u>not be</u> <u>potentially liable for</u> <u>contamination</u> under CERCLA

Non-profit organizations are eligible to apply through an existing recipient

- 5 Year Performance Period
- > 20% Cost Share

Example eligible activities:

- ✓ Cleanup
- ✓ Loan Program Implementation
- Confirmatory sampling ONLY

20

An eligible entity may apply for \$1 million. EPA will accept proposals submitted by "coalitions" (groups of <u>eligible entities</u>) to pool their revolving loan capitalization grant funds. Under a coalition proposal, each eligible entity may apply for up to \$1 million.

\*\* 20% match

## **Job Training Grants**

- Provides Environmental Remediation Training (certifications can include 40hr HAZWOPER, OSHA, confined space entry, lead, mold, asbestos, etc)
- Targets Under- and Un-Employed
- o Partner with Local Educational Institution



#### Success!

- National minimum wage: \$7.25/hr
- National JT program grad wages: \$12 \$19/hr (avg)

## **Job Training Grants**

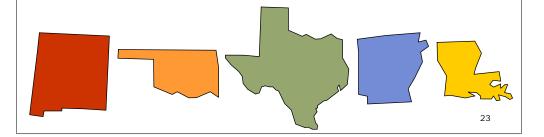
- Provides up to \$200,000 no match!
- Non-profits Eligible
- National Competition
- o 2 Year Performance Period
- o Proposal Timeline:
  - Request is expected out October 2010
  - Proposals Due January 2011
  - Grants Awarded Spring 2011





## State Brownfields Programs

- Are the Technical Decision Makers
- Provide State Environmental Liability Protection
- o Are a Key Partner with EPA



# **Brownfields Benefits**

#### The Benefits of Brownfields

- → Revitalize Communities
- Create Jobs and Local Revenue
- Remove Blight
- Protect the Environment
- \* Each \$1 invested in Brownfields funding leverages \$2.50 in redevelopment!

25

<u>Creation of employment</u> - According to a survey by the U.S. Conference of Mayors, 187 of 231 cities responded that cleaning up existing brownfields sites could generate as many as 540,000 new jobs if the land were returned to production.

<u>Increased local revenue</u> - Encouraging development on existing, unoccupied sites has the potential not only to rejuvenate local tax revenue, but to spawn additional development of nearby underused properties.

<u>Revitalize urban areas</u> - Because of their locations, brownfields promote the infill and mixed-use development of smart growth

<u>Removal of urban eyesores</u> – Perception of contamination; Brownfields cleanup removes signs of decay

<u>Protection of existing greenspaces</u> – creating incentives to attract development on existing sites curbs the urge to develop pristine areas

<u>Improved cmty health</u> – Curbs illegal dumping; cleanup removes potential public health threat of contamination

## **Cost Share Requirements**

## **Cost Share Requirement**

- o Cost Share of 20% Required For
  - Brownfields Cleanup/RLF
    - o Hardship Waiver available for match
- Cost Share connected to the Environmental Cleanup
- The grant recipient contributes cash or in-kind resources for cleanup cost share

### What Determines Eligible Cost Share?

- Reasonable
- o Allocable
- Necessary (Project Objectives)
- Not Prohibited
- Not Federal
  - Unless Federal Program Has Provision to Allow
- o Not Other Federal Grant Cost Share
- O Verifiable (e.g., documented)
- o In Budget

## What are Eligible Cost Share Resources?

- o Cash
- o Non-Federal Grants
- Labor
- Material
- Supplies
- Services

## **Highlights**

- What is a BF
- What is the Impact
  - Social, Economic and Environmental
- Project Cycle
  - Identify, assess, cleanup, redevelopment
- Eligible Programs/Services for Non profits
  - Job Training
  - o Cleanup
  - o TBA

- Types of Contaminants
  - LBP, Hazardous, Petroleum,
  - Asbestos, Mine scarred lands
  - Illegal drug labs
- Cleanup requires 20% match
- Cost Share is not from grant
- Remember to refer to the regulations or EPA for clarification
- Cost Eligibility
  - Reasonable
  - Allocable

#### **Brownfields Grant Competition**

#### General Brownfields (ARC) Grant Schedule

- http://www.epa.gov/swerosps/bf/applicat.htm
- Proposals Due October 15, 2010
- Selections Spring 2011
- Award Summer 2011

#### • Questions?

- Monica Smith, Brownfields Section Chief 214-665-6780 or via email smith.monica@epa.gov
- 1-800-533-3508 and ask for the Brownfields Team















The American Recovery and Reinvestment Act of 2009 includes a provision granting \$100 million to the EPA Brownfields Program for clean up, revitalization, and sustainable reuse of contaminated properties. Job Training grants are a key component of funds being awarded.

On March 19, 2009, EPA issued a request for applications (RFA) from eligible governmental entities and nonprofit organizations to provide environmental job training projects that will facilitate job creation in the assessment, remediation, or preparation of brownfields sites for sustainable reuse. The closing date for receipt of applications is April 20, 2009.





# Workforce and Development Job Training Non-Required Training



## Non-Required Training Examples:

**Mold Remediation** 

**Energy Auditing** 

Weatherization

**Heavy Machinery Operations** 

Industrial and Oil Spill Response

**Native Plant Revegetation** 

Low-Impact Development

Green Building Design

41

FY 11 Workforce Development and Job Training Program





















# TBA, Liability and AAI

For Your Protection

### FREE SERVICES

- ➤ EPA and/or States provides Environmental Site Assessment to local governments and non profits
  - •Inventories compiles a list of possible properties
  - •Phase I- a report prepared which identifies potential or existing environmental contamination <u>liabilities</u>
  - •Phase II the purpose is to evaluate the recognized environmental conditions identified in the Phase I ESA through a sampling of the site
  - •Cleanup planning activities
  - Provided on a year round basis

Targeted Brownfields Assessments (TBA)



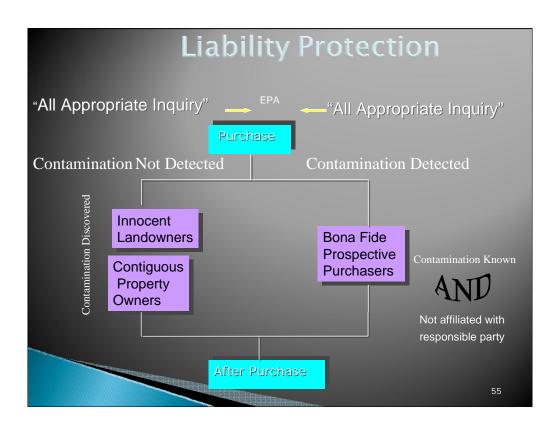
# How to request a Targeted Brownfields Assessment

> Submit request to EPA R6 Brownfields Section Chief

#### Smith.monica@epa.gov

- > EPA evaluates/approves request
- > Environmental Site Assessment is performed
- > Final report is issued to non-profit

<u>Note:</u> EPA will offer the States or local Brownfields
Assessment Programs the right of first refusal before performing the requested ESA.



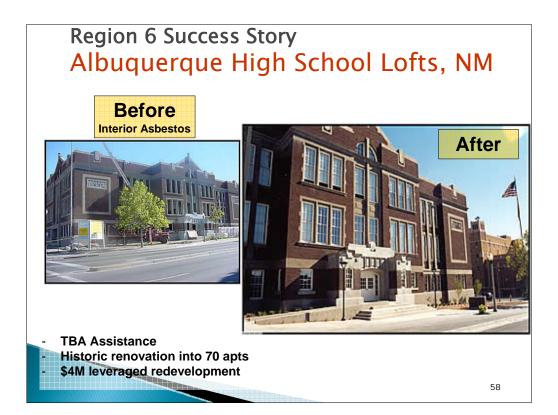
## ALL APPROPRIATE INQUIRY = Phase I Environmental Site Assessment

All Appropriate Inquiry (AAI) or Phase I environmental site assessment (ESA) is the process of evaluating a property for potential environmental contamination and assessing potential liability for any contamination present at the property



## AAI=PHASE I ESA WHEN?

- ▶ <u>BEFORE</u> acquiring the property
- Conducted or updated within 1 YEAR prior to acquisition
- Update within 180 DAYS prior to acquisition



- -XX Acres
- -100 jobs created
- -XX loft units developed
- -\$\$ leveraged redevelopment



- •1.45 acres
- •Old hotel, vacant for years
- •Hilton, 525 rooms
- •\$66M leveraged redevelopment



- •75 acres
- •\$3B leveraged redevelopment

## National Brownfields Conference



- ▶ April 3-5, 2011
- Pennsylvania Convention Center
- www.brownfields2011.org

## Resources & Feedback

- To view a complete list of resources for this seminar, please visit the <u>Additional Resources</u>
- Please complete the <u>Feedback Form</u> to help ensure events like this are offered in the future

