



What is a Brownfield and do I have one?

or

“Would I recognize a Brownfield if it ran up and bit me?”

Southwest Kansas Brownfields 101
Redeveloping Blighted Properties

Finnup Center – Lee Richardson Zoo - Garden City, Kansas
March 31, 2011

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A TAB/CHSR/KSU Contractor



What are Brownfields ?

- Brownfields are real estate deals with an environmental “twist” that complicates, but does not prevent, redevelopment of the property. Often, the property is not even contaminated
- Brownfields are properties caught between “clean” and “nasty” Superfund
 - “Clean enough” not to be public hazards
 - Perceived as too “dirty” for bankers'/investors' comfort
- Typically, contaminants and risk improvement would never be addressed on these sites by regulatory agencies if the property were not redeveloped

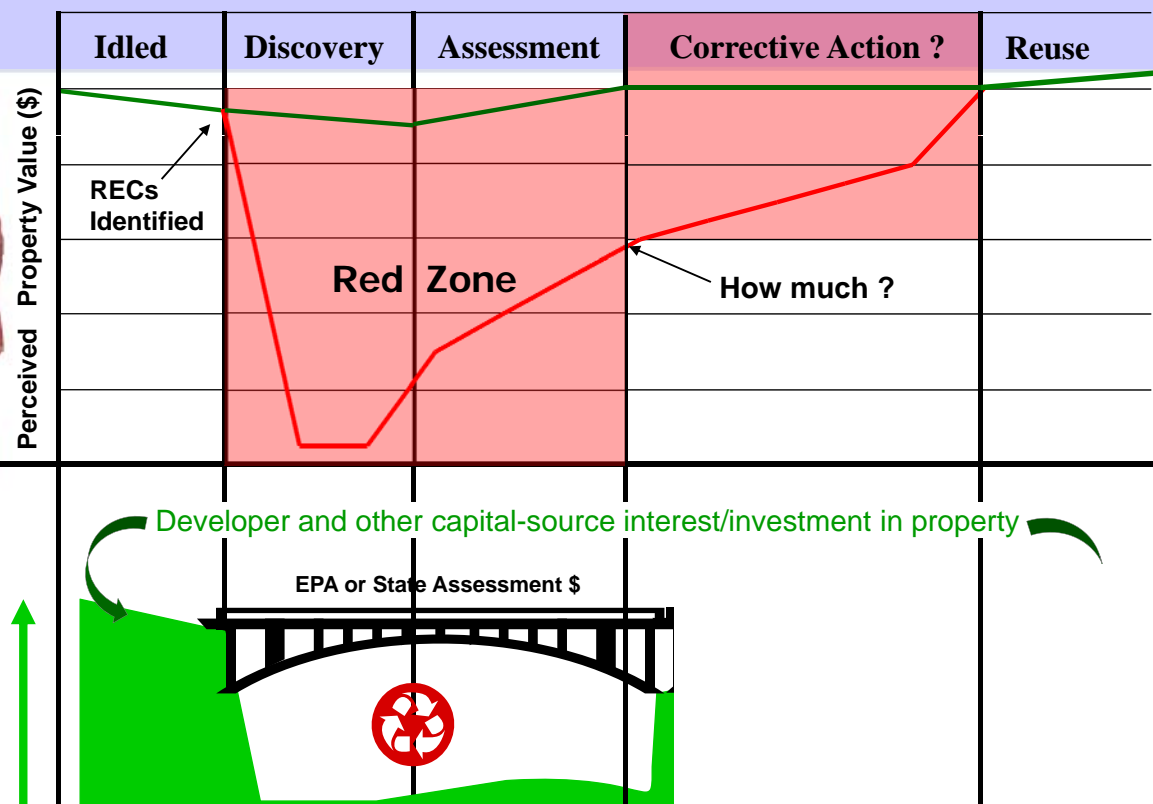
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Practical Faces of Brownfields

- Yes, you do have them.
 - Every community and county has brownfields
 - Not all are eligible for state or federal financial help
- It isn't visual
 - All 'bad looking' properties are not brownfields
 - 'Good looking' properties can be brownfields
- They may be public property or private real estate
- Not properties where those responsible for contaminant releases can ignore their obligations
 - Liable and viable responsible parties have obligations
 - Imminent health threats must be dealt with
 - Much friendlier arena in which to resolve problems

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What drives the Brownfield Lifecycle?



RECs: ASTM E1527-05 Recognized Environmental Conditions produce a stigma that affects property value whether impairment is real or not.

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BROWNFIELDS

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.

Small Business Liability Relief and Brownfields Revitalization Act
Public Law 107-118- January 11, 2002

Practical Faces of Brownfields

- You'll hear that EPA definition and other information again today
- But to start off, let's put a few real, 'on the street' faces on a few typical Midwestern Brownfields
 - 7 'everyday' property scenarios
 - Common types of property
 - Some similar, but different funding eligibilities

1. Active Rail Property



- Owner:** Shortline Railroad
- Occupant:** Active & abandoned rail areas, coal storage, mixed use
- For Sale:** Yes, a few preliminary failed deals by builders disinterested when they found it had been a rail area since late 1890s.
- Assessed:** No
- Contaminated:** Unknown, stigma of railroad use although no maintenance facilities, odd coloration from coal area.
- Local Effect:** City and nearby residents feel the riverfront location could be better used to serve the community to support a small hotel or parks property.

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2. Grain Elevator

Owner: US Mills, LLC
Occupant: US Mills, LLC
For Sale: No
Assessed: No
Contaminated: Yes, City utility work identified chemical odors in soils laying new natural gas line. Reported to owner, status unknown.
Local Effect: USW is active, profitable and provides to the community approximately 30 jobs.



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Does not meet the definition of Brownfields, site has a viable responsible party ... "the polluter still pays". A grant could be used on adjacent properties to allay public fears or clear for redevelopment.

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3. Former Rail Property

Owner: US Rail Co.

Occupant: No rail use. A few small businesses rent remaining siding buildings for storage, rest are vacant.

For Sale: Yes

Assessed: No

Contaminated: Unknown. No records of problems on file with state or EPA, but City told railroad properties can have environmental problems.

Local Effect: City would like to acquire and clear the property to expand for redevelopment opportunity for rail-based businesses.



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Abandoned and under-used with a perception the old land use may have caused problems.

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4. Former Gas Station

Owner: John Q. Gasman

Occupant: Abandoned and building demolished, used for parking.

For Sale: Yes

Assessed: Yes

Contaminated: Yes, active 2002 state leaking underground storage tank file shows gasoline in soils and groundwater.

Local Effect: Good corner location near to the downtown, could be better used to support tax base than as a parking lot.



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Alternate Funding: City purchased with due diligence after owner obtained minimal No Further Action for soils and restricted groundwater use and transferred with LUST Fund insurance policy. City accessed \$450,000 to cleanup to higher and better use with voluntary cleanup program closure for protection of groundwater resources and resale to developers.

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5. Former Fertilizer Storage

Owner: Good Grow, Inc.
Occupant: Abandoned 2002
Age: Built 1968
For Sale: Yes, Contract pending with community recycling group.
Assessed: No
Contaminated: Unknown. However, prospective purchaser is concerned that fertilizer storage and railroad operations may have impacted soils.
Local Effect: Perceived contamination has delayed sale and proposed redevelopment. Abandoned facility remains a nuisance and an hazard to area residents.



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6. Former Drive-In Theater

Owner: Bubba's Lawn and Entertainment, LLC

Occupant: Abandoned 1998

Age: Built 1952

For Sale: Yes, contract pending with school district.

Assessed: Yes, limited assessment under RCRA Permit for adjacent property

Contaminated: Unknown, previous assessment did not account for potential residential development

Local Effect: Perceived contamination diminished adjacent property values and prevented reuse. Demolition debris and abandoned buildings present hazards to children.



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Eligible to assess unknowns, but not eligible to address known impacts from the RCRA facility for the responsible party.

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7. Metals Scrapyard

Owner: Good Ol' Boy Metals
Occupant: Occupied/Active
For Sale: Potentially
Assessed: No
Contaminated: Unknown, but commercial metal salvage operations known to have environmental problems.
Local Effect: City needs to purchase property for street and utility realignments and to improve gateway aesthetics. Not sufficient project value or demonstrated need for condemnation.



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Brownfields are Opportunity

“Opportunity is not recognized by most people when they meet, because it is usually dressed in overalls and looks like work.”

Thomas Alva Edison

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THANK YOU



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