

# WHAT IS A BROWNFIELD AND DO I HAVE ONE?

## Introduction to Brownfields & Economic Revitalization

*Prepared for TAB Brownfields Workshop Series*

*A TAB/CHSR/KSU Contractor*

*September 2012*

*Presented by  
Beth A. Grigsby, LPG*



**A TAB/CHSR/KSU Contractor**

# ALPHABET SOUP...

**KSU:** KANSAS STATE UNIVERSITY

**TAB:** Technical Assistance to  
Brownfields Communities

**ESA:** Environmental Site  
Assessment

**AAI:** All Appropriate Inquiry

**CERCLA:** Federal Superfund Law

**RECS:** Recognized Environmental  
Conditions

**RISC:** Risk Integrated System  
Closure

**PRP:** Potentially Responsible Party



A TAB/CHSR/KSU Contractor

# What is a Brownfield?

**“.....*real property*, the expansion, redevelopment, or *reuse* of which may be *complicated* by the presence or *potential presence* of a *hazardous substance, pollutant or contamination*.” (EPA)**

## **In laymen's terms:**

- A brownfield is a property that is difficult to develop because it is contaminated or *believed* to be contaminated**
- Not a superfund site**
- Hazardous, petroleum, asbestos, lead paint, mold, meth-lab contaminants and mine-scarred lands**



**A TAB/CHSR/KSU Contractor**

# BROWNFIELD PROGRAM DOES NOT...

**BENEFIT POTENTIALLY RESPONSIBLE PARTIES**

**BROWNFIELD RESOURCES CANNOT BE USED TO  
BENEFIT THE POLLUTER!!**



**A TAB/CHSR/KSU Contractor**

# THE DOMINO EFFECT OF BROWNFIELDS

- Properties are abandoned or underutilized
- Local tax base is significantly eroded
- Vagrants, vandalism and crime
- Property values decline
- Environmental Justice issues
- Communities appear neglected
- Greenfield Development
- Tax drain of new infrastructure
- Continued disinvestment of inner core



A TAB/CHSR/KSU Contractor

# Brownfields Assessment Process

- **Identify Brownfields & Redevelopment Goals**
- **Investigate – Phase I/II site assessments (environmental due diligence – performed by contractors)**
- **Clean-up or Institutional Controls, if necessary**
- **Redevelopment**



**A TAB/CHSR/KSU Contractor**

# IDENTIFY: Why Inventory?

- Quality of life and/or Community appearances may be damaged by presence of Brownfields



**A TAB/CHSR/KSU Contractor**





# Information Resources On-Line

- Where you live...Search your environment by community or zip code
  - <http://www.epa.gov/myenvironment/>
- Other program information and support
  - <http://www.epa.gov/brownfields>
  - <http://www.epa.gov/compliance/environmentaljustice/index.html>
  - <http://www.epa.gov/smartgrowth>
  - <http://www.smartepa.org>



A TAB/CHSR/KSU Contractor

# THE COMMUNITY DEFINES ITS BROWNFIELDS

EPA provides the guidance, but it is the community that identifies a property as a Brownfield



# What Are You Looking For?

- **Abandoned property**
- ***Active* but Underutilized...Salvage yard next to the Greenway**
- **Real estate turnover complicated by real or perceived contamination**
- **Blighted property that significantly conflicts with a Master Plan or Revitalization Plan**
- **Property blighted and located at the gateways to your community**



**A TAB/CHSR/KSU Contractor**

# Make Your List....

- IDENTIFY SUSPECTED AREAS (FORMER INDUSTRIAL, FORMER DRY CLEANERS, OLD GAS STATIONS)
- CONSIDER PROPERTIES TIED TO OTHER PROJECTS (TRANSPORTATION, DISASTER RECOVERY, NEIGHBORHOOD STABILIZATION)
- CONSIDER TAX DELINQUENT PROPERTIES
- CONSIDER FORMER SCHOOL PROPERTIES, HOSPITALS, PROPERTIES THAT ARE GATEWAYS TO THE COMMUNITY



**A TAB/CHSR/KSU Contractor**

# Identify Brownfields (Continued)

- Use excel spreadsheet list your potential brownfields

The screenshot shows an Excel spreadsheet window titled 'bit\_mppf03\_20\_10\_03\_58[1].xls [Compatibility Mode]'. The spreadsheet is divided into two main sections: 'Cooperative Agreement Recipient Information' and 'Property Background Information'. A note states: 'Note: This report was generated by the Brownfields Inventory Tool (BIT)'. The data is organized into columns: Recipient Name, Cooperative Agreement Number, Type of Cooperative Agreement, Type of Funding, Initial or Updated Form, ACHES Property ID (for updated form only), Property Name, Street Address, City, County, and State. The data rows are color-coded: yellow for rows 5-10 and green for rows 11-13.

PART I - Property										
Cooperative Agreement Recipient Information						Property Background Information				
Note: This report was generated by the Brownfields Inventory Tool (BIT)										
Recipient Name	Cooperative Agreement Number	Type of Cooperative Agreement	Type of Funding	Initial or Updated Form	ACHES Property ID (for updated form only)	Property Name	Street Address	City	County	State
Happyville BF Program	2222	Cleanup	Both	Initial Form	*	Easy Money		Happyville		CO.
Happyville BF Program	2222	Assessment	Both			Easy Money				
Happyville BF Program	2222	Assessment	Both			Easy Money				
Happyville BF Program	2222	Assessment	Both	Initial Form	*	Easy Money				
Happyville BF Program	2222	Assessment	Both	Initial Form	*	Easy Money				



A TAB/CHSR/KSU Contractor

# Identify Brownfields (Continued)



www.tab-bit.org

- ▶Login
- ▶Register
- ▶Contact Us/Feedback

HOME BIT TOOLBOX ABOUT RESOURCES SEARCH HELP

In This

BIT Home

Quick Links

BIT Tutorial  
Help

## In This Section:

### Site Data

- Site Information
- Site Assessment
- Sampling
- Cleanup
- Institutional Controls
- Redevelopment/Reuse

### Site Admin Info

- Complaints
- Inspection/Oversight
- Enforcement

### Funding Summary

- View/Upload Documents
- Activity Log
- Back to Site Inventory

## Quick Links:

- BIT Tutorial
- Data Search / Export
- Generate Reports
- Import Data (Tables)
- Site Inventory Data
- View Sites on Map

## Ice Skating Park Development: Site Information

BIT Home > Bit Toolbox > Site Inventory Data > Site Data > Site Information

Site Details Ownership PPF Status and Approvals Comments

Site Name Ice Skating Park Development

Site Status In Cleanup Phase

Site Type Petroleum Site

ACRES Property ID (if available)

### Address

Street Address/P.O. Box Lower Metro Place

City Dublin

State Ohio

Zip Code

County Green

### Legal Description (Optional)

Range

Township

Name/Number of Principal Meridian

Part of Section

Section

### Current Use/History/Past Ownership

Gas and Maintenance station from 1960. Vacant from then to present of uncontrolled fill and C&D waste dumping.

### Prominant Past Use(s)

Acres

Greenspace

### Parcel/Allotment Number(s)

Add To List

# Set & Implement Sustainable Redevelopment Goals

- Develop Community Vision for Sustainability
  - Engage and survey the community
  - Explore opportunities – what is possible?
  - Set goals and make plans to achieve them
- Integrate into Master Plan, City Functions, & Initiatives
  - Building & Development Codes
  - Infrastructure
  - Housing and social services
  - Other
- Seek funding and partnerships to implement plans
- Evaluation and Improvement
  - Ongoing Community Engagement and Input



**A TAB/CHSR/KSU Contractor**

# BROWNFIELD? FUTURE GREENWAYS



**A TAB/CHSR/KSU Contractor**



# ABANDONED GAS STATION-FUTURE RETAIL OPPORTUNITY



**A TAB/CHSR/KSU Contractor**

# ABANDONED BUILDING NEXT TO COMMUNITY HOUSING -FUTURE PUBLIC STORAGE PROJECT



**A TAB/CHSR/KSU Contractor**

# OLD SCHOOL-FUTURE FIRE STATION



**A TAB/CHSR/KSU Contractor**

# MAIN STREET-FUTURE REVITALIZATION AND MIXED USE



**A TAB/CHSR/KSU Contractor**

# ABANDONED BUILDING-FUTURE TAX CREDIT HOUSING PROJECT



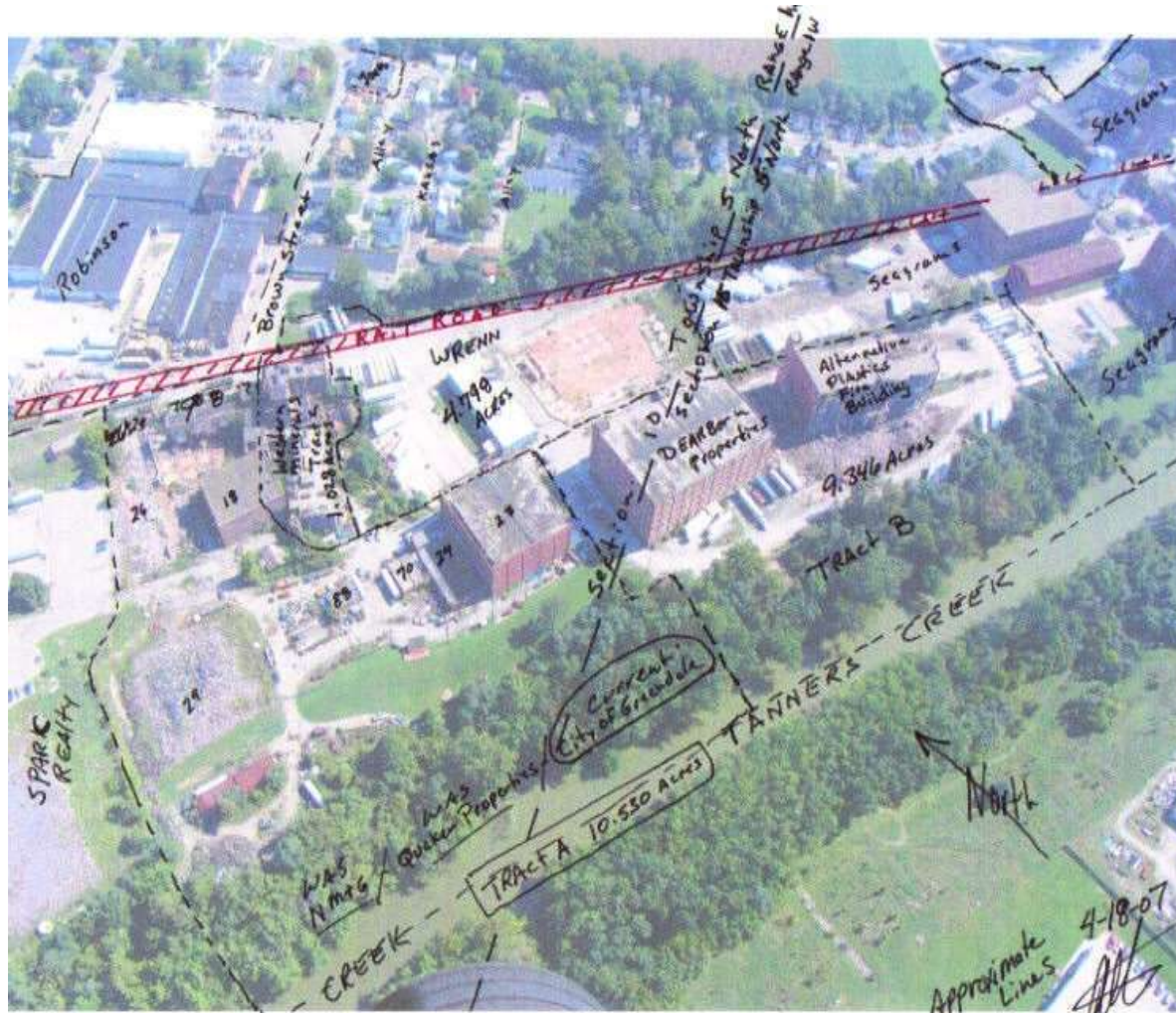
A TAB/CHSR/KSU Contractor

# HAUNTED JAIL: FUTURE MUSEUM



A TAB/CHSR/KSU Contractor

# Brownfields...Part of the Bigger Picture



A TAB/CHSR/KSU Contractor

# Communities Select Their Criteria for Prioritization

## CRITERIA EXAMPLES:

- Eligible for EPA or State funding
- Development potential for immediate job creation
- Located in the TIF district or Revitalization Zone
- Quality of Life Issues—community health impacts
- Quality of Life Issues—eliminate unsafe or blighted properties
- Control of Property: can you get access?
- Visibility of the site to the community
- Physical site characteristics: acreage, visibility, etc.



**A TAB/CHSR/KSU Contractor**



# Brownfields Assessment Process

- **Identify Brownfields & Redevelopment Goals**
- **Investigate – Phase I/II site assessments (environmental due diligence – performed by contractors)**
- **Clean-up or Institutional Controls, if necessary**
- **Redevelopment**



**A TAB/CHSR/KSU Contractor**

# Generally, what are Environmental Site Assessments?

Systematic steps to identify/evaluate environmental concerns

- Purpose of Phase I ESA is to learn about a property's **past use**, environmental conditions at the property and adjacent sites and **possible presence of hazardous substances**
- Phase II ESAs can be composed of various steps to define magnitude and extent of contamination, and identify appropriate site specific remediation options



A TAB/CHSR/KSU Contractor

# Site Assessment Protocols

- All Appropriate Inquiries final rule (40 CFR 312)
- American Society for Testing and Materials (ASTM) Standards
  - Phase I Environmental Assessment (ASTM 1527-05)
  - Phase II ESA (E1903-97, 2002)
- 2002 Brownfields Redevelopment Act & Superfund Liability
  - Clarified appropriate inquiry for Innocent Landowners and extended exemptions to:
    - Bonafide Prospective Purchasers
    - Contiguous landowners
    - Household, small business, and non-profit generators of municipal solid wastes at NPL sites



**A TAB/CHSR/KSU Contractor**

# All Appropriate Inquiries

- AAI is a process of evaluating a property's environmental conditions and assessing the likelihood of any contamination.
- Every Phase I assessment conducted with EPA Brownfields Assessment Grant funds **must** be conducted in compliance with the All Appropriate Inquiries Final Rule at 40 CFR Part 312.

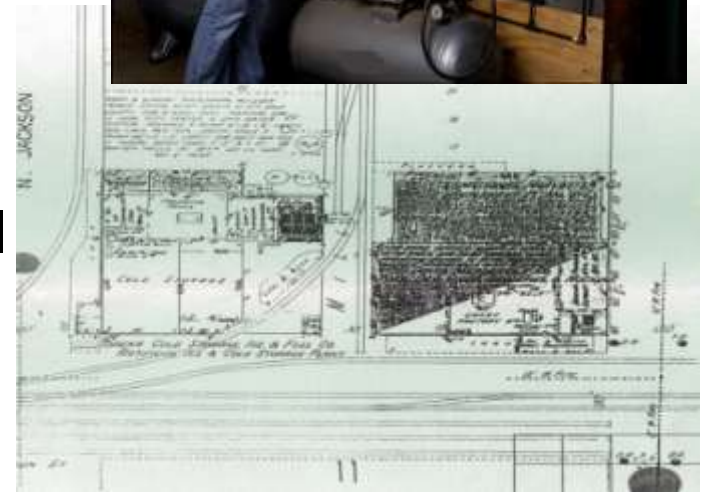


A TAB/CHSR/KSU Contractor

# Environmental Site Assessments:

## Phase I ESA

- Review of federal, state, local records
- Visual Inspection of site
- Interviews with current/past owners
- Roadmap for Future Investigations:
- Identifies Recognized Environmental Conditions
- Non-Intrusive-no sampling or tests



A TAB/CHSR/KSU Contractor

# Phase II Environmental Site Assessments:

## Phase II ESA

- What Are Your RECs?
- Presence/Absence
- What Is There?
- If It's There—Where?



## Phase II Characterization

- If It's There-How Much?
- Extent/Delineation/  
Quantification
- Feasibility Studies
- Cleanup Plan



A TAB/CHSR/KSU Contractor

# UNDERGROUND STORAGE TANK-HAS IT LEAKED?



ASSOCIATES INC.

**A TAB/CHSR/KSU Contractor**

# IDENTIFY CONTAMINANTS ASSOCIATED WITH DUMPING



**A TAB/CHSR/KSU Contractor**



# INDUSTRIAL STORAGE-WHAT ARE CONTENTS, DID THE TANKS LEAK

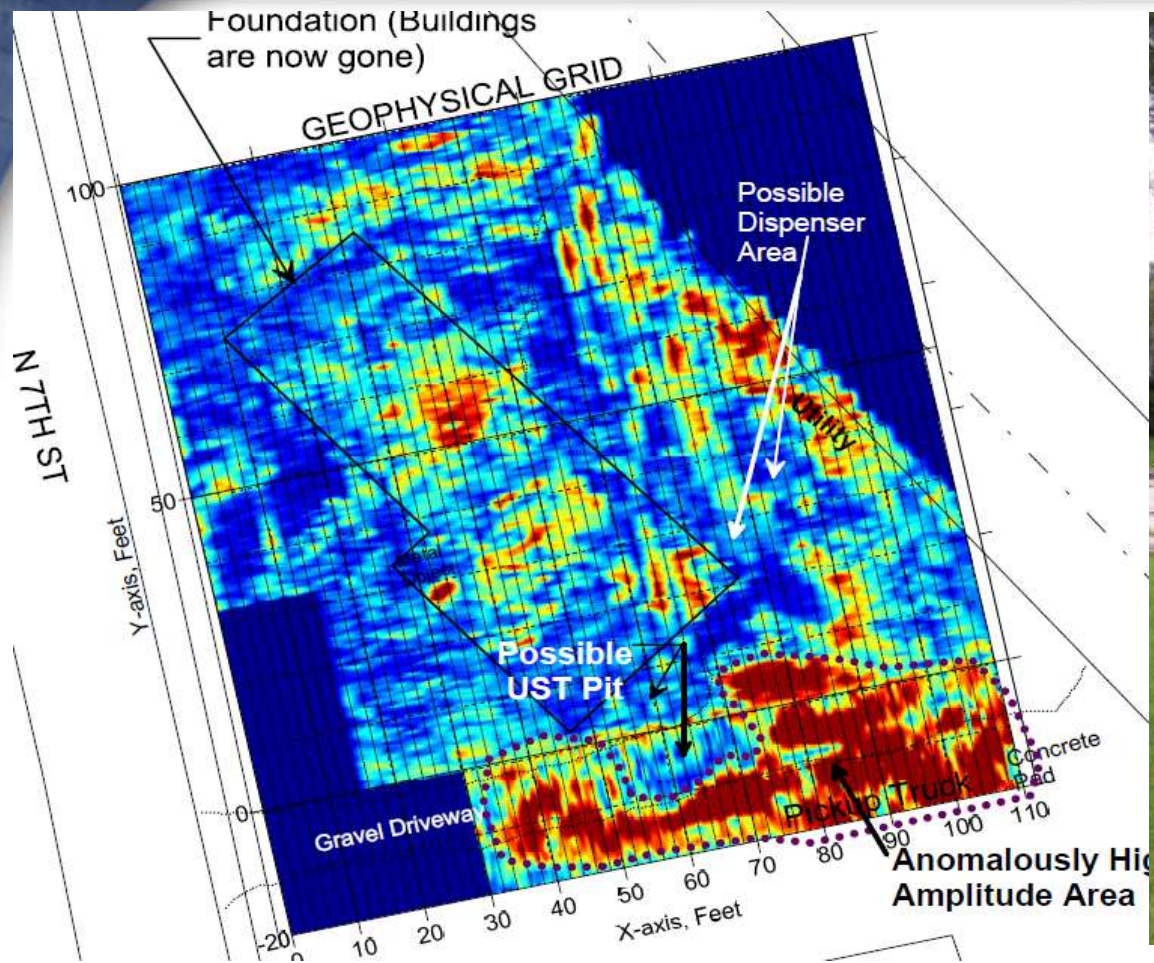


A TAB/CHSR/KSU Contractor

# ASBESTOS-IS IT FRIABLE-HOW MUCH IS THERE AND WHERE IS IT?



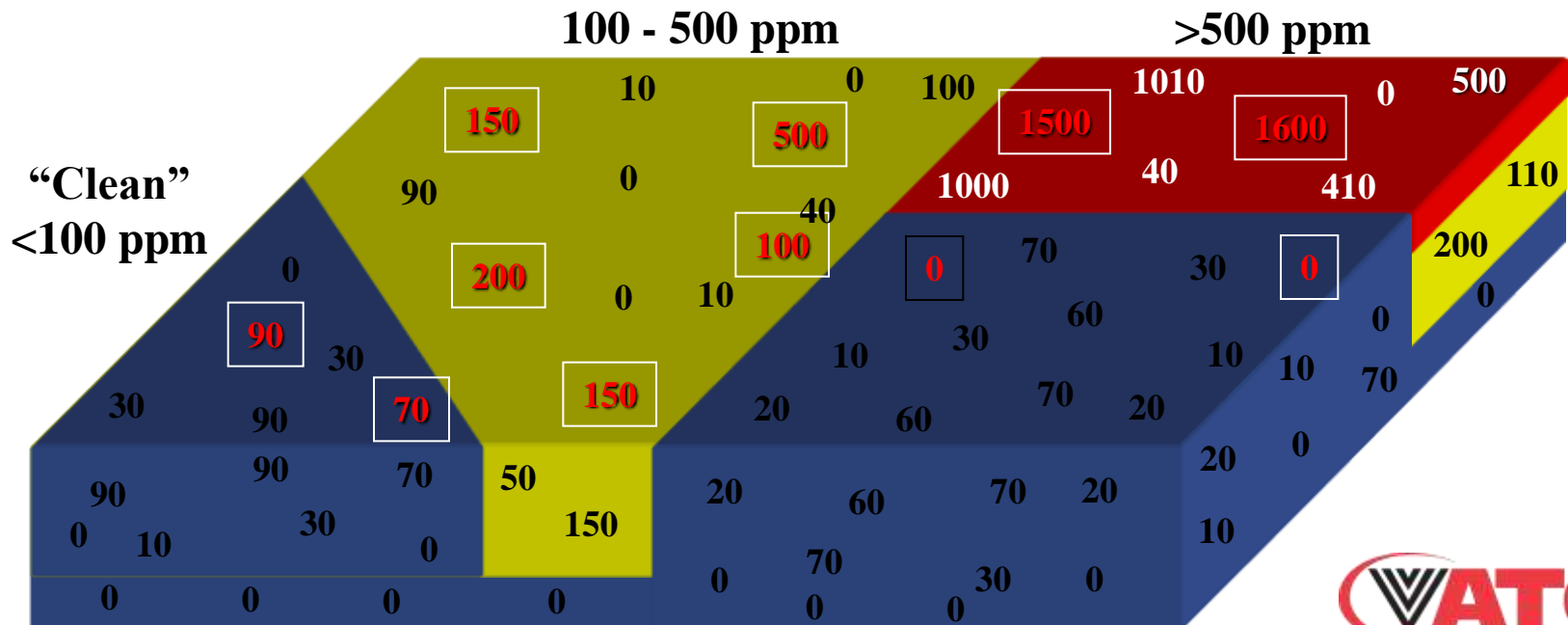
# UNDERGROUND STORAGE TANKS-ARE THERE USTS ON-SITE, DID THE TANKS LEAK



A TAB/CHSR/KSU Contractor

# Contaminants Are Rarely Distributed Evenly

- Neither horizontally, nor vertically
- Assessment estimates between available sample points



A TAB/CHSR/KSU Contractor

# Brownfields Assessment Process

- **Identify Brownfields & Redevelopment Goals**
- **Investigate – Phase I/II site assessments (environmental due diligence – performed by contractors)**
- **Clean-up or Institutional Controls, if necessary**
- **Redevelopment**



**A TAB/CHSR/KSU Contractor**

# Risk Integrated System Closure (RISC)

- RISC was created to establish cost-effective closure standards and closure options that result in negligible risk to human health and the environment
- Applying RISC allows the opportunity for an Indiana Brownfields Program site to achieve RISC closure or make a seamless transition to or from IDEM remediation programs, such as the [IDEM Remediation Closure Guide](#), for closure.



A TAB/CHSR/KSU Contractor

# INSTITUTIONAL CONTROLS

**WASTE MAY BE LEFT ON-SITE OR IN PROCESS OF BEING REMEDIATED AND THERE IS LIMIT TO SAFE ACTIVITIES THAT CAN TAKE PLACE ON-SITE**

- CAN BE AS SIMPLE AS CONSTRUCTING A FENCE...
- NO DRINKING WATER WELLS ON-SITE
- OR AS COMPLEX AS DEVELOPMENT OF LOCAL LAWS, RE-ZONING, DEED RESTRICTIONS



**A TAB/CHSR/KSU Contractor**

# Brownfields Assessment Process

- **Identify Brownfields & Redevelopment Goals**
- **Investigate – Phase I/II site assessments (environmental due diligence – performed by contractors)**
- **Clean-up or Institutional Controls, if necessary**
- **Redevelopment**



**A TAB/CHSR/KSU Contractor**



# Redevelopment

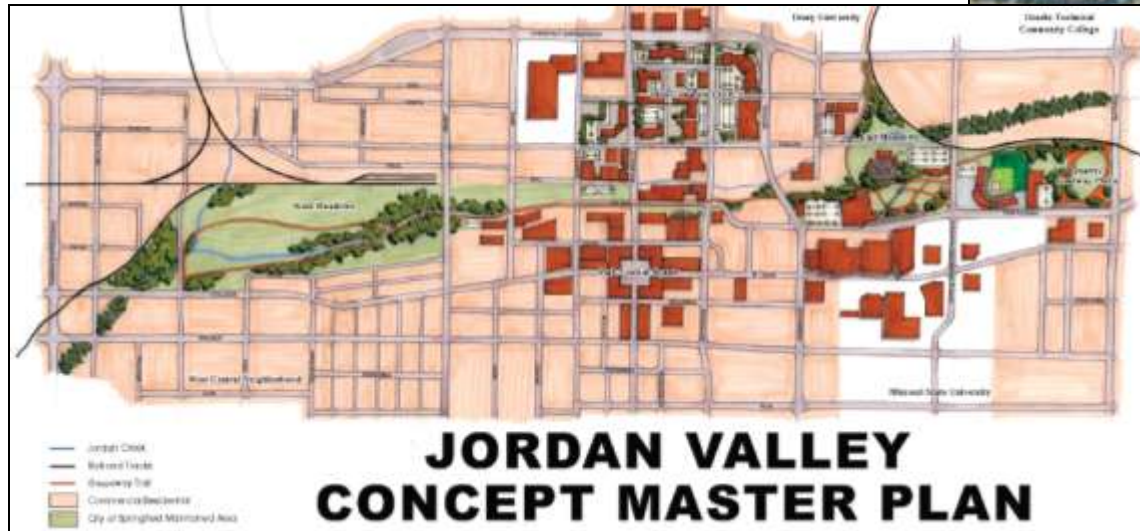
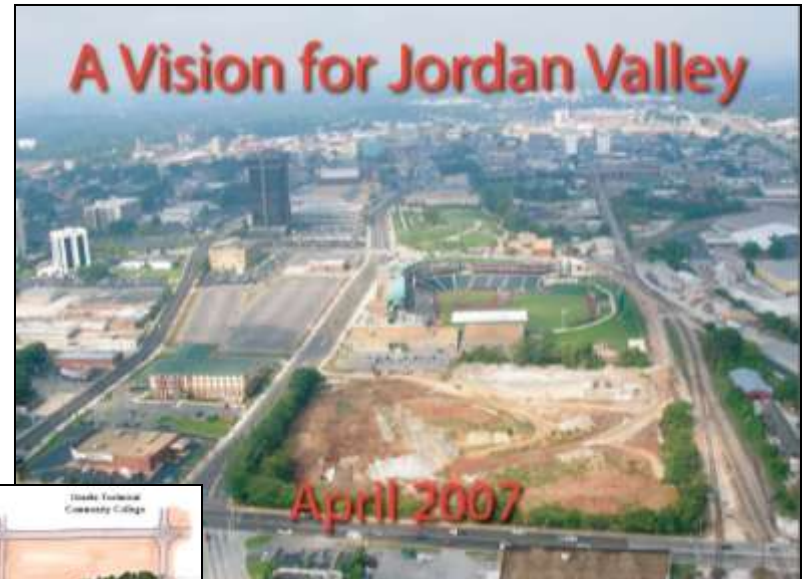
- Gather resources and partners needed to redevelop
- According to:
  - Master plans and community input
  - To address various needs and opportunities
    - Economic
    - Transportation and infrastructure
    - Quality of Life
    - Other
  - Smart growth & livable community principles for sustainable communities
- [http://www.epa.gov/smartgrowth/basic\\_info.htm](http://www.epa.gov/smartgrowth/basic_info.htm)



**A TAB/CHSR/KSU Contractor**

# Importance of Redevelopment Planning Process

- Vision development
- Stakeholder coordination
- Eligibility for incentives
- Long-term Implementation



City of Springfield, MO



**A TAB/CHSR/KSU Contractor**

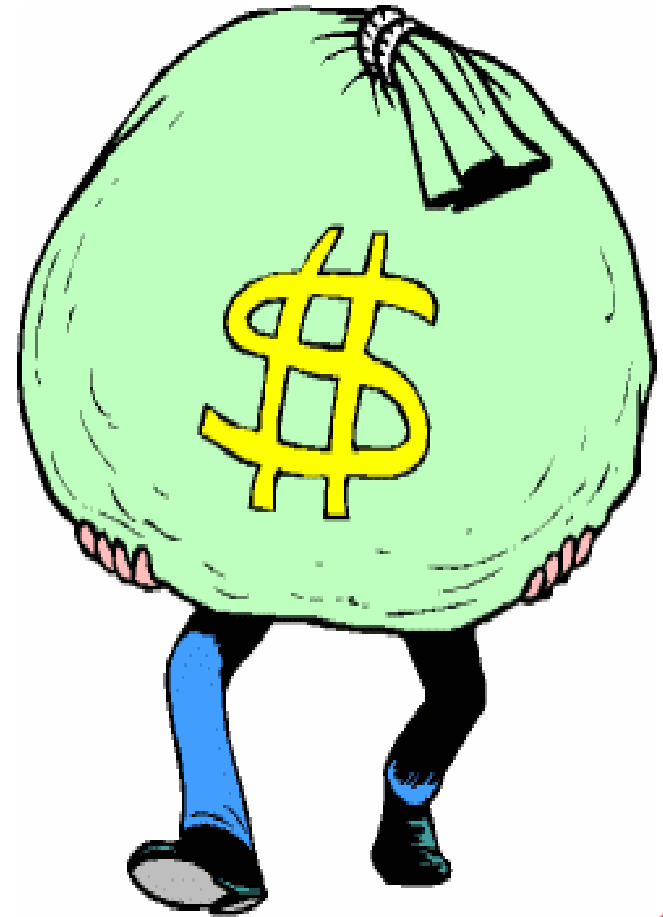
# So How Does this Get Paid For?



A TAB/CHSR/KSU Contractor

# Local, State, and Federal Funds

- Phase I / II Site Assessments
  - Free Targeted Brownfields Assessments by EPA
  - EPA Assessment Grants
  - Including for Coalitions
- Cleanup, if necessary
  - State Trust Funds, EPA Cleanup Grants
- Redevelopment (Construction, etc.)
  - EDA, USDA, DOT, HUD, KS Dep't of Commerce, etc.



# State Resources

## **IFA: Financial, Legal and Technical Assistance Resources**

- Michele Oertel, Indiana Brownfields Program

## **OCRA: IFA-OCRA Clearance Program and other Resources**

## **USDA: Community Programs and Rural Development Resources**

## **DNR: Recreational and Other End-Use Resources**



**A TAB/CHSR/KSU Contractor**

# EPA Assessment Applicant Options

An applicant applying for an assessment grant can do the following combinations:

- Up to 3 grant proposals (2 community-wide not to exceed \$400k and 1 site-specific not to exceed \$350k).

OR

- 1 grant as part of a coalition not to exceed \$1 M if not applying for individual assessment funds.

Community Wide	Site Specific	Coalitions
Up to \$200,000 for hazardous substances <i>and</i> \$200,000 for petroleum addressing the same community.	Up to \$200,000 for petroleum <i>or</i> hazardous substances (comingled)	Up to \$1 million per coalition. <i>Coalition Members can <b>NOT</b> apply for individual assessment funding.</i>
	May request a waiver for up to \$350,000	Requires 3 or more eligible entities; must assess at least 5 sites; members not eligible for other EPA assessment grants
Maximum Combined Amount \$400,000	Maximum Amount \$350,000	Maximum Amount \$1 million

Three year grant period

# HOW TO GET STARTED...

- ATTEND THIS WORKSHOP!
- ASK QUESTIONS TODAY-  
YOUR QUESTION MAY APPLY  
TO SOMEONE ELSE
- CONTACT ELLIOT ENGLERT:  
INDIANA 15 REGIONAL  
PLANNING COMMISSION



# Questions?

For more information, contact:  
Beth Grigsby, LPG  
ATC Brownfields Program Manager  
Subcontractor to Kansas State University  
TAB Program  
317-579-4069  
[beth.grigsby@atcassociates.com](mailto:beth.grigsby@atcassociates.com)

