

Kansas Brownfields Program

Kansas Department of Health & Environment State Response and Property Redevelopment Unit Remedial Section

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Brownfields Coordinator

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Program Manager



Our Mission: To protect and improve the health and environment of all Kansans.



Grant Assistance

- Support Letter
 - KDHE provided copy of Phase I/II Reports
 - KDHE notified if contamination identified
- Partner
 - KDHE provide technical and program management expertise
 - Service agreement
- Coalition Member
 - KDHE acts as grant administrator
 - Provides technical and program management expertise



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State Programs to Address Contaminated Sites

- Brownfields Cleanup Assistance Program
- Petroleum Storage Tank Trust Fund
- Dry Cleaning Trust Fund
- Voluntary Cleanup Program
- State Cooperative Program
- State Water Plan

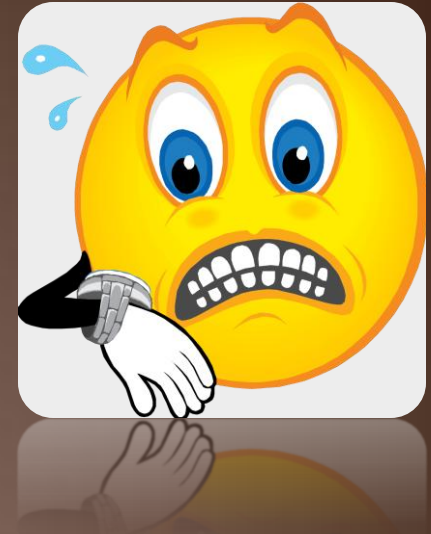


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What if I find something?

- Depends on contaminant source
 - buried fuel tank, dry cleaner solvent, grain elevator contaminants, etc.
- Depends on receptors that are threatened
 - water wells (public/private), surface water, sensitive environments, etc.
- Appropriate State Program
 - Is there an RP???



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State Trust Fund

- Provides Funding for Remedial Activities when viable owner or operator exists
- For AST and UST Facilities
- \$3,000 + \$500/tank deductible
- Reimburses 100% up to \$1,000,000 for cleanup
- Will not pay for tank removal
 - NEW UST Property Redevelopment Trust Fund



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Federal LUST Fund

- Provides Funding for UST Tank Removal or Remedial Activities when no viable responsible party
- No Deductible
- Underground tanks only
- Primarily Orphan Sites, cost recovery for others
- Sites Prioritized by Risk and Reuse



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Dry Cleaning Trust Fund

- Eligibility
 - Documented release associated with dry cleaner facility; specific site information must be obtained
 - Eligible parties include facility owners and operators, landowners, and municipalities
 - Not eligible for Trust Fund if release caused by wanton conduct
- \$5,000 Deductible paid by the Applicant
- Covers all costs for assessment and remediation up to 5 million



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Voluntary Cleanup and Property Redevelopment Program (VCPRP)

- Allows voluntary eligible entities to address site contamination
- Must be eligible site i.e. low risk, no enforcement orders, cannot be Superfund site
- Applicant must pay application and oversight fees
- When complete, property receives legally defensible “No Further Action” determination letter



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State Cooperative Program

- High priority sites
- Sites not eligible for participation in KDHE's Voluntary Cleanup and Property Redevelopment Program (VCPRP)
- Sites with non-responsive or recalcitrant responsible parties such as enforcement-based sites



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No Responsible Party?

- KDHE State Water Plan
- Evaluates, monitors, and cleans up contaminated ground or surface water for “orphan sites.”
- Funded by the State Water Plan under the State Water Resources Planning Act.



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KDHE State Water Plan

- Orphan Sites
- Responsible party is no longer financially viable i.e. bankrupt, no longer in business
- Financially unable to address the contamination
- Unwilling to address the contamination
- Emergency actions – Treatment of PWS Well



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Kansas Brownfields Program

- Federally Funded State-Lead Program
- KDHE conducts Environmental Assessments at properties being considered for reuse, redevelopment, rehabilitation, or expansion
 - Benefits community need or creates jobs
- Assessments are conducted at “no cost” to eligible applicants.
 - Grant Funds

BTA'S

Brownfields Targeted Assessments



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Eligibility

- City, County, State, Non-for-Profit, any Quasi-Governmental Agency
 - Local Economic Development, Planning and Zoning, Chamber of Commerce
- Private Applicants welcome
 - Developers, Property Owners, Real Estate, Bankers
 - Require a Letter of Support from one of the above-referenced



Exception is PRP's

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BTA Application

- KDHE's Brownfields Website
 - <http://www.kdheks.gov/brownfields/>



KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT
BROWNFIELDS TARGETED ASSESSMENT
APPLICATION FORM
Use only for Sites within Kansas



SECTION 1: Applicant Information

Applicant Name: _____
 Organization: _____
 Address: _____
 Contact Person: _____
 Phone: _____ Fax: _____ Email: _____
 Type of Eligible Applicant:
 City County Tribe Not-for-Profit Private
(must have a letter of support)

Other (Please describe): _____
 IS APPLICANT OR ANY OTHER PARTY UNDER ORDER FROM EPA OR KDHE TO CONDUCT SITE ASSESSMENT AND/OR CLEANUP?
 YES (Describe Below) NO UNKNOWN
 Briefly describe involvement/role of KDHE in enforcement and/or oversight of assessment/cleanup of candidate site:

SECTION 2: Proposed Site Information

Name/Title of Site/Facility: _____ Street Address: _____
 City: _____ State: KS Zip: _____
 Current Use of Site/Facility (if any): _____
 Number of Parcels: _____ Size of Site in Acres: _____

SECTION 3: Current Site Ownership:

Name: _____
 Address: _____
 City: _____ State: _____ Zip: _____
 Phone: _____
If property is not owned by applicant, the applicant must secure access to the property by having the appropriate property access form signed by the property owner. The property access form is included in the Brownfields Targeted Assessment Package.

SECTION 4: Site History

PAST SITE USES (Residential, Commercial, Industrial, Greenspace)	APPROXIMATE DATES:

BUILDINGS ON SITE (List office, store, guard house, etc.)	SQUARE FOOTAGE	MULTI-STORY <small>(check if yes)</small>	CONDITION (usable, gutted, razed, etc.)
		<input type="checkbox"/>	
		<input type="checkbox"/>	
		<input type="checkbox"/>	

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KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT
BROWNFIELDS TARGETED ASSESSMENT
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SECTION 4: Site History (cont.)

PRIOR SITE ASSESSMENT ACTIVITIES: NONE UNKNOWN
 Describe Conclusions of prior site assessment activities (or attach relevant portions of report(s)).
 If reports are unavailable, identify consultant, client, and approximate date of study.

SECTION 6: Future Site Activities

SITE ASSESSMENT NEEDS:
 Describe difficulties related to perceived contamination that have hindered reuse of the property.

ANTICIPATED FUTURE USE:
 RESIDENTIAL RECREATIONAL COMMERCIAL/RETAIL INDUSTRIAL
 OTHER (Please describe): _____
 Describe applicant's proposed reuse, redevelopment or expansion plan:

DESCRIBE ANY FINANCIAL OR PUBLIC INTEREST INCENTIVES PLANNED TO SPUR DEVELOPMENT AND/OR CLEANUP AND PROPOSED FUNDING SOURCES: (Tax incentives, etc.)
 This program is for site assessment only. cleanup money is not being offered as part of this program.

Signature: _____ Date: _____

PLEASE RETURN FORM TO:
 RYAN WEISER, Brownfields Coordinator
 Kansas Department of Health and Environment
 Bureau of Environmental Remediation
 1909 SW Jackson, Suite 419
 Topeka, Kansas 66612
 786-298-5619
 rweiser@kdheks.gov

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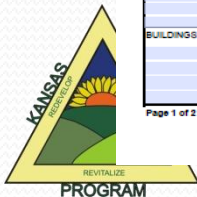
or save using the button below and e-mail to rweiser@kdheks.gov

Check if you will be sending additional documentation to the Brownfields Coordinator

Print

SAVE

When "Extract Pages" appears, please choose pages 10 - 11 then click "OK" to proceed to save dialog.



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Brownfields Targeted Assessments

● Phase I

- ✓ Environmental lien/title search
- ✓ Historical property evaluation
- ✓ Site Visit
- ✓ Identifies Environmental Concerns (RECs)
- ✓ Property owner/applicant provided a Report
- ✓ Example Report



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BTA Process and Timing

- Timing is everything, Plan ahead if possible
 - Application Review and approval—1 Week
 - KDHE Consultant conducts Phase I—3 Weeks
 - KDHE Consultant Prepares Report—2 Weeks
 - KDHE approval and transmittal—2 Weeks
- If Needed KDHE Contractor conducts Phase II (Soil and/or Groundwater sampling)—1-2 months
- Cleanup under KDHE oversight
- Redevelopment



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Tal's Drive In BTA, Coffeyville

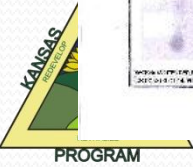
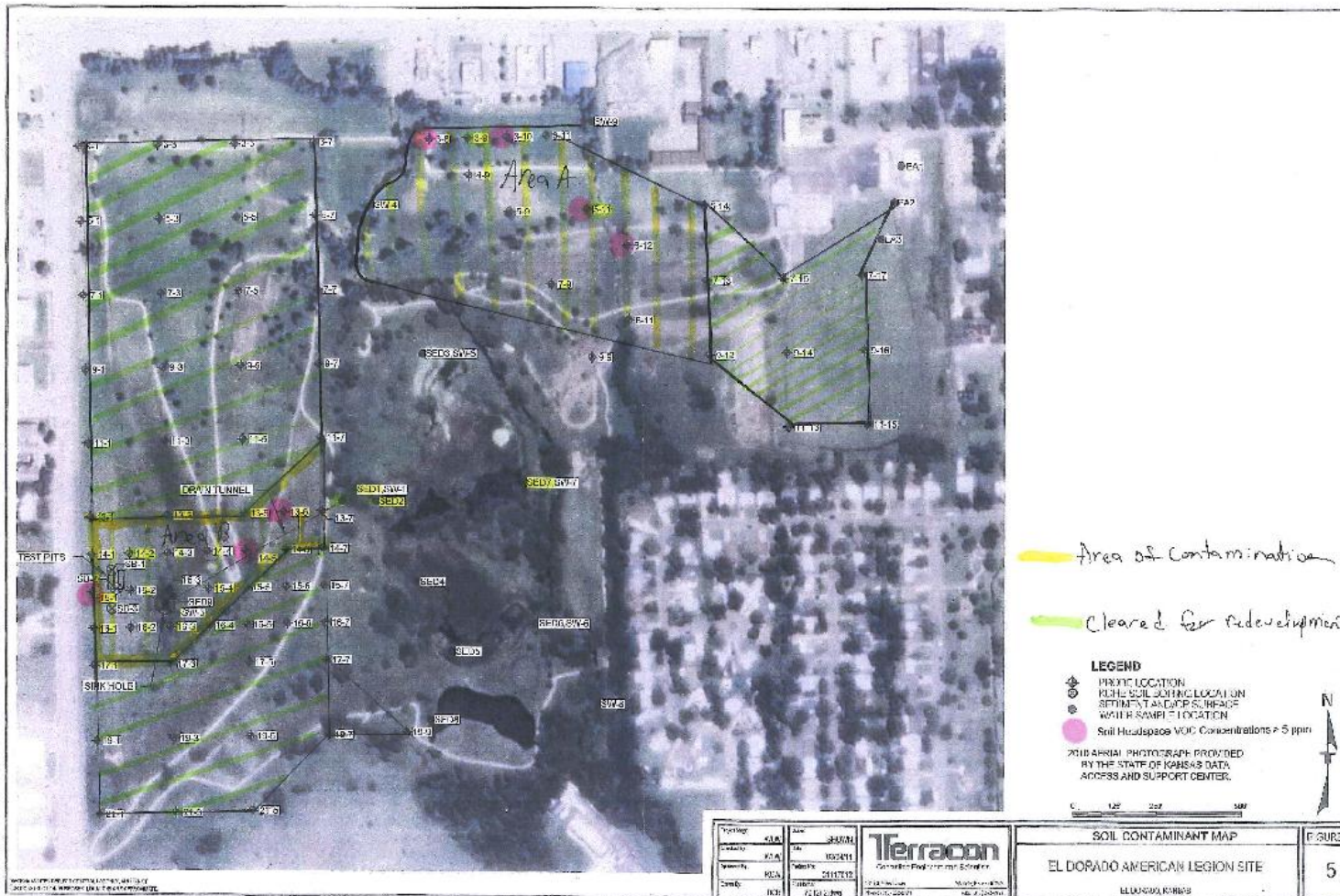


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El Dorado American Legion BTA

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El Dorado American Legion BTA Property

- Redevelopment
 - EUC placed on portions of the property with engineering controls.
 - Various KDHE Programs working w/City to design a trench collection system w/an oil/water separator.
 - National Junior College Champions first game in new stadium scheduled for September 2012.



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5th Street and Haskell Avenue Urban Garden

- An EJ Neighborhood
- 1 acre in size
- Former residential properties
- EPA Investigations in 2010 and 2011
- Varying lead concentrations from < 400 mg/kg to 2,000 mg/kg
- KDHE assisted Oak Grove Neighborhood Association through Brownfields Cleanup Program in conjunction w/KDHE VCPRP



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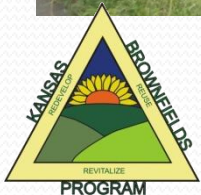


5th Street and Haskell Avenue Urban Garden

Before



Excavation Activities



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5th Street and Haskell Avenue Urban Garden



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Brownfields Assistance

- **Web Site:** <http://www.kdheks.gov/brownfields/>
- **Contact Information:**
 - **Doug Doubek, Program Coordinator**
785-291-3246
Email: ddoubek@kdheks.gov
 - **Maggie Weiser, Brownfields Coordinator**
785-296-5519
Email: mweiser@kdheks.gov

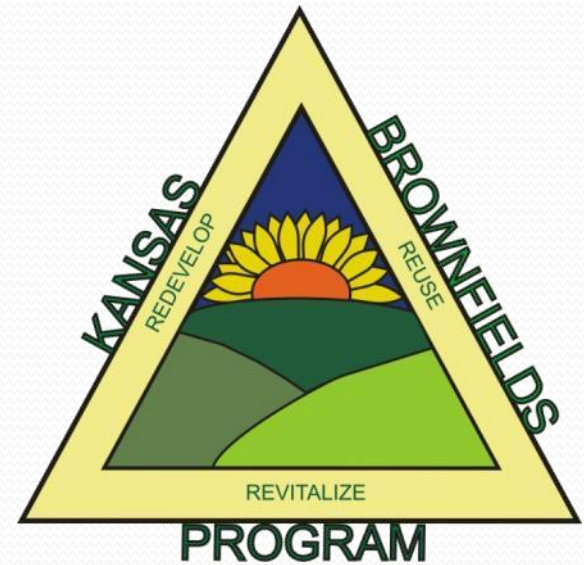


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www.kdheks.gov



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