

Indiana Brownfields Program

Incentives: Financial and Legal Assistance



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Redevelopment Resources for Blighted Properties
Monon Workshop
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Presentation Overview

- What's the bad news? – obstacles (or opportunities?)
- What's the good news? – incentives (for opportunities)
- Who needs financial and legal/liability assistance?
- How can the Indiana Brownfields Program help?
- What do you really need to remember?
- What are your next steps?



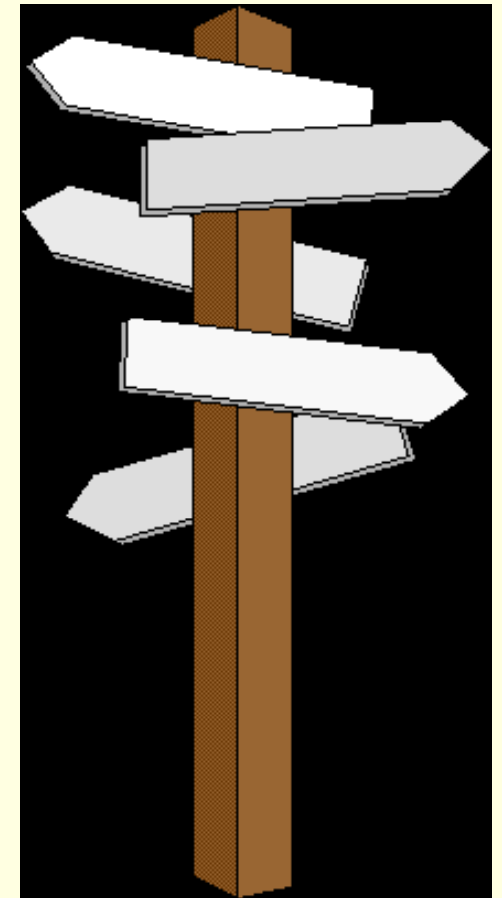
Obstacle or Opportunity?





Issues with Brownfields

- **Science**
 - *Environmental contamination factor*
 - Private environmental consultant & IDEM opinions on technical aspects
- **Law**
 - Liability fears
- **Real Estate**
 - Property reuse & transfers
 - Brownfields vs. Greenfields
- **Politics**
 - Competing priorities of local governments
- **Socio-economics**
 - Tax base in blighted areas
 - Jobs
- **Art**
 - Understanding & coordination of multi-disciplines
 - Creativity





What are Obstacles to Brownfield Redevelopment?

- Real or potential environmental contamination
- Assessment / Cleanup costs
- Liability issues for the lender, prospective purchaser, and third parties
- Socio-economic issues
- Economic development climate
- Viability of re-use plans for the site



More Potential Obstacles to Redevelopment?

- Unknowns – risks, ownership, access
- Lack of awareness
- Lack of planning
- Lack of partnerships (*among local gov't, developers, community groups, etc.*)
- Lack of community support



Who Can Help?

- WE...can help you help yourselves!
- YOU...can help redevelop brownfields!
 - Identify potential partners to help you.
 - Identify blighted priority properties.
 - Provide input for proposed brownfield redevelopment projects.
 - Promote brownfield sites when planning new parks; recreation, youth, and senior citizen centers; businesses; municipal buildings; and schools.
 - Support businesses that have redeveloped brownfields or plan to occupy brownfields.



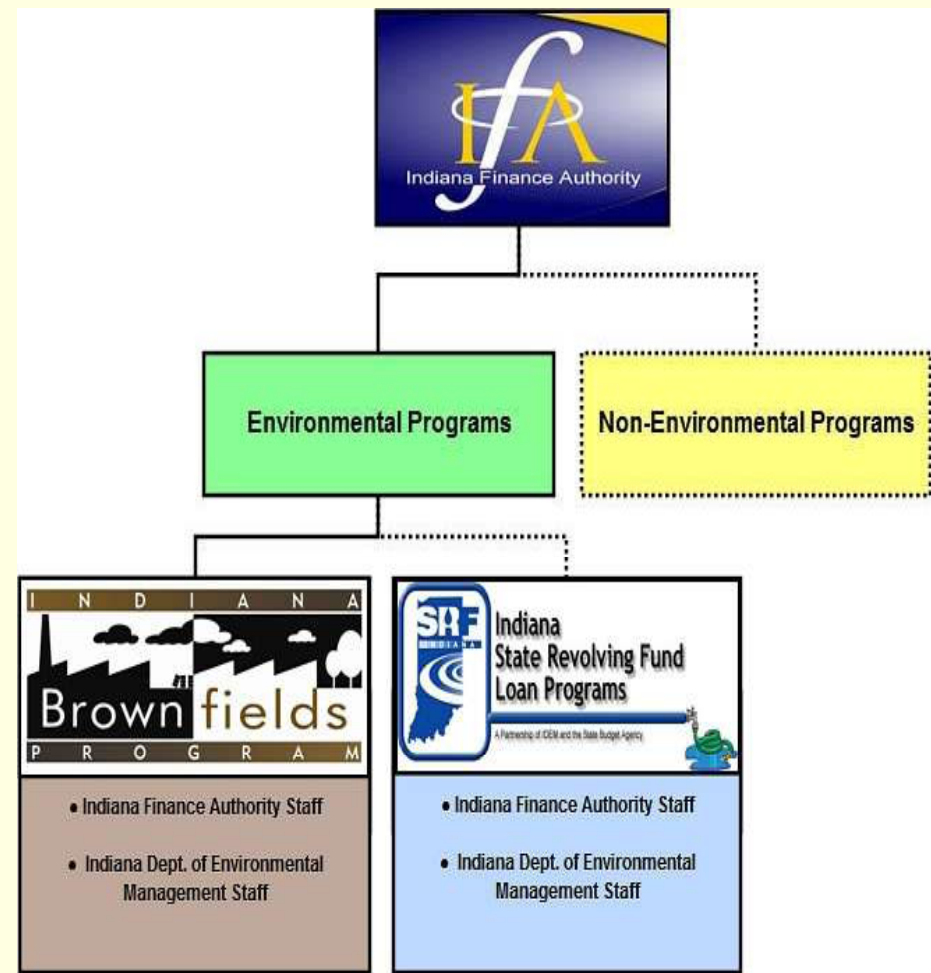
Stakeholders/Partners

- Local Government – Public
- State and Federal Government Agencies – Public
- Local/State Interest Groups - Private & Public
- Local Business Organizations - Private & Public



Indiana Brownfields Program Lends a Hand

- Helps communities by providing:
 - Educational Assistance
 - Financial Assistance
 - Legal Assistance
 - Technical Assistance
- Serves as a liaison with U.S. EPA for financial assistance
- Coordinates with IDEM's Voluntary Remediation Program
 - Certificates of Completion
 - Covenants Not to Sue
- Coordinates with other related IDEM programs





When You Want/Need \$...

- Indiana Brownfields Program - loan funding throughout the year
 - Stipulated Assessment & Remediation Grants - *suspended*
 - Federal Matching Grants - *suspended*
 - Low-interest Loans - *suspended*
 - Revolving Loan Fund (RLF) Incentive (federally funded)
 - Trails and Parks Initiative (federally funded) – *ending*
 - Automotive Sector Brownfields Assessment Initiative
 - Supplemental Environmental Projects
 - State Revolving Loan Fund coordination
 - Future funding via U.S. EPA



When You Want/Need Liability Assistance...

- Indiana Brownfields Program – letters throughout the year
 - Environmental liability interpretation letters, including BFPP language
 - Comfort Letters
 - Site Status Letters
 - Environmental technical oversight



Liability Interpretation Letters

■ **Comfort Letter:**

- Issued to a party that qualifies for an applicable exemption to liability found in Indiana law or IDEM policy, but is not a legal release from liability
- Explains the applicable liability exemption or IDEM's exercise of enforcement discretion under an applicable IDEM policy



Liability Interpretation Letters

■ Site Status Letter:

- Issued to a party that can demonstrate that current levels of contaminants of concern substantially meet current cleanup criteria as established by IDEM under the Risk Integrated System of Closure (RISC)
- Does not address the potential liability of the party requesting the letter
- States that based on a technical analysis of information submitted to IDEM pertaining to site conditions, IDEM concludes that current site conditions do not present a threat to human health or the environment and that IDEM does not plan to take or require a response action at the brownfield site



Teamwork leads to Success!

Wabash: Former Bront building demolished to make way for new YMCA facility with Skate Park across the street





Teamwork leads to Success!

South Bend: Former Studebaker Plant 8 deconstructed to make way for Green Tech Transfer and Recycling Station





Teamwork leads to Success!

Indianapolis: Former Gas Stations redeveloped into vibrant Live-Work Residences





Important Points to Remember

- Brownfields: not just obstacles or challenges – but opportunities!
- Brownfield redevelopment balances economic development with environmental protection.
- Brownfield projects are driven by local leaders.
- Success breeds success – talk to other stakeholders – don't reinvent the wheel.
- 3 Ps: planning (*long-term*), *public participation*, and *partnerships are keys to success!!*
- Brownfield projects may warrant state and/or federal assistance.
- **Indiana Brownfields Program offers tools to address environmental issues to facilitate brownfield redevelopment.**
- ***Next steps: Determine needs and ask for appropriate assistance....***



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- Check out the Indiana Brownfields Program web site at
www.brownfields.in.gov



Environmental Stewardship. Economic Development.