

FY98 BEDI Grants

State	Applicant Name	Project Title	Brownfields Grant
CA	Huntington, Beach	Waterfront Development Project	\$2 million
CA	Los Angeles	Goodyear Tract Business Park and Retail Center	\$1.7 million
CA	Stockton	Weber Block Plaza	\$500,000
CT	Hartford	Adriaen's Landing	\$2 million
DC	Washington	PEPCO Pump House Renovation	\$300,000
GA	Atlanta	North Yards Business Park Redevelopment	\$500,000
GA	Thompson	International Housing Industries Manufacturing Facilities	\$250,000
IL	Chicago	Industrial Park Development	\$2.5 million
IN	Indianapolis	Keystone Industrial Park	\$1 million
MA	Springfield	Memorial Industrial Park II	\$1 million
MI	Benton Harbor	Edgewater Redevelopment Plan	\$1 million
MO	Kansas City	Beacon Hill Residential Project	\$1.25 million
MO	St. Louis	Near Southside Revitalization Area	\$1.9 million
NY	Ithaca	Canal Corridor Development of the Ithaca Boating Center	\$350,000
NY	Nassau County	Glen Cove Creek Waterfront Revitalization Plan	\$500,000
NY	Rochester	Industrial Development	\$80,000
NY	Syracuse	Crossroads Commercial Park	\$1 million
OK	Oklahoma City	J.C. Penney and John A. Brown Buildings Renovation	\$822,645
PA	Allegheny County	Riverplace Equity Development Fund	\$2 million
PA	Bethlehem	Bethlehem Works Project	\$1 million
PA	Philadelphia	Jump Street USA; West Park Side Shopping Center	\$2 million
TN	Memphis	Firestone Tire and Rubber Redevelopment	\$1 million
WA	King County	SEA CON Industrial Park	\$300,000

7) HUD and EPA will issue Joint Study on Redevelopment of Brownfields. **Status**

Issued in the Spring of 1998, the joint study, "The Effects of Environmental Hazards and Regulation on Urban Redevelopment," found that environmental contamination is not the only impediment to brownfields redevelopment. Social and economic issues, as well as the financial soundness of a project, also influence the redevelopment process. The study was distributed at Brownfields '98 and is also available on HUD's web page.

Complete



Additional Actions

✓ Outreach Activities

HUD continues to perform outreach activities to increase awareness of its brownfields programs. These outreach efforts include satellite broadcasts on brownfields financing and redevelopment, a web site dedicated to brownfields resources at HUD (www.hud.gov/bfields.html) and HUD Store Front offices, which provide the

FY99 BEDI Grants

State	Applicant Name	Project Title	Award
AZ	Phoenix	East Washington Fluff Project	\$1.21 million
CA	Los Angeles City Los Angeles Co. Richmond	Cornfield Site: River Station Industrial Park	\$1.25 million
		Golden Springs Business Center	\$1.25 million
		Ford Point Cyber Village	\$1.25 million
CA	New Haven	Clark Factory Redevelopment	\$490,000
FL	Dade County St. Petersburg	Brownfields RLF	\$1.75 million
		Dome Industrial Park Pilot Project	\$1 million
LA	New Orleans Shreveport	American Can Renewal	\$1 million
		Cross Bayou/Riverfront Development District	\$1 million
MA	Boston Everett	Modern Electroplating Brownfield Project	\$1.75 million
		TeleCom City Advanced Manufact. Center	\$1.2 million
MD	Baltimore	Chesapeake Business Center BEDI	\$975,000
NC	Winston-Salem	Airport Business Park	\$1 million
NJ	Jersey City	Morris Canal Industrial Park	\$1.75 million
NY	Rochester Syracuse Yonkers	Germanow-Simon Expansion	\$500,000
		Winkleman Site	\$875,000
		Nepperhan Valley Biotechnology Center	\$1 million
OH	Lorain	Colorado Industrial Park Expansion	\$500,000
OK	Oklahoma City	Native American Cultural/Education Center	\$1.75 million
WA	Seattle	Ranier Court Shopping Center	\$1.75 million
WV	Wheeling	Celeron Plaza Project	\$1 million

public with a one-stop information and resource center. HUD Staff are also attending a variety of meetings to provide communities with technical assistance on economic development projects in distressed neighborhoods.

✓ HUD Community Builders

In 1998, HUD initiated the Community Builders Fellows Program. Community Builders Fellows provide a single point of contact for customers and help integrate HUD programs to support neighborhood revitalization. Community Builders and Economic Development Specialists are working with communities throughout the country to build private-public partnerships to facilitate brownfields redevelopment. Economic Development Specialists are located in HUD's headquarters and regional offices, and are individuals with special training and experience in economic development.

✓ Coordinated Assistance to Local Communities

HUD designated a staff person in each of its field offices to serve as a liaison for communities on brownfields redevelopment issues, including designating a Community Builders Fellow to work with each of the Showcase Communities. HUD-designated Economic Development Specialists, located in each of HUD's regional offices, work with the team of Community Builders and EPA's interagency personnel agreement staff in Showcase Communities on brownfields economic development activities.

✓ Brownfields Redevelopment Satellite Broadcasts

HUD produced three satellite broadcasts on brownfields redevelopment: the Brownfields Tax Incentive; Financing Brownfields Redevelopment; and the Community Builders Roundtable on Brownfields. These broadcasts, shown at HUD's 81 field offices and through the Housing TV Network, provided communities with training on brownfields redevelopment and financing, and information on the Brownfields National Partnership.

✓ Federal Interagency Coordination

HUD has signed MOUs with EPA and the U.S. Army Corps of Engineers to improve coordination on brownfields economic development activities at the local level. One illustration of this new partnership was EPA's involvement in assisting HUD on writing the BEDI Notice of Funding Availability and reviewing applications. This cooperation ensures that brownfields environmental and economic development issues are coordinated across the federal government. Also, HUD has been a cosponsor of the Brownfields '98 and '99 Conferences, providing scholarship funding for some participants.

✓ Brownfields Research

In addition to the joint study published with EPA, HUD's Office of Policy Development and Research also sponsored research on significant brownfields financing issues. These reports were: *Redeveloping Brownfields—How States and Localities Use CDBG Funds*; *Environmental Insurance for Brownfields Redevelopment—A Feasibility Study*; and *Financing Brownfields Reuse*.

✓ Partnerships for Sustainable Economic Development

The Joint Center for Sustainable Development (JCSD) is a collaboration between the U.S. Conference of Mayors and the National Association of Counties to act as a catalyst for local leaders to find solutions for their communities' sustainability programs by providing technical and financial assistance for activities that promote sustainable communities. HUD and other Federal agencies provide financial support to JCSD to support the Center's work in several areas, including the redevelopment of brownfields, the design of new collaborative growth management strategies, and the development of affordable housing in sustainable communities. HUD is also the lead agency responsible for the Growing Smart Initiative, a program designed to assist states in modernizing statutes affecting the planning and management of development/redevelopment in urban and rural areas to encourage more balanced, equitable, and sustainable growth. Growing Smart provides five-year funding for the development of a legislative guidebook with model legislation and commentary, a national planning clearinghouse, and a database of state legislative materials. Growing Smart is supported by five federal agencies (HUD PD&R, DOT FHWA and FTA, EPA, USDA RECD, and FEMA), two foundations (Henry M. Jackson and Annie E. Casey), and the American Planning Association. It is guided by a Directorate of representatives from eight national organizations of local and state leaders.

✓ Creating Jobs and Revitalizing Communities

HUD's CDBG program, Section 108 loan guarantees, EDI grants, and BEDI grants are creating jobs and revitalizing communities. In 1994, HUD awarded the City of Chicago \$4 million in EDI grant funds and \$50 million in Section 108 loan guarantee funds to acquire and cleanup large brownfields sites for industrial park developments. This has allowed Chicago to assemble large tracts of land for these parks. These industrial parks range from 70 to 120 acres and are competitive with greenfields. Redevelopment of one park will be home to Central City Production, which plans to build a \$150 million, 337,000 square foot television production studio on the site. This development is expected to generate 400 new jobs.

✓ Empowerment Zone/Enterprise Communities (EZ/EC)

The EZ/EC Initiative provides long-term, self-sustaining economic development in distressed areas. It does this by using innovative and comprehensive strategic plans and building public/private partnerships. The initiative uses tax incentives and Federal seed money to provide EZ/ECs with financial assistance for revitalization. Many EZs and ECs have identified brownfields redevelopment as a critical element of their revitalization strategy. The Philadelphia Industrial Development Corporation (PIDC) along with the Philadelphia Department of Commerce worked with Asia Foods American Street Development Company to redevelop a 3.2 acre site in the heart of the Philadelphia EZ. The site, which formerly housed a 50,000

square foot industrial building, was heavily contaminated with oil products and by-products used in manufacturing. The City of Philadelphia acquired the site and remediated the property. American Street Development Corporation, LLC, acquired the property for lease to Asia Foods Limited. The site now houses a 60,000 square foot warehouse/distribution facility for Asia Foods Limited. Financing for the project included owner equity, EDI and Section 108 loan guarantee, an Empowerment Zone loan, a Department of Commerce grant, a PIDC loan, and conventional debt financing.

✓ Affordable Housing Development on Brownfields

HUD has a number of programs that help low-income working families, the elderly, and disabled people. In August 1999, the Alberta Simmons Senior HUD Housing Project opened in Portland, OR. The 73-unit complex for low-income senior citizens is named for a well-known community leader in Portland's African American community. Developed on a former brownfields site, the Simmons project represents the single largest housing grant ever made in Portland; \$7.2 million in HUD Section 202 construction and operating grants. An additional \$500,000 in CDBG Section 108 loan guarantees and EDI grants were used to finance 5,000 square feet of commercial development on the building's ground floor. The project is an example of a strong partnership among diverse interest groups, which included labor, a nonprofit organization whose focus is African American women, government agencies, and an experienced elderly project management company. HUD's Section 202 program provides capital advances to finance the construction of supportive housing for very low income elderly persons and to provide rent subsidies to make them affordable. The Section 108 loan guarantee program helps state and local governments participating in the CDBG program obtain federally guaranteed loans for economic development projects. EDI grants are used by local governments to enhance the security of loans guaranteed through the Economic Development Loan Fund and to make more feasible the development projects they finance.

✓ Brownfields-related Efforts

HUD requested \$50 million in the FY00 Budget to support the Redevelopment of Abandoned Buildings Initiative. This initiative was not funded in the FY00 Budget. This program would have addressed one of the primary causes of blight in urban neighborhoods: abandoned apartment buildings, single family homes, warehouses, office buildings, and commercial centers. The program would have supported the demolition of nonhistoric abandoned buildings as part of a holistic plan to redevelop properties for commercial use or for single- and multifamily housing. Since many of these buildings are located on brownfields sites, this initiative would complement HUD's Section 108 program for housing, as well as existing BEDI efforts.

Accomplishment

HUD's BEDI and EDI programs provide communities with flexible funding resources for brownfields economic development. The \$50 million in BEDI grants and the \$249 million in related Section 108 loan guarantees are leveraging nearly \$1.4 billion in public and private investment in brownfields redevelopment and will create or retain 19,000 jobs. These funding resources allow communities to cleanup environmental contamination while spurring private investment, thus creating economic opportunities and catalyzing community revitalization.

Success Story

One of Louisville's highest revitalization priorities was the Parkland neighborhood, which badly needed a grocery store. The city used HUD CDBG funding to remove contaminants from an old dry cleaning brownfields site. The site was redeveloped, and a 23,000 square foot SuperValue grocery store opened in 1996. The store has created jobs for neighborhood people and is stimulating other commercial and residential revitalization in Parkland. The redevelopment of the brownfields site helped the city secure a \$200,000 Assessment Pilot grant from EPA.

Success Story

In 1995, professional basketball player Larry Johnson donated \$1 million to the City of Dallas to build a recreation center in the neighborhood where he grew up. An additional \$500,000 was leveraged through HUD CDBG funding. The recreation center, which is built on a formerly blighted 2.64-acre vacant lot is now open to residents, and is staffed by five new employees.



Background

The U.S. Department of the Interior (DOI) was created in 1849 to manage the Nation’s internal affairs. Composed of multiple bureaus, DOI activities include scientific research of natural and human systems, conservation and protection of Federally managed lands, and enforcement of regulations. Of DOI’s many bureaus, the National Park Service (NPS) is primarily responsible for the DOI’s brownfields work. Created in 1916, NPS works to preserve cultural and natural resources through education, research, and protection programs.

NPS is involved in the Brownfields Initiative primarily through NPS’s Rivers, Trails, and Conservation Assistance Program (RTCA) and through RTCA’s Groundwork Trusts Program. RTCA, started in 1988, is intended to help local groups undertake conservation projects, such as upgrading properties, creating trails, or protecting rivers or urban forests. RTCA’s Groundwork Trust is an independent, nonprofit organization designed to aid a community in carrying out development and conservation efforts. The Groundwork Trust model was created almost 20 years ago in the United Kingdom. Since then, program interest has spread to Europe, Japan, and—through NPS—the United States. With a sustainable program in place, local groups can participate in redeveloping their communities.

NPS believes that a sustainable organization, like Groundwork Trusts, allows Brownfields Pilots to participate in and benefit from opportunities beyond those provided by funding alone. Groundwork Trusts assure investors that the community is interested in supporting redevelopment. Businesses can work with the residential community to aid in development, such as planting trees along streets. NPS and the Groundwork Trusts serve as a liaison among various groups involved in brownfields projects, enhancing communication among stakeholders, such as investors, community members, and Brownfields Pilot staff.

Partnership Role

DOI and NPS promote the Brownfields Initiative by aiding local groups in undertaking conservation projects and by helping to create sustainable participatory organizations on the local level.

Commitment

- 1) DOI will fund two to three community-based non-profits to test the long-term sustainability of Brownfields Pilots.

The Groundwork Trust model is intended to aid the long-term sustainability of Brownfields Pilots by creating a sustainable local community organization. With support from the Environmental Protection Agency (EPA), DOI has funded six community-based non-profits in the form of Groundwork Trusts. Of those funded, three pilots were created prior to and three funded after the establishment of the Brownfields National Partnership. NPS involvement occurs primarily through staff time, private donations, and partnerships. To choose Groundwork Trust locations, NPS looked for brownfields areas close to NPS activities. Meetings were held to determine the degree of interest in the local communities surrounding potential Brownfields Pilots. Communities submitted proposals and were selected for Groundwork Trust pilots. Since the Groundwork Trusts were recently established, activities testing their long-term sustainability have not occurred.

- 2) DOI/Park Service and EPA Memorandum of Understanding will link Brownfields Pilot activities with Park Service activities to create more attractive and sustainable communities.

Status

Complete
In Progress
Incomplete

Status

Complete

On July 26, 1996, NPS and EPA signed an MOU which established a working relationship between NPS and EPA. In July 1997, Groundwork Trust pilots were launched in two cities: Bridgeport, CT, and Lawrence, MA. A third pilot was established in Providence, RI, without being designated as an EPA Brownfields Pilot. In June 1998, business plans for anticipated activities were completed for Bridgeport and Lawrence. In Bridgeport, the first project was the creation of a recreation area and playground. Through additional coordination between EPA and NPS, three additional communities were identified that would be suitable for the Groundwork Trust model: Concord, NH; Somerville, MA; and Yonkers, NY. Currently, these three communities are beginning to form steering committees to develop work and business plans.

DOI Presence Encourages Additional Activity

NPS estimates that RTCA has leveraged \$300,000 through fund-raising efforts, city commitments, and small-scale donations. In addition, over \$6,000 volunteer hours have been contributed to the Groundwork Trust program.

3) DOI/Park Service Federal Lands-to-Parks program will coordinate its development efforts with Brownfields pilot sites.

Status

In Progress



The Federal Lands-to-Parks program works to transfer excess Federal lands to States and local entities for use as parks and recreation facilities. Since only excess Federal land may be used in the program, NPS can only consider brownfields connections with these sites. NPS cannot actively identify brownfields sites to coordinate with the program. Site selection by NPS is not possible because selection is driven by the location and the interests of the community. Currently, the overlap between Federal Lands-to-Parks sites and brownfields sites is limited. NPS is continuing to explore options for coordinating this program with brownfields.

4) DOI/Park Service National Heritage Corridors will coordinate its efforts with Brownfields pilot sites to identify Brownfields property suitable for cleanup and reuse.

Status

In Progress



Since National Heritage Corridors are designated by Congress, NPS does not have control over the location of Heritage sites, nor their proximity to brownfields sites. If applicable, NPS encourages brownfields partnerships at selected Federal Lands-to-Parks program and Natural Heritage Corridors program sites. The difficulty associated with site selection, as well as other factors such as limited staff, hinders attempts by NPS to coordinate brownfields redevelopment with work in these two programs. However, DOI has identified some limited coordination between the Worcester, MA, Brownfields Pilot and the Blackstone River Valley National Heritage Corridor. The Blackstone River Valley Corridor, which extends from Worcester, MA, to Providence, RI, illustrates America's industrial revolution. Two hundred years later, the story of the American Industrial Revolution can still be seen and told in the Blackstone River Valley. Thousands of structures and whole landscapes show the radical changes in the way people lived and worked. Opportunities for brownfields redevelopment within the Corridor have been identified.

Additional Actions

✓ Search for Corporate Sponsorship

NPS is looking for corporate partners to sponsor its Groundwork Trust program. One potential sponsor is McDonalds, a sponsor for the United Kingdom (U.K.) Groundwork Trust Program. Currently, NPS is working with the U.K. Groundwork Trust program to enhance the development of a similar partnership with McDonalds' U.S. counterparts.

Success Story

Lawrence Groundwork Trust Works to Increase Reinvestment

The overall goal of the Lawrence, MA, Groundwork Trust is to increase the attractiveness of the area for business redevelopment. The mission is to bring about the sustained regeneration, improvement, and management of the physical environment by developing community-based partnerships, which empower people, businesses, and organizations to promote environmental, economic, and social well-being.

The Lawrence Groundwork Trust focuses on tangible improvements in quality of life for the community and developing a greater appreciation of the land adjacent to the city's three rivers—the Spicket, Shawseen, and Merrimack. The focus on tangible accomplishments of reclaiming vacant lots, improving public spaces, and leveraging public and private dollars should make the business district more attractive for reinvestment. Project activities include:

- Reuse of a 3-acre parcel situated next to a business for a river-front park;
- Creation of a block rejuvenation program that involves building new sidewalks and planting trees along the streets;
- Allocation of funds for youth job training programs and installation of benches; and
- Training the local community in lead abatement strategies and proper trash maintenance.

Background

The U.S. Department of Justice (DOJ) was established in 1870. Today, its diverse responsibilities include a focus on legal issues, drug enforcement, prison operations, and justice programs. DOJ's Office of Justice Programs (OJP) assists State and local governments with law enforcement and community policing. Within OJP, the Executive Office for Weed and Seed oversees the DOJ Weed and Seed program.

Operation Weed and Seed is a strategy that “weeds out” violent crime, gang activity, drug use, and drug trafficking in targeted neighborhoods and then “seeds” the target area by restoring these neighborhoods through social and economic revitalization. There are currently 200 Weed and Seed-designated neighborhoods that receive \$225,000 in renewable funding annually, subject to the availability of funds and compliance with program requirements. The Weed and Seed strategy recognizes the importance of linking Federal, State, and local law enforcement efforts with social services, the private sector, and community efforts to maximize the impact of existing programs and resources.

Four elements make up the Weed and Seed program: law enforcement; community policing; prevention, intervention, and treatment; and neighborhood restoration. Law enforcement activities constitute the “weed” portion of the program. Revitalization, which includes prevention, intervention, and treatment services and neighborhood restoration, constitutes the “seed” element. Community policing is the “bridge” that links the Weed and Seed elements.

Partnership Role

DOJ incorporates its Weed and Seed program into various Brownfields Pilots by offering up to \$50,000 in flexible funding for use in brownfields activities at the discretion of sites; this funding falls within the normal site funding amount described above.

Commitment

Because DOJ was not an original member of the Brownfields National Partnership when it was initiated in 1997, no specific commitments to the Partnership were made. However, DOJ is a committed participant in the Brownfields Initiative.

DOJ is committed to using its Weed and Seed program in conjunction with brownfields to help revitalize distressed areas. The Weed and Seed program's main focus is to provide strategic planning for cooperative local efforts; grant money is only an aid to this end. DOJ has also included several EPA staff in regional interagency meetings at various Weed and Seed sites. DOJ employs a “special emphasis initiative” option within the Weed and Seed program, granting a community that has been in the program for at least two years eligibility to receive \$50,000 in funding. Each community may choose to spend its funds in one or more of the 13 special emphasis categories, including brownfields. The categories are listed below:

<i>DOJ Special Emphasis Categories</i>	
• Gun Abatement	• Prevention through the Arts
• Community Empowerment	• Mentoring
• Truancy Prevention	• Anti-drug/Alcohol Abuse Strategies
• Conflict Resolution	• Volunteers for the Future Initiative
• Justice Innovations	• Brownfields Activities
• Jobs & Asset-building for At-risk Youths & Adults	• Computer Learning Centers
• Anti-gang Crime Initiative	

For example, the Miami-Dade County Brownfields Pilot has decided to invest all of its \$50,000 FY99 funding into the Brownfields Activities category under the Weed and Seed program.

Additional Actions

✓ Regional Meetings

DOJ has sponsored four regional meetings for its Weed and Seed communities (New Orleans, LA, and Philadelphia, PA, in April 1998, Wilmington, DE, in November 1998, and Seattle, WA, in April 1999) and a National Training Conference in Houston, TX, in August 1999. EPA representatives have made presentations at each of these meetings and focus on the link between the Weed and Seed mission and brownfields. Other Federal partners also participated in the meetings and discussed what they can do to further the Weed and Seed mission.

✓ Sustainable Safety and Community Enhancement

The Sustainable Safety and Community Enhancement Prototype Initiative in Michigan and Arizona has a broader focus that works to sustain economic development within these distressed areas. The initiative brings jobs and money into these areas so that those most in need can benefit from the revitalization.

For example, Benton Harbor, MI, presents the opportunity for active coordination of the Brownfields and Weed and Seed programs. The city (population 12,000) is economically distressed. It has the fourteenth highest crime rate in the nation, and a 70 percent high school dropout rate. Brownfields redevelopment efforts in Benton Harbor can benefit from the existing infrastructure, an available (yet untrained) labor force, and large parcels of land. The Brownfields Initiative provides a vehicle for the local community to address the fears associated with abandoned sites and presents the opportunity for revitalization.



Background

The U.S. Department of Labor (DOL) was created by Congress in 1913 to foster, promote, and develop the welfare of working people; to improve their working conditions; and to enhance their opportunities for profitable employment. Initially, DOL consisted of four bureaus transferred from the old Department of Commerce and Labor: the Bureau of Labor Statistics, Bureau of Immigration, Bureau of Naturalization, and Children’s Bureau. A conciliation service was added to mediate labor disputes. Over time, the Department’s role and size changed according to the needs of workers in the ever-changing economy. The Department is actively promoting the Brownfields Initiative through its employment programs.

As a part of this effort, DOL is working through Job Training Partnership Act (JTPA) stakeholders and through the implementation of the Workforce Investment Act (WIA), JTPA's success story, to promote participation in the Brownfields Initiative. The JTPA provides job-training services for economically disadvantaged adults and youth, dislocated workers, and others who face significant employment barriers. The Act seeks to move jobless individuals into permanent, self-sustaining employment. There are currently more than 600 JTPA designees nationwide. The JTPA has some \$5 billion in annual funding, although none of that money is specifically earmarked for brownfields projects.

Partnership Role

DOL's role in the brownfields partnership falls within the Department’s existing mission: to provide job training and permanent job placement. DOL's basic job and life skills training serves as a necessary complement to other, more environmentally focused training programs designed to help assess and cleanup brownfields. Together these programs ensure that the community residents most impacted by brownfields will directly benefit from their redevelopment.

Commitment

1) DOL will inform State and local Job Training Partnership Act stakeholders about the Brownfields Initiative and related job training activities to enhance local collaboration.

DOL informs stakeholders about the Brownfields Initiative through several methods:

- Establishing an e-mail network for all Federal regions to notify them of upcoming brownfields events;
- Encouraging regional offices and brownfields contacts to conduct a direct grassroots-level dialogue to promote information sharing, event attendance, and the identification of roles in the brownfields process;
- Attending Showcase Community kickoff meetings as an impetus to encourage regional involvement; and
- Attending EPA-sponsored Job Training Pilot meetings.

According to DOL, e-mail is the most effective method of meeting DOL's information sharing commitment, and it eliminates a significant amount of systematic burdens. Occasionally, DOL will send out broad memoranda, but e-mail has proved to be a quicker, more reliable method of transmitting information. This information-sharing process increases the regional offices’ knowledge of the program and encourages dialogue about the project among regional offices

Status

Complete
✓

In Progress

Incomplete

In addition, the Memorandum of Understanding between EPA and DOL created a network of DOL brownfields contacts in each of the 10 EPA regions. These contacts help support DOL's efforts involving brownfields redevelopment and have strengthened the dialogue among regional offices. In turn, the regional administrators and staff have direct connections to the WIA stakeholders, which allows for a grassroots-level interaction and information-sharing process.

Additional Actions

DOL's role in the Brownfields Initiative has evolved in several ways, including:

- ✓ **Building a brownfields network within DOL;**
- ✓ **Building and increasing relationships with other Federal partners, especially EPA;**
- ✓ **Breaking down systematic infrastructure barriers that made working with brownfields difficult; and**
- ✓ **Encouraging local/regional JTPA attendance of local brownfields events (e.g., attending Showcase Community kickoff meetings).**

DOL participates in the Job Training Pilot selection panel. DOL has also participated in the Showcase Community selection process, and has sent staff members to all 16 Showcase Community kickoff meetings. DOL's goal is to participate, as much as possible, in brownfields activities at all levels (national, regional, State, and local). DOL is also contemplating developing a relationship with the National Institute of Environmental Health Sciences (NIEHS) which provides environmental job training programs.

Success Story

DOL cited increased awareness of the Brownfields Initiative as the greatest success in implementing its National Partnership commitment. The Department also noted that the partnership has helped foster a two-way dialogue that informs brownfields contacts of DOL's abilities and limitations with the program, while increasing DOL staff knowledge of the Brownfields Initiative. Another success is the breaking down of barriers—both within DOL and between the Federal partners—to encourage cooperation between the various agencies to work together in new ways.

- **JTPA Trained Workers Employed at a Redeveloped Brownfield in Shreveport, LA**

Through the collaboration of the City of Shreveport, private investors, EPA, and HUD, the former HICA steel foundry—abandoned for more than a decade—reopened and created an initial 24 jobs. Now the foundry employs 50 workers, 60 percent of whom are low and moderate-income persons. Seven of these workers came through the JTPA program. Within 2-3 years, the company is expected to create 200-250 additional jobs.



Background

The U.S. Department of Transportation (DOT), created in 1967, has a multifaceted transportation mission. In addition to overseeing the safety, quality, and effectiveness of all forms of transportation, DOT seeks to advance the nation’s growth through efficient and flexible transportation, and to protect the natural environment affected by DOT-funded transportation. Most DOT funds for highways and transit are distributed on a formula basis to state and local transportation agencies. State and regional planning processes determine the highway and transit projects to be funded. DOT has implemented its Brownfields National Partnership commitments through the following DOT Administrations:

- **Federal Highway Administration (FHWA)**—FHWA sponsors the Federal Highway Aid Program, primarily directed to State DOTs. States are responsible for the planning and programming of projects within the program. FHWA also administers the Highway Trust Fund for highway disbursements.
- **Federal Transit Administration (FTA)**—FTA provides leadership, technical assistance, and financial resources for public transportation. Most FTA funds are distributed by formula-based grants to local transit agencies. In addition, FTA provides these agencies discretionary funding for major new transit investments, such as light and heavy rail, busways, commuter rail, and trolleys.
- **Federal Railroad Administration (FRA)**—FRA is a safety and regulatory agency within DOT that oversees the nation’s railroads, both freight and passenger. This agency does not provide any funding.
- **Maritime Administration (MARAD)**—MARAD’s mission is to promote the development and maintenance of an adequate and well-balanced United States marine transportation system. The agency does not provide any funding.
- **Office of the Secretary of Transportation (OST)**—The Policy office within OST led DOT’s brownfields efforts and formed a working group consisting of representatives from each DOT administration to deal with brownfields. At the start of the National Partnership, OST concentrated efforts to review DOT’s mission and operations to determine possible links with brownfields opportunities. The working group engaged in multiple sessions to share information and develop and implement National Partnership commitments.

Partnership Role

DOT has actively participated in the interagency effort to promote the Brownfields Initiative, and is exploring ways to address brownfields within the context of its transportation mission.

Commitment

1) DOT will clarify that brownfields cleanups are an eligible activity for funding in transportation projects.

Previous DOT policy stated that State DOT managers must avoid contaminated property for transportation projects or must provide substantial evidence that avoidance was not possible. DOT has since changed its policy to encourage the development of DOT projects in coordination with brownfields. DOT communicated this policy change through a formal statement by the Secretary of Transportation issued on Earth Day, April 22, 1998. DOT’s offices and administrations have communicated this policy change to DOT staff, State and local transportation personnel, and brownfields stakeholders. Currently, DOT does not track information on whether the new policy has affected the type or number of funded programs. The long-term nature of these projects prevents early identification of

Status

Complete



In Progress

Incomplete

a rise in the number of brownfields addressed. Furthermore, transportation projects priorities are developed by States and metropolitan planning organizations. DOT encourages State and local agencies to address brownfields redevelopment in transportation planning and project development.

- 2) DOT will ensure that brownfields are addressed in transportation planning by developing or modifying existing guidance and by offering technical assistance and training to metropolitan planning organizations, States, and local governments.**

Status

Complete



DOT policy changes and relevant brownfields information (e.g., EPA Pilots and other initiatives) have been distributed and communicated to State organizations. The Secretary of Transportation's Policy Statement has been implemented through changes in operating administrative guidance. FTA has not issued a formal guidance regarding brownfields and transportation, but has incorporated the concept in planning guidance documents and manages such issues on a case-by-case basis. The FHWA issued a formal memorandum from the Director of the Office of Environment and Planning, indicating that the change in FHWA policy allows and encourages involvement in brownfields. Madison, WI, is an example of a community's successful use of DOT's new guidance. Presently, transportation projects in Madison are helping with the costs associated with brownfields cleanup. Before the new policy, it was unlikely that Madison would have been involved with brownfields-related activities.

- 3) DOT will encourage transportation providers to partner with EPA Brownfield Pilots to leverage cleanup and development on transportation-related projects.**

Status

Complete



DOT has encouraged EPA partnerships with transportation providers by sharing information concerning brownfields issues, including EPA Pilot information. DOT also has acted as a liaison for transportation staff by matching contacts from different agencies with various project contacts.

- 4) DOT will examine existing policies and guidance, currently requiring avoidance of contaminated properties, and revise as appropriate.**

Status

Complete



DOT examined its policies regarding the avoidance of contaminated properties and subsequently revised its policy interpretation. On April 22, 1998, DOT clarified that brownfields cleanups are an eligible activity for funding in transportation projects (see DOT Commitment 1). Previously, State DOTs were not authorized to use Federal funds on projects with known contamination unless the contamination could not be avoided. Under the previous policy, DOT performed cleanup at a site *only* when the use of a contaminated site was unavoidable in order to implement a transportation project. On April 22, 1998, the Secretary of Transportation clarified that DOT is committed to supporting transportation-related redevelopment of brownfields as part of its efforts to improve communities through transportation investments. Each DOT administration is incorporating this policy change independently. In response to an FHWA-issued formal memorandum, FHWA now encourages the appropriate consideration of brownfields in transportation planning and State-related project development processes. The memorandum is specific to FHWA-related projects. FTA addresses brownfields issues through general planning guidance and on a case-by-case basis.

- 5) DOT and EPA will explore issues related to liability and transportation projects.**

Status

Complete



From the outset of the National Partnership, DOT has been working with EPA to explore liability and transportation issues. Early in the Brownfields Initiative, FTA and FHWA staff met in Washington, D.C., to discuss liability, including issues such as State Voluntary Cleanup Plans;

comfort letters; and covenants not to sue. Liability issues remain a significant concern. DOT and State and local transportation agencies continue to struggle with the liability issue. This is an area where additional work is needed to further explore the issues and concerns.

6) DOT will distribute information to field offices, metropolitan planning organizations, major transportation associations, and State transportation agencies on the Brownfields Initiative and EPA Brownfields Pilots.

Status

Complete



DOT has disseminated information in a variety of ways. A letter from the Secretary was hand carried to State DOTs encouraging them to work with Brownfields Showcase Communities. All Showcase Communities have DOT field liaisons who attend community meetings and provide DOT input. For example, the State DOT is actively involved in the Providence Showcase Community's redevelopment. FTA and FHWA have jointly distributed information on the Brownfields Initiative in planning newsletters made available to field offices, metropolitan planning organizations, transportation associations, and local transportation agencies. They have also addressed DOT brownfields policy at joint planning meetings for their field staff. Their field staff provide technical assistance about projects with brownfields elements during state and regional transportation planning and project development.

7) DOT will include brownfields as one focus area in its \$4.2 million FY98 (\$25 million over five years) pilot research program on transportation, land use, and sustainability issues.

Status

Complete



In June 1998, President Clinton signed the Transportation and Equity Act for the 21st Century (TEA-21), a \$200 billion successor to ISTEA. Since then, DOT has distributed TEA-21 funds totaling \$29.5 billion (FY98) and \$25.1 billion (FY99) for highways, transit, and highway safety activities. TEA-21 provides strong transportation planning provisions and funding flexibility to help communities reduce air pollution, clean up brownfields, preserve green space, and ease traffic congestion. Several programs under TEA-21 can be used for brownfields-related transportation projects, such as:

- **Surface Transportation Program (STP)** provides flexible funding for Federal-aid highway projects, including bridges, transit projects, bus facilities, environmental restoration, and pollution abatement.
- **Transit Program** funds can be used for new transit systems or for additions to existing systems, and have increased slightly under TEA-21.
- **Congestion Mitigation and Air Quality Improvement (CMAQ)** funds are earmarked for non-attainment areas, projects that reduce air pollution, or environmentally sensitive transportation projects.
- **Transportation Enhancement Program** and the new **Transit Enhancement Program** fund a variety of community revitalization activities that promote local economic development, including historic preservation, bicycle and pedestrian infrastructure, tourist facilities, and other benefits to communities.
- **Transportation, Community and System Preservation (TCSP) Pilots** is a new, innovative program that provides competitive grants to communities to address the complex links between land use, transportation, and quality of life issues.

In May 1999, DOT announced 35 grant awards totaling \$13.1 million for the TCSP program. These grants will help communities preserve green space, ease traffic congestion, and employ "smart growth" strategies, to help protect the environment while strengthening the economy.

Additional Actions

✓ Facilitation of Brownfields Cleanup and Redevelopment

DOT field staff participated in the Showcase Community selection/evaluation process. DOT's Secretary also sent a letter to State DOTs urging Showcase Community involvement. DOT participates in the

Interagency Working Group and Steering Committee, two other groups in the Showcase Community effort.

✓ **Working with Other Agencies**

In addition to being a member of the Interagency Working Group, DOT is working with other Federal agencies on the EPA/EDA/Conference of Mayors Brownfields Clean Air Act Pilots. The focus of this pilot program is to determine quantitative methods for the distribution of Clean Air Act credits for infill projects.

✓ **Conference Support**

DOT participated in the September 1998 and October 1999 NALGEP meeting for Showcase Communities, Empowerment Zone/Enterprise Community conferences, and the EPA National Brownfields Conference.

✓ **Communications Assistance**

DOT assists with articles and presentations related to possible brownfields/transportation connections.

Success Story

Lowell, MA

In Lowell, an extension of the Merrimack Riverwalk was recently completed using \$9.2 million in assistance from FHWA, through its Federal Lands Highway Program and the Transportation Enhancement Program. The Western Canal Walkway extension provides expedited pedestrian and bicycle access to downtown and the Lowell National Heritage Park. This redevelopment serves tourists and the community without adding congestion to local highways or pollution to the air.

Accomplishment In Progress

The community of Fruitvale in Oakland, CA, has galvanized and is developing a major intermodal transfer station/livable community on a former brownfields site. More than \$5 million in FHWA and FTA grants and an assortment of contributions from local agencies and the private sector will be used for this joint, public/private sector development effort. Funds have supported planning and will be used to construct a child development facility, a branch library, a medical clinic, and a pedestrian plaza. The transit rail station, operated by Bay Area Rapid Transit (BART) and served by bus connections, has attracted much-needed commercial activity to the mainly Latino and African-American community and has provided transport connections to Bay Area jobs.



Background

The U.S. Department of the Treasury was founded in 1789 and is presently charged with promoting prosperous and stable American and world economies; managing the government's finances; protecting our financial systems and our nation's lenders; fostering a reduction in crime and drug abuse, and continuing to build a strong institution for the future. As part of its effort to promote a strong U.S. economy, the Treasury Department is involved in fostering economic development in local communities through outreach to lenders and support of specific financial programs, such as tax incentives. Of the Treasury's four commitments to the National Partnership Action Agenda, two are the responsibility of the Office of the Comptroller of the Currency (OCC), as described in the next section of the report focusing on OCC.

Partnership Role

As the Federal agency charged with promoting the stability of the U.S. economy, the Treasury Department provides outreach to the financial community regarding brownfields redevelopment opportunities.

Commitment

1) The Treasury will work to ensure passage of the Administration's proposed tax incentive.

The Treasury worked to ensure passage of the Administration's proposed tax incentive. The Brownfields Tax Incentive, designed to promote businesses to invest in brownfields properties, was passed as part of the Tax Payer Relief Act of 1997 for a three-year period ending December 31, 2000. By altering the tax code to allow businesses to deduct cleanup costs for targeted brownfields sites for the year they are incurred, the Brownfields Tax Incentive will help bring thousands of brownfields back to productive use.

Status

Complete



In Progress

Incomplete

2) The Treasury will help educate the financial community on lender liability and the Community Reinvestment Act (CRA).

The Treasury is examining the relationship of lender liability and brownfields redevelopment (see also the following OCC section). Treasury Department staff continue to attend numerous conferences to provide information on brownfields lender liability, tax incentives, and tax liens. The Treasury and other Federal financial supervisory agencies have educated the financial community about the CRA; through their supervisory role in the evaluation of CRA performance, they encourage financial institutions to help meet the needs of the communities in which they are chartered. Banks and thrifts make their CRA ratings public, and the public may comment on a bank's CRA performance before a scheduled examination.

Status

Complete



Additional Actions

✓ Community Development Financial Institutions (CDFI) Program and Bank Enterprise Award (BEA) Program

The CDFI Fund was created in 1994 to expand the availability of credit, investment capital, and financial services in distressed urban, rural, and Native American communities. By stimulating the creation an expansion of community development financial institutions, and by providing incentives to

traditional banks and thrifts, the CDFI Fund's investments work toward building private markets, creating healthy local economies, and empowering residents. CDFIs include community development banks, credit unions, loan funds, venture capital funds, and micro enterprise loan funds. The CDFI Fund has two funding programs, the CDFI program and the BEA program. The CDFI Program has three components designed to stimulate investment by the private sector in the nation's blighted communities, which may include brownfields. The BEA program provides incentives for traditional financial institutions (regulated banks and thrifts) to invest in CDFIs and to increase their lending and provision of financial services in distressed communities. The BEA program supports the community reinvestment efforts of these financial institutions, many of which fund brownfields redevelopment.



Department of the Treasury/ Office of the Comptroller of the Currency

Background

The Office of the Comptroller of the Currency (OCC) charters, regulates, and supervises national banks to ensure a safe, sound, and competitive banking system that supports the citizens, communities, and economy of the United States. OCC involvement in the Brownfields Initiative began in 1996, as part of an effort to develop possible National Partnership commitments. OCC uses its existing institutional structures and policies to carry out its activities related to the Brownfields Initiative.

Partnership Role

For the Brownfields National Partnership, OCC provides information to bank examiners and national banks regarding lender liability as it pertains to brownfields redevelopment.

Commitment

- 1) Department of Treasury/OCC will issue an Advisory Letter to review the liability limit for banks as non-managing financiers of the brownfields sites and the applicability of the Community Reinvestment Act to activities relating to brownfields sites.**

Over the past two years, OCC has been working jointly with three other Federal financial regulatory agencies, under the umbrella of the Federal Financial Institutions Examination Council (FFIEC). Together the four agencies are in the process of issuing an “internal legal memorandum” on lender liability issues. The purpose of the internal memorandum is to educate the FFIEC regulators about brownfields legal issues. Based on this internal memorandum, the regulators then will determine whether to issue an informational document on lender liability issues to bank examiners and/or banks. Such a memorandum will likely raise issues that bank examiners and/or banks need to consider in lending for brownfields redevelopment. OCC expects to present the memorandum at an FFIEC meeting.

- 2) Department of Treasury/OCC will develop a fact sheet for national banks and examiners on Brownfields redevelopment initiatives.**

Following issuance of the internal legal memorandum, OCC may draft a separate agency fact sheet providing information on brownfields lending. No decision has been made as to when the fact sheet will be issued and if it will be for OCC staff only or for external use. The format and medium of dissemination of OCC's brownfields fact sheet is undetermined.

Status

Complete

In Progress



Incomplete

Status

In Progress





Background

The Department of Veterans Affairs (VA), originally founded as the Veterans Administration in 1930, was established to meet the health care and rehabilitation, and readjustment needs of war veterans. VA is divided into three divisions, the National Cemetery Administration, which manages the National Cemetery system; the Veterans Health Administration (VHA), which oversees the VA's extensive health care network; and the Veterans Benefits Administration (VBA), which administers Vocational Rehabilitation and Counseling, among other programs.

VA's support of the Brownfields Initiative is primarily through the Compensated Work Therapy Program (CWT) program. The CWT program was created on August 6, 1962, as a therapeutic employment program; in August of 1997, \$250,000 was obligated from CWT for up to 10 Brownfields Pilots. Although the Vocational Rehabilitation and Counseling Program is VA's primary means for providing job training to veterans, VA's brownfields efforts have used the CWT program. In addition to VBA's brownfields-related work, VA has expanded its brownfields involvement to include VHA. Although VHA is charged with addressing health care issues for veterans, it also seeks out employment opportunities for certain rehabilitated veterans.

Partnership Role

Through job training and placement programs, VA works to provide job-ready veterans for brownfields employment opportunities.

Commitment

VA will work to provide a significant number of job-ready homeless and disabled veterans from VA's Compensated Work Therapy and Vocational Rehabilitation Programs for both cleanup and redevelopment opportunities at Brownfields Pilots.

Within VA, both VBA and VHA facilitate the provision of job-ready veterans for employment opportunities at brownfields sites. The VR&C program's overall goal in response to the Brownfields Initiative is to train service-disabled veterans for employment in cleanup and post-cleanup redevelopment work. Although various levels of VR&C staff have been active in the brownfields effort and even though VBA has general working programs already in place to manage liability issues, the training of veterans for brownfields-related work has not yet occurred.

Within VHA, participation in the brownfields redevelopment effort has been delayed due to liability concerns. In an effort to resolve these liability issues, VA and EPA have drafted an MOU and anticipate signing the document in the near future. Once it is signed, the majority of job training efforts for veterans through both the VHA and VBA will focus on post-cleanup employment opportunities at brownfields sites rather than on cleanup-related activities.

Status

Complete

In Progress



Incomplete



Environmental Protection Agency

Background

The U.S. Environmental Protection Agency (EPA) was established as an independent agency on December 2, 1970. The mission of EPA is to protect human health and to safeguard the natural environment — air, water, and land — upon which life depends. EPA's Brownfields Initiative empowers States, communities, and other stakeholders to work together in a timely manner to prevent, assess, safely clean up, and sustainability reuse brownfields.

Partnership Role

EPA is the lead Federal agency administering the Brownfields Initiative in conjunction with local and State agencies, nonprofit organizations, and more than 20 Federal Partners. As the lead agency in this major Initiative, EPA plays multiple roles. It funds over 300 Brownfields Assessment Demonstration Pilots, more than 60 Brownfields Cleanup Revolving Loan Fund (BCRLF) Pilots, and more than 20 Brownfields Job Training and Development Demonstration Pilots. EPA also funds research efforts and enters into partnerships with Federal and State agencies to implement a variety of brownfields programs. EPA administers the 16 Showcase Communities, clarifies liability issues and other potential barriers to reuse, disseminates guidance and information on all aspects of the Initiative through public outreach activities, and addresses environmental justice concerns.

Commitment

1) EPA will conduct a brownfields inventory study in 3 States to quantify the number of brownfields properties.

EPA began working in August 1998 with Kensington Systems, Inc., to estimate the number of EPA-defined brownfields by studying four representative States and extrapolating to a national number of brownfields properties. At the beginning of this study, EPA discovered that accurate inventories of brownfields properties could be obtained from a variety of State and municipal sources, as well as from Brownfields Pilots. As a result, EPA created a two phase study.

For Phase I of the study, EPA will contact state environmental agencies to determine an estimate of the number of brownfields sites tracked at the state level. For Phase II, EPA will choose four representative States to undertake a detailed estimate of brownfields sites not presently tracked. Because the amount of state data exceeded original expectations, the estimated completion date for this project has been extended to produce a more reliable quantification of the number of brownfields across the nation.

2) EPA will inform local emergency planning committees about the Brownfields Initiative.

The purpose of this commitment is to inform municipalities about the new Brownfields Initiative and its relevance to local emergency management efforts. EPA informs the State Emergency Response Commissions of relevant information, such as a description/definition of brownfields, a list of Brownfields Pilots in the area of a planning committee, and

Status

Complete

In Progress



Incomplete

Status

In Progress



information on contaminants in the region. The goal is to give local emergency management personnel as much information as possible about potential contaminants in their communities.

3) EPA will provide strategic and project-level support to the Governor’s Commission on Sustainable South Florida for Recovering Brownfields for urban revitalization in southeast Florida.

Status
Complete
✓

A large component of EPA’s support of the South Florida Initiative has been the establishment of the “Brownfields Coordinator” and “Regional Champion” staffing positions. The Regional Champion serves as the overall multimedia point person and main contact for EPA’s different programs. EPA has also awarded three Pilot grants (Miami, Miami-Dade County, and the Eastward Ho! Showcase Community) in South Florida. In addition to its Assessment Demonstration Pilot grant, Miami received a Brownfields Job Training Pilot grant to train local residents in technology skills for brownfields cleanup. Other South Florida projects include: the Model Cities project, the Point Sienna project, and a Targeted Site Assessment (TSA) being performed for the Seminole Tribe in the Hollywood area.

EPA Region 4 has also been organizing local meetings and workshops. These include attempts to match community needs with EPA programs (December 1998 two-day workshop for city and county government officials in the three-county Eastward Ho! Showcase Community); facilitation of Federal interagency partnerships (March 1999 meeting in Atlanta for all Federal agencies involved in urban revitalization efforts in South Florida); and organization of a July 1999 workshop for stakeholders involved in redevelopment projects in South Florida. However, a primary barrier to these efforts has been funding.

4) EPA will set aside \$100 million to fund additional brownfields site assessment and cleanup at Brownfields Pilots.

Status
Complete
✓

In FY97, EPA received \$37,973,000 to fund the Brownfields Initiative—\$9,980,000 of which funded 45 new assessment Pilots. Of the total, \$10,360,000 capitalized BCRLFs at 24 existing Brownfields Assessment Pilots. The assessment funding went to Pilots announced in FY97, as well as to the 16 Showcase Community designees and 40 finalists.

In FY98, EPA received \$88,271,000 to fund the Brownfields Initiative, an increase of more than \$50 million from the previous year. Of this amount, more than half (\$56,652,000) was used for assessments. Due to Congressional disagreement, the \$38 million set aside for additional BCRLF Pilots was not used; however, \$5 million was used for emergency removal actions at brownfields sites. In addition, \$5.9 million was given to EPA Regions to fund Targeted Brownfields Assessments (TBAs) on sites that are not part of an official Brownfields Pilot. In FY98, funding for State Voluntary Cleanup Programs doubled to \$20 million. The table below details EPA funding for the Brownfields Initiative.

FY 97				FY 98			
Total Brownfield Funding	Brownfield Assessment Funding	Revolving Loan Fund Pilots	Voluntary Cleanup Programs	Total Brownfield Funding	Brownfield Assessment Funding	Revolving Loan Fund Pilots	Voluntary Cleanup Programs
\$37,973,000	\$9,980,000	\$10,360,000	\$10,180,000	\$88,271,000	\$56,652,000	\$0	\$20,000,000

5) EPA's current budget (FY97) will fund assessment pilots and revolving loan funds for cleanups in current pilots, and State infrastructure to support voluntary cleanup programs.

Status

Complete



In FY97, EPA received \$37,973,000 to fund the Brownfields Initiative—\$9,980,000 of which funded 45 new assessment Pilots. Of the total, \$10,360,000 capitalized RLFs at 24 existing Brownfields Assessment Pilots. The assessment funding went to Pilots announced in FY97, as well as to the 16 Showcase Community designees and 40 finalists.

6) EPA will encourage and support State Voluntary Cleanup Programs (VCPs) by providing \$25 million in financial assistance.

Status

Complete



For VCPs, EPA Regions invite the States to apply for funding and then evaluate State needs. This funding helps States in need to develop the capacity to design and implement State-wide VCPs, including placing more regulators in the field and increasing the funds available for the States to perform assessments. In FY97 and FY98, more than \$30 million was given to States for these programs.

7) EPA will gather input from interested stakeholders to help develop national guidance concerning State VCPs.

Status

Complete



On February 27, 1997, EPA invited a variety of stakeholders to a public meeting to help develop national guidance concerning State VCPs. Representatives from State and local governments, environmental and public interest groups, environmental justice organizations, industry, developers and lenders participated in the meeting and provided input on the proposed draft guidance. Major issues raised at the meeting included what types of sites are eligible for VCPs, how funding should be directed or restricted, how to assure effective community involvement, and how to ensure that VCPs protected human health.

The "Final Draft Guidance for Developing Superfund Memoranda of Agreement (MOA) Concerning State Voluntary Cleanup Programs" was published in the *Federal Register* on September 9, 1997, for public comment. The proposed guidance provided baseline criteria for EPA to evaluate the adequacy of State VCPs. The proposed criteria were also intended to help plan the division of labor at sites between EPA and states. More than 70 stakeholders, including all levels of government agencies, trade associations, industry, community interest groups, environmental justice groups, and private citizens, provided written comment. The majority of the comments opposed the proposed guidance, and EPA withdrew it. In its November 1997 withdrawal notification, EPA referred to its November 14, 1996 "Interim Approaches for Regional Relations for State Voluntary Cleanup Programs" as a framework for negotiation of future MOAs. In April, 1999, Oklahoma and EPA signed an MOU regarding VCPs on low risk sites (and some RCRA sites) that score lower than the cutoff for the National Priority List.

8) EPA will provide information on presumptive cleanup remedies used by EPA to communities.

Status

Complete



The Office of Research and Development (ORD) National Risk Management Research Laboratory, in conjunction with the OSWER Outreach and Special Projects Staff (OSPS), has researched, written, and distributed four publications relating to typical types of contamination found at brownfields sites and suggestions on how to address them. The four publications were completed between December 1998 and April 1999 and are entitled:

- Technical Approaches to Characterizing and Cleaning Up Iron and Steel Mill Sites Under the Brownfields Initiative (December 1998)

- Technical Approaches to Characterizing and Cleaning Up Automotive Repair Sites Under the Brownfields Initiative (February 1999)
- Technical Approaches to Characterizing and Cleaning Up Metal Finishing Sites Under the Brownfields Initiative (March 1999)
- Cost Estimating Tools and Resources for Addressing Sites Under the Brownfields Initiative (April 1999)

These materials were sent to each Regional Brownfields Coordinator and are now available to Brownfields Pilots and other stakeholders through EPA's publication distribution mechanisms. They will soon be accessible via multiple EPA websites.

ORD is continuing and improving upon this effort. Currently underway is creation of an overall guide to assessment and cleanup at brownfields sites; the guide will include general technical considerations and helpful suggestions. Specific information on contamination found at certain site types will be included in supplemental guides or fact sheets.

9) EPA will clarify the applicability of Resource Conservation and Recovery Act (RCRA) underground storage tanks (USTs) and facilities requirements to brownfields assessment and cleanup activities.

Status

Complete



EPA began addressing this commitment by collecting and analyzing information related to State laws and lender liability for USTs in order to make this information available to environmental professionals in State government. Data collected revealed that many lender liability laws were imbedded within other statutes, making their compilation more time consuming than initially envisioned. Before proceeding further, EPA solicited feedback from the States on this effort and discovered that cross-State lender liability information was not a priority for State environmental regulators. As a result, EPA discontinued this effort. Although the commitment may have been a priority when it was made in 1997, a greater understanding of lender liability issues, due to the release of EPA's UST Lender Liability Rule, alleviated this need. EPA's Office of Underground Storage Tanks (OUST) issued a lender liability rule, encouraging lenders to provide loans to UST owners for upgrading, replacing, or closing USTs. The rule also clarified when a lender may be exempt from UST liability.

Additional Actions

✓ USTfields Initiative

USTfields are underground storage tanks, usually used for petroleum storage, and are located in urban, suburban, and rural areas throughout the country. The USTfields program, which complements the Brownfields Initiative, is an effort announced in March 1999 by OUST to increase environmental regulators awareness at the local level to USTs that are not only leaking and posing an immediate threat to the environment, but to those that are abandoned and impeding redevelopment activity. Common examples of these facilities are gasoline service stations and automobile lots (*i.e.*, rental car lots). The USTfields program is committed to helping EPA Regions and State governments collect and distribute information on current or completed efforts to revitalize such properties, mitigate potential health risks, and, environmentally and economically, restore vitality to these sites. OUST's efforts under the USTfields Initiative can be grouped into four broad and overlapping categories listed below.

- Document challenges facing State and local regulatory program efforts to redevelop abandoned or idle UST sites;

- Build partnerships;
- Implement an USTfield Pilot project in Utah so that interested parties can benefit from lessons learned to help redevelop actual sites; and
- Conduct outreach via the OUST homepage to share lessons learned among Federal agencies, States, municipalities, and communities.

Because the Brownfields Initiative cannot address the problems with UST sites due to restrictions in the Superfund legislation pertaining to petroleum releases, the USTfields program helps to meet these UST needs and concerns.

10) EPA will examine its site assessment program and explore alternative approaches to make the process more relevant to brownfields.

Status

Complete



EPA established the Targeted Brownfields Assessment (TBA) program to help States, Tribes, and municipalities—especially those without EPA Brownfields Assessment Demonstration Pilots. This program helps communities minimize the uncertainties of contamination often associated with brownfields by providing for environmental assessments. A fact sheet describing the program was issued in November 1998. Since FY97, EPA has provided more than \$18 million in TBA funding to help communities across the country.

In addition, in September 1998, EPA issued *Quality Assurance Guidance for Conducting Brownfields Site Assessments*. The intent of the guidance was to provide simplified information on effective methods of quality assurance for brownfields assessments.

Success Story

As a result of EPA's TBA program, four acres of contaminated property on the banks of the Penobscot River in Old Town, ME, are being transformed into a playground and paths for running and biking. For 17 years the site stood abandoned, as fears regarding suspected contamination and responsibility for expensive cleanup discouraged potential purchasers. Old Town contacted EPA to seek assistance with the site. In late 1996, EPA conducted an assessment to determine the extent of the site's contamination under its TBA program. Following the assessment, the site's abandoned structures were demolished and the contamination cleaned up. While the city funded \$20,000 of this extensive cleanup, EPA pursued the former owners for cleanup cost reimbursement.



Transformers being removed from the site.

11) EPA will incorporate brownfields information into national guidance on source drinking water to States, communities, and other stakeholders.

Status

Complete



EPA's Office of Water has published a fact sheet on Brownfields/Clean Water State Revolving Fund (CWSRF) Collaboration. The publication provides information regarding how brownfields associated with water quality impairment can use the CWSRF to finance cleanup. Activities eligible for CWSRF may involve abatement of polluted runoff, control of stormwater runoff, correction of groundwater contamination, and remediation of petroleum contamination.

12) EPA's Dallas office will pilot a Brownfields Information Database to geographically depict brownfields. **Status**

In Progress



Approximately three years ago, EPA determined the need for a brownfields information database to serve as a national repository of Brownfields Pilot information. The information stored in the database covers a variety of measures (e.g., properties assessed, properties cleaned, jobs created) and includes geographical or "geo-coded" information (i.e., the ability to link Pilot data with geographic or location-specific information, such as with latitude/longitude coordinates or street address). As part of the database pilot project, EPA determined that such information could be added to other EPA information on the existing Census Bureau LandView™—a computerized geographic reference tool that included information on Superfund and hazardous waste sites for local communities. The prototype database is known as the Brownfields Redevelopment Information Management System (BRIMS) and was the subject of a demonstration and panel discussion at Brownfields '97 in Kansas City.

While the Dallas Pilot was originally selected for this project by EPA's Region 6 office, the Houston Pilot has since taken the lead. Currently, Houston staff are focusing on creating the prototype database as an interactive, Internet-based system that is accessible to brownfields stakeholders and the general public. Each Pilot will enter its information directly, thereby increasing the accuracy and speed of accessible brownfields information. Pilots will also be able to manipulate the database for site-specificity as needed. The database has security features to protect confidentiality by limiting access to certain information. EPA Region 6 staff anticipate demonstrating their project to EPA Headquarters in summer 1999.

13) EPA will conduct a pilot demonstration on portable site characterization and remedies. **Status**

In Progress



EPA has been working with the New Orleans Brownfields Pilot to test the effectiveness of field portable technologies (FPT) to conduct assessments at six sites. These New Orleans sites were assessed in two weeks using FPT— more quickly than by any other means available, according to EPA. Performing the assessments in less time resulted in the early identification of remedies, which expedited the cleanup and redevelopment process for these sites. This commitment has forwarded the Brownfields Initiative because with FPT the Pilots and Regions can streamline data gathering in the field. For example, EPA Region 2 has performed area-wide site assessments and will develop a case study on work done in Newark and Trenton, NJ. Also, EPA Region 1 has used the FPT to support a risk assessment study at the airfield at Hanscom Air Force Base (HAFB, Bedford, MA).

Additional Actions

✓ Mobile Lab

EPA differentiated FPT from the mobile lab, which was also used in New Orleans. The mobile lab is equipped with the necessary instruments for an on-site analysis of samples and provides a more controlled environment (e.g., temperature, humidity) required by the more sensitive and fragile instruments. EPA collected and analyzed lessons learned in the New Orleans Pilot, and created a publication called *Innovations in Site Characterization: Interim Guide to Preparing Case Studies*. These case studies communicated the successes and failures in portable site characterization activities.

14) EPA will delete at least 3,000 additional sites from the Superfund inventory of potentially hazardous sites. **Status**

Complete



In February 1995, EPA archived approximately 24,000 sites from CERCLIS, EPA's Superfund inventory of potential or confirmed hazardous waste sites. Since then, EPA has archived an additional 7,500 sites, bringing the total number of archived sites to 31,500.

Sites listed in CERCLIS are evaluated for potential cleanup actions under the Federal Superfund program. Sites that no longer warrant Federal Superfund involvement are removed from the CERCLIS list and placed on a separate archive list. Archived sites are not necessarily free of contamination. Rather, archiving sites from CERCLIS means that EPA anticipates no further work is needed under the Federal Superfund program. Archived sites may need further work under other Federal or State programs (e.g., RCRA). From a redevelopment perspective, archiving sites means that barring any significant changes in site conditions, the Federal Superfund program should not be a limiting factor in the future plans for these sites.

15) EPA will issue the tool kit “Innovative Technologies at Brownfields” for Brownfields Pilot project managers. **Status**

Complete



The *Tool Kit of Information Resources for Brownfields Investigation and Cleanup* was completed in 1997, and is intended as a companion guide to the *Road Map to Understanding Innovative Technology Options for Brownfields Investigation and Cleanup*. The *Tool Kit* focuses on the site characterization and cleanup phase of brownfields redevelopment and provides access to information about a variety of resources, including electronic databases, bulletin boards, newsletters, regulatory and policy guidance, and technical reports. It is intended to assist brownfields stakeholders involved in the selection of technologies in assessing sites, and, if necessary, in addressing contamination at their site.

The *Road Map* identifies references in the tool kit and links them to specific steps in the site assessment, characterization, and cleanup process. It provides a framework for the four basic phases of the characterization and cleanup of a brownfields site—Site Assessment, Site Investigation, Cleanup Options, and Cleanup Design and Implementation—and links technology options and resources to each of those steps. Used in tandem, the two documents should help Brownfields stakeholders better understand the technology options and resources available to them.

Two thousand copies of the *Tool Kit* were distributed at the Brownfields '97 Conference. Copies were sent to all of EPA Regional and Pilot representatives, and were distributed at various training sessions and conferences (estimated at 15 to 20 a year). Currently the document is in its second printing. Both the *Tool Kit* and *Road Map* have been distributed through various EPA mailing lists (more than 5,000 copies of each), as well as through ASTSWMO. EPA will update the *Road Map* in time for the Brownfields '99 Conference; a CD version of the *Tool Kit* will also be available at that time.

Additional Actions

✓ Brownfields Technology Support Centers

EPA is currently setting up Brownfields Technology Support Centers in labs located in Cincinnati, OH, Oklahoma, and Las Vegas, NV. The goal of the Brownfields Centers is to provide a readily accessible resource for unbiased assessment and supporting information on technology options relevant to specific sites. This resource is not a formal review mechanism, but intends to provide localities with information to support their technology decisions. The centers can also provide a technology-oriented review process for investigation and cleanup plans for these sites. The five main types of assistance considered within the scope of the Brownfields Center include: 1) technology-oriented document reviews of sampling and analysis plans, quality assurance plans, feasibility studies, or work plans; 2) technology scoping for site assessment or investigation technologies and for cleanup technologies; 3) technology descriptions; 4) reviews of literature and electronic resources; and 5) advice/assistance in developing plans to demonstrate innovative technologies. In November 1998, EPA began fielding information requests from Regions 2 and 7 and in the near future will begin to handle information requests from all of the Regions. The three labs will divide the information requests in the following subject areas: Cincinnati: engineering/treatment questions, Oklahoma: groundwater questions, and Las Vegas: sampling/characterization questions. EPA Headquarters will coordinate the center and provide support for technology descriptions and literature reviews.

✓ Cooperative Agreement with Public Technologies, Inc.

A key component of the Technology Innovation Office’s (TIO) strategy to promote full technology awareness in the Brownfields Program is to improve the communication of technology information, technology capabilities, and technology developments to localities. This effort also entails better communication of brownfields technologies, needs, etc., among the localities and back to EPA. To better meet the technology information needs of local decision makers, TIO is funding a cooperative agreement with Public Technologies, Inc. (PTI), a nonprofit organization serving as the technology arm of the National Association of Counties, National League of Cities, and International City/County Management Association. PTI will develop and transfer brownfields characterization and cleanup technology information to its constituents.

In addition to direct, site-specific support, the Center is also developing several resources including:

- 1) A guide to technology support services offered by EPA and other Federal Agencies as well as those offered by non-governmental organizations with Federal support.
- 2) A guide to understanding contractor capabilities in conducting field analytical and streamlined site characteristics.
- 3) A guide to developing procurement requests encouraging streamlined and innovative approaches for site investigation and cleanup.

Information on the Center, relevant publications, and the ability to request support are available online at <http://www.clu-in.org>.

16) EPA will publish final guidance on State VCPs.

On November 26, 1997, EPA’s Office of Solid Waste and Emergency Response (OSWER) and Office of Enforcement and Compliance Assurance (OECA) issued a withdrawal of the “Final Draft Guidance for Developing Superfund Memoranda of Agreement (MOA) concerning State Voluntary Cleanup Programs” proposal when disagreements among the stakeholder comments could not be reconciled. VCPs continue to be handled on a State by State basis. For negotiation of future MOAs, EPA continues to use the November 14, 1996, memorandum titled “Interim Approaches for Regional Relations for State Voluntary Cleanup Programs.”

Status
Complete
✓

17) EPA will develop a technical guidance document to aid States, communities, and private parties to select technologies to characterize and cleanup brownfields.

Though not an official guidance document, the *Road Map to Understanding Innovative Technology Options for Brownfields Investigation and Cleanup* focuses on the site characterization and cleanup phase of brownfields redevelopment. It draws upon EPA’s experiences with Superfund sites, corrective action sites under RCRA, and UST sites. Specific conditions—such as the kind and amount of contamination, the proposed reuses of the property, the financial resources available, and the level of support from neighboring communities—vary from site to site. The four sections of the *Road Map* summarize the general phases of the cleanup of potentially contaminated sites: site assessment, site investigation, assessment of cleanup options, and design and implementation of the remedy. Each section describes the objective to be accomplished, outlines the key questions to be answered, summarizes the activities undertaken during that phase, lists several information resources available to assist in performing those activities, and points to specific actions to be taken at the completion of the phase.

Status
Complete
✓

18) EPA will develop a generic sampling and quality assurance plan for Brownfields Pilots.

The generic sampling and quality assurance plan, “*Quality Assurance Guidance for Conducting Brownfields Site Assessments*,” was developed in September 1998 in conjunction

Status
Complete
✓

with TIO and with the Superfund program. The guidance was discussed at a session at the Brownfields '98 Conference in November 1998 and circulated to all Pilot representatives through EPA Regional offices in December 1998.

19) EPA will continue its efforts in negotiating agreements with prospective purchasers of contaminated property.

Status
Complete
✓

From 1986 to 1995, EPA negotiated approximately 20 Prospective Purchaser Agreements (PPAs). Following the revision of the PPA guidance in 1995, EPA entered into an additional 90 PPAs, for a total of 110 as of June 1999. In FY 1999, EPA and DOJ began developing steps to further improve the PPA process. These improvements include the appointment of a PPA expeditor in both EPA and DOJ, the development of a PPA tracking system through CERCLIS/WASTE LAN, and the development of a model letter that acknowledges a PPA request and a checklist of information that EPA will generally require in evaluating PPA requests.

20) EPA will explore and support the use of alternative dispute resolution (ADR) and public participation techniques to expedite the reuse of brownfields properties.

Status
Complete
✓

There are currently nine “facilitation pilots”—programs exploring the use of ADR and public participation techniques—in various stages of progress. Those pilots are:

• Comanche Nation OK	• New Bedford, MA	• Puyallup Tribe, WA
• Hudson County, NJ	• Odgen, UT	• San Diego, CA
• Milwaukee, WI	• Portland, OR	• Shenandoah, VA

The response to the use of ADR techniques has been positive and varied. In fact, the use of facilitation (an ADR tool) has brought reluctant parties to the table, created a community visioning process, identified tribal jurisdiction issues, coordinated complex time frames and multiple programs for pilot participants, as well as enabled communities to prioritize brownfields sites for redevelopment. Some pilots have found the use of ADR to be so valuable that they are funding ongoing facilitation from their own resources.

21) Department of Commerce/National Oceanic and Atmospheric Administration (NOAA) and EPA will implement the Agencies' MOU to increase coordination to assess, cleanup, and redevelop brownfields in coastal and waterfront areas.

Status
Complete
✓

NOAA and EPA successfully implemented the Agencies' MOU on March 18, 1997. The MOU not only documents the commitment and relationship between the Federal agencies, but also serves as a form of guidance. One result of the MOU is more cooperation between the NOAA field offices and the EPA Regions. NOAA has been attending the National Brownfields Conferences and providing community building and project support to Showcase Communities, especially in Glen Cove, NY; Providence, RI; and Eastward Ho!, FL. In Glen Cove, NY, NOAA proved to be the lead agency in bringing all stakeholders to the table.

22) DOC/EDA and EPA will update their MOU to coordinate brownfields project selection.

Status
Complete
✓

Further update of the MOU is not currently being considered. EDA has been involved in EPA Pilot selection in numerous ways, including the following:

- Participation in the evaluation/selection panels for EPA’s Assessment Demonstration Pilots (participated in all of the panels held in Washington D.C. and in many of the panels held in EPA regional offices);
- Participation in the evaluation/selection panels for the 16 interagency Showcase Communities;
- Participation in development of selection criteria and in the evaluation/selection panels for EPA’s BCRLF Pilots; and
- Participation in the development of selection criteria and the evaluation/selection panels for the joint Clean Air Pilots.

In addition, the EDA Brownfields Coordinator distributes information regarding new EPA Brownfields Pilots to all regional and local EDA staff.

23) DOT and EPA will explore issues related to liability and transportation projects.

Status

Complete



In response to the need to explore issues related to liability and transportation, the U.S. Department of Transportation (DOT) now encourages the use of brownfields for transportation-related projects. DOT guidance has been modified accordingly. Issues related to eligible sites are being addressed via the Transportation Equity Act for the 21st Century program, resulting in additional policy changes.

24) EPA will implement Comfort Letter guidance designed to encourage developers and lenders to invest in brownfields properties.

Status

Complete



In 1996, EPA issued its policy on comfort letters. The policy was sent to a number of stakeholders, discussed at conferences, noted in the Federal Register, and disseminated via the Internet. In addition, the *Handbook for Managing Federal Liability*, which also discusses comfort letters, was distributed at the Brownfields ‘98 Conference.

The letters provide interested parties (*i.e.*, lenders, developers) with a statement on EPA’s intent to take or decline action at a specific site. To facilitate Regional efforts, EPA developed sample letters for Regional staff to use. EPA has issued more than 200 comfort letters to date.

25) EPA will conduct outreach to the insurance industry to promote access to brownfields insurance.

Status

Complete



EPA has created a network to discuss brownfields issues with the major insurance providers and brokers, included panels on brownfields insurance in the Brownfields ‘97 and Brownfields ‘98 National Conferences, and conducted the following additional activities to support this commitment:

- Provided the Federal perspective on brownfields and the private sector as a panel member for the National Association of County and City Health Officials’ conference in Portland, OR;
- Attended the National Environmental Insurance meeting, sponsored by Kemper Environmental and Sedgwick (now Marsh, Inc.), in August 1998 to discuss the historically negative perspectives surrounding environmental insurance;
- Entered into a cooperative agreement with Northern Kentucky University to conduct a study examining environmental insurance as a tool for facilitating brownfields cleanup and reuse. The study is part of a three-year project that began in September 1998. Availability of insurance and customer perception/satisfaction will also be examined in the study. EPA expects the final report to be completed by the end of 2000; and

- Distributed the June 1996 *Potential Insurance Products for Brownfields Cleanup and Redevelopment* to interested parties. The report serves as a starting point for examining insurance issues.

EPA is working to assemble an environmental insurance round table made up of the major insurance companies. EPA will facilitate the role of the insurance industry in the redevelopment of brownfields and to tailor its programs in supporting the brownfields efforts of insurers, bankers, and developers.

26) EPA will implement a new lender liability statute.

Status

In 1997, EPA issued a policy interpreting CERCLA regulations and the lender liability statute. Headquarters and Regional staff spoke to the American Bar Association's realty division, as well as to other interested realty parties, concerning policy development. The statute provides lenders with liability security and government entities with security on foreclosing properties without the fear of inheriting liability. The policy is available on the EPA web page.

Complete



27) EPA's Environmental Finance Advisory Board will continue research on the financing of brownfields cleanup and redevelopment.

Status

EPA's Environmental Financial Advisory Board has examined a wide range of brownfields cleanup and redevelopment financing topics both at EPA's direct request and as a result of specific interests of Board members. The research effort is coordinated by a permanent Brownfields Workgroup that includes senior representatives from State environmental agencies, nonprofit environmental organizations, environmental and business consulting firms, and the legal and financial communities. The workgroup's reports/advisories are reviewed and approved by the Board and signed by the Board chair and the designated Federal official.

Complete



During the past five years, EPA's Environmental Financial Advisory Board has issued eight reports and/or advisories examining aspects of issues relating to financing brownfields cleanup and redevelopment. Topics reviewed include the Federal brownfields tax incentive, barriers to private sector involvement, financing strategies, and the information needs of capital providers.

In addition, the Board coauthored 1997 and 1999 editions of a major environmental finance reference work, *A Guide Book of Financial Tools: Paying for Sustainable Environmental Systems*. This reference work now contains 340 tools for financing all types of environmental activities and includes a chapter with 23 specific tools for paying for brownfields cleanup and redevelopment. The Environmental Financial Advisory Board's research on brownfields cleanup and redevelopment is ongoing and open-ended. Copies of its wide range of reports and advisories can be found on EPA's web site at <http://www.epa.gov/efinpage/efab.htm> (the Board's page on the EPA web site enjoys 15-25,000 hits per month), on CD-ROM, on 3 1/2 inch computer diskettes, or in hard copies upon request. The Board anticipates reviewing brownfields financing topics and providing advice to EPA as long as necessary.

28) EPA will facilitate the creation of Baltimore, MD's Fairfield ecological/industrial park through an XL Communities Pilot Project.

Status

EPA's Project XL works with companies and communities to develop or test innovative strategies that offer promise for getting better environmental results than would be achieved under current law. EPA is still in the proposal/development stage of the Fairfield ecological/industrial park project.

In Progress



29) EPA will explore mechanisms to specifically address underground storage tank (UST) liability issues (e.g., comfort letters and prospective purchaser agreements).

Status

State interest in mechanisms to address UST liability issues has declined since this commitment was made. Therefore, EPA has focused its efforts on the USTfields program,

Complete

