

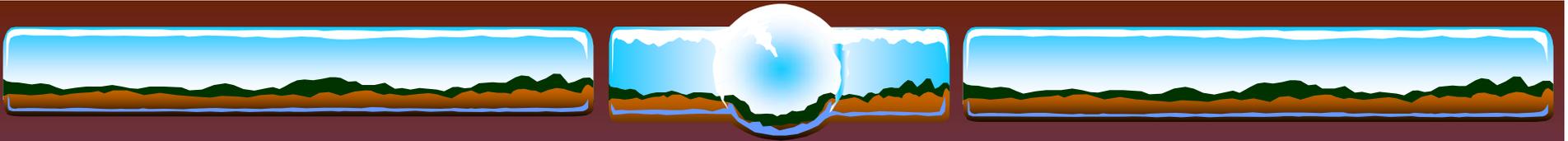


An Introduction to the Brownfields Program:

*State and Federal Resources Available for Assessment,
Clean-up and Reuse of Contaminated Properties*

Presented by the Nevada DEP, Brownfields Program Staff





Level of Service

- ❖ NDEP outreach to CEMs
 - ❖ CEMs should have full set of tools for regulated community
 - ❖ Ultimate goal of providing better service to regulated community



Brownfields

Real property, and the expansion, redevelopment, or reuse of which may be complicated by the **presence or potential presence** of a hazardous substance, pollutant, or contaminant.

- Hazardous substances or petroleum contamination.
- Mine scarred lands, meth labs, and low-risk petroleum-only
- Asbestos and lead based paint sites.



Key Attributes

- No viable responsible party to perform cleanup.
- Clear ownership.
- Specified end-use for the property
- Potential redevelopment and other sources of funding
- Benefit the community, and community involvement.



The Brownfields Concept

Las Vegas Armory



Before



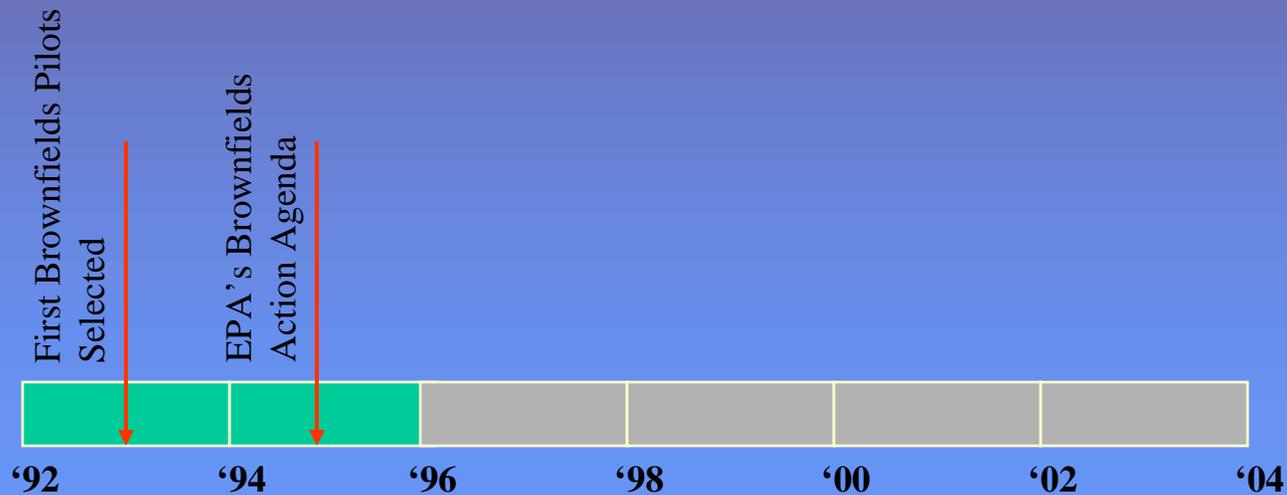
After





A Brief History

The Brownfields Program was initially begun in the early '90s by the federal Environmental Protection Agency. It was a pilot program within Superfund which attempted to deal with sites which weren't being handled effectively by the liability structure created by Superfund.

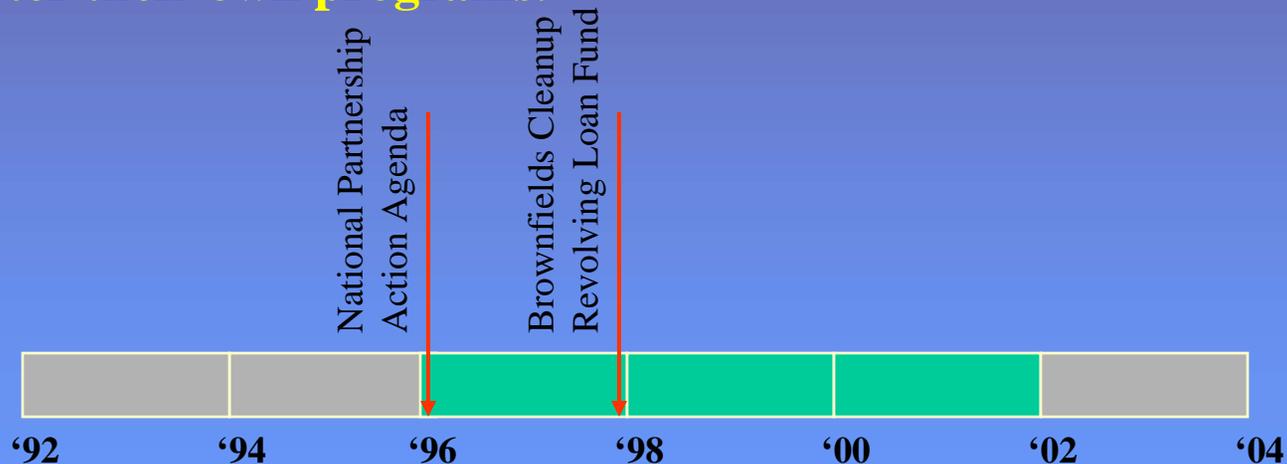


Brownfields Program Timeline



A Brief History (con't)

The program grew tremendously in the 90's as new funding was shifted to the program and many new sites were accepted. Federal agencies beyond the EPA started developing incentives for Brownfields development. **The federal government also allocated money to States and Tribes to administer their own programs.**

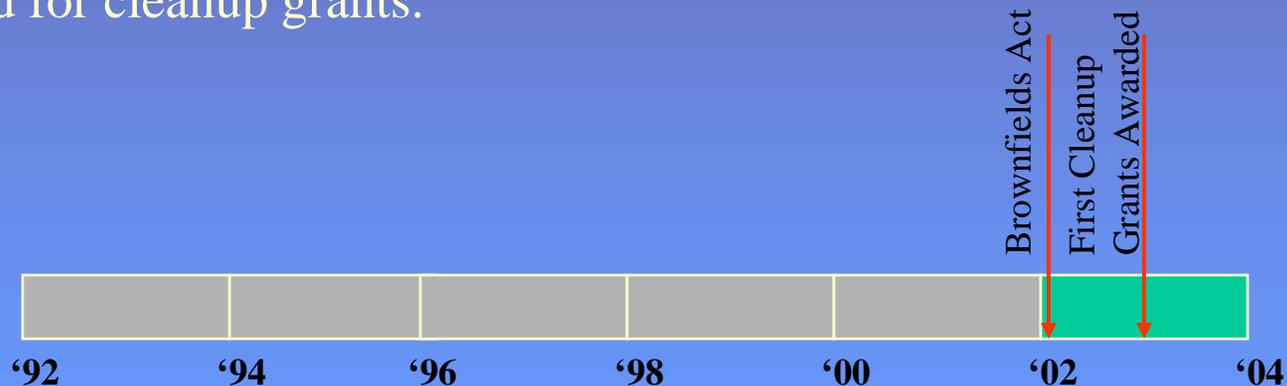


Brownfields Program Timeline



A Brief History (con't)

The Brownfields, Small Business Liability Relief Act was passed by Congress and signed by the President on January 11, 2002. This Act formally established Brownfields as law and provided dedicated funding for EPA's grant program and State & Tribal programs. The new law clarified and expanded the universe of sites eligible for Brownfields funding and provided for cleanup grants.



Brownfields Program Timeline



Funding Site Assessments

NDEP

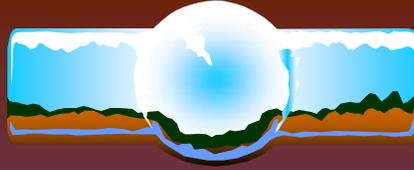
Targeted Brownfields Assessment— upon request, the NDEP can use their contractor to conduct an assessment at an eligible site, free of charge.

US EPA

Targeted Brownfields Assessment—upon request, the EPA can use their contractor to conduct an assessment at a site, free of charge, for an eligible entity.

Brownfields Assessment Grant—an eligible entity may apply for a grant to assess contaminated properties within their jurisdiction (applications can be submitted and approved dealing with more than a single site).







Funding Cleanups

NDEP

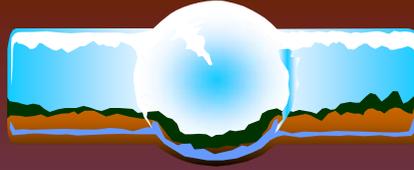
Brownfields Cleanup Grant—the NDEP can use their Brownfield contractor to conduct a full or partial cleanup at a site.

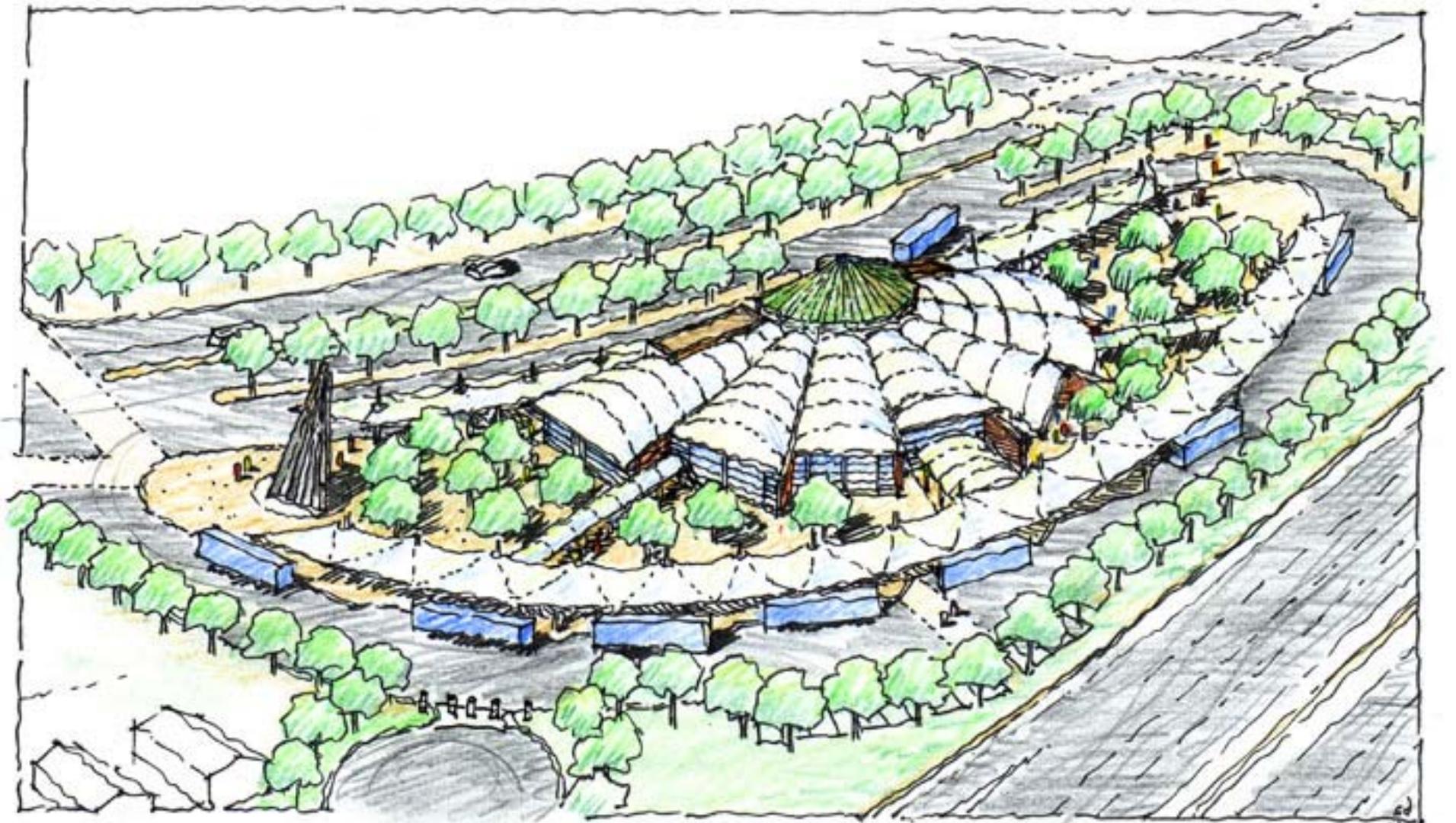
Brownfields Cleanup Revolving Loan Fund—anyone not considered a responsible party may apply for a loan to assist in cleanup at a site.

US EPA

Brownfields Cleanup Grant—an eligible entity may apply for a grant to cleanup contaminated properties within their jurisdiction (applications can be submitted and approved dealing with more than a single site).

- The NDEP can assist with the application and management of the EPA grant





BIRD'S EYE VIEW

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8/07



State and Federal Funding

The strings attached

EPA Funds

State Funds

- Sites are accepted based on funding
- Entities may apply for funding any time of year
- Funding for single sites
- Small to medium size projects.
- Very little paperwork.
- No environmental or regulatory knowledge required by applicant

- Eligible entities apply for nationally grants
- Competitive grant funds awarded yearly
- Single, multiple, or community approach.
- Larger grants for more complex properties.
- Extensive paperwork and documentation.
- Grants given to eligible entities may be used to pay programmatic costs of the recipient which can augment the existing environmental programs which they operate.
- NDEP can assist applicants and recipients in meeting EPA requirements

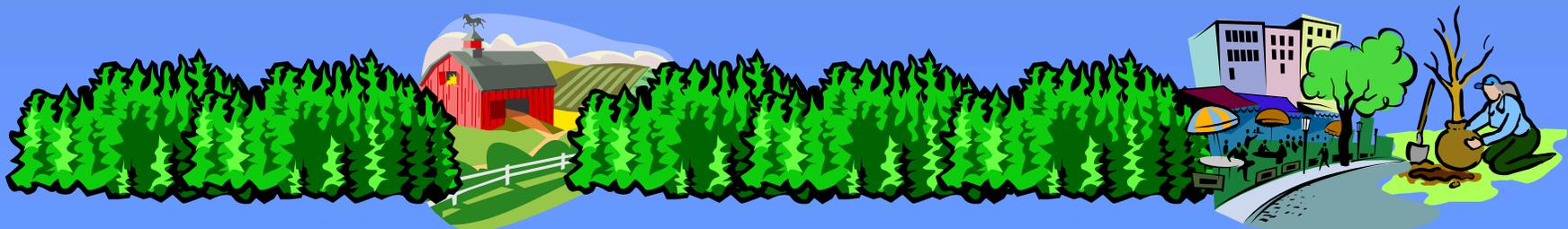




Rural Brownfields

Measures of success that the Brownfields program often use include the number of jobs created and tax dollars produced, but the program is more about helping communities. Ensuring a good quality of life for a community's citizens involves the creation of green spaces, parks, public buildings, as well as providing employment opportunities.

Rural projects are not ignored just because they don't involve the type of money or large scale developments seen in some urban areas.



DESIGN INSPIRATION

NATIVE PLANTS

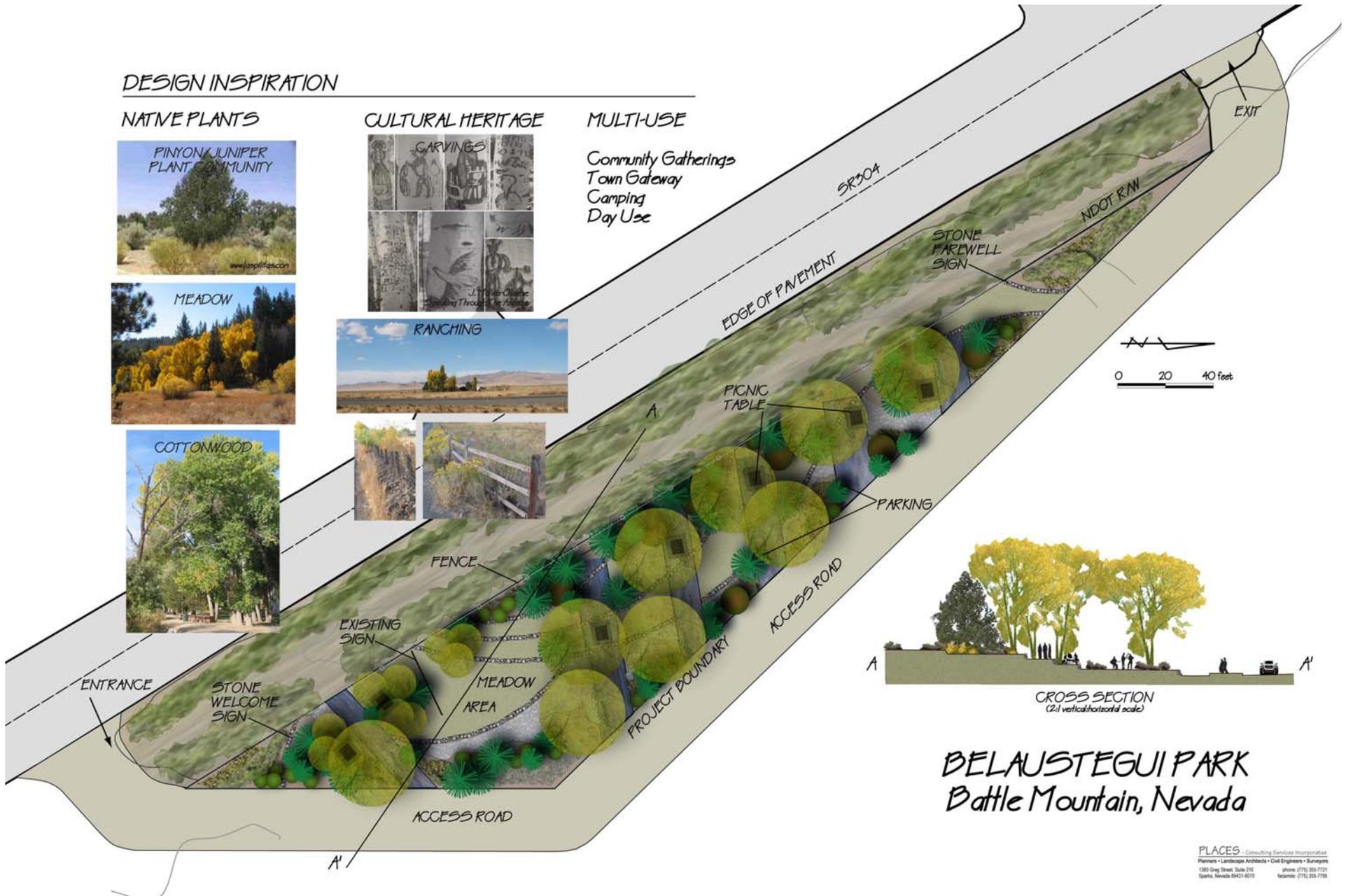


CULTURAL HERITAGE

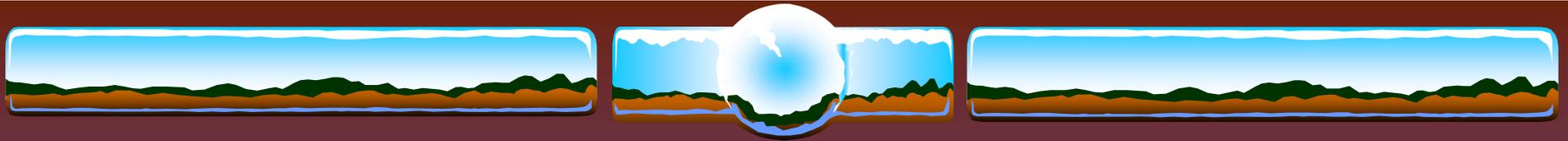


MULTI-USE

Community Gatherings
Town Gateway
Camping
Day Use



BELAUSTEGUI PARK
Battle Mountain, Nevada



Voluntary Cleanup Program (VCP)

- ❖ The VCP can provide liability relief to owners who undertake cleanup activities
- ❖ Participant is required to compensate NDEP for oversight costs
 - ❖ Costs are determined on a case-by-case basis between staff and participant
 - ❖ NAC 459.973



'Typical Remediation Case' vs VCP

Remediation Case

- Identified as Responsible Party – liability potentially incurred
- Set timeframes (45-day letters) – consequences for not meeting deadlines
- No Further Action (NFA) letter at completion of cleanup or assessment - 'Based on current information'
- No NDEP oversight costs

VCP

- Owners are not identified as a 'Responsible Party'
- Flexible timetables for characterization, cleanup and documentation activities
- Certificate of Completion issued based upon successful implementation of negotiated Remedial Agreement (NAC 459.973)
- Participant pays a Program Application Fee and reimburses NDEP oversight
- Characterization required as part of application; generally fulfilled through Phase I – this service may be eligible for State Brownfields funding



Questions?

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Websites:

http://www.youtube.com/watch?v=MkZcG_pgp0Q

www.epa.gov/brownfields

ndep.nv.gov/bca/brownfld.htm