

# Brownfields Eligibility Finding Site Information DBACs TBAs

Madison Sanders-Curry, EPA

Lisa Griswold, ADEC

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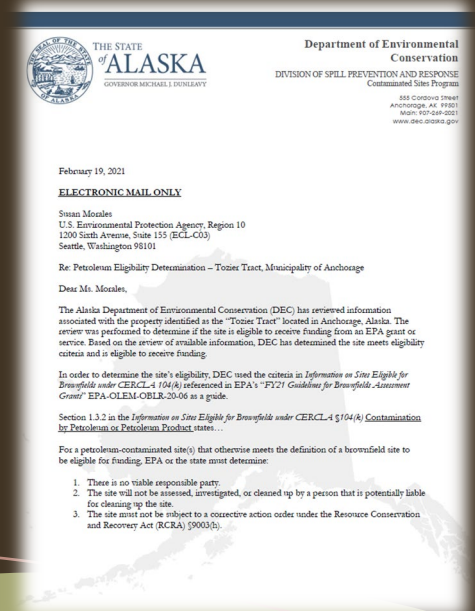
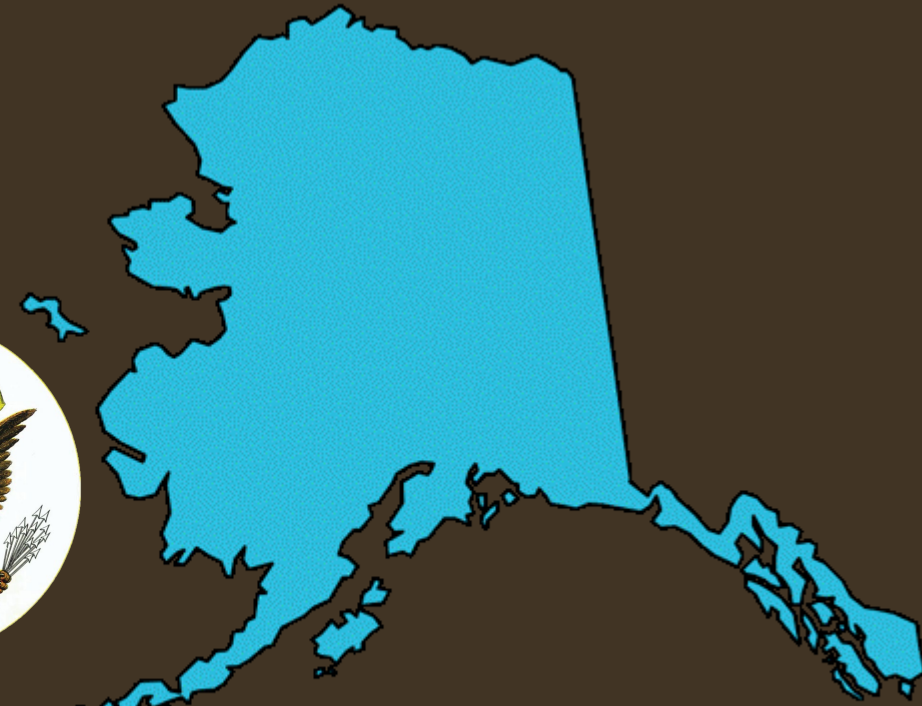
2021 TRP Workshop



# Roadmap



- Yes/No Brownfield eligibility Criteria
- Federal resources available to find site information
- State and local resources available to find site information
- What a State Petroleum Determination letter is, why you may need one, and how DEC does one
- DEC's DBAC
- EPA's TBA



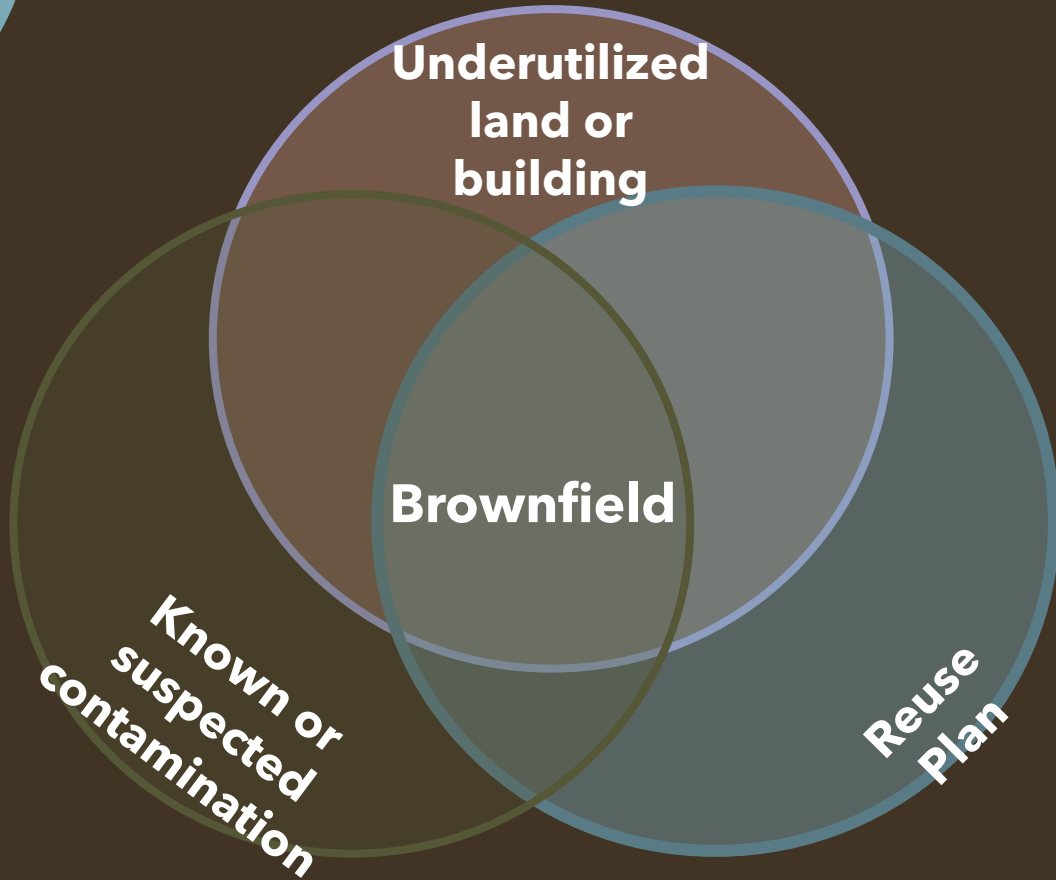


# General Brownfields Site Eligibility and Federal Resources

Madison Sanders-Curry, EPA



# Does the site meet the definition of a Brownfields site?



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





*“the expansion,  
redevelopment, or  
reuse”*



## These are also Eligible Sites:

- Contaminated by a controlled substance (meth)
- Contaminated by petroleum
- Mine-scarred land
- Asbestos & Lead Paint

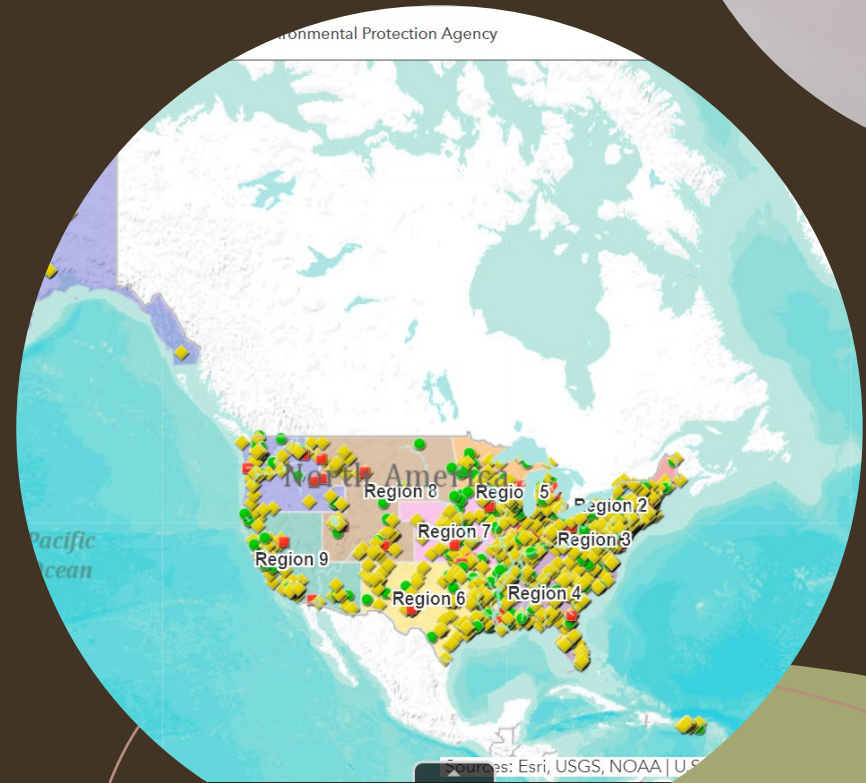




# Sites Not Eligible for Funding by Statute

- Listed on the National Priorities List or identified as part of a larger Superfund site under a different name
- Subject to unilateral administrative orders, court orders, administrative orders on consent, or judicial consent decrees issued to or entered into by parties under CERCLA
- Under the jurisdiction, custody, or control of the US government\*

\* Land held in trust by the US government for an Indian tribe *is* eligible






# Sites only Eligible for Funding with a Property Specific Determination

Is the site/facility subject to a planned or ongoing CERCLA removal action?

Has the site/facility been subject to an order or consent decree, or issued a permit by the U.S. or an authorized state under the Solid Waste Disposal Act (as amended by the Resource Conservation and Recovery Act (RCRA)), the Federal Water Pollution Control Act (FWPCA), the Toxic Substances Control Act (TSCA), or the Safe Drinking Water Act (SWDA)?

Is the site/facility subject to corrective action orders under RCRA (sections 3004(u) or 3008(h))?






# Sites only Eligible for Funding with a Property Specific Determination Continued

Is the site/facility a land disposal unit that has submitted a RCRA closure notification under subtitle of RCRA and is subject to closure requirements specified in a closure plan or permit?

Has the site/facility had a release of polychlorinated biphenyls (PCBs) that is subject to remediation under TSCA?

Is the site currently receiving funding for remediation from the leaking Underground Storage Tank (LUST) Trust fund?








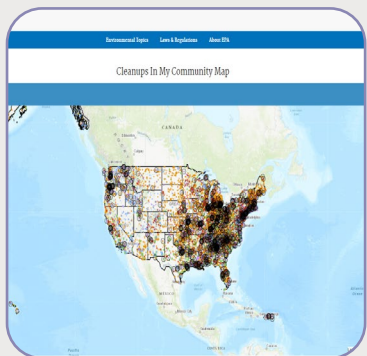
# Property- Specific Determination

- EPA may determine on a case-by-case basis a site/facility eligible to receive brownfields funding if:
  - The funds will protect human health and the environment, AND
    - Promote economic development, OR
    - Enable the creation, preservation or addition to parks, greenways, undeveloped property or other property used for nonprofit purposes.

Note - Applicants whose site requires a property-specific determination must provide additional info set forth in the guidelines

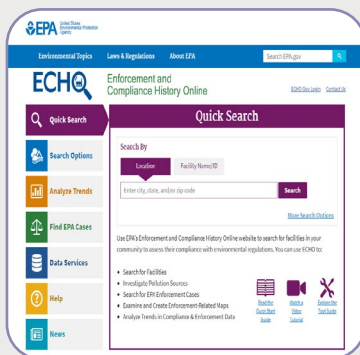


# Federal Resources for Site Research



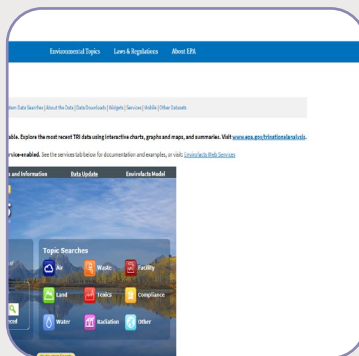
## Cleanups in my Community

<https://ofmpub.epa.gov/apex/cimc/f?p=cimc:map::::71>



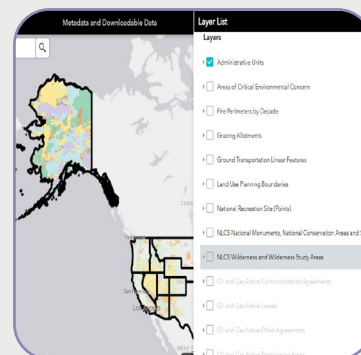
## Enforcement and Compliance History Online

<https://echo.epa.gov/>



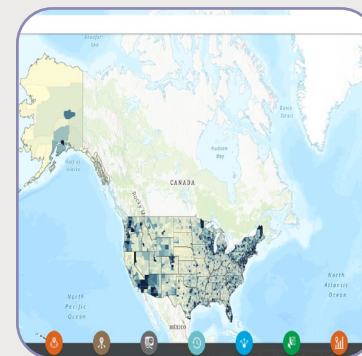
## EnviroFacts

<https://enviro.epa.gov/index.html>



## BLM National Data

<https://blm-egis.maps.arcgis.com/apps/webappviewer/index.html?id=6f0da4c7931440a8a80bfe20eddd7550>



## UST Finder

<https://epa.maps.arcgis.com/apps/webappviewer/index.html?id=c220c67462e14763a8e0c4df75550278>



## National Priorities List

<https://www.epa.gov/superfund/search-superfund-sites-where-you-live#advanced>



# State and local resources available State Petroleum Determination letters DEC's DBAC

Lisa Griswold, ADEC



# Finding Site Information

Potentially boring but  
necessary....

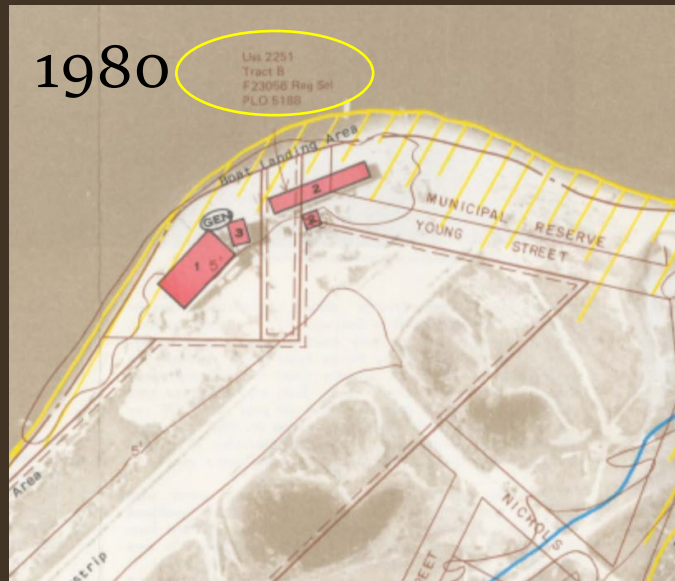


# Locating information

- Step One: Determining Legal address of the property
- Step Two: Locating(potential) releases on the property
- Step Three: Finding the Current landowner
- Step Four: Finding the Past landowners
- Step Five: Finding the Current and Past site operator and/or site lessee and/or Transporters



# Step One: Locating a legal description of property



- DCRA Community Profile Maps  
<http://dced.maps.arcgis.com/apps/webappviewer/index.html?id=18fdb060875740fdad22099ca779d637>

\*did the property boundaries change?

\*did the property description change?

ADNR Alaska Mapper <http://dnr.alaska.gov/mapper/controller>

# Step One: Locating a legal description of property

## Local Maps

- Municipality of Anchorage GIS <https://muniorg.maps.arcgis.com/apps/webappviewer/index.html?id=493d6c82574c43d981bd2aaa384b3d60>
- Anchorage Live <http://www.anchoragelive.com/>
- City of Cordova Property Tax Roll <http://www.cityofcordova.net/residents/services/property-taxes>
- City of Dillingham GIS <http://dillingham.maps.arcgis.com/apps/Viewer/index.html?appid=f3a82ba94f0b4fe0bd34a3ee407322b1>
- Fairbanks North Star Borough GIS <http://fnsb.us/gis/Pages/GIS-Viewers.aspx>
- Haines Borough GIS <http://www.hainesalaska.gov/lands/haines-borough-parcel-viewer>
- City and Borough of Juneau GIS <http://epv.juneau.org/>
- Kenai Peninsula Parcel Viewer <http://mapserver.borough.kenai.ak.us/kpbmapviewer/>
- Ketchikan Gateway Borough GIS <https://ketchikan.connectgis.com/Disclaimer.aspx?ReturnUrl=%2fDisclaimer.aspx>
- Kodiak Island Borough Map Center <https://www.kodiakak.us/339/Map-Center>
- Mat-Su Borough Parcel Viewer [https://mapping.matsugov.us/Html5Viewer/index.html?viewer=MSB\\_Parcel\\_Viewer](https://mapping.matsugov.us/Html5Viewer/index.html?viewer=MSB_Parcel_Viewer)
- City of Nome Property Search <https://beesc.texrus.com/public.aspx>
- City and Borough of Sitka Parcel Viewer <http://www.mainstreetmaps.com/ak/sitka/public.asp>
- City and Borough of Wrangell Mapping <http://www.wrangell.com/planning/online-parcel-mapping-and-data>
- City and Borough of Yakutat Map Gallery <https://cby.maps.arcgis.com/home/index.html>

\*did the property boundaries change? \*Have the property boundaries changed?

# Step Two: Locating if there is a Known Release on the Property

- ADEC Spills Database

<http://dec.alaska.gov/Applications/SPAR/PublicMVC/PERP/SpillSearch>

The screenshot shows the 'PPR SPILLS DATABASE SEARCH' page. It includes a search bar at the top with a 'Search' button. Below the search bar, there are navigation links: 'CONTAMINATED SITES', 'PREVENTION PREPAREDNESS & RESPONSE', 'RESPONSE FUND ADMIN', and 'REPORT A SPILL'. The main content area has a heading 'PPR SPILLS DATABASE SEARCH' and a paragraph explaining the database. Below this, there are several bullet points providing information about the database. At the bottom, there are links for contact information for different regions. On the left side, there is a sidebar with search filters: 'Spill Search', 'Facility Search', and 'Responsible Party Search'. The 'Spill Search' section is expanded, showing filters for 'Spill Date', 'Area', 'Subarea', 'Region', 'Locations', 'Substance Type', 'Substance', and 'Cause Type'.

- ADEC Contaminated Sites Database

<http://dec.alaska.gov/Applications/SPAR/PublicMVC/CSP/Search/>

The screenshot shows the 'CONTAMINATED SITES SEARCH' page. It includes a search bar at the top with a 'Search' button. Below the search bar, there are navigation links: 'CONTAMINATED SITES', 'PREVENTION PREPAREDNESS & RESPONSE', 'RESPONSE FUND ADMIN', and 'REPORT A SPILL'. The main content area has a heading 'CONTAMINATED SITES SEARCH' and a paragraph explaining the database. Below this, there are several input fields for search criteria: 'Site Name', 'Hazard ID', 'Status', 'Street Address', 'Zip Code', 'File ID', 'Record Key', 'Event ID', 'Site Type', 'City', 'Borough', and 'LUST Only'. At the bottom, there are three buttons: 'Search', 'Clear', and three download buttons: 'Download All Site Records', 'Download Only CS Site Records', and 'Download Only LUST Site Records'.



# Step Three: Locating the Current Landowner

- Local knowledge



- ADNR Records office

<http://dnr.alaska.gov/ssd/recoff/searchRO.cfm>



- Local Maps/Info



# Step Four: Locating Previous Landowners

- Local knowledge



- ADNR Records office

<http://dnr.alaska.gov/ssd/recoff/searchRO.cfm>



- DCCED Corporate licenses

<https://www.commerce.alaska.gov/cbp/main/>



- Historical Societies



- ANSCA Contaminated Lands Map <http://blm-egis.maps.arcgis.com/home/webmap/viewer.html?webmap=404797968578439faf4cece4bf529643>





# Step Five: Locating the Current and Past Operator, Site Lessee or Transporter

- Local knowledge



- ADNR Records office

<http://dnr.alaska.gov/ssd/recoff/searchRO.cfm>



- DCRA Community Database

<https://dcced.maps.arcgis.com/apps/MapJournal/index.html?appid=9817f419840f43b78ead8608fc9ce103#>



- DCCED Corporate licenses

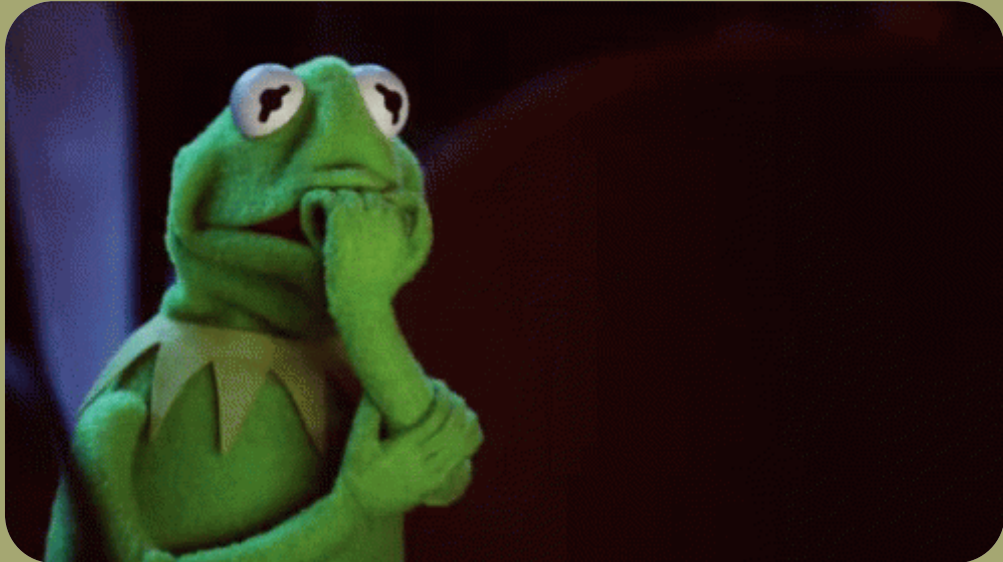
<https://www.commerce.alaska.gov/cbp/main/>



- Google



**WHAT TYPE OF BUSINESS WAS CONDUCTED THERE?**



# State Petroleum Determination Letters

Uh....what?

# What is a State Petroleum Determination Letter?

- What it is: Letter written by DEC evaluating a site's eligibility to receive Brownfields petroleum funding based on set criteria
- What it is **not**: a letter absolving any party from being considered a Responsible Party.



THE STATE  
of ALASKA  
GOVERNOR MICHAEL J. DUNLEAVY

Department of Environmental  
Conservation  
DIVISION OF SPILL PREVENTION AND RESPONSE  
Contaminated Sites Program  
555 Cordova Street  
Anchorage, AK 99501  
Main: 907-269-2021  
www.dec.alaska.gov

February 19, 2021

ELECTRONIC MAIL ONLY

Susan Morales  
U.S. Environmental Protection Agency, Region 10  
1200 Sixth Avenue, Suite 155 (ECL-C03)  
Seattle, Washington 98101

Re: Petroleum Eligibility Determination – Tozier Tract, Municipality of Anchorage

Dear Ms. Morales,

The Alaska Department of Environmental Conservation (DEC) has reviewed information associated with the property identified as the "Tozier Tract" located in Anchorage, Alaska. The review was performed to determine if the site is eligible to receive funding from an EPA grant or service. Based on the review of available information, DEC has determined the site meets eligibility criteria and is eligible to receive funding.

In order to determine the site's eligibility, DEC used the criteria in *Information on Sites Eligible for Brownfields under CERCLA 104(k)* referenced in EPA's "FY21 Guidelines for Brownfields Assessment Grants" EPA-OLEM-OBIR-20-06 as a guide.

Section 1.3.2 in the *Information on Sites Eligible for Brownfields under CERCLA §104(k) Contamination by Petroleum or Petroleum Product* states...

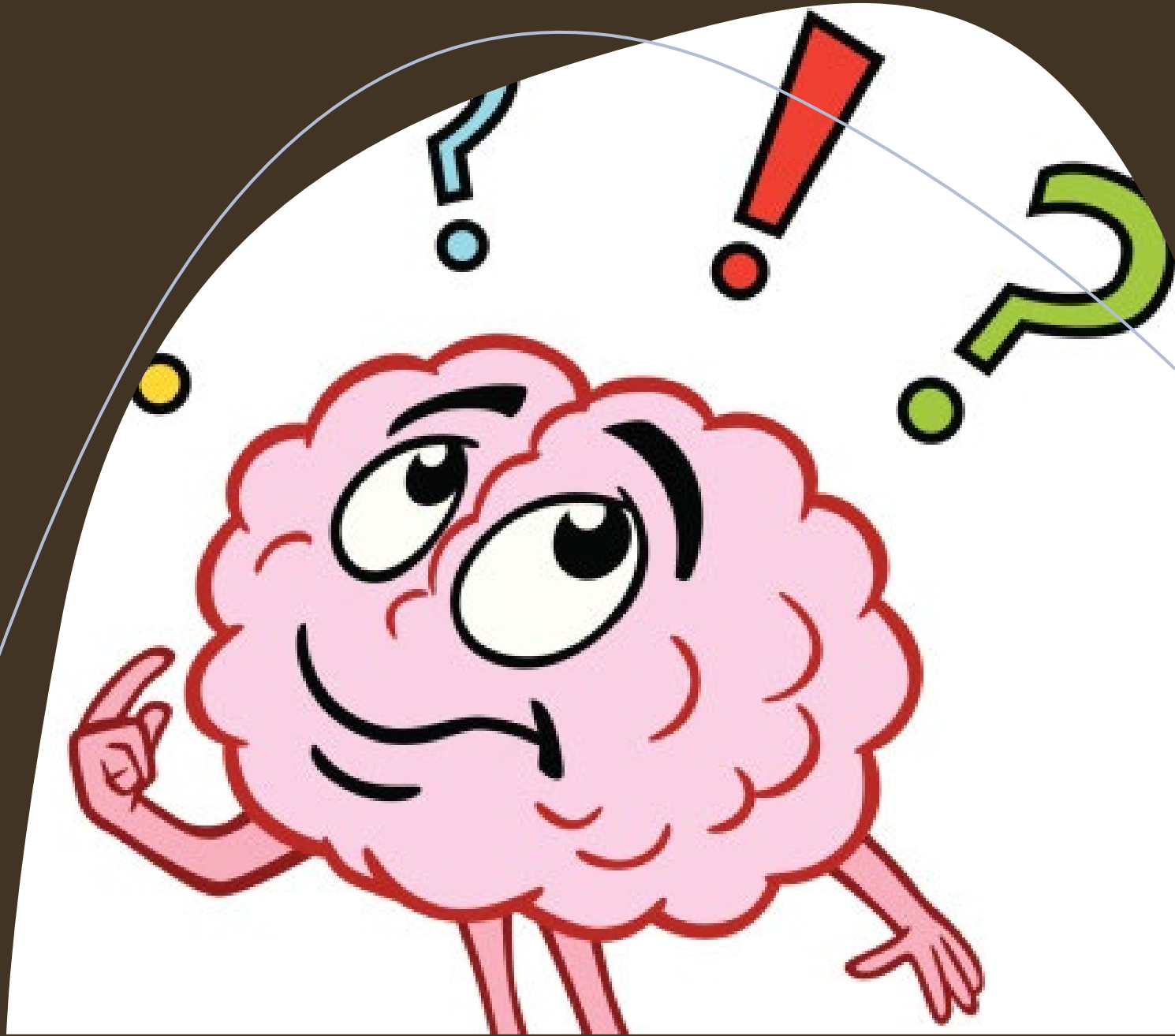
For a petroleum-contaminated site(s) that otherwise meets the definition of a brownfield site to be eligible for funding, EPA or the state must determine:

1. There is no viable responsible party.
2. The site will not be assessed, investigated, or cleaned up by a person that is potentially liable for cleaning up the site.
3. The site must not be subject to a corrective action order under the Resource Conservation and Recovery Act (RCRA) §9003(h).

# When do you need a State Petroleum Determination letter?

- Applying for an EPA Competitive Grant
- Evaluating spending your own 128 (a) funding conducting site specific work on a site

\*DEC does one internally as part of a DBAC project



# How a State Petroleum Determination Letter is done at DEC

## 1.2. General Definition of Brownfield Site

CERCLA<sup>1</sup> defines a "Brownfield Site" as:  
"...real property, the expansion, redevelopment, or reuse of which may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant."  
Brownfield sites include residential, commercial, and industrial properties.

## 1.3. Additional Areas Specifically Eligible for Funding

CERCLA also identifies three additional types of properties that are specifically eligible for funding:

1. Sites contaminated by **controlled substances**.
2. Sites contaminated by **petroleum or a petroleum product**.
3. **Mine-scarred lands**.

See below for guidance on determining the scope of each of these three types of sites.

### 1.3.1. Contamination by Controlled Substance

Sites eligible for funding include real property, including residential property, that is contaminated by a controlled substance. A "controlled substance" is defined under the Controlled Substances Act as "a drug or other substance, or immediate precursor, included in Schedule I, II, III, IV, or V of Part B of this title (21 USC § 812). The term does not include distilled spirits, wine, malt beverages, or tobacco..." For example, sites eligible for brownfields grant funding may include private residences formerly used for the manufacture and/or distribution of methamphetamines or other illegal drugs where there is a presence or potential presence of controlled substances or pollutants, contaminants, or hazardous substances (e.g., red phosphorous, kerosene, acids).

### 1.3.2. Contamination by Petroleum or Petroleum Product

Petroleum-contaminated sites must meet certain requirements to be eligible for brownfields grant funding. Petroleum is defined under CERCLA as "crude oil or any fraction thereof which is not otherwise specifically listed or designated as a hazardous substance under that section."

For a petroleum-contaminated site that otherwise meets the definition of a brownfield site to be eligible for funding, EPA or the state must determine:

1. There is no viable responsible party.
2. The site will not be assessed, investigated, or cleaned up by a person that is potentially liable for cleaning up the site.
3. The site must not be subject to a corrective action order under the Resource Conservation and Recovery Act (RCRA) § 9003(h).

<sup>1</sup> CERCLA as amended by the Small Business Liability Relief and Brownfields Revitalization Act enacted in 2002 and the Brownfields Utilization, Investment, and Local Development (BUILD) Act enacted in 2018.

***"Information on Sites Eligible for Brownfields under CERCLA 104(k)"***  
referenced in EPA's ***"FY21 Guidelines for Brownfields Assessment Grants"***  
EPA-OLEM-OBLR-20-06 as a guide.

<https://www.epa.gov/sites/production/files/2020-08/documents/epa-olem-oblr-20-06.pdf>

<https://www.epa.gov/sites/production/files/2018-10/documents/web-content-info-on-site-eligibility.pdf>



# What we determine:

- 1) There is no viable responsible party.
- 2) The site will not be assessed, investigated, or cleaned up by a person that is potentially liable for cleaning up the site.
- 3) The site must not be subject to a corrective action order under the Resource Conservation and Recovery Act (RCRA) §9003(h).

# “A Site for Which There is No Viable Responsible Party”

Section 1.3.2 states “...A petroleum-contaminated site may be determined to have no responsible party if the site was last acquired (regardless of whether the site is owned by the applicant) through tax foreclosure, abandonment, or equivalent government proceedings, and the site meets the criteria in (1) below. Any petroleum-contaminated site not acquired by a method will be determined to have a responsible party if the site fails to meet the criteria in both (1) and (2) below.

1) No responsible party has been identified for the site through:

- an unresolved judgment rendered in a court of law or an administrative order that would require any party (including the applicant/recipient) to conduct the activities (including assessment, investigation or cleanup) proposed in the grant proposal/submitted as part of a site eligibility determination;
- an unresolved enforcement action by federal or state authorities that would require any party (including the applicant/recipient) to conduct the activities (including assessment, investigation, or cleanup) proposed in the grant proposal/submitted as part of a site eligibility determination; or
- an unresolved citizen suit, contribution action, or other third party claim brought against the current or immediate past owner for the site that would, if successful, require the activities (including assessment, investigation, or cleanup) proposed in the grant proposal/submitted as part of a site eligibility determination.

2) The current and immediate past owner did not dispense or dispose of, or own the subject property during the dispensing or disposal of, any contamination at the site, and took reasonable steps with regard to the contamination at the site.

# “Cleaned Up by a Person Not Potentially Liable”

Section 1.3.2 states 'Brownfields funding may be awarded for the assessment and cleanup of petroleum-contaminated sites provided they meet the requests below.

- The applicant/recipient has not dispensed or disposed of or owned the property during the dispensing or disposal of petroleum or owned the property during the dispensing or disposal of petroleum or petroleum product at the site, and
- The applicant/recipient did not exacerbate the contamination at the site and took reasonable steps with regard to the contamination at the site.”

# “Is not subject to any order issued under §9003(h) of the Resources Conservation and Recovery Act (RCRA)”.

- Potentially on DEC Database
- EPA CORRACTS database

## Search RCRA Corrective Action Sites

Search this table for Corrective Action Sites around the Nation.

- Click the column header to sort or filter the table
- To directly view any profiles, click on the associated site name found in columns designated as “Site Name”

Select a Region or State

Region  State

[Reset Filters](#)

Rows

1 - 6 of 6

Region ↑↓	State	County	City	Zip	RCRA ID	Site Name	Alternative Name
10	AK	FAIRBANKS NORTH STAR	FAIRBANKS	99775-8145	AKD048679567	<a href="#">UNIVERSITY OF ALASKA FAIRBANKS</a>	UNIVERSITY OF ALASKA FAIRBANKS

<https://ofmpub.epa.gov/apex/cimc/f?p=100:15:9700506337656>

dec.alaska.gov/Applications/SPAR/PublicMVC/CSP/Search/

THE GREAT STATE OF ALASKA

myAlaska Departments State Employees

Alaska Department of Environmental Conservation  
SPILL PREVENTION AND RESPONSE

DEC State of Alaska

CONTAMINATED SITES PREVENTION PREPAREDNESS & RESPONSE RESPONSE FUND ADMIN REPORT A SPILL

You are here: DEC / SPAR / CSP / SPAR Online Services / Contaminated Sites Search

### CONTAMINATED SITES SEARCH

Site Name

Hazard ID

Status

Street Address

Zip Code

File ID

Record Key

Event ID

Site Type

City

Borough

LUST Only ☐

[Search](#) [Clear](#)

[Download All Site Records](#) [Download Only CS Site Records](#) [Download Only LUST Site Records](#)

<http://dec.alaska.gov/Applications/SPAR/PublicMVC/CSP/Search/>



**YAAAAAAAY!!!**

# DEC Brownfield Assessment and Cleanup (DBAC)

Yay money!



# DEC Brownfield Assessment and Cleanup (DBAC) Services



Former Head Start Building  
Ruby, AK

Keku  
Cannery  
Kake, AK

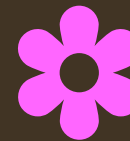


Old Talkeetna  
Library  
Talkeetna, AK

- Is a service, not a grant
- Competitive Statewide
- Usually, 6-7 projects per year
- Projects typically range from \$25,000 to \$125,000
- Application period usually from November - February



DBAC  
Application  
Period Open



Proposals  
Reviewed &  
Recipients  
Announced



Projects  
Funded &  
Scoping



Workplans  
Developed &  
Fieldwork  
Conducted

# Phases of Conducting Assessment & Cleanup with a DBAC

## Assessment

- **Phase I Environmental Site Assessment**
- **Phase II Environmental Site Assessment**
- **Hazardous Building Material Surveys**

## Additional Assessment

- **Site Characterization work plans**
- **Site Characterization reports**
- **Property Assessment and Cleanup Plans**

## Cleanup Planning

- **Corrective Action Plans**
- **Analysis of Brownfield Cleanup Alternatives**
- **Community Relations Plan**

## Cleanup

- **Corrective Action Reports**
- **Hazardous Building Material Abatements**



# Recommendations



Read the application announcement thoroughly



Understand the criteria



Define project needs, goals, and team



Leave plenty of time to prepare



**Understand what we're looking for**



Ask questions, ask early

# Part I of a DBAC application

## Site eligibility information

- Threshold Criteria
- Who is applying
- Who the owner is
- Site History
  - How it was acquired
  - How it was (potentially) contaminated

The image displays four overlapping screenshots of the DBAC Application form, illustrating the site eligibility information section. The forms are titled "DBAC Application" and feature a DEC logo.

**Threshold Criteria**

Is the site or facility owned or under the control of the federal government?

☐ Yes

*\*If the property is owned or under the control of the federal government, the site is not eligible for DBAC.*

To your knowledge, has the site or facility ever been used for the storage, treatment, or disposal of hazardous substances or petroleum products?

☐ Yes

*\*If the site has received funding from the LUST program, the site is not eligible for DBAC.*

Is the applicant directly responsible for the site?

☐ Yes

*\*If yes, this site is not eligible for DBAC.*

Is the current owner responsible for contamination?

☐ Yes

*\*If yes, this site is not eligible for DBAC.*

Do you have a reuse plan that will provide for the site?

☐ Yes

*\*If no, this site is not eligible for DBAC.*

If any of the above indicate that the site or facility may be eligible for DBAC, please contact us to discuss the application without discussing the site with the public. If you are unable to contact us, please contact us to help you submit a successful DBAC application.

Lisa Garwood  
Marc Thomas

**Eligibility Criteria**

Applicant

Name: \_\_\_\_\_

Address: \_\_\_\_\_

TRP/IGAP EPA Project Officer (if applicable): \_\_\_\_\_

**Owner (if different from applicant)**

*\*The owner of the property must allow DEC access to the property for the purpose of conducting the assessment. Please attach a letter of consent if required.\**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Is the owner of the property:

☐ Private ☐ City/Public ☐ Not known

Is the property expected to change ownership in the next 12 months?

☐ Yes

Site Location

Address: \_\_\_\_\_

Legal Description (if known): \_\_\_\_\_

Section: \_\_\_\_\_ Township: \_\_\_\_\_

Latitude: \_\_\_\_\_

**Site History**

When was this property acquired by the current owner?

\_\_\_\_\_

How was this property acquired by the current owner?

\_\_\_\_\_

Did the current owner complete a Phase I assessment?

☐ Yes

Previous ownership history (if known):

\_\_\_\_\_

Approximate acres or square footage:

\_\_\_\_\_

How many buildings or structures are on the site?

\_\_\_\_\_

What is the condition of each of the buildings?

\_\_\_\_\_

Has the site had any previous assessments?

☐ Yes

If yes, what kind of assessment activities?

☐ DBAC ☐ Targeted Brownfields

Is this site currently listed on DEC's Contaminated Sites database?

☐ Yes

If yes, please list the DEC file number:

\_\_\_\_\_

*\* Please attach full reports from previous assessments to the application.\**

**Contamination - known or perceived**

What are the known or suspected contaminant(s) at the site?

☐ Hazardous Substances ☐ Petroleum ☐ Hazardous Building Materials

How was the property previously used? (mark all that apply)

☐ Tank farm

☐ Landfill (permitted or unpermitted)

☐ Dump site

☐ Gas Station

☐ Dry Cleaner

☐ Mining Operations

☐ Underground Storage Tank (UST)

☐ Above Ground Storage Tank (AST) Drums

☐ Military activities

☐ Other: \_\_\_\_\_

If known, list the source(s) and location(s) of known or perceived contamination:

\_\_\_\_\_

Briefly describe how and when this site may have become contaminated:

\_\_\_\_\_

# Part II of a DBAC application

## Ranking Criteria

- Project Requirements
- Project Costs
- Project Team
- Viability of reuse plan
- Community Support and Benefit
- Bonus Points

The image displays four overlapping copies of the DBAC Application form, each showing a different section. The forms are titled 'DBAC Application' and feature a small logo in the top left corner.

- Ranking Criteria:** This section includes 'Project Requirements' with a question 'What services are you seeking?' and an 'Assessment' section asking for a description of local resources or individual assistance. It also includes 'Project Costs' with a question about previous assessment and a 'Yes' checkbox.
- Project Team:** This section asks for a 'Project Team' of at least three individuals, with a 'Primary Contact' field and a 'Team member' list.
- Community Benefit:** This section includes a 'Community Benefit' question about the reuse plan's impact on the community, a 'Communitywide Support' question about community support, and a 'Viability of Reuse Plan' question about the reuse plan's feasibility.
- Bonus Points:** This section includes 'Bonus Points' questions about green building, historical/cultural significance, and alternative energy, each with a 'Yes' checkbox. It also includes a 'If you answered "Yes" to any of the Bonus questions above, please discuss describe further:' section.

# Part III of a DBAC application

## General DBAC information

- Request for an application meeting
- Submittal checklist
- Generalized DBAC work timeline

DBAC Application

Request for Application Meeting

Potential applicants for DEC Brownfields Assessment & Cleanup services are highly encouraged to have a meeting with DEC Brownfield Staff concerning their application. Early communication will allow participants to receive technical assistance, and allow time to complete the application. Our goal is to assist you in completing a complete application.

Disclaimer

Under no circumstances does an award of DBAC services constitute an acknowledgment of any contamination that may exist at the site, nor is it a guarantee that the cleanup of hazardous substances that may be found at the site will be specifically addressed in Alaska Statute 11.49.010. The only parties who are liable for the release of a hazardous substance are those who are liable for the release of a hazardous substance at the time of the release; or (3) those who are liable for the release of a hazardous substance.

Brownfield work focuses on clarifying environmental conditions at a site where there is no known viable responsible party. By awarding a DBAC, DEC is designed to identify, clarify, and identify the parties responsible for the release of a hazardous substance. Work conducted by DEC may result in identifying parties who are currently impeding the continued use, development, and redevelopment of the property. Work conducted by DEC may result in identifying parties who are currently impeding the continued use, development, and redevelopment of the property. Work conducted by DEC may result in identifying parties who are currently impeding the continued use, development, and redevelopment of the property.

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DBAC Application

DBAC Application Submittal Checklist

Before submitting your DBAC request form, please check the following items are complete:  
Did you answer each question?

- ☐ If required, did you attach a letter from the property owner granting access to the site, if the owner is different from the applicant?
- ☐ If applicable, did you attach past environmental reports at the site?
- ☐ Did you attach a site map or aerial photograph of the site requested and any other photos available?
- ☐ Did you identify a primary contact for the life of the DBAC?
- ☐ Did you attach a letter of support from each team member?
- ☐ Did you attach documentation demonstrating the viability of the redevelopment plan?
- ☐ Did you attach documentation demonstrating that there is a net benefit for the project?

After reviewing your application, DEC may have clarifying questions to ask you. DEC contact you should it have additional questions?

☐ Yes ☐ No

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DBAC Application

DEC Brownfield Assessment and Cleanup Award Process

**January/February** - Application Submittal to ADEC

**March** - Application review by ADEC

**March** - Application scoring by ADEC

**March** - Application ranking by ADEC

\* The higher the score, the higher the ranking

**March/April** - Applicants notified of ranking by ADEC

**April/May** - EPA notifies ADEC of funding availability

**April/May** - Applicants notified of projects being funded by ADEC

**May/June** - Community Kick-off meeting with ADEC

**May/June** - ADEC builds scope of work for project

**June/July** - Scope of work goes out to Contractor for cost bid

**June** - Work awarded to contractor

**July 1** - Work can begin on site

**Summer/Fall** - Field work done on site

**Fall/Winter** - Report on field work developed

**Fall/Winter** - Report Finalized

**Fall/Winter** - Community Wrap up meeting with ADEC

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# Ranking Criteria (what are we looking for?)



## Project Requirements

Is it clear what the project requires from the information provided?



## Project Team

Is there a team in place to ensure continuity beyond this effort and coordination for success of the overall project?



## Viability of Reuse Plan

Are the plans for sustainable development well thought out? Is the applicant seeking other funding or resources?



## Project Costs

Is the scope of the project in our funding capacity?



## Community Support & Benefit

Has the community been included in the proposal and documents support?

Does the project provide a measurable benefit to the community?



# Tips for a Successful DBAC Application: Tell Your Story

## Project Requirements

Project needs are clear from the information provided and easy to ascertain how DBAC services will move the project forward

## Project Team

3 or more team members identified, preferably from different organizations with documented support

## Viability of Reuse Plan

Providing documentation such a business plan, a community plan, planned reuse drawings, proposals for other grant funding or resources, etc.



# Tips for a Successful DBAC Application: Tell Your Story

## **Project Costs**

Estimated project costs are not required, but helpful in assessing viability of overall plan and helps demonstrate a community's understanding about a project



## **Community Support and Benefits**

The community has been included in the proposal and has provided its support in writing. They have resources and inclination to ensure that the project is successful.

The project would lead to a measurable community benefit through an increase in jobs, preservation of a resource, or construction/revitalization of a community facility.



# Summary

- Understand the application
- Collaborate/form partnerships
- Tell your story
- Give yourself enough time
- Ask questions – there are resources available to help!



*Former Fish Processing Plant, Golovin, AK*  
*- EPA TBA (2017), site characterization*  
*- DBAC (2018), additional assessment and Analysis of Brownfield Cleanup Alternatives*  
*- DBAC (2019-2021), site cleanup activities*

# Resources for your DBAC application

## DEC Brownfields

<http://dec.alaska.gov/spar/csp/brownfields/>



## EPA Region 10 Brownfields

<https://www.epa.gov/brownfields/brownfields-and-land-revitalization-region-10>



## Kansas State University Tribal TAB

<https://www.ksutab.org/services/TribalTAB>



## Center for Creative Land Recycling

<https://www.cclr.org/>



CENTER FOR CREATIVE  
LAND RECYCLING

RECLAIM. CONNECT. TRANSFORM.



# EPA's Targeted Brownfield Assessment

Brandon Perkins, EPA





# Targeted Brownfields Assessments

- Program is designed to help eligible entities minimize the uncertainties of contamination associated with brownfields
- A study to determine whether contamination exists and if so, the nature & extent
- Available to public entities (city and county governments), Tribes and non-profits
- Typically, entities without EPA Brownfields Assessment grants request TBA assistance
- Not a grant but rather technical assistance
- Work is conducted by EPA contractor

# Who Is Eligible to Apply for a Targeted Brownfields Assessment?

- State, local, and tribal governments
- General purpose units of local governments
- Land clearance authorities
- Quasi-governmental entities
- Regional development agencies
- Nonprofit organizations
- Alaska Native Corporations

# Selection Criteria

- Site needs to meet the definition of a Brownfields
- Anticipated expansion, reuse, or redevelopment at property
- Should have thought out plans for potential redevelopment or reuse
- Public need and benefit
- Municipal support and commitment
- Mechanisms available for cleanup
- Complement Brownfield assessment grants

# Selection Criteria

- Strong commitment from stakeholders, property owners and/or building owners
- Community champion
  - Promote TBA within community
  - Works with EPA to ensure TBA success
  - Works to bring reuse vision into reality after completion of TBA
- Publicly owned property
- Privately owned property:
  - owner cause or contribute to the contamination?
  - owner unwilling or unable to conduct the assessment?
  - Cost-sharing mechanisms are encouraged (provision of in-kind services, commitment to contribute towards site clean up)

# TBA Restrictions

- Property can not be part of a proposed or listed NPL site
- Under a CERCLA administrative order
- Can not be a Federal Facility or on Federally owned property
  - FUDS are eligible
  - ANCSA contaminated lands are eligible
- Assessment activities only
- Does not provide resources to conduct cleanup or building demolition activities



# Targeted Brownfields Assessments

- TBA projects are customized to meet the needs of the Stakeholders
- End goals and reuse need to be considered in planning process
- Stakeholders are involved throughout the process
  - Scoping
  - Review of sampling approach
  - Cleanup criteria selection
- Coordination with the state Brownfield Programs

# TBAs can include:

- Brownfields site inventories
- Phase I Environmental Site Assessments
- Phase II Environmental Site Assessments
- UST Assessment and Closure
- Regulated Building Material Surveys
- Cleanup Options & Cost Estimates
- Vision to Action
- A TBA can include one or all of these

# How to Request TBA Assistance

- Initial meeting to discuss project is recommended
- Complete a TBA request outline
  - Ensure to provide as much information as possible
  - Incomplete request will delay final determination and approval
- Requests are accepted throughout the year
  - As long as TBA funds are available
- Region TBA funding needs sent to HQ in Nov
  - If possible, consider this when submitting TBA requests

# TBA Request Outline

## General tips for completing TBA request outline

- Provide as much information as possible
- Write responses if the reviewer knows nothing about the site
- If unsure how to answer question, please reach out for assistance to EPA Project Officer or TBA Coordinator. DEC is a resource as well.
- Incomplete TBA request forms will delay approval and final determination.

## Basic Info Section

- Contact info for requesting entity
- Site Info
  - Name
  - Location (address, lat/long)
  - Areas of known or suspected contamination on adjacent properties

**TARGETED BROWNFIELDS TECHNICAL ASSISTANCE  
& SITE ASSESSMENT REQUEST OUTLINE**

**ORGANIZATION:** Name and address. Also provide the name of the contact person along with their telephone and fax numbers.

**SITE:** Name, address and site acreage. Please attach a site map that indicates the site's location in the community, adjacent land uses and areas of known or suspected contamination.

# TBA Request Outline - Ownership

Complete current and immediate past ownership information is critical to determine eligibility

- When did applicant or owner acquire the property?
- What was the method of acquisition? (purchase, quit claim, foreclosure, ANCSA conveyed, etc.)

**CURRENT SITE OWNERSHIP:** Is the property is owned by the applicant, and if so: a) when did the applicant acquire the property, and b) how was it acquired (by foreclosure or other means, etc.)?



If the property is not owned by the applicant: who is the current owner (name, address and telephone number, if known)? When did the current owner acquire the property? Does the applicant have legal permission to enter the property to conduct site assessment activities or a plan to get such permission? Please explain



**PREVIOUS OWNER:** Who owned the property before the current owner?





# TBA Request Outline – History Summary

- Info on past and current site uses, owners, operations, known or potential contamination.
- Information that will help inform type of contamination that may be present.
- Sources and types of contaminants that are known or believed to be present.
- Information on regulatory history.
  - Any party required to perform assessment by EPA or State agency?
- Provide information on any current or past involvement of state environmental agency

**SITE HISTORY:** Provide a brief summary of the site's history, including past uses of the site, owners and operators, and potential or known contamination issues.

Based on what you know about the site's history, do you believe the primary potential contaminants are a) Petroleum products, b) a mix of petroleum and other contaminants (hazardous substances such as chemicals, metals, asbestos, PCBs etc.), c) primarily hazardous substances, or d) something else (mold, methamphetamine, mine tailings)?

**REGULATORY HISTORY:** Is the applicant or any other party under order from EPA or State agency to conduct site assessment and/or cleanup? If the answer to this question is yes, please describe.

Briefly describe the involvement of the state environmental agency (e.g., WDOE, ODEQ, ADEC, IDEQ) in enforcement and/or oversight of assessment and cleanup activities at the candidate site. Please provide the name of a site contact and their telephone number.

# TBA Request Outline – Redevelopment /Reuse

- Plans for reuse need to be provided for site to meet the definition of a Brownfields.
- Provide as much information as possible regarding reuse plans or vision for site.
- Describe the benefit to the public or community from property reuse.
- Describe why assessment is needed to get to reuse.

**REDEVELOPMENT POTENTIAL:** Provide a brief discussion of the redevelopment potential of the property and the importance of the property to the community. How will the public benefit from this assessment?



# TBA Request Outline – Municipal Commitment

- Is there support from local government for the project. If so, describe any financial, resources, or in-kind support that will be put towards project.
- Describe any support from Tribal Council.

**MUNICIPAL COMMITMENT:** Is there a strong municipal commitment—either financially, or through commitment of municipal resources, for other components of the project?



# TBA Request Outline – Assessment

- Provide conclusions on any previous reports or summary of prior assessments.
- Indicate the needs of the TBA. (i.e. Phase I, Phase II, or cleanup planning, or all)
- Provide details on any special requests or needs.
- Describe the timeframe of the project. When does the TBA need to be completed?

**PRIOR SITE ASSESSMENT ACTIVITIES:** If prior site assessments have been conducted, please describe the conclusions (or attach "conclusion" section of report(s)). If reports are unavailable, identify consultant, client and the approximate date of the study. If no prior site assessments have been conducted, or if it is not known, please indicate.



**SITE ASSESSMENT NEEDS:** Specify site assessment activities being requested and why is EPA assistance necessary for the site's redevelopment. Also, please indicate the time frame in which this work is needed.

- ☐ A screening (Phase I) assessment, including a background and historical investigation and a preliminary site assessment
- ☐ A full (Phase II) site assessment, including sampling activities to identify the types and concentrations of contaminants and the areas of contamination to be cleaned up
- ☐ Establishment of cleanup options and cost estimates based on future uses and redevelopment plans



# TBA Request Outline – Site Cleanup

- If contamination is found, what are the plans to cleanup site?
- Describe the mechanisms and/or resources that will be sought or utilized.
- The TBA Program can not conduct any cleanup activities.

**SITE CLEANUP:** Are there mechanisms and/or resources available for adequate site cleanup? Please note, EPA TBA funds cannot be used for cleanup.

# TBA Request Outline – Privately Owned Sites

- Information on privately owned sites is critical.
- Provide as much information as possible.
- If owner caused contamination, what are the details around activities that may have resulted in contamination.
- Can owner conduct assessment on own? If not, provide reasons why.
- Can owner provide resources towards overall project? In-kind services, conduct cleanup, etc.? Provide the details.

**FOR PRIVATELY OWNED SITES:** Did the current owner conduct or allow activities that may have resulted in its contamination?

Is the current owner unwilling or unable to conduct an assessment?

What cost-sharing reimbursement mechanisms may be feasible for this site? For example, provision of in-kind services; reduction in the purchase price of the property; commitment to pay for, or conduct, or contribute to cleanup activities.



# TBA Request Outline – Access

- Site access is critical in order to complete TBA.
- Requester or site owner will need to allow EPA and EPA contractors onto property.
- A signed consent for access form will need to be signed by owner prior to initiation of TBA.

**ACCESS:** For properties that are not owned by the TBA requester, will the site owner provide access to EPA and their contractor to come on to that property to conduct the assessment, including collecting samples? Note, a signed access agreement from the property owner will be requested prior to EPA moving forward with the TBA.



# TBA Request Outline

**SUBMIT COMPLETED FORMS TO:**

**BROWNFIELDS TARGETED SITE ASSESSMENTS**

c/o Brandon Perkins (ECL-13)

U.S. Environmental Protection Agency - Region 10

1200 Sixth Ave., Suite 155

Seattle, WA 98101

By e-mail: [Perkins.Brandon@epa.gov](mailto:Perkins.Brandon@epa.gov)

# Questions?





# Thank you!

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