

EPA Resources Panel



Alaska STRP Workshop Presentation



Molly Vaughan

1) Targeted Brownfields Assessment Overview



Margaret Olson

2) Land Revitalization Program Overview



Jeff Estes

3) Contaminated ANCSA Lands Assistance Overview



Targeted Brownfields Assessment Program (TBA)

Alaska STRP Workshop

November 17, 2023

The Basics

What

Targeted Brownfield Assessments are an EPA service rather than a grant program – work is conducted by an EPA contractor on behalf of an eligible requestor

Why

Purpose: Determine whether contamination exists, and if so, the nature and extent of contamination

➤ Minimize uncertainty and promote cleanup and reuse

Who

Eligible requestors include States, Tribes, municipalities, other government entities, and non-profit organizations



TBA Site Eligibility



Site must meet the definition of a Brownfield

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



Sites where the applicant could be considered a responsible party for the contamination are not eligible for TBA assistance.



Generally, a requestor applies for a property it currently owns or can obtain, or is “abandoned”

- Program is not intended to assist private parties in assessing their sites for cleanup their sites for redevelopment.
- If site not owned by requestor, they must secure site access

Signs of a Good Candidate for TBA

- Clear reuse plan for the contaminated property
- Community need, benefit, and support
- Local government support and commitment
- Ability to leverage additional funds for cleanup and other future work at the site
- Other resources are not available for assessing the site.



<https://www.epa.gov/brownfields/targeted-brownfields-assessments-tba>

Assistance Provided in a TBA



- TBA activities can include:
 - ASTM Phase I environmental site assessment
 - Full site assessment (Phase II)
 - Determine how much more investigation is needed - or-
 - Evaluation of cleanup options and cost estimates – based on planned reuse (“ABCA”)
 - Other Services - Community outreach support

Scope of TBA based on need for the specific site.

TBA's can range from \$8K to \$200K

What to expect during the TBA process

- Project customized to meet the needs of the requestor and stakeholders
- Stakeholders are involved throughout the process
 - Defining scope of TBA activities
 - Review of sampling approach
 - Input into range of cleanup alternatives based on end use goals
 - Reviewing draft reports
- Coordination with the ADEC Brownfields Program
- End products: Phase I and/or Phase II Report, Analysis of Brownfields Cleanup Alternatives



How to Apply

- Applications are accepted on a rolling basis as resources allow
- Reach out to Region 10 EPA TBA Coordinator with any questions:
 - vaughan.molly@epa.gov
 - or (907) 271-1215

<https://www.epa.gov/brownfields/targeted-brownfields-assessment-requests-region-10>

EPA REGION 10 TARGETED BROWNFIELDS ASSESSMENT (TBA) APPLICATION

This application is for requesting environmental site assessment and technical assistance services from the EPA Region 10 Brownfields Program. Please respond to each item below completely so that we may give your application full consideration. If you have any questions, please contact Molly Vaughan, EPA Region 10 TBA Coordinator, at Vaughan.Molly@epa.gov or 907-271-1215.

1. APPLICATION SUBMISSION DATE:

2. ORGANIZATION: Organization name and address, type of eligible entity (public entities and non-profit organizations are eligible).

3. REQUESTOR CONTACT INFORMATION: Name, email address, phone number.

4. SITE NAME & LOCATION: Name, address, additional location identifiers if known (e.g., tax lot number, township/range, or lat/lon), 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.

5. CURRENT SITE OWNERSHIP: Is the property is owned by the applicant? If yes: When did the applicant acquire the property, and how was it acquired (by foreclosure or other means, etc.)?

Targeted Brownfields Assessments in Alaska

- Approximately 50 TBAs completed in Alaska to date
- 3 current projects in state



Copper Center Old BIA School

Copper River Native Association





Larsen Bay Old School

Native Village of Larsen Bay



Hughes School Tank Farm

Yukon River Inter-Tribal Watershed Council

Contact Information – EPA Region 10 Targeted Brownfields Assessment Program

Molly Vaughan


Targeted Brownfields Assessment Coordinator

Brownfields & Land Revitalization | Land, Chemical, & Redevelopment Division

Anchorage, Alaska

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(907) 271-1215





Region 10 Land Revitalization Program Overview

November 17, 2023

Land Revitalization Program



- Goal is to remove barriers to contaminated property redevelopment.
- Redevelopment often brings about new opportunities to protect public health, improve the environment and grow the local economy.



<https://www.epa.gov/land-revitalization>

Conduct Technical Assistance projects for planning or other reuse assistance that does not involve assessment or cleanup such as:

- 1) Market analysis, labor market and/or economic research
- 2) Site reuse assessment, identify site assets and barriers
- 3) Financial feasibility and/or implementation plan for site reuse
- 4) Conceptual site design
- 5) Rapid Health Impact Assessment

Joslyn Park – Priest River, ID



December 1, 2022



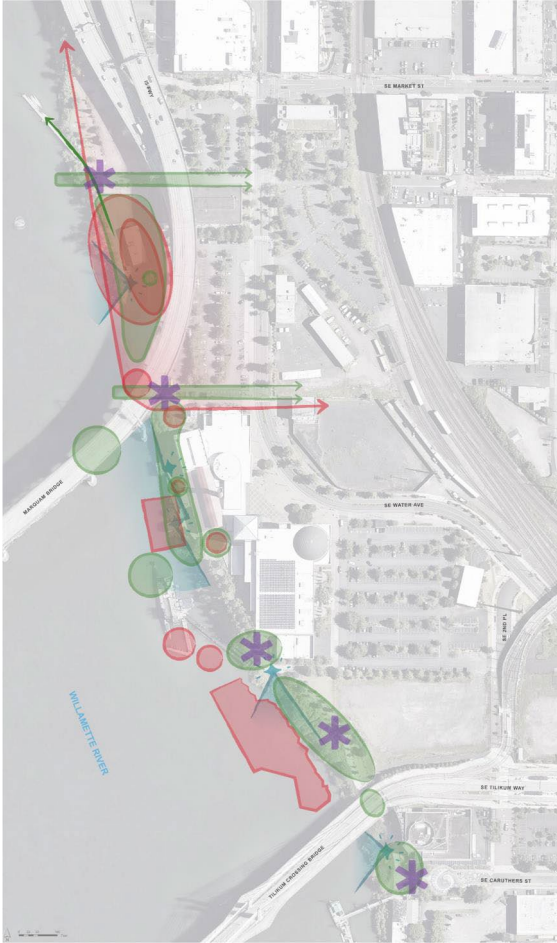
JOSLYN PARK - PREFERRED MASTER PLAN

BVA LANDSCAPE ARCHITECTS WELCH-COMER ENGINEERS & SURVEYORS PRIEST RIVER Idaho

- The City of Priest River completed a master plan for Joslyn Park with a goal of developing a sustainable multi-use park that serves as a community gathering space and provides varied year-round recreational opportunities for residents as well as visitors.
- EPA and IDEQ funding helped with some preliminary environmental assessment and cleanup activities but there is still a lot more to do.
- The Land Revitalization Technical Assistance report focuses on funding and financing strategies associated with the implementation of the rest of the completion of the master plan.
- Types of funding, specific sources, and overarching strategies are included to help the project team succeed. A detailed spreadsheet is also included which outlines potential funding opportunities.

Oregon Museum of Science and Industry (OMSI)

Portland, OR



- Used LR Technical Assistance to develop an opportunity and constraint analysis.
- Constraints included several contaminated soil caps.
- Opportunities included more public river access.




Veteran's Ecological Trades Collective (VETC)

Rochester, WA



- In 2018, 120 acres of industrial land was donated to help Veterans and VETC was created.
- The property was used and abused for decades and left in hazardous condition, now is the time to heal this land.
- This unique property is composed of 70 acres of prairie and rare Garry Oak Savanna habitat, and 50 acres of forested wetlands. A wide variety of animals use the land and the goal is to make it hospitable for them and the Veterans.

Land Revitalization Connections Across EPA

- [Brownfields](#)
 - [RE-Powering America's Land](#)
 - [Green infrastructure](#)
 - [Smart Growth](#)
 - [Urban Waters](#)
 - [Superfund Redevelopment](#)
 - [Sustainable materials management](#)
 - [Green & healthy buildings](#)
 - [Environmental Justice](#)
 - [EnviroAtlas](#)
- 



Building Blocks for Sustainable Communities

- 2023 Request for Letters of Interest due December 8th.
- **Planning for Equitable Development** - Learning to identify and apply equitable development strategies can prepare your community to get involved and guide local investments to deliver benefits that can be shared by all.
- **Sustainable Strategies for Small Cities and Rural Communities** - Identifying barriers to smart growth in local development codes, programs, initiatives, and policies can help small cities and towns promote community goals, sustainable, and efficient development patterns and economic growth
- Technical expertise and resources to implement land use and development approaches that are sustainable, address strategic priorities, and align with environmental, economic, health, and quality of life goals and objectives
- Building Blocks for Sustainable Communities Program provides quick, targeted technical assistance to selected communities using a variety of tools and a proven methodology.

Contact Information – EPA Region 10 Land Revitalization Program

Margaret Olson,


Land Revitalization Coordinator

Brownfields & Land Revitalization | Land, Chemical, & Redevelopment Division

Portland, Oregon

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(503) 326-5874





Contaminated ANCSA Lands Assistance Overview

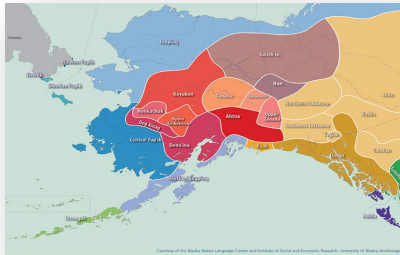
Jeff Estes, Contaminated ANCSA Lands Project Manager

Contaminated ANCSA Lands Assistance Program

Congressional Support

Appropriation Act FY23

- ✓ Provides \$18M for Assessments and Cleanups to
 - ☐ *eligible entities, and*
 - ☐ *Contaminated at the time of conveyance, and*
 - ☐ *who own the lands, and*
 - ☐ *are on the EPA inventory.*
- ✓ Funding provided to eligible applicants through a Cooperative Assistance Agreement.



Appropriations language

Alaska Contaminated Sites: \$20,000,000, to remain available until expended, shall be for grants, including grants that may be awarded on a non-competitive basis, inter agency agreements, and associated program support costs to establish and implement a program to assist Alaska Native Regional Corporations, Alaskan Native Village Corporations, federally-recognized tribes in Alaska, Alaska Native Non-Profit Organizations and Alaska Native Nonprofit Associations, and intertribal consortia comprised of Alaskan tribal entities to address contamination on lands conveyed under or pursuant to the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.) that were or are contaminated at the time of conveyance and are on an inventory of such lands developed and maintained by the Environmental Protection Agency: Provided, That grants awarded using funds made available in this paragraph may be used by a recipient to supplement other funds provided by the Environmental Protection Agency through individual media or multi-media grants or cooperative agreements: Provided further, That of the amounts made available in this paragraph, in addition to amounts otherwise available for such purposes, the Environmental Protection Agency may reserve up to \$2,000,000 for salaries, expenses, and administration.

Contaminated ANCSA Lands Assistance Program

EPA ANCSA Cross-Functional/Division Collaboration

Alaska Operations Office

- Program Management
- Stakeholder Engagement

○ Ken Andraschko

Stakeholder

Cooperative
Agreements

Inventory

Contaminated ANCSA Land Assistance Program

- Cooperative Agreement Project Management
- Funding Program Guidance
- Environmental Work Plans

○ Jeff Estes & Mahri Lowinger

Superfund & Emergency Management Division

- Site Inventory Project Management
- Site Verification Management
- Oversees Technical Assistance

○ Stephen Nguyen & Wally Moon



Contaminated ANCSA Lands Assistance Program

Program Current Status

Program | Status

Program Guidance:

- Funding Guidance vs. 2

Website to be updated:

- Funding Request Template
- Work Plan Template
- Budget Template

ANCSA Inventory | Status

Key Features:

- Constantly updated by EPA
- Provides current land status
- Allows owner to submit new site

Funding | Status

Initially Selected

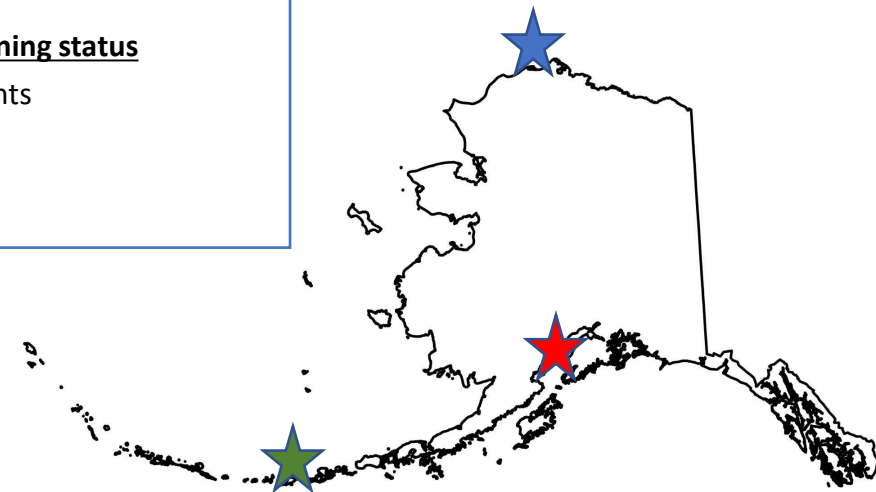
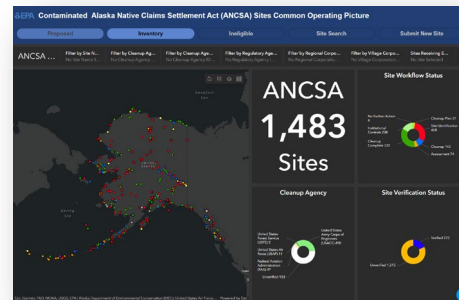
1. Ounalashka Village Corp.
2. Ukpeaġvik Iñupiat Village Corp.
3. Tyonek Village Corp.

Currently in Planning status

- NEPA Assessments

Guidance

FAQs & available
templates



Contaminated ANCSA Lands Assistance Program

Eligibility Requirements



Applicants

- Federally recognized Tribes,
- Alaska Native Corporations,
- Intertribal Consortia



Land ownership

- Contaminated land must be owned by applicant
 - *or applicant must have explicit land access from owner*



Contamination

- From **oil**, either separated or comingled with **hazardous substances**, **pollutants**, and **contaminants as defined by CERCLA** **at the time of conveyance**.



Conveyance

- **Land** or **site** that were conveyed pursuant to ANCSA 1972

Contaminated ANCSA Lands Assistance Program

EPA Priorities and Capabilities

1

Geographic Diversity

Focusing on the greatest needs across the state

2

Climate Change

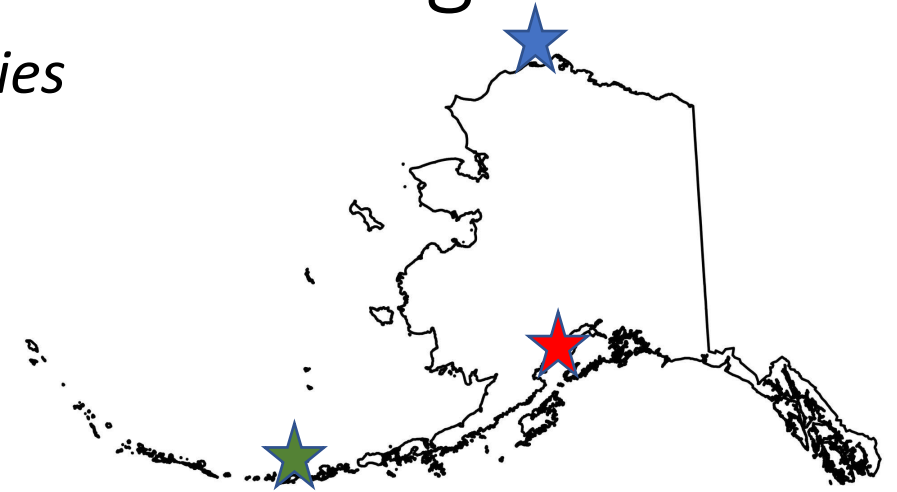
Eligible sites, impacted by climate change.

3

Other Factors

Project that will immediately reduce significant impacts to

- Human health and/or
- Environment



Contaminated ANCSA Lands Assistance Program

Eligible Activities



Community Engagement Activities

- Community engagement,
- Developing culturally sensitive protocol for project implementation,

*Applicable to both **Assessment** and **Cleanups**.*



Assessment Activities

- Conduct a site inventory,
- characterize contaminants,
- conduct site assessments.



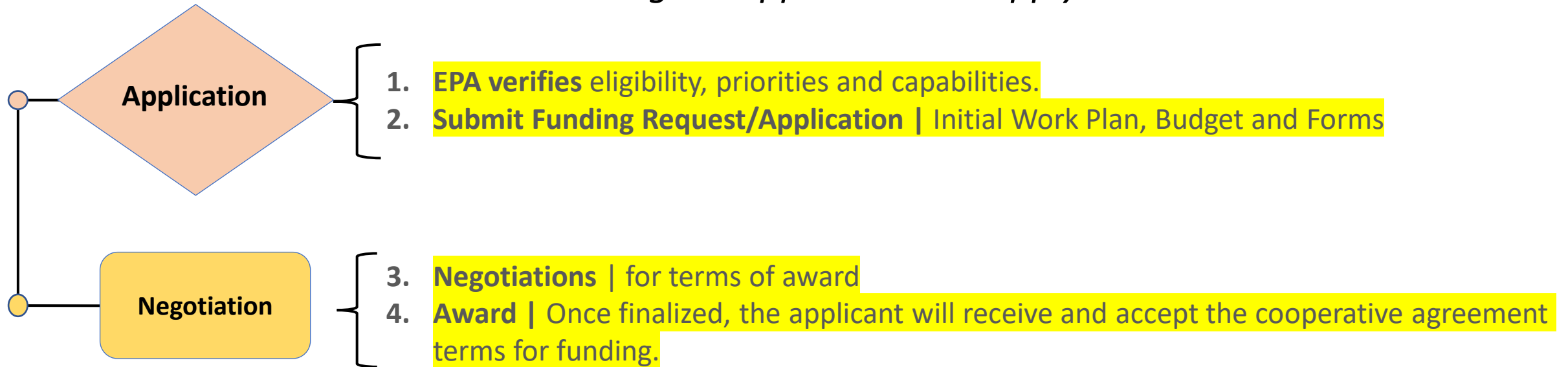
Cleanup Activities

- Developing a site approach and site cleanup plan,
- Conduct cleanup of contamination,
- Conducting confirmation sampling post-cleanup.

Amongst other activities

Contaminated ANCSA Lands Assistance Program

How Eligible applicants can apply



Application may be accepted on a rolling basis
– *To be announced*

Contact Information – EPA Region 10

Contaminated ANCSA Lands Assistance Program


Jeff Estes, PMP

Contaminated ANCSA Lands, Project Manager

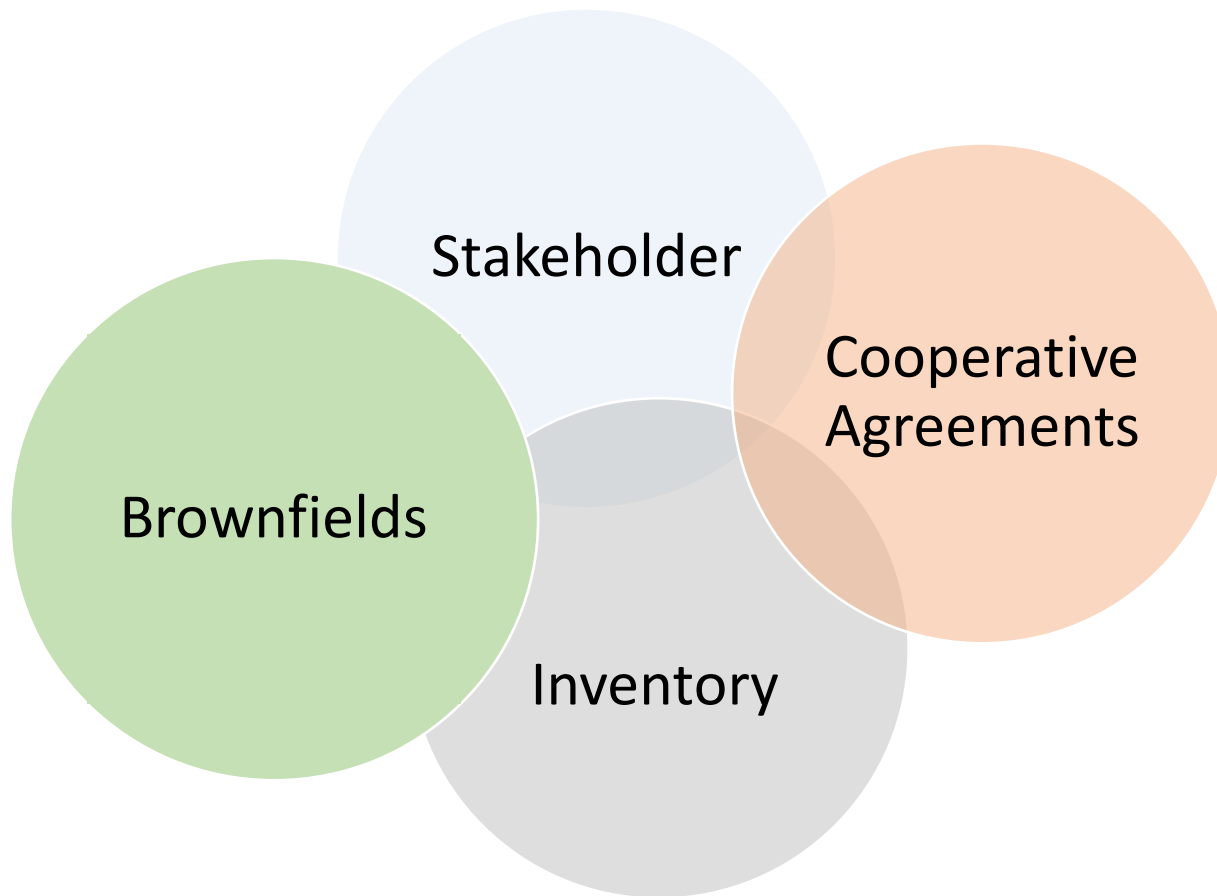
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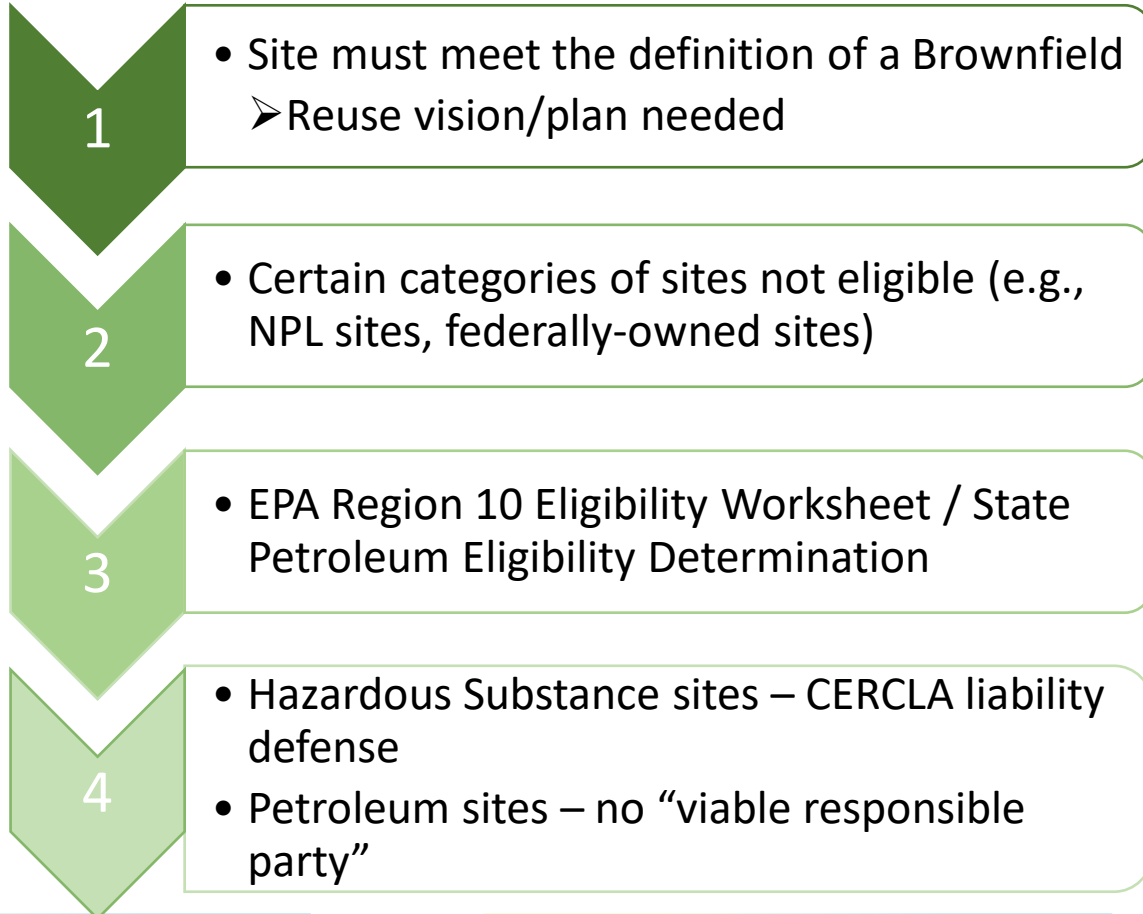
Is my site a “Contaminated ANCSA Site” or a “Brownfield Site”?



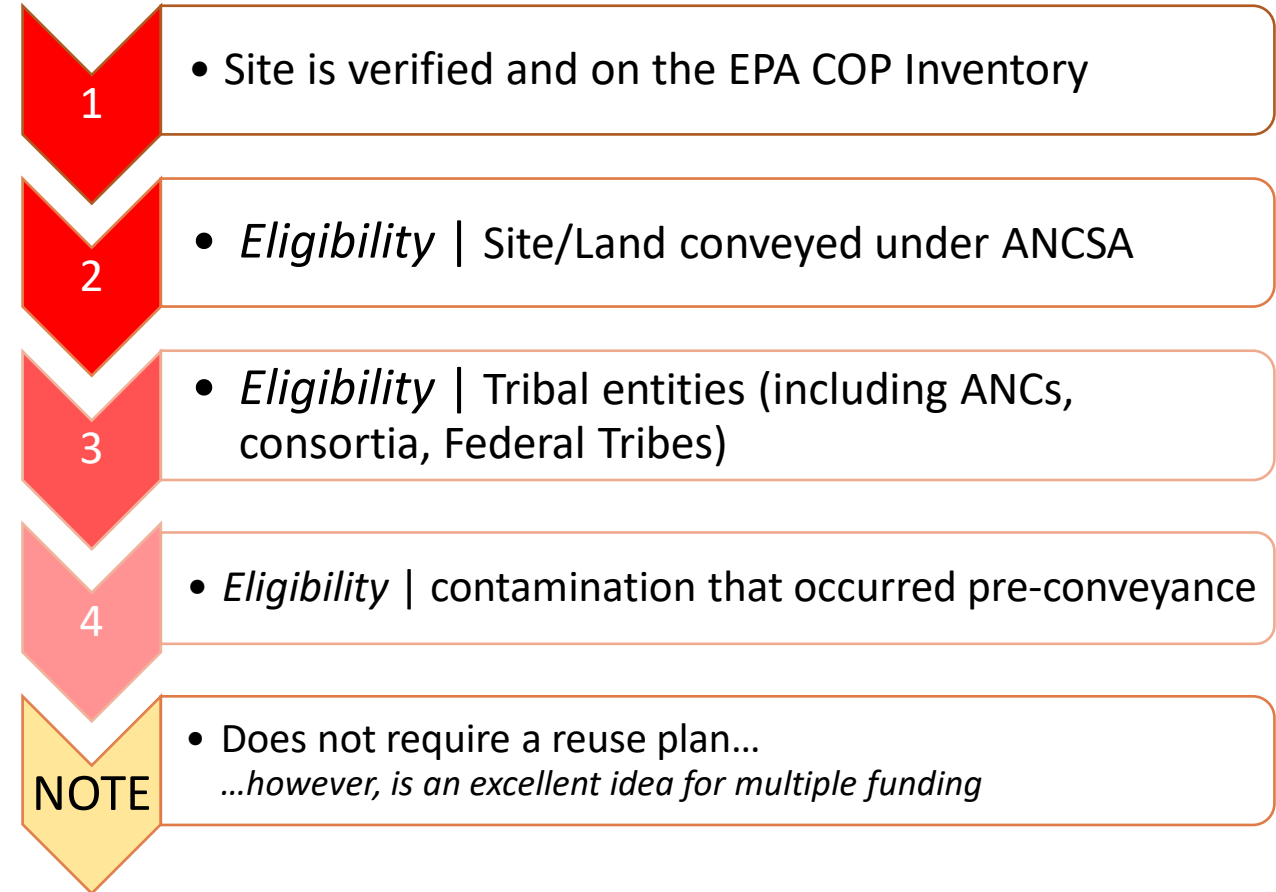
- Multiple funding opportunities
 - Collaboration / Coordination
- Eligibility differences
- Reach out to:
 - EPA Region 10 Brownfields and ANCSA Teams
 - Technical Assistance providers

Eligibility Differences between **Brownfields** & **ANCSA**

Brownfields



ANCSA



Considerations in Evaluating Brownfields Eligibility for ANCSA Conveyed Contaminated Sites

EPA Region 10 Brownfields Program

September 6, 2023

Alaska Native Claims Settlement Act (ANCSA) Conveyed Contaminated Sites Eligibility for EPA Brownfields Funding

This fact sheet is intended to help guide whether ANCSA conveyed contaminated sites may be eligible for EPA Brownfield funding, but EPA and/or Alaska Department of Environmental Conservation (ADEC) will determine the eligibility of each site and applicant depending on the facts of each case.

CERCLA 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.”

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; and
3. Mine-scarred lands.

CERCLA prohibits EPA brownfields grant funds from being used at certain sites, including the following:

1. Sites listed or proposed for listing on the National Priorities List;

For sites that are contaminated primarily with Hazardous Substances:

Alaska Native Village Corporations and Alaska Native Regional Corporations that acquired title to property from the U.S. Government under the Alaska Native Claims Settlement Act are excluded from CERCLA's definition of "owner/operator" and are therefore exempt from CERCLA liability for any previous contamination at the property provided that the Alaska Native Village Corporation or Alaska Native Regional Corporation did not cause or contribute to the contamination.

➤ Entities that satisfy these conditions are eligible for a Brownfields Grant.

See CERCLA §101(20)(E).

Site-specific eligibility determination from EPA required, following standard process for determining eligibility for Brownfields funding.



For sites that are contaminated primarily with Petroleum Products:

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/recipient) through tax foreclosure, abandonment, or equivalent government proceedings, and no responsible party has been identified for the site through:

- a) an unresolved judgment rendered in a court of law or an administrative order;
- b) an unresolved enforcement action by federal or state authorities; or
- c) an unresolved citizen suit, contribution action, or other third-party claim

See Information on Sites Eligible for Brownfields Funding under CERCLA § 104(k).

➤ Conveyance under ANCSA can be considered an “equivalent government proceeding”

Site-specific petroleum eligibility determination letter from ADEC and eligibility determination from EPA required, following standard process for determining eligibility for Brownfields funding.



EPA Region 10 Brownfields / ANCSA Teams

Jeff Estes
Mahri Lowinger
Ken Andraschko



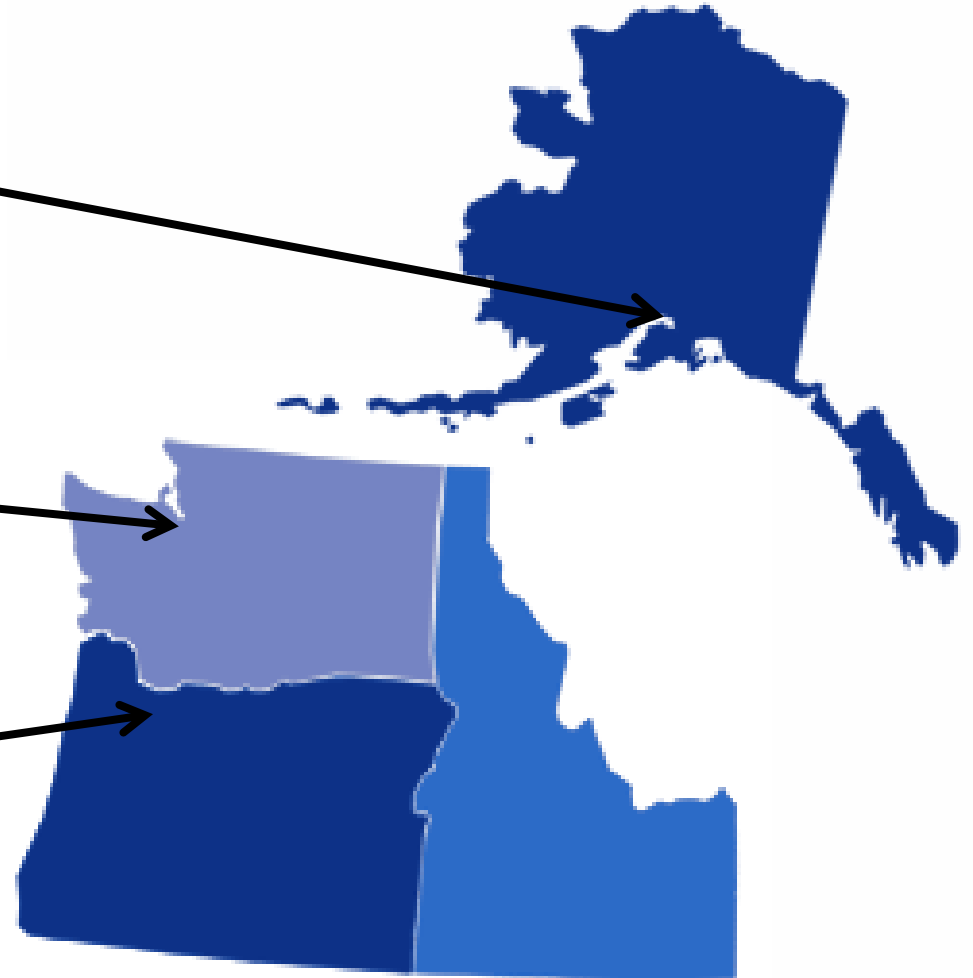
Molly Vaughan
Tim Mayers

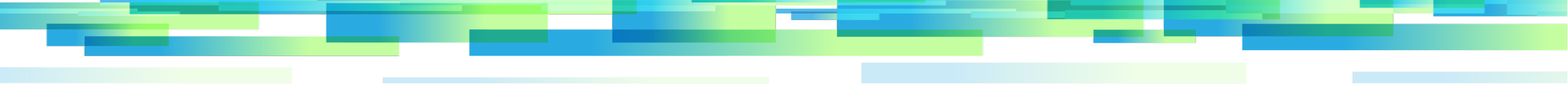


Terri Griffith
Madison Sanders-Curry
Angel Ip
Meredith Lightbody
Amy Baker
Krista Rave-Perkins
Sarah Frederick
Robert Miller



Margaret Olson





Any Questions?