Addison County Brownfields Program

9am Thursday March 31, 2022

Economic Development Committee

ACRPC Planner, Andrew L'Roe

alroe@acrpc.org

Meeting Agenda

- Introductions
- Brief Brownfield Background
- ACRPC Brownfield Program- objectives and timeline
- Committee Request
  - Approve extending current assessment contract
  - Approve moving ahead on current set of known sites
  - Solicit and review additional project applications
- Set date for next meeting

What is a Brownfield?

"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" - US EPA

Can Include:

- Former industrial properties
- Manufacturing facilities
- Gas Stations
- Downtown office space
- Vacant Land

Recent Brownfields Projects in Addison County

Not many industrial sites in County

ACRPC managed 8-10 brownfield cleanup projects in 2008-2012, including:

- Silver Towers in Ripton/Goshen
- Shade Roller Mill in Vergennes
- Junkyard in Whiting
- Several in Middlebury
  - Dollar Store & Laundromat on Court St/Route 7
  - Former High School, now Recreation Field- Creek Rd
  - American Standard/Connor Homes- Route 7

Why is Brownfield Redevelopment Important?

Environmental Benefits

- Cleanup contamination
- Prevents sprawl, preserves greenspace and farmland
- Reduces health and safety hazards
  - Exposure to contamination
  - Derelict buildings, hazardous building materials

Why is Brownfield Redevelopment Important?

Benefits to communities

- Economic development – new jobs, increase the local tax base
- Societal benefits - healthier lifestyles, better access to basic needs, increases walkability of downtowns, increase in community pride
- Opportunities for quality housing, recreational space, and healthy food options
- Reduced crime, vandalism, drug use

Advantages to developers

- Reuse of existing buildings
- Infrastructure already in place
- Prime locations (downtowns, waterfronts)
- Other financial incentives

Brownfields & Liability

If you own a property, you are liable under state/federal law **even if you did not cause or contribute to the contamination in any way.**

Defenses to Federal liability under CERCLA

State liability protection through BRELLA

What is Typically Involved with Redeveloping a Brownfield?

1. Site Identification/ Planning/ Communication
2. Environmental Investigation (Phase I before purchase)
3. Site Acquisition/ Further environmental investigation
4. Environmental remediation and Redevelopment

Steps for Brownfield Assessment & Cleanup

The steps for a potential brownfield assessment cleanup include,

- **Phase 1 ESA** (Identify recognized environmental conditions before a property purchase)
- **Phase 2 ESA** (Site investigation to identify any contamination and assess the degree and extent of any release)
- Prepare an Evaluation of Corrective Action Alternatives report
- Prepare a **Corrective Action Plan (CAP)**
- Implement CAP, submit a Corrective Action Construction Completion report
- Receive a Certificate of Completion

Phase I ESA

- All Appropriate Inquiries
- Defense to Federal Liability Protection
- Bonafide Prospective Purchaser (BFPP) Status
- Eligibility for cleanup $$

1 year shelf-life, with updates needed if older than 6 months

Identify **Recognized Environmental Conditions** (RECs): the *presence* or *likely presence* of any hazardous substances or petroleum products in, on, or at a property

- Records Review
- Site Visit
- Interviews
  - Present and past owners and operators
  - Local government officials

Estimated Time for completion:

3-4 weeks

Vermont's Brownfields Reuse and Environmental Liability Limitation (BRELLA)

- The only way to be protected from strict liability in Vermont
- Prospective purchasers and innocent current landowners can participate ($500 application fee)
- Investigate all RECs, characterize and cleanup the property
- Receive a Certificate of Completion

State Brownfields Revitalization Grant Assessment Program

- The Mount Ascutney Regional Commission (MARC) is administering $1M of funding provided by the Vermont Agency of Commerce and Community Development (ACCD) **State Brownfields Revitalization Grant Assessment Program** to provide brownfields assessment funding to eligible entities throughout the State through the regional planning commissions.
- $50,000 to ACRPC

State Brownfields Revitalization Grant Assessment Program

- To be eligible for funding, project sites have to be BRELLA eligible, if not enrolled.
- Costs for BRELLA applications $500 and fees are eligible expenses under this grant program and should be included in a project budget if a site is not enrolled.
- Eligible project work:
  - Phase I ESA
  - Phase II ESA
  - Supplemental Assessment
  - Site Specific Quality Assurance Project Plan (SSQAPP)
  - Hazardous Building Materials Assessment (HBM)
  - Evaluation of Corrective Action Alternatives (ECAA)
  - Corrective Action Planning Activities (CAP)

EPA Community-Wide Assessment Grant application

- October- put out Request for Qualification (RFQ)
  - Selected Stantec Consultants (National, with offices in South Burlington and Rochester, NY)
  - Free to prepare Application, Contract to do the work if Received
- November- December- prepared and submitted grant application

•**$500,000** to assess sites potentially contaminated by hazardous substances, pollutants, contaminants, and/or petroleum.
•Will find out if grant is Received sometime “this Spring”

•The performance period for these grants is three years.

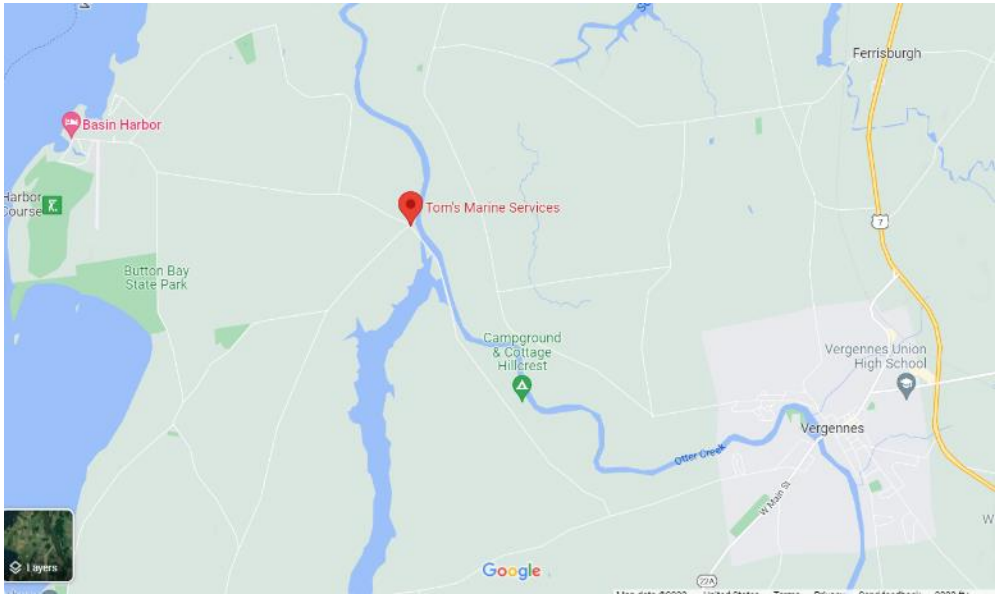
Next steps for the ACRPC Brownfield Committee

- Discuss and Approve extending existing assessment contract to Stantec

- Approve moving ahead on currently known set of sites (descriptions on following slides)

Sites for Consideration

- Ferrisburgh Marina



Sites for Consideration

- Maverick Gas Station, Middlebury

Sites for Consideration

- Alley between Opera House/Town Hall and St. Paul's Episcopal Church, Vergennes

Other Potential Sites for Consideration

- Bristol's Public Works facility/Town Garage
- **Route 7 sites** Ferrisburgh, New Haven
- **Vergennes-** Northland Job Corps (Old Weeks school)
- Panton- former gas station
- Addison- farm supply/fertilizer store

Review other Potential Sites

- ACRPC will solicit sites of interest in monthly Newsletter, through ACEDC, and municipal contacts
- A.L'Roe will create application form with necessary information so Committee can compare and evaluate sites
- Next meeting in ~1 month (later April) for updates

Thank You!

For questions or more information, please contact

ACRPC Planner

Andrew L'Roe

802-388-3141 x3

alroe@acrpc.org