Addison County Brownfields Assessment Funding 2023

In 2022 Addison County Regional Planning Commission (ACRPC), with the assistance of ACEDC, received a Brownfields Community Wide Assessment (CWA) grant to create a brownfields inventory, prioritize revitalization opportunities, pay for enrollment in the state's liability limitation program, perform Environmental Site Assessments (ESAs) and conduct site cleanup planning and reuse planning across the region. ACRPC has hired the Stantec Corp. to provide these services. The federal Environmental Protection Agency reviews an application for each assessment activity and approves payment from the CWA grant.

The ACRPC grant will pay for Stantec to do Phase I and Phase II Environmental Site Assessments, Supplemental Site Investigations, Regulated Building Material Surveys and Corrective Action Plan development, Sampling and Analysis Plans, Health and Safety Plans, and some Site-Specific Cleanup/Reuse Plans can also be covered. In short, the funding can cover all assessment work up to the point of clean up.

These assessment activities will be conducted by Stantec Corp and reimbursement provided through ACRPC.

The CWA grant will also assist with application to the State of Vermont's Brownfields Reuse and Environmental Liability limitation Program (BRELLA) and pay the fee for enrollment for a limited number of sites.

Steps for Brownfield Assessment & Cleanup

The steps for a potential brownfield assessment cleanup usually 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.
- **Regulated Building Material Survey** for any buildings to be altered (for lead, asbestos, etc.)
- Preparation of a **Corrective Action Plan (CAP) and** Evaluation of Corrective Action Alternatives report
- **Clean-Up- Implementation of CAP**
- Submission of a Corrective Action Construction Completion report.

Potential Brownfield Sites

Do you want to purchase or develop properties in Addison County, but think they might have environmental contaminants from previous activities?

These types of properties could include **old gas stations**, **auto repair shops**, **dry cleaners, landfills, junkyards, industrial buildings**, or **vacant sites** where any of these used to be or adjoining them.

They can also by any **old buildings** that may have asbestos-containing material (ACM), lead-based paint (LBP), and polychlorinated biphenyls (PCBs), or universal wastes such as mercury-containing equipment, fluorescent light tubes, equipment with radioactive sources, ozone depleting substances, batteries, and more.

If you have properties that may be candidates for assessment and cleanup, **please contact** planner **Andrew L'Roe at the Addison County Regional Planning Commission**:

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Addison County
REGIONAL PLANNING COMMISSION

Brownfields Liability and Cleanup Funding Sources

In Vermont, as in other states, owners of contaminated property may be liable for cleanup regardless of whether or not they caused the contamination. Liability for environmental cleanup of a contaminated property can continue even after a property is sold to an innocent party and may never be completely resolved. By enrolling in the BRELLA program and conducting a Phase I ESA before purchasing a potential brownfields property, a new owner would be taking responsibility for investigation and cleanup, but would not be held liable for any additional material release (10 V.S.A. 6653) [1].

Brownfields Reuse and Environmental Liability limitation Program (BRELLA) [2]

Enrollment in BRELLA is the only way to be protected from strict liability in Vermont; participation provides a way out of the liability chain and enables redevelopment to proceed knowing that legal and financial risks associated with contamination have been put to rest. Prospective purchasers and persons who already own a brownfield property, provided that they did no cause or contribute to the contamination, can participate.

Applicants must post public notice of their intent to apply, as well as attend a pre-application meeting to discuss their project and get answer to their questions. The applicant submits a completed application and a non-refundable $500 application fee. The applicant will receive an eligibility determination within 30 days.

Once cleanup goals are achieved through the issuance of a Certificate of Completions, the landowner is protected against the discovery of additional contamination and the establishment of more stringent cleanup standards. The benefits of BRELLA and the Cleanup Certificate attached to the property and may be transferred to successor owners, enhancing the property's value and marketability.

Cleanup Funding

There are number of cleanup funding sources available from state and federal agencies[3], with more available to property owners that are in the BRELLA program and conducted a Phase I ESA, including:

- Vermont Petroleum Cleanup Fund (PCF)
- VT Brownfields Revitalization Fund (BRF) [4]- state grants,
- EPA Brownfields Revitalization Fund (BRF)- federal grants and loans
- EPA Cleanup Grants[5]- federal grants
- Brownfields Response Program (Vermont DEC)- revolving basis, gap funding
- Vermont Community Development Program (through US HUD)- up to $1,000,000
- Tax Credits for Downtowns and Village Centers (Vermont ACCD)- up to $50,000
- New Market Tax Credits (NMTC)- U.S Department of the Treasury

More information can be found in the **Vermont Brownfields Handbook**:

https://dec.vermont.gov/sites/dec/files/wmp/Sites/03.2023.brownfields.handbook.final.pdf

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[1] 10 V.S.A. § 6653: https://legislature.vermont.gov/statutes/section/10/159/06653
[2] Vermont Brownfields Reuse and Environmental Liability limitation Program: https://dec.vermont.gov/waste-management/contaminated-sites/brownfields/BRELLA
[3] Brownfield Implementation Resources: https://dec.vermont.gov/sites/dec/files/wmp/Sites/Brownfield%20Implementation%20Resources%20Feb%202019.pdf
[4] ACCD Brownfields Revitalization Fund: https://accd.vermont.gov/economic-development/funding-incentives/brownfields
[5] EPA Brownfields Cleanup Grants: https://www.epa.gov/brownfields/brownfields-cleanup-grants