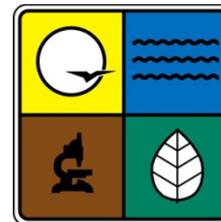


Basics of Brownfields



MISSOURI
DEPARTMENT OF
NATURAL RESOURCES

Quick History

CERCLA aka Superfund Act

- Stands for Comprehensive Environmental Response, Compensation and Liability Act
- Federal law created in 1980 that provides authority to clean up releases or threatened releases of hazardous substances that could or are endangering public health and the environment.
- Names a potentially responsible party (PRP) that could be held liable for clean up costs...(sometimes tens of millions of dollars)

Side Effects of CERCLA

- Joint and several liability provisions in CERCLA said that every past and present owner of a contaminated property can be held fully responsible for all cleanup costs, regardless of fault.

Innocent Landowner Defense

Superfund Amendments and Reauthorization Act (SARA)

- SARA on October 17, 1986, holding that “the defendant must have undertaken at the time of acquisition an all appropriate inquiry into the previous ownership and uses of the property consistent with good commercial or customary practice in an effort to minimize liability

SBLRBRA

- In 2002 the Small Business Liability Relief and Brownfield Revitalization Act “the Brownfields law” was signed by President Bush
 - Exempted some entities and property owners from Superfund Liability
 - Provided funding for grants and brownfields programs
 - Exempts certain prospective purchasers from Superfund

So What is a Brownfield?

EPA Definition of a Brownfield is... **Brownfields** are 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.

Why redevelop a brownfield?

- Preserving undeveloped greenspace.
- Cleaning up contaminated properties, thereby mitigating potential health risks.
- Returning properties to tax rolls.
- Creating employment opportunities.
- Removing blight/rejuvenating dilapidated areas.

Brownfields...Not brownsfields :)

The brownfields program was created to increase the redevelopment of possibly contaminated or contaminated sites by allowing liability relief for purchasing the potentially contaminated or contaminated sites.

What is All Appropriate Inquiry?

- All Appropriate Inquiry, or AAI, is a process of evaluating a property's environmental conditions and assessing potential liability for any contamination.
- A Phase I Environmental Site Assessment, or ESA, conducted according to the ASTM International standard 1527-05 satisfies the AAI requirement.

Environmental Assessments & Liability Relief

- Environmental site assessments determine if contamination is present
- Answers questions regarding potential cleanup costs and associated environmental liability
- Potential buyers of a brownfield may reduce their liability if an appropriate environmental site assessment is conducted in a manner that meets the requirements of an All Appropriate Inquiry (AAI).
- In our program environmental assessments are typically broken into Phase I and/or Phase II

So what exactly is a Brownfield???????

Let's look at some examples.

Alliance Medical Warehouse



Holt Junk Yard



Pulse Family Properties



Shreve Service Station



Phase I Assessment

The goal of the Phase I assessment is to identify recognized environmental conditions (REC's) that may be further investigated in the Phase II assessment.

- A REC is defined by ASTM International 1527-05 as “the presence or likely presence of any hazardous substances or petroleum products on a property under conditions that indicate an existing release, a past release or a material threat of a release of any hazardous substances or petroleum products into structures on the property or into the ground, ground water or surface water of the property.”

What type of information is collected during the inquiry and Phase I Assessment?

Records review - All state and federal environmental records will be reviewed to identify any contaminated sites in the vicinity of the property. Historical sources such as chain of title documents, aerial photographs, building department records and land use records will be reviewed to determine previous ownership, uses and occupancy since first development. Data gaps will be identified and documented when usage information is not available.

Property Uses

All historic uses of the property and adjacent properties will be identified and all recorded land and title information will be collected back to original development or 1940 whichever is earlier with the property.

Site Reconnaissance

- The property and adjacent properties will be observed visually and physically.
 - This includes identification of all physical characteristics of the property including geologic and topographic

Interviews

Owners and occupants or adjacent property owners and occupants will be interviewed to obtain information about the recognized environmental conditions in connection

Phase II Assessments

- A Phase II assessment evaluates known releases or likely release areas identified in the Phase I as a REC (recognized environmental condition) to determine the presence of hazardous substances.

What types of sampling may be conducted during the Phase II Assessment?

- The following media may be sampled during a Phase II assessment:
 - Soil.
 - Sediment.
 - Groundwater.
 - Surface water.
 - Drums and other containers.
 - Tanks.
 - Building materials (e.g., asbestos and lead paint).

The Missouri Department of Natural Resources has a Brownfield Assessment Program. We have completed 703 assessments on properties across the state

This program is intended to **START** you on the road to redevelopment of brownfield properties in your area.

- Help meet AAI for liability relief
- Help find funding for redevelopment

One of the most basic purposes of this program is to help spur redevelopment in communities

Missouri Department of

Natural Resources



Mission Missouri Sikeston, MO

- Mission Missouri House of Liberty in Sikeston, Missouri was a 14,678 square foot building built in 1956, with its major prior use as a nursing home. Phase I & Phase II determined “No cleanup” was necessary, because of this they were able to rehab building.

Mission Missouri (MM) is a faith-based social services agency specializing in
Recovery Support Services

This includes services such as Alcoholic and Narcotics Anonymous,
prison release rehabilitation, soup kitchen & food pantry



Soup Kitchen

Mission Missouri has become an experienced team that has and can successfully manage state and federal grants, including \$1.5 million substance abuse grant funded by the Missouri Foundation for Health

They have received additional grants including:

- Missouri Association of Community Task Forces:
- U.S Department of Health and Human Services, Substance Abuse and Mental Health Services Administration
- Department of Natural Resources
- Church Donations
- Community Donations
- Department of Corrections and Probation and Parole

Missouri Department of
Natural Resources



Serenity Garden



The Brownfield Assessment Program can help
your community with redevelopment

If you have any questions about the assessment
program feel free to call or email me.

Thank you!

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