





Virginia Brownfields & VRP Program Resources

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What is a brownfield?

- "Brownfield" means 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.
- Very broad definition that includes a wide variety of sites.

§ 10.1-1231. Brownfield Restoration and Land Renewal Policy and Programs

- It shall be the policy of the Commonwealth to encourage remediation and restoration of brownfields by removing barriers and providing incentives and assistance whenever possible. The Department of Environmental Quality and the Economic Development Partnership and other appropriate agencies shall establish policies and programs to implement these policies, including a Voluntary Remediation Program, the Brownfields Restoration and Redevelopment Fund, and other measures as may be appropriate.

Examples of Brownfields Sites



Examples of Brownfields Sites



Why the Voluntary Remediation Program & the Brownfields Program?

- Helps you understand actual or perceived environmental conditions
 - Resolves legacy environmental concerns
 - Can help remove environmental liability for prospective purchasers
 - Promotes community engagement
 - Federal and state grants potentially available
 - Often sparks community wide revitalization
- <http://www.deq.virginia.gov/programs/landprotectionrevitalization/remediationprogram/brownfields.aspx>

Virginia Brownfields Restoration & Economic Development Assistance Fund (VBAF)

- Available to local government entities.
- \$2.25 million budgeted in FY20 and again in FY21
- Key tool for small challenged communities
- Over 118 Assessment & Planning Grants have been awarded across Virginia. The typical award is \$50,000 and these are available on rolling basis.
- 12 Remediation grants for up to \$500,000 are periodic basis
 - These grants are competitive and due typically on or near Nov. 1 each year.
- VBAF Grants require a 1 to 1 match. Other grants can be used as the match.
 - Grant review team very flexible on match allowed.
- **Pandemic has delayed FY2021 funding.**

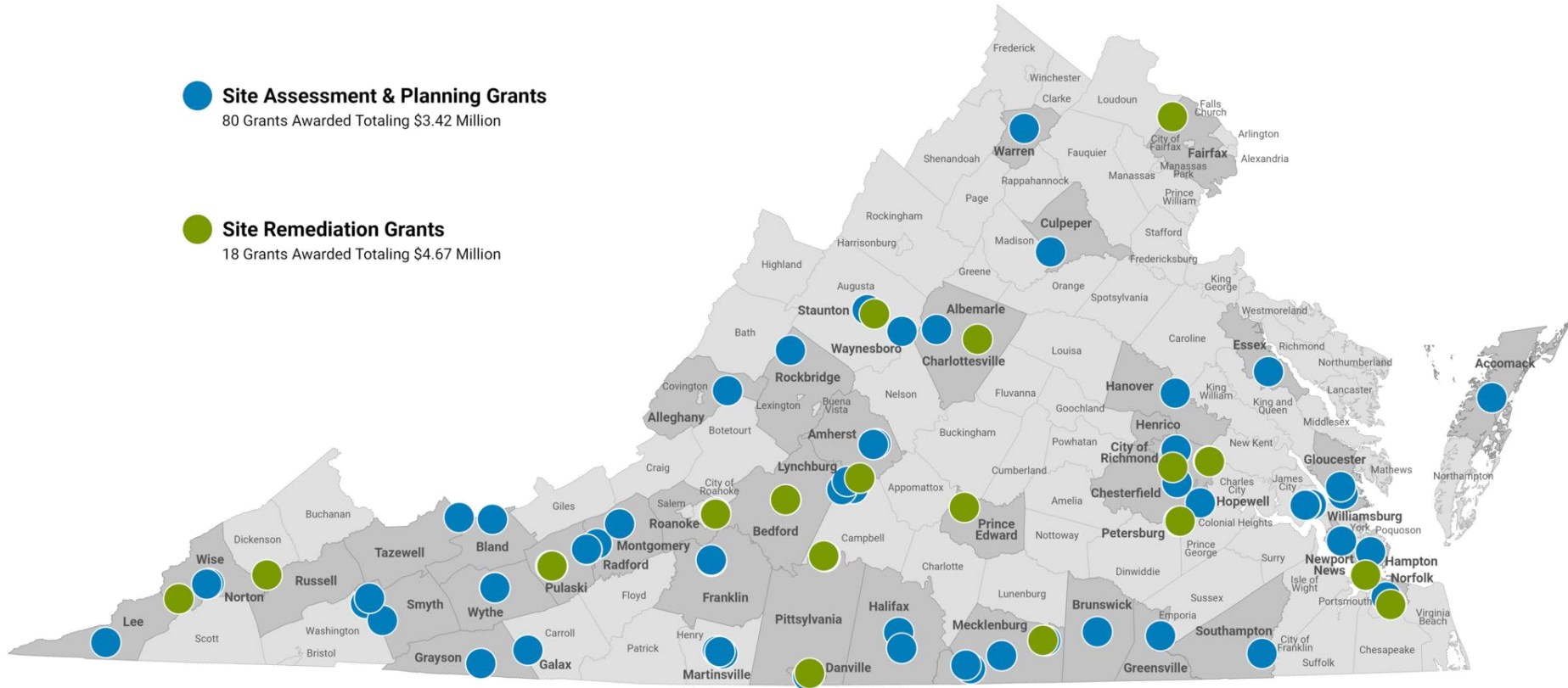
<https://www.vedp.org/brownfields>

VIRGINIA BROWNFIELDS ASSISTANCE FUND GRANT RECIPIENTS

FY12 to March 15, 2019

Site Assessment & Planning Grants
80 Grants Awarded Totaling \$3.42 Million

Site Remediation Grants
18 Grants Awarded Totaling \$4.67 Million



EPA Brownfields Grants

- EPA Brownfields Grants are a great resource. Past grantees have leveraged these funds to benefit their community at Brownfields sites and beyond.
- Includes: Assessment, Cleanup, Multipurpose, Revolving Loan Fund, and Job Training grants.
- For more information visit the link below:

<https://www.epa.gov/brownfields/types-brownfields-grant-funding>

EPA Free Site Assessment to Brownfields Communities

- Targeted Brownfields Assessment(TBA)
 - This is one of the best ways for communities to get started without out of pocket cost.
 - The application is easy and at the end of the day EPA provides you with Environmental Assessments to kick start your revitalization.
 - For more information visit the link below.

<https://www.epa.gov/brownfields/brownfields-and-land-revitalization-delaware-maryland-pennsylvania-virginia-west>

EPA Free Technical Assistance to Brownfields

- Technical Assistance to Brownfields (TAB)
 - Through a grant provided by the USEPA, the New Jersey Institute of Technology (NJIT) offers free technical assistance and training program services to EPA Brownfields grantees and those seeking Brownfields grants.
 - For more information visit the link below.

<https://www.njit.edu/tab/>

DEQ Brownfields Program Assistance

- DEQ Brownfields staff is committed to the revitalization of Brownfields across the Commonwealth.
- DEQ offers Brownfields Individualized Outreach (BIO) to any community interested.
 - This means staff will work directly with your community to help determine your brownfields needs and help get you started writing your own success story.
- DEQ staff can provide assistance with coordination of regulatory issues on a Brownfields site with other state or federal programs.

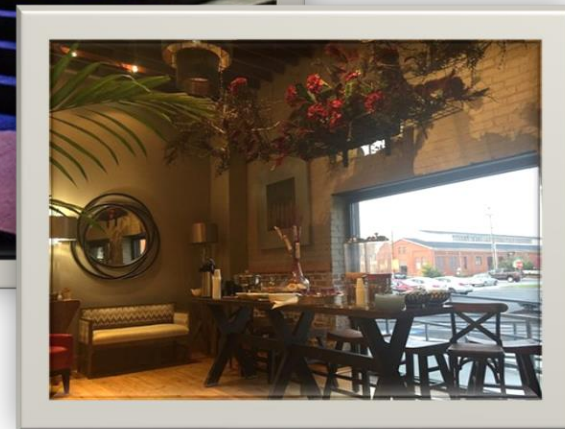
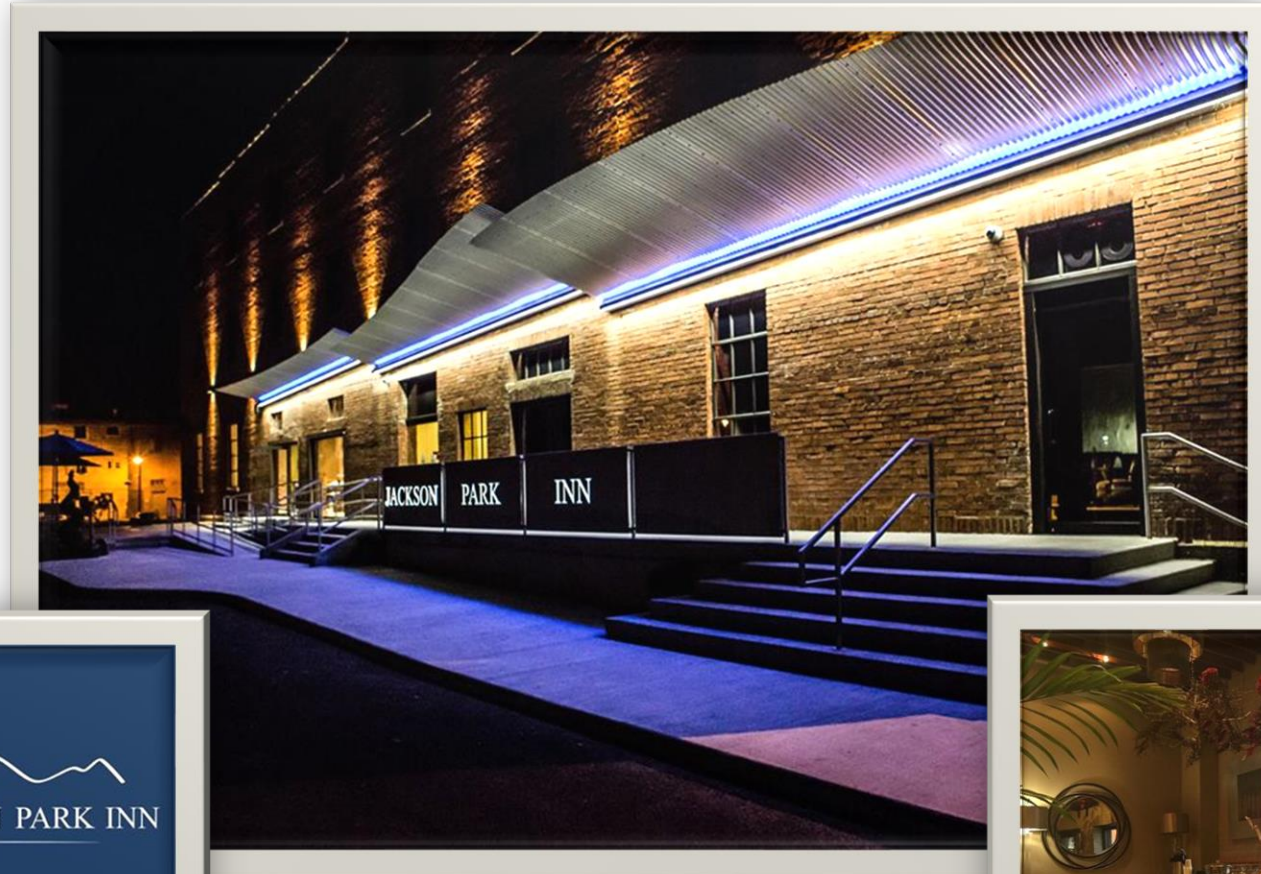
Town of Pulaski – Dunnivant Building - Before



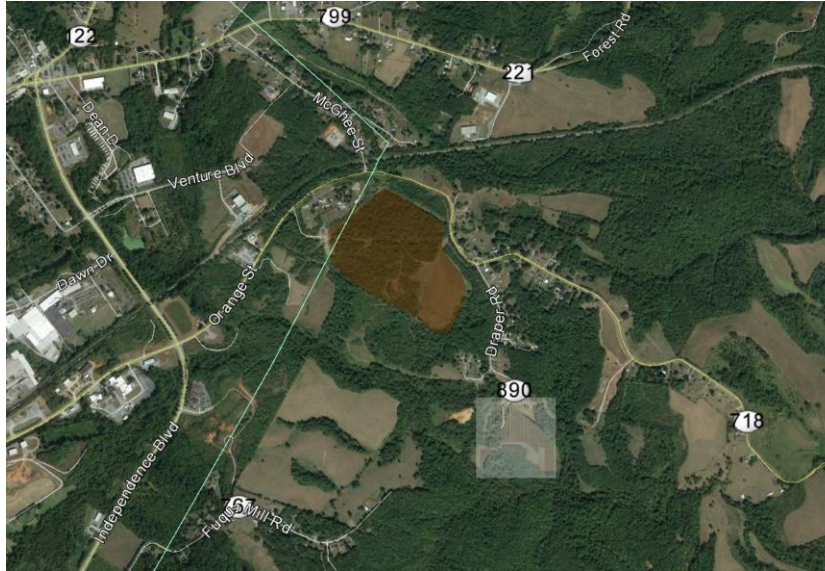
Town of Pulaski – VA Wood Products - Before



Town of Pulaski – Jackson Park Inn – After



Town of Bedford Solar Project



Project Size

- 3 MW AC/3.6MW DC
- 4.5 Million kWh
- 450 households

Benefits

- Job creation & training.
- Regional and state-level public relations
- Economic development: Attract Large Employers
- Locally generated energy with long term cost stability



“Comfort” Letters

- Once your due diligence is complete (Environmental Site Assessments), DEQ can assist with environmental liability relief letters.
- “Comfort Letters” may include a Bona Fide Prospective Purchaser (BFPP), Lender Liability, Tenant Liability, and Contiguous Property Owner (CPO) letters.
- For more information visit our website or contact brownfields program staff.

<http://www.deq.virginia.gov/Programs/LandProtectionRevitalization/RemediationProgram/Brownfields.aspx>

DEQ Voluntary Remediation Program (VRP)

- Many brownfields sites require active cleanup or owners/investors want even more assurances as they commit resources to redevelopment.
- Virginia offers a Voluntary Remediation Program that can provide that comfort.
- Legislation passed in 1995
- Regulations passed in 1997
- Provides enforcement immunity when the cleanup is completed
- MOA with the EPA means no further interest when completed
- For more information visit the DEQ VRP website or contact program staff.

<http://www.deq.virginia.gov/programs/landprotectionrevitalization/remediationprogram/voluntaryremediationprogram.aspx>

Northern Virginia Voluntary Remediation Work

- Alexandria, Arlington and Fairfax represent approximately 1% of Virginia's land mass yet represent 25% of the VRP work
- The former Potomac Rail Yard has over 20 VRP projects
- The Carlyle area of Alexandria has over 20 VRP projects
- Commercial and industrial sites being converted to mixed use commercial & residential
- High real estate values have local governments enrolling contaminated real estate into VRP to complete cleanup to risk based cleanup standards especially to provide confidence the public the land is safe for reuse ie Long Bridge Park in Arlington

Drycleaners Not So Clean & The Bain of the Strip Malls

- There is no shortage of drycleaners in the Metro area
- 43% of the sites enrolled in the VRP are drycleaners
- Most enrollments are related to property sales or resolving environmental issues prior to or after a property sale or to satisfying the requirements of the lender
- Most challenging are the small parcel stand alone facilities whether from a historic use or currently operational facility
- Drycleaning chemicals present unique issues to cleanup
- Off site plumes are difficult to manage due to potential for Vapor Intrusion

Trails and Brownfields

- We consider abandoned rail lines to be brownfields
- Can provide BFPP comfort letters
- Have provided Virginia Brownfield Assistance Fund grants for assessment and planning when an agreement has been made for economic development
- A number of our VRP projects are related to a recreational reuse component
- Enrollment and completion of the VRP provides enforcement immunity for liability which in turn could provide an incentive for railroads to participate in a land deal
- DEQ worked with West Virginia DEP on a risk based exposure model for the rail trail projects
- Trail development (ie surface capping for the path) would also be considered “remediation”

Postage Stamp Parcels and Brownfields

- Small parcel brownfields are one of the most challenging types of sites
- Most are located in historic mixed use residential neighborhoods which present challenges for site access, assessment, remediation and often the structure covers much of the property
- Drycleaners are the most common, but “pocket” junkyards are becoming an increasing issue
- Depending on property values the cost of cleanup may exceed financial ability of the property owner and/or the value of property
- Few resources (grants or low interest loans) for private individuals
- Local government reluctant to take on these postage stamp sites for obvious reasons without being part of a grant cleanup proposal

Asbestos & Lead Based Paint

- Virginia DEQ does not have regulatory oversight into Asbestos and LBP
- Both are handled by licensing process handled through the Virginia Department of Professional and Occupational Regulation
- Asbestos & LBP we have found to be a costly component to revitalizing existing structures particularly in our more historic neighborhoods
- Asbestos & LBP can be one of the greatest barriers to reuse of structures
- The VBAF team has found some contractors have poor reports documenting the work completed

Brownfield Challenges

- Funding for revitalization that is not driven by well capitalized developers
- Much of the Northern Virginia Brownfield & VRP work is developer driven
- Postage stamp parcels with high real estate value are a challenge even in NVa
- Postage stamp parcels with low real estate value are an exceptional challenge especially in the more rural areas
- Small urban brownfield parcels are often owned by families or heirs and under capitalized for dealing structural issues of existing buildings or environmental contamination
- These “small owners” are often not knowledgeable regarding environmental issues nor do they have good legal representation as well as have unrealistic value for what is a distressed property