

How we support and promote brownfield redevelopment!



**Minnesota Pollution
Control Agency**

What is a Brownfield Site?



Minnesota Pollution Control Agency

What is a Brownfield Site?



Minnesota Pollution Control Agency

Due Diligence

- ∅ Typically starts with a Phase I Environmental Site Assessment (Phase I ESA) report.
- ∅ Know the Property history
 - ∅ Suspected contamination?
 - ∅ Known contamination?
 - ∅ Affect on current or planned Property use?
- ∅ Is cleanup required?



Brownfields and Phase I ESAs

- ∅ BF sites are usually identified during the property transaction process.
- ∅ Lenders require a Phase I Environmental Site Assessment (ESA).
 - ∅ May identify past/present activities, occupants, uses, etc. that indicate contamination may be present.
- ∅ If the Phase I ESA identifies Recognized Environmental Conditions (RECs), then a Phase II ESA may be needed.
 - ∅ Collection of soil, groundwater, and/or soil gas samples for analysis of contaminants.



Brownfields and Phase I ESAs

- ∅ If contamination is present at the Site, you and/or your lender may want certain assurance letters from the MPCA's Brownfield Programs.
- ∅ Contamination is not the responsibility of the new owner.
- ∅ Contamination does not require cleanup.
- ∅ Contamination cleanup has been completed.
- ∅ Contamination risk is being managed.
- ∅ The act of lending does not associate an entity with the contamination, etc.



Minnesota's Brownfield Programs

- Ø Minnesota Pollution Control Agency (MPCA)
 - Ø Voluntary Investigation and Cleanup (VIC) Program
 - Ø Former dry cleaners, old dumps, contaminated fill, etc.
 - Ø Hazardous substances: Metals, VOCs, PAHs, PCBs
 - Ø Petroleum Brownfields Program (PBP)
 - Ø Former gas stations, bulk plants, railroads, etc.
 - Ø Tank or Non-Tank sources.
 - Ø Activities undertaken solely for redevelopment are not reimbursable by Petrofund.
- Ø Minnesota Department of Agriculture (MDA)
 - Ø Agricultural Voluntary Investigation and Cleanup (AgVIC) Program
 - Ø Sites with agricultural related contamination.
 - Ø Fertilizers, pesticides, & some arsenic.



MPCA Brownfields Programs

- ∅ Created by the legislature to address liability concerns and provide technical oversight at brownfield sites.
- ∅ Voluntary Parties (VPs) include:
 - ∅ Developers
 - ∅ Local Units of Government
 - ∅ Lenders
 - ∅ Property/Business Owners
 - ∅ Non-Profit Organizations
 - ∅ Anyone involved in buying, selling, financing, or redeveloping contaminated property.



What do the MPCA BF Programs do?

- Ø Brownfield (BF) staff provide technical oversight of investigations and cleanups at sites.
- Ø Fee for service programs, charge \$125/hr/staff person.
- Ø The VIC & PB Programs offer liability assurances.
 - Ø These assurances facilitate property transfer and redevelopment.
- Ø Governed by:
 - Ø MN Statute 115.B, the Minnesota Environmental Response & Liability Act (MERLA), and
 - Ø MN Statute 115.C, the Petroleum Tank Release Cleanup Act.



Assurances Available from VIC & PB

VIC Sites:

- ∅ Lender No Association Determination (Lender NAD)
- ∅ No Association Determination (NAD)
- ∅ No Action (NA) Determination
- ∅ No Further Action (NFA) Determination
- ∅ Off-Site Source (OSS) Determination
- ∅ Certificate of Completion (COC)

PB Sites:

- ∅ Leak Site Tank Removal Verification Letter
- ∅ Leak Site File Closure Confirmation (CloCo) Letter
- ∅ Off-Site Tank Release Determination Letter
- ∅ General Liability (GL) Letter

***Degree of legal protection relates to level of environmental effort!**



MPCA BF Programs Coordination

- ∅ Combined enrollment application
- ∅ Concurrent invoicing
- ∅ Regulated and Unregulated Fill Policies
- ∅ Standard Review & Response Times
- ∅ Combined guidance:
 - ∅ BF Program Services
 - ∅ BF Program Response Action Plans
 - ∅ Vapor Intrusion (guidance & BMPs)
- ∅ Outreach & Training



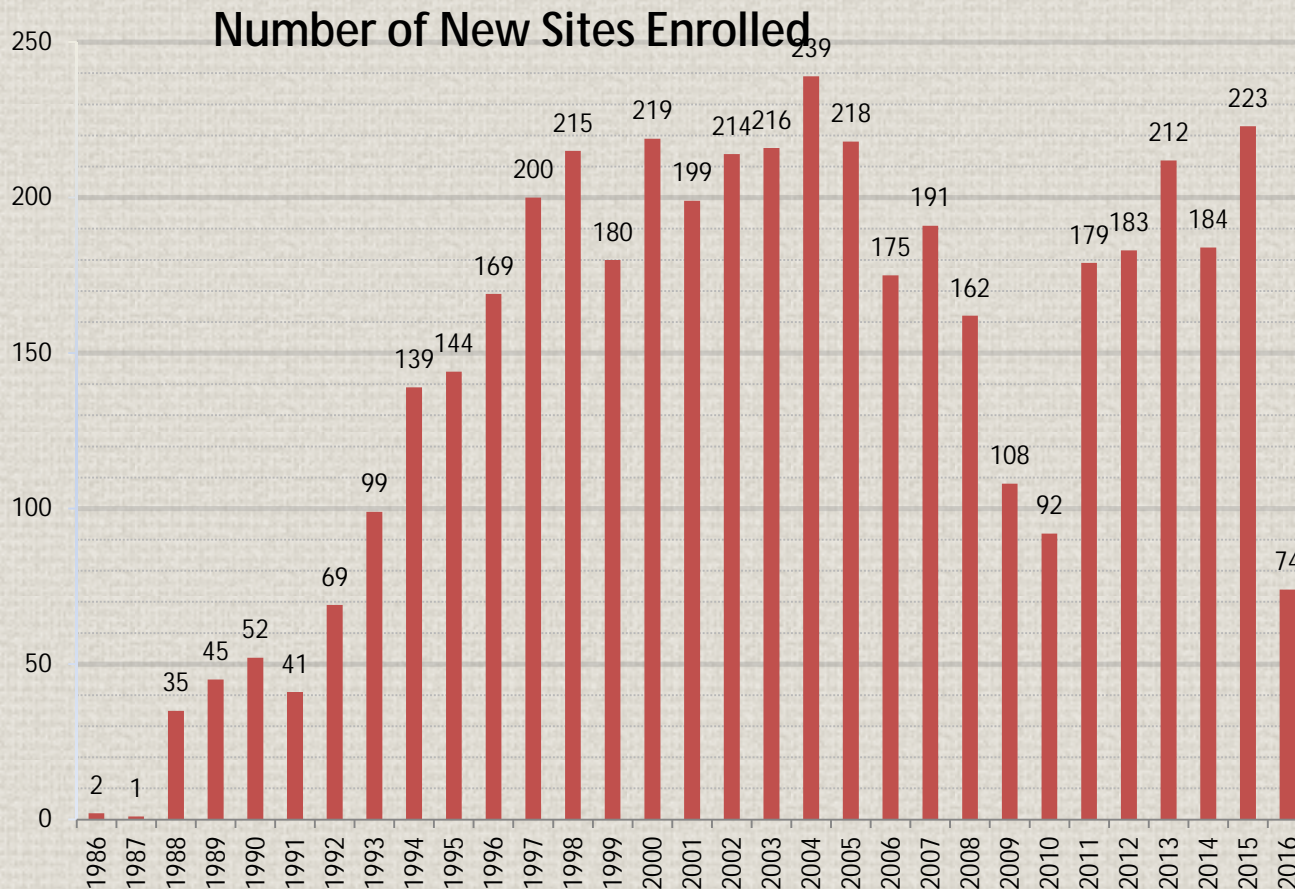
MPCA BF Programs Cooperation to Redevelop Superfund Sites

- Ø Joslyn, Brooklyn Center
 - Ø Toro, Caribou HQ
- Ø National Lead, Brooklyn Center
- Ø NIROP, Fridley
- Ø TCAAP, Arden Hills
- Ø Interlake, Duluth
 - Ø HDPE Supply
- Ø Reilly Tar & Chemical, St. Louis Park



Fun Facts About the BF Programs

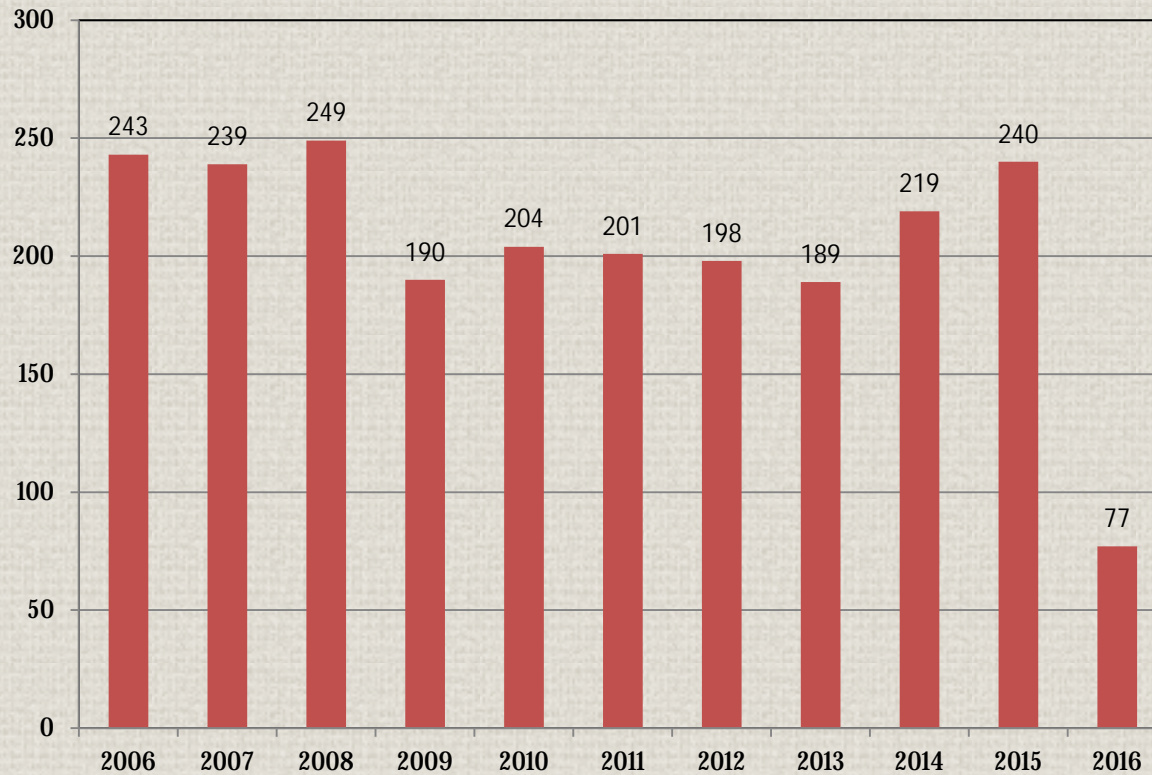
VIC averages 147 new sites per year.



Fun Facts About the BF Programs

PB averages 217 new sites per year.

New PB Applications Per Year



Through April 2016!!!



Minnesota Targeted Brownfields Assessment Program

- Ø MNTBAP is run through the VIC Program.
- Ø VIC receives an EPA 128(a) grant each year & a portion can be used for site assessments.
 - Ø Parties apply to the MNTBAP for a grant on a rolling basis.
 - Ø We use our contractors to complete the work.
- Ø Eligible parties include:
 - Ø Municipal government,
 - Ø County government,
 - Ø Tribes, and
 - Ø Non-Profit organizations.



MNTBAP Eligible Sites

- Ø Municipal government, county government, tribal government, & non-profit organizations may sponsor MNTBAP projects.
- Ø Preference is given to brownfield to greenfield sites.
 - Ø Redevelopment into parks, trails, open space, etc.
- Ø Non metro-area sites are encouraged to apply.
 - Ø We have had only a few out-state sites.
- Ø Federal Superfund sites are not eligible.



What do You Get?

- ∅ You will be provided with paper and PDF copies of all the reports completed.
 - ∅ Phase I ESA report, Sampling and Analysis Plan, Phase II ESA report, and/or a RAP as applicable.
- ∅ Knowledge – you will know the scope of contamination at your site.
- ∅ You will have the information you need to:
 - ∅ Seek out cleanup funding for your site, or
 - ∅ Work with a developer to redevelop the site.



How to Apply for MNTBAP?

- ∅ Visit the MPCA Brownfields webpage and download the application forms (see next slide).
 - ∅ 4 pages, include photographs if they're available.
 - ∅ Fill in the information, no essays!
- ∅ Call or email John Betcher, MNTBAP Coordinator with any questions.
 - ∅ 651.757.2226, or john.betcher@state.mn.us.
- ∅ Send the application materials to the MPCA address as listed on the forms.
 - ∅ Any time, no deadline. We start awarding new grants in October of each year.



Helpful Links

- Ø MPCA Brownfields webpage
<https://www.pca.state.mn.us/waste/brownfields>
- Ø MNTBAP and application materials are on the MPCA's Brownfields webpage:
<https://www.pca.state.mn.us/waste/minnesota-targeted-brownfields-assessment-program>
- Ø MPCA Remediation Division guidance webpage
<https://www.pca.state.mn.us/waste/cleanup-guidance>
- Ø MPCA Brownfield Success Stories webpage
<https://www.pca.state.mn.us/waste/cleanup-stories>
- Ø MDA AgVIC webpage
<http://www.mda.state.mn.us/chemicals/spills/incidentresponse/agvic.aspx>





**Minnesota Pollution
Control Agency**

**Thank you!
Questions?**

Shanna Schmitt

651.757.2697 or

shanna.schmitt@state.mn.us