



Washington County
Brownfield Assessment Program

GUIDELINES

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INTRODUCTION

The United States Environmental Protection Agency (EPA) provides grants to various entities for the assessment and redevelopment of brownfields. The Small Business Liability Relief and Brownfields Revitalization Act defines a brownfield site as “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,” as defined in the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 §101(39), as amended (CERCLA). The Law further defines the term “brownfield site” to include a site that “is contaminated by a controlled substance...; is contaminated by petroleum or a petroleum product excluded from the definition of “hazardous substance” ...; is mine-scarred land.”

The Redevelopment Authority of the County of Washington is the recipient of two EPA Brownfield Assessment Grants. The grant funds will be used to develop a Washington County Brownfield Assessment Program, which will inventory, characterize, assess, and develop reuse strategies for brownfield sites within the County. Specifically, assessments will be conducted on sites contaminated by hazardous substances and by petroleum products.

OBJECTIVE AND PURPOSE

A comprehensive Washington County Brownfield Program developed by the Authority will facilitate the redevelopment of brownfields. The Authority, in conjunction with community input, will identify brownfield properties that have an excellent potential for redevelopment. Property owners of identified brownfields will be offered the services of an environmental consultant. Services provided would include Phase 1 assessments of properties potentially contaminated by hazardous substances or petroleum products and limited Phase 2 assessments. The Phase 2 assessments will verify whether contamination exists or not on the properties. Environmental consultants and other appropriate agencies will consult with each property owner to develop a budget and reuse strategies for the redevelopment of their property. Additional sources of funding will be sought to undertake the implementation of those reuse strategies.

APPLICANT ELIGIBILITY

Brownfield property owners that are selected for participation in the Brownfield Assessment Program are required to complete an application and provide documents that verify ownership and permit access to the property.

PROPERTY ELIGIBILITY

Properties that are suspected to be contaminated by hazardous substances or petroleum products will be selected for assessment in accordance with the site selection criteria developed by RACW. Any property selected must meet all EPA requirements for eligibility. Any proposed reuse of the property must be consistent with the Washington County Comprehensive Plan and any municipal Comprehensive Plan.

SITE SELECTION CRITERIA

In order to utilize the EPA funds effectively, RACW has collaborated with the Western Pennsylvania Brownfields Center at Carnegie Mellon to create a **Multi-Attribute Prioritization Tool**. This tool creates a site selection process that weights criteria of importance, evaluates sites according to the criteria, and then ranks the brownfield sites.

This tool is unique in that it combines a comprehensive list of factors that are designed to measure a site's redevelopment potential and the sites that could potentially yield the greatest benefit to Washington County and its municipalities. The information collected about each site is grouped into five main criteria:

- Development Driver/Champion Indicator
- Development Potential Indicator
- Socio-Economic Indicator
- Environmental Indicator
- Infrastructure Indicator

The **Multi-Attribute Prioritization Tool** will assist the Redevelopment Authority with the selection of properties to be assessed through the Brownfield Assessment Program.

BENEFITS OF PARTICIPATION

Brownfield property owners that participate in the Brownfield Assessment Program will receive valuable information regarding the environmental condition of their property. Where contamination exists, property owners will be provided with critical information for identifying the property's maximum potential value including cleanup cost estimates and potential reuse options.

Communities benefit from the redevelopment of brownfield properties. Those benefits include the following:

- Cleanup of property's contamination
- Removal of blight from communities and health/safety hazards
- Utilizes existing infrastructure
- Reduces need for greenfield development
- Increases local tax revenues
- Provides sites for new businesses
- Facilitates job growth
- Returns land to productive use

GRANT REQUIREMENTS

Any property selected for participation in the Brownfield Assessment Program must meet all EPA requirements.

WAITING LIST

The Authority will maintain a waiting list of all applications received by mail.

GENERAL

Where gender or number is set forth herein it includes masculine, feminine, and neuter as well as singular and plural as the context indicates.

The provisions of this program may be changed from time to time in the sole discretion of the Authority in compliance with federal, state and local laws.

Washington County Brownfield Assessment Program

Definitions

Applicant - Any person that owns property that might be considered a brownfield and who applies to the Authority for participation in the Brownfield Assessment Program.

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.

Brownfield Law - The intent of this law is to provide certain relief for small businesses from liability under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, and to amend such Act to promote the cleanup and reuse of brownfields, to provide financial assistance for brownfields revitalization, to enhance State response programs, and for other purposes.

CERCLA – Comprehensive Environmental Response, Compensation and Liability Act

Cleanup - A long-term remedial action, which works to "permanently and significantly" lower the dangers connected to releases or threats of releases. This kind of action is meant to be comprehensive and therefore can continue over several years.

Comprehensive Plan - The official statement of a municipality setting forth its desired future land use and development objectives, plus strategies for housing, utilities, roads, parks/ recreation and valuable resources. Washington County and many of its municipalities have developed and implemented municipal comprehensive plans.

Environmental Assessments - A Phase 1 environmental assessment of a property is the first step in the process to redevelop and reuse a brownfield. This assessment includes a visual inspection, a historical review of past uses and public records, and recommendations for further investigation if contamination is suspected. A Phase 2 environmental assessment involves sampling of environmental media and analysis as recommended by the Phase 1.

Hazardous Substance - **(A)** Any substance or mixture of substances which (i) is toxic, (ii) is corrosive, (iii) is an irritant, (iv) is a strong sensitizer, (v) is flammable or combustible, or (vi) generates pressure through decomposition, heat, or other means, if such substance or mixture of substances may cause substantial personal injury or substantial illness during or as a proximate result of any customary or reasonably foreseeable handling or use, including reasonably foreseeable ingestion by children. **(B)** Any substances, which the Secretary by regulation finds, pursuant to the provisions of section 3(a), meet the requirements of subparagraph 1(A) of this paragraph. **(C)** Any radioactive substance, if,

with respect to such substance as used in a particular class of article or as packaged, the Secretary determines by regulation that the substance is sufficiently hazardous to require.

LUST - Congress created the Leaking Underground Storage Tank (LUST) Trust Fund in 1986 by amending Subtitle I of the Resource Conservation and Recovery Act. The LUST Trust Fund has two purposes. First, it provides money for overseeing and enforcing corrective action taken by a responsible party, who is the owner or operator of the leaking Underground Storage Tank (UST). Second, the Trust Fund provides money for cleanups at UST sites where the owner or operator is unknown, unwilling, or unable to respond, or which require emergency action.

PA Act 2 – Also known as the Land Recycling Program. It encourages the voluntary cleanup and reuse of contaminated commercial and industrial sites and is based on 4 cornerstones: Uniform cleanup, standards, Liability Relief, Standardized reviews and time limits, and Financial Assistance. The Land Recycling Program allows an owner or purchaser of a brownfield site to choose any one or combination of cleanup standards to guide the remediation. By meeting one or a combination of the background standard, the statewide health standard or the site-specific standard, the remediator will receive liability relief for the property.

PA DEP – Pennsylvania Department of Environmental Protection

PCBs - Polychlorinated biphenyls are mixtures of up to 209 individual chlorinated compounds called congeners. Previously used as coolants and lubricants in transformers, capacitors, and other electrical equipment because they do not burn easily and are good insulators.

Petroleum Product - Flammable, toxic, or corrosive products obtained from distilling and processing of crude oil, unfinished oils, natural gas liquids, blend stocks and other miscellaneous hydrocarbon compounds.

RCRA – Resource Conservation and Recovery Act

Solid Waste Disposal Act - Focuses on research, demonstrations, and training. It provides sharing with the states the costs of making surveys of waste disposal practices and problems, and of developing waste management plans.

US EPA – United States Environmental Protection Agency