

128(a) Funding

Congress passed the Small Business Liability Relief and Brownfields Revitalization Act (the Act) in 2002 to “promote the cleanup and reuse of brownfields, to provide financial assistance for brownfields revitalization, to enhance State response programs, and for other purposes.” The Act established a competitive grant program for municipalities and economic development authorities (i.e., local community grantees) known as Section 104(k). Congress also recognized that states need support in order to develop and improve their brownfields and other site cleanup programs and established a grant program known as Section 128(a).

The New England states have a legacy of former industrial sites and therefore have a large number of brownfields. To address this challenge, DEEP was among the first agencies to receive 128(a) funding and has been using it to implement their program since 2003.

The nationwide success of the EPA Brownfields Program, particularly in New England, has resulted in a growing demand among states and tribes for 128(a) funding. However, Congress set a cap on the maximum annual funding for

DEEP Program Highlights

Since 1994, grantees in Connecticut’s Brownfields Program have reported:

- 3,187 jobs leveraged
- \$406 million dollars invested

128(a) grants at \$50 million. EPA is now unable to meet the demand of all of the states and tribes that need support; and therefore has had to reduce funding for long-standing programs like the one in Connecticut. As a result, 128(a) funding to DEEP has been cut by approximately 27 percent between 2008 and 2012. The ability for DEEP to provide the services that brownfields projects require to be successful has been severely compromised.

Unless Congress amends the Act and allocates more resources, additional cuts to DEEP are likely in the future. A potential solution is for Congress to increase or remove the cap on 128(a) funding and allow EPA to provide states with the resources needed to ensure that the federal funds provided to communities for brownfields projects result in success.

“Connecticut DEEP was instrumental in ensuring that the project was responsive to unforeseen environmental findings. Same day service, cost sensitivity, and appreciation for contractual timelines, combined with expertise in protecting the public and the environment are the underpinnings of the value-added DEEP approach.”

— James Ryan,
Shelton Economic Development Corporation

CT DEEP and the Northeast Waste Management Officials’ Association (NEWMOA) cooperated on the development of this publication.
February 2013



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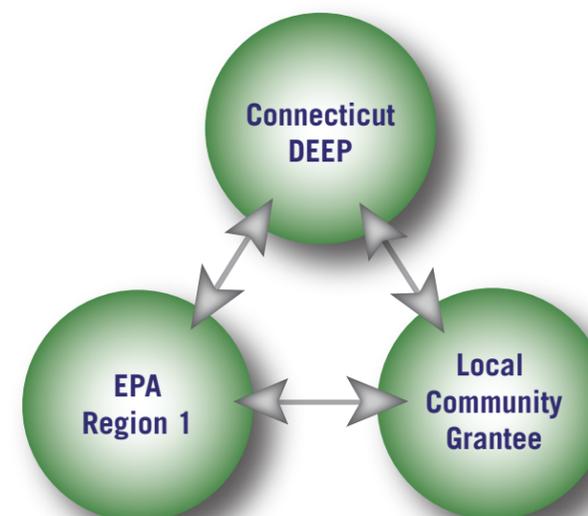
Getting Properties Back to Work

Waste Site Cleanup Programs Key for Connecticut Communities



Brownfields are properties, such as former gas stations and factories where redevelopment and reuse are complicated by the potential for contamination. Many of these sites are abandoned, lack financially viable owners, and are a blight on their communities. The EPA established the Brownfields Program in 1995 to support the assessment and cleanup of these abandoned properties and leverage public and private redevelopment investment that would otherwise not occur. Cleaning up and reinvesting in brownfields facilitates job growth, increases local tax bases, utilizes existing infrastructure, reduces development pressures on open land, and improves the environment. EPA supports brownfields assessment and cleanup through a variety of grants to eligible applicants.

The success of the Brownfields Program in Connecticut depends on a partnership between the Connecticut Department of Energy and Environmental Protection (DEEP), the individual Grantees, and EPA Region 1. All three entities bring something different to the table. Each is important and key to the success of a brownfields project.



EPA Region 1 provides grant funding to local communities, regional economic development agencies, and other eligible parties that enables them to characterize and cleanup brownfields in accordance with State cleanup program requirements. EPA manages the grant, providing oversight and guidance. EPA also provides limited technical assistance and outreach to the public.

The **Grantee** is usually a municipality, regional planning commission, or other local non-profit entity. Grantees typically own the site chosen for remediation and redevelopment, and therefore, have important relationships with the community, particularly local residents and developers. Grantees generally hire licensed environmental professionals (LEPs) to characterize the property and lead the cleanup effort. However, they often seek input from DEEP to ensure that the site characterization and cleanup plans are consistent with State program requirements and are most appropriate and cost-effective for their site.

In Connecticut, **DEEP’s** involvement in EPA-funded brownfield projects is vital. DEEP helps guide grantees through the site characterization and cleanup process by contributing the *programmatic and technical expertise* needed for successful remediation and redevelopment of these sites.

EPA funding enables DEEP to devote resources to promoting brownfields redevelopment and enhancing state cleanup programs through which these sites are addressed. Key program highlights include:

- **Assistance to Brownfields Site Developers** – DEEP conducts outreach to grantees and potential developers to promote understanding of program requirements and cleanup standards. DEEP assists grantees in developing site investigation work plans and evaluating remedial alternatives to ensure the best use of resources. DEEP meets with town and regional planning groups and attends public meetings to ensure public understanding and participation in the cleanup process.
- **Public Access to Site-Specific Information** – DEEP maintains a Brownfields Inventory website which links to brownfields sites identified throughout the State, as well as a “List of Contaminated and Potentially Contaminated Sites” including basic information on their investigation and cleanup status.
- **Enhanced Cleanup Capacity & Compliance** – DEEP oversees multiple site cleanup programs and strives to simplify these programs and enhance cleanup capacity. DEEP works closely with stakeholders to design program improvements that will expedite site

cleanups while ensuring risk reduction and enhancing compliance. DEEP works to expand its compliance tracking systems and databases to improve public access to site information.

- **Guidance & Outreach** – DEEP generates guidance documents to clarify program requirements and share information on investigative and remedial technologies. DEEP conducts seminars for LEPs to ensure they are up-to-date on program requirements. DEEP hosts a quarterly roundtable to provide technical and programmatic updates, answer questions, and obtain input from the public, environmental professionals, and regulated community.
- **Oversight/Audit of Cleanups** – Connecticut’s cleanup program allows for the direct oversight and verification of most remediation projects by LEPs. This privatized aspect of the state program greatly enhances the number of sites that can be investigated and remediated. DEEP remains involved in the review and approval of special variance requests and can conduct audits of LEP cleanup verifications. DEEP ensures compliance with program requirements and helps to foster public confidence that sites are safe for reuse.

Spotlight: Goodwin College Riverfront Campus

From 1926 until the 1980’s, a number of adjacent properties along Riverside Drive in East Hartford, Connecticut were used for petroleum storage and distribution due to their proximity to the Connecticut River. These activities contaminated the soil and groundwater on site. In addition, petroleum seeped into the river, causing a visible oily sheen on the water. Yet despite these challenges, the property was attractive for reuse. It was highly visible and accessible from major interstates and included existing infrastructure. With access to the Connecticut River, proper remediation and redevelopment of this abandoned land could also create new recreational opportunities for the public.

Goodwin College in East Hartford was located in close proximity to the site and had a need to expand its campus. The College purchased more than 700 acres of this land in 2005 to create its new campus and riverfront park, accessible by the College and the general public.

The environmental site assessments revealed contaminants, such as petroleum, lead, volatile organic compounds (VOCs), and polycyclic aromatic hydrocarbons (PAHs). Cleanup involved removing the above-ground petroleum storage tanks and using natural bioremediation techniques to clean up contaminated soils to residential standards. Completed in 2012, this successful remediation and redevelopment is the result of an effective partnership among the Town of East Hartford, Goodwin College, Capitol Region Council of Governments, MetroHartford Alliance, Connecticut Development Authority, and DEEP.



Goodwin College River Front Campus – before and after

“The Goodwin College Riverfront Campus exemplifies the extraordinary potential of public-private partnerships directed at sustainable development, smart growth, and brownfields revitalization. Until four years ago, the site of our campus was a forgotten industrial wasteland – acres of rusted oil tanks, and soil permeated with petroleum and industrial contaminants. Today, through the support of our partners, we cleaned up the land, making way for a world-class learning center serving 3,000 students and the broader community, and opening access to one of the region’s greatest natural resources.”

— Todd Andrews,
Vice President for College Relations & Advancement

Spotlight: Shelton Farmers Market

From the early 1900’s until the 1940’s, this site was part of the State’s canal system which was eventually filled with ash and soil. The site was then purchased by a private company and used as a parking lot until the city acquired it in 1997. With input from the Shelton Economic Development Corporation and local organizations, such as the Shelton Citizens Advisory Board, the City began construction of a farmers market onsite in 2003.

However, soil contaminated with petroleum, lead and other heavy metals, and polyaromatic hydrocarbons (PAHs) threatened the redevelopment. The City worked with DEEP to find an interim solution that would allow development while remaining protective of human health and the environment. A temporary liner and shallow gravel cap allowed construction to proceed while the City applied for EPA Brownfields Cleanup funds.

The final cleanup remedy involved removing more than 1,200 tons of contaminated soil from the property and replacing it with clean fill and a permanent cap in accordance with DEEP regulations. With its new building and outdoor merchant space, the Shelton Farmers Market is an ideal place for local farms to sell their produce.



Shelton Farmers Market – before and after