

The Georgia Brownfield Program Update



August 27, 2015

Topics

- ❖ Program Updates
- ❖ Program Trends
- ❖ Challenges
- ❖ Looking Forward

Program Updates

- ❖ Staffing
- ❖ Review Fees
- ❖ Results
- ❖ Effects of the 2014 HSRA and Brownfield Amendments

Staffing

- Beth Blalock, Assistant Land Protection Branch Chief
- Jason Metzger, Acting Program Manager for Response and Remediation Program
- Shannon Ridley, Acting Brownfield Coordinator
 - 3 Engineers
 - 2 Geologists
 - Database Specialist

Application Review Fees

- ❖ Current fee is \$75/hour
 - 40 hours of review
 - Same hourly rate as the Voluntary Remediation Program
 - Adjusted based on funding needs
 - Must be paid before issuance of limitation of liability certificate

Results

- ❖ 637 applications received to date
- ❖ 9,000⁺ acres enrolled in the Program
- ❖ 353 properties have completed the program and received final limitation of liability certificates
- ❖ Over 3,000 acres ready for reuse
- ❖ Over 700,000 tons of soil remediated

2014 HSRA AND BROWNFIELD Amendments

- ❖ Notification exclusion for soil releases in approved brownfield CAPs
- ❖ Clarification that property interests can qualify even if they don't convey title
- ❖ Liability protection back to acquisition date for those who apply during the 30-day grace period

Notification Exclusion

- ❖ EPD no longer deferring scoring of the on-site pathway
- ❖ Concentrations detected in soil above notification concentrations post-remediation is a non-issue

Prospective Purchaser and Limitation of Liability Expansion

July 2013 through June 2014

- ❖ Received 63 applications
- ❖ 34 properties completed cleanups and received limitation of liability certificates

July 2014 through August 2015

- ❖ Received 106 applications
 - ❖ 46 properties completed cleanups and received limitation of liability certificates
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Program Trends

- ❖ Increase in Type 5 properties
- ❖ Maintenance of engineered controls under an approved CAP until final clean up
- ❖ CSR approvals needed before real estate closings
- ❖ More applicants taking advantage of the 30-day grace period

Certification to the Type 5 Risk Reduction Standard

- ❖ Prior to 2014, 3 properties on the Hazardous Site Inventory (HSI)
- ❖ After 2014, 4 properties – 2 Non-HSI and 2 HSI
- ❖ Currently, 13 properties are proposing compliance with the Type 5 Standard and/or interim corrective measures

Interim Corrective Action Measures

- Maintenance of engineered controls under an approved CAP for a specified timeframe
- Mitigation systems for vapor intrusion
- Monitoring and maintenance plan incorporated into approved CAP
- Yearly updates demonstrating compliance with the CAP
- Interim Compliance Status Report

CSR Approval before real estate closings

❖ Challenges

- Longer review times for CSRs versus CAPs
- Limitation of liability certificates require the EPD Director's signature – harder to guarantee a specific delivery date
- Before issuance of limitation of liability certificate, outstanding fees must be paid

CSR Approval before real estate closings

❖ Solutions

- Correspondence from Brownfield Program on the concurrence with the certification of compliance and that the limitation of liability certificate is forthcoming
- 30-day grace period
- Approval of CAP conveys the limitation of liability

Challenges

- ❖ Vapor Intrusion
- ❖ Properties entering the program with existing environmental covenants
- ❖ Increasing work load
- ❖ More complex projects

Next Steps

- ❖ Increase in EPA Brownfield Assessment, Revolving Loan Fund, and Clean Up (ARC) Grants in Georgia
- ❖ More program participants and ARC grantees from rural communities
- ❖ Statistics on the impacts of brownfield redevelopment on communities

Contact Information

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