

US EPA ARCHIVE DOCUMENT

# State and Tribal Response Program Highlights

*EPA Funding Provided to States and Tribes to Address Contaminated Land in their Communities*

## REGION 1

**MASSACHUSETTS** – The Massachusetts Department of Environmental Protection (MassDEP) constantly uses Section 128(a) Response Program funding to enhance and improve its waste site cleanup program. Some efforts include development of the Institutional Control (IC) Tracking System—a dual effort with EPA Headquarters and MassDEP—to develop a public electronic system. MassDEP also completed an evaluation of the previous standards and regulations regarding petroleum in GW-1 (drinking water areas) that resulted in a revision of the standards, subsequent wide distribution of those standards, and training to understand and identify the changes in the standards. The last process improvement involved the Indoor Air Workgroup, which undertook a review of recent information on background indoor air concentrations and updated the numerical standards for indoor air. The workgroup established background indoor air levels and plans to publish an up-to-date, comprehensive guidance that consolidates all previous guidance on the topic. Funding was also used to conduct assessment and cleanup work on behalf of municipalities, nonprofits and regional planning agencies across the Commonwealth. One example of a project for which MassDEP used this funding is located within the Fairmont Indigo Corridor in Boston; the project was chosen by EPA, the Department of Housing and Urban Development (HUD), and the Department of Transportation (DOT) as part of their joint Sustainable Communities Initiative. MassDEP is using funding to assess a municipally owned former auto body shop to determine the nature and extent of contamination at the site.

## REGION 2

**ST. REGIS MOHAWK TRIBE** – The Regis Mohawk Tribal Response Program is using Section 128(a) Response Program funding to identify strategies for management of several different projects. Project staff members had the opportunity to network with other brownfields managers in the state and also on an inter-tribal level. Staff regularly attend Brownfields Roundtable meetings in Albany, New York to learn about initiatives by other agencies and obtain updates from EPA. Staff also attended the Institute for Tribal Environmental Professionals (ITEP) Tribal Lands Forum in Green Bay, Wisconsin, where they learned about other tribal brownfields activities and gained insights into managing programs and addressing issues relevant to their situation and culture. The forum provided an excellent opportunity for staff to network and share

information formally in presentations and informally through one-on-one interaction. The establishment of a community advisory group called the “Akwesasne Brownfields Committee” (ABC) has been critical in prioritizing the tribe's list of potential brownfield sites. This committee—as well as successful outreach activities such as a kiosk, staff presence at public events, and the distribution of brochures—has ensured that the community is informed and aware of the tribe's Brownfields Program and related activities.

## REGION 3

**DISTRICT OF COLUMBIA** – The Capital Area Food Bank (CAFB) serves as the central supplier for more than 700 food pantries and nonprofits; it assists more than 680,000 people in the D.C. area and distributes up to 33 million pounds of food per year. In order to address a growing hunger crisis, CAFB was in need of a larger facility. A site was found at 4900 Puerto Rico Avenue, NE. An environmental assessment revealed that the property was contaminated with petroleum hydrocarbons and metals in soil and ground water. The District Department of the Environment (DDOE) used Section 128(a) Response Program funding to provide oversight of the assessment and cleanup process. The cleanup included the demolition of an existing warehouse and contaminated soil excavation. A new 123,000-square foot facility was constructed that doubled the food bank's current storage space and increased its freezer and refrigerator capacity. CAFB opened its new facility in July 2012.



*The new CAFB facility after redevelopment.*

## REGION 4

**NORTH CAROLINA** – The North Carolina Brownfields Program—a Section 128(a) grantee—signed a brownfields agreement, setting the stage for the redevelopment of the former Ecusta Paper Mill near Brevard. The agreement marked a milestone for the North Carolina Brownfields Program as the 200th brownfields agreement since program inception. The mill began operation in 1939 and was at one time one of the largest paper mills in the southeast. The abandonment of the mill in 2003 resulted in shutdowns of various environmental systems and threatened uncontrolled releases into the Davidson River. Davidson River Village signed an administrative order on consent to conduct assessment and cleanup activities; it has been active in the demolition and cleanup of the mill for three years. Cleanup of several portions of the property are complete or nearing completion, and ongoing monitoring will continue through the redevelopment of the property. The brownfields agreement will provide institutional control provisions that will protect public health and the environment on the first tract slated for redevelopment. It is the first in a series of seven planned agreements for various tracts on the 540-acre property. The property will be redeveloped into Davidson River Village, a large \$800 million mixed use redevelopment expected to generate nearly 2,000 jobs, and include residential, retail, hospitality, and open space uses with strong acknowledgement of the mill history for the local community.



*The Belo Garden Park in Dallas.*

The property entered into the state's Voluntary Cleanup Program to ensure that the park met state environmental standards. The Texas Commission of Environmental Quality (TCEQ) used Section 128(a) Response Program funding to provide oversight for the remediation of affected soil including the excavation and disposal of surface and sub-surface soils exceeding the critical protective concentration levels to an approved landfill disposal facility. Over 21,000 cubic feet of affected soil was characterized, stabilized and removed from the property. Ground water was not impacted. The new Belo Park features perennial gardens, shaded groves, plaza spaces, an interactive fountain, a 10-foot high hill (which provides topographical relief and views over the central fountain plaza), a shaded garden grove, and more. In addition to funding from City of Dallas bonds, federal grants and other private sources, Belo Corp. committed \$6.5 million toward the \$14.5 million construction of the park.

## REGION 5

**ST. CROIX CHIPPEWA INDIANS OF WISCONSIN** – The St. Croix Chippewa Indians used Section 128(a) Tribal Response Program funding to develop the St. Croix Tribal Geographic Information online database, which contains geographic and assessment record information for brownfields on their land. The tribe also used funding to complete a property inventory and Public Record, and developed a Brownfields Rehabilitation ordinance and Hazardous Material Release Contingency Planning ordinance. Training and public participation through the Brownfields Program has allowed the tribe to better identify and respond to contaminated and suspect sites. The St. Croix Tribe plans to focus on increasing community awareness, continuing the development of cleanup standards, and creating a controlled space for hazardous materials to be safely stored before being properly disposed.

## REGION 6

**TEXAS** – Belo Garden construction began in March 2011 and the park opened to the public in May 2012. Belo Garden is approximately 1.46 acres and was formerly used as a parking lot. Over the past 100 years, the property was used for an array of purposes, including but not limited to, three petroleum-oil related facilities, two hat manufacturers, a car repair facility, and a paint shop. The City of Dallas was awarded two grants to clean up the property, one from the North Central Texas Council of Governments and one from EPA.

## REGION 7

**KANSAS** – The Kansas Department of Health and the Environment (KDHE) is using its Brownfields Program funding to assist the City of Wichita in expanding its citywide network of bicycling/walking trails. One segment of trail, the Redbud Trail, was recently completed along 2.5 miles of rail-banked railway corridor. KDHE used Section 128(a) Response Program funding to provide oversight for the Phase I and Phase II assessments that identified heavy metals and polynuclear aromatic hydrocarbons (PAHs) above action levels in isolated spots along the trail. The project was then enrolled in KDHE's Voluntary Cleanup and Property Redevelopment Program and the cleanup plan included capping the contaminated soil under the concrete path and clean fill, and establishing an Environmental Use Control to prevent disturbance. The Redbud Trail was opened to the public in May 2011; future plans call to extend the trail another 8.5 miles. The city is funding the project with KDHE's Brownfields Cleanup and Revolving Loan Fund sub-grant and a \$2.3 million federal transportation enhancement grant.



## REGION 8

UTAH – The Utah Department of Environmental Quality (DEQ) used Section 128(a) Response Program funding to provide oversight of the cleanup of the former Simpson Steel property and issue a certificate of completion (COC) under the Utah voluntary cleanup program.

A transit oriented development became the driving force for the transformation of this underutilized, industrial property since a light rail station is adjacent to the property. Today, the property is known as the Lions Gate development. The first phase was completed in spring 2012 with the completion of 400 apartment units. The next phase of the development will include low-income housing units as well as retail, restaurant and office space – all of which will be less than a five minute walk to a light rail station.



*The former Simpson Steel property after redevelopment.*

## REGION 9

ARIZONA – The Arizona Department of Environmental Quality (ADEQ) Brownfields Program provided assistance through Section 128(a) Response Program funding to the Town of Parker to complete asbestos abatement in two of the Town's buildings. Through the use of Community Develop Block Grant (GDBG) funding the Town of Parker was in the process of bringing the Town's civic buildings into compliance with the Americans with Disabilities Act (ADA) and remove barriers for handicapped individuals visiting the Town's administrative offices, Police Station and Library. Through required asbestos testing it was discovered that the Town Hall/Police Station

and Library buildings contained asbestos that would need to be removed before any construction could take place. Because CDBG funding could not be used to remove the asbestos the project was at a standstill and the Town of Parker was concerned it would be unable to complete it. Using the Section 128(a) Response Program, ADEQ provided the necessary funding to complete the asbestos abatement in both buildings, which allowed the project to move forward. Today the Town's civic buildings have been remodeled to comply with the ADA and are accessible to all the Town's citizens.



*The Town of Parker Public Library after renovations.*

## REGION 10

CONFEDERATED TRIBES OF COLVILLE RESERVATION (CTCR) – The Office of Environmental Trust is a subdivision of the CTCR's Natural Resources Department that exercises authority promulgated under Tribal Code to investigate and clean up hazardous substances released to land, water and air. The tribes used Section 128(a) Response Program funding, Section 104(k) Cleanup grants, Area-Wide Planning grants, and other funding sources to expand and enhance their brownfields program as new properties enter the Public Record and existing properties become the focus of progressive response actions and remediation. In addition to environmental responsibilities pertaining to the Colville Indian Reservation as well as ceded and allotted lands, a significant strength of the Natural Resources Department staff is its capacity in cross-disciplinary regional and international matters of substantive interest to CTCR. Examples include technical review and consultation concerning the CTCR/Upper Columbia River site, planning and implementation of improvements to the tribes' reservation-wide solid waste system, participation on CTCR and county solid waste advisory committees, assessments of brownfields on the reservation acquired through CTCR's proactive land reacquisition program, and advisory committee involvement in developing Washington State freshwater sediment cleanup regulations.