

Brownfield FAQ:

Do I have to own land to get a brownfield redeveloped?

No. Brownfield Program can look into properties that the Tribes or other public organizations are interested in redeveloping to remove concerns of property being potentially contaminated.

Why cleanup and redeveloping brownfield properties?

There are many benefits of cleaning up and redeveloping brownfields. It can improve blighted neighborhoods, make use of communities' existing infrastructure, and create jobs, making the redevelopment of these vacant or contaminated properties a key part of many communities' plans for revitalization. Additionally, cleaning up and reinvesting in these properties takes development pressures off of undeveloped, open land, and both improves and protects the environment.

Who pays for clean up?

Under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) main objective of the cleanup enforcement program is to ensure prompt site cleanup and the participation of liable parties in performing and paying for cleanups in a manner that ensures protection of human health and the environment. CERCLA's liability scheme ensures that wherever possible, potentially responsible parties (PRPs), rather than the general public, pay for cleanups (often referred to as the "polluter pays principle"). As described in CERCLA § 107(a), the following categories of persons may be held liable for the costs or performance of a cleanup under CERCLA:

- (1) The current owner or operator of a facility;
- (2) An owner or operator at the time of disposal;
- (3) A person who arranged for the disposal or treatment of hazardous substances (generator or arranger); and
- (4) A person who accepted a hazardous substance for transport to a disposal or treatment facility or to a site and such person selected the facility or site.

Later through EPA efforts, Congress enacted the Brownfields Amendments, which amended CERCLA by adding new landowner liability protections (and clarifying the existing innocent landowner protection) and by providing funding for grants for the assessment and cleanup of brownfields.

How long is the brownfield process?

These steps can take a fair amount of time, dictation, and energy to get accomplished, especially the cleanup and redevelopment stages. Below is the basic process to get these brownfield properties back to reuse:

- (1) Identify brownfields & tie to Redevelopment Goals
- (2) Investigate (conduct site assessments)
- (3) Cleanup (if necessary)
- (4) Redevelop