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The Brownfields Economic Redevelopment Initiative

Proposal Guidelines for
Brownfields Cleanup
Revolving Loan Fund



EPA's Brownfields Cleanup Revolving Loan Fund Demonstration Pilots

Introduction

The Environmental Protection Agency's (EPA) Brownfields Economic Redevelopment Initiative is designed to empower states, local governments, communities, and other stakeholders involved in economic redevelopment to work together in a timely manner to prevent, assess, safely cleanup, and sustainably reuse brownfields. As part of this Initiative, EPA has awarded cooperative agreements to States (including U.S. territories), political subdivisions (including cities, towns, counties), and Federally recognized Indian tribes to capitalize Brownfields Cleanup Revolving Loan Fund (BCRLF) pilots.¹

What is a Brownfield?

EPA defines brownfields as abandoned, idled, or underused industrial and commercial facilities where expansion or redevelopment is complicated by real or perceived environmental contamination. EPA's Brownfields Economic Redevelopment Initiative is an organized commitment to help: communities revitalize such properties, both environmentally and economically; mitigate potential health risks; and restore economic vitality to areas where brownfields exist.

What is the Purpose of the BCRLF Program?

The purpose of the BCRLF pilots is to enable States, political subdivisions, and Indian tribes to make loans to facilitate the cleanup and redevelopment of brownfields properties. In particular, these pilots will test revolving loan fund models that facilitate coordinated public and private cleanup efforts. EPA provides funds to capitalize the BCRLF pilots. States, political subdivisions, and Indian tribes, as the cooperative agreement recipient, may provide loans, but not grants, to public and private parties for the clean up of brownfields properties.

¹ In fiscal year 1997, EPA awarded 23 BCRLF pilots \$350,000 each (of the 1997 BCRLF pilots, 7 pilots were selected to receive supplemental funding awards of \$150,000 each based upon approval by EPA regional offices that significant progress had been made). In fiscal year 1999, EPA awarded 45 new BCRLF pilots. These 45 new pilots represent 65 communities and include pilot awards to both individual eligible entities and coalitions. Stand-alone pilots were eligible for awards of up to \$500,000. Coalitions were eligible to receive awards up to \$500,000 per eligible entity.

What is a “Revolving Loan Fund”?

A revolving loan fund is a loan program that is “revolving” because it uses loan repayments (principal, plus interest and fees) to make new loans for the same authorized purposes.

How Many Pilots Will be Selected for the FY 00 BCRLF Program?

In fiscal year 2000, EPA expects to select up to **70** new BCRLF pilots, awarding up to \$500,000 per pilot. Coalitions are eligible to receive awards up to \$500,000 per eligible entity.

Who is Eligible for a BCRLF Pilot?

Eligible entities for FY 2000 BCRLF pilots will be:

- States, political subdivisions, and Indian tribes that have been awarded Brownfields Assessment Demonstration Pilots prior to FY 00; or
- political subdivisions with jurisdiction over sites that have either (1) been the subject of a targeted brownfields assessment (formerly called targeted site assessments), or (2) been selected by the U.S. EPA prior to January 1, 2000 to be the subject of a targeted brownfields assessment.

Are Pilots Limited to Sites Assessed Under Other EPA Brownfields Programs?

No. Sites cleaned up under the BCRLF pilot program may be drawn from any area within the eligible entities’ jurisdiction. Pilot sites are NOT limited to those identified, characterized, or assessed under a previously awarded assessment pilot or targeted brownfields assessment.

Can Proposals from Coalitions be Submitted?

Yes. Proposals from coalitions, formed among two or more entities, are permitted. However, coalition funding will be premised on an award of no more than \$500,000 per *eligible* entity. Loan funds must be directed to properties located within the jurisdictions of the eligible entities comprising the coalition.

Coalition proposals may take several forms, including the following:

- two or more eligible entities; one of the eligible entities serves as the cooperative agreement recipient for the coalition; or

- two or more eligible entities with the State serving as the cooperative agreement recipient for the benefit of the coalition; or
- one political subdivision serving as the cooperative agreement recipient for a smaller eligible entity located within the political subdivision's political jurisdiction, e.g., a county acting on behalf of a municipality located within the county's jurisdiction (the political subdivision need not be an eligible entity so long as it acting on behalf of an eligible entity)

For each coalition proposal, the following will be required:

- clear designation of one entity as the cooperative agreement recipient for the coalition (this entity will be responsible for all cooperative agreement recipient and lead agency duties described on pages 11-12); and
- a letter from each coalition member's chief executive stating that the entity chooses to join the coalition.

What Must be Demonstrated in the Pilot Proposal?

Applicants must demonstrate through their proposal: 1) an ability to manage a revolving loan fund and environmental cleanups; 2) a need for cleanup funds; 3) commitment to creative leveraging of EPA funds with public-private partnerships and in-kind services²; and 4) a clear plan for sustaining the environmental protection and related economic development activities initiated through the BCRLF program.

The eligible entities must meet EPA's threshold and evaluation criteria. There is no guarantee of an award. The size of the awards may vary (for example, from \$50,000 to \$500,000), depending on the proposal's responses to the evaluation criteria. Coalitions are eligible to receive awards up to \$500,000 per eligible entity.

What is the Deadline and How Do I Submit the Proposal?

February 7, 2000 is the deadline for the FY 2000 BCRLF pilots. Proposals must be post-marked by the U.S. Postal Service or sent to U.S. EPA Headquarters via registered or tracked mail by the proposal deadline. A copy of the proposal submitted to EPA Headquarters must also be submitted

² Note, although applicants are encouraged to leverage funds, the program does not impose a mandatory match requirement.

via registered or tracked mail to the appropriate U.S. EPA Regional BCRLF Coordinator (See page 34)

How Does the U.S. EPA Disburse Grant Funds to the Applicant?

The U.S. EPA has established procedures governing how BCRLF funds may be paid to cooperative agreement recipients and subsequently disbursed to borrowers. (All payments will be made consistent with 40 C.F.R. Part 35.6280.) Payments for administrative expenses will be made on the basis of the costs the recipient incurs, subject to the 15% administrative cost ceiling. The recipient may establish disbursement procedures that allow borrowers to request funds based on either actual expenses (e.g., invoices) or a schedule (e.g., progress payments). EPA will make payments to the recipient based on either approach. Therefore, BCRLF cooperative agreement recipients should not anticipate receiving one “lump-sum” payment from U.S. EPA upon award of the cooperative agreement.

Where Can I Find Additional Information on the BCRLF Program?

Information regarding the BCRLF pilot program may be found at the EPA Brownfields Homepage (<http://www.epa.gov/brownfields>) under the reference to the “Revolving Loan Fund Pilots.” Interested parties are strongly encouraged to review information found in the *Brownfields Cleanup Revolving Loan Fund Administrative Manual* (EPA 500-B-98-001) published in May 1998, which is also available at the following location <http://www.epa.gov/swerosps/bf/rlflocat.htm>.

What is EPA’s Involvement with the BCRLF Program Once the Award is Made?

EPA does not intend to be involved in prioritizing loan proposals, or in the day-to-day management of the BCRLF loan program, and, specifically, will have no contractual ties with individual borrowers. The U.S. EPA anticipates being substantially involved in monitoring the BCRLF program to ensure that applicable legal, financial, and environmental response requirements are met. EPA may approve the procedures for site and loan recipient selection, review the substantive terms of loan documents, review or approve project phases, work collaboratively with the recipient to develop scopes of work and generally monitor operational matters.

Background

Many sites across the country once used for industrial/commercial purposes have been abandoned or are underused—some are contaminated, some are merely perceived to be contaminated. A report from the General Accounting Office (GAO: Community Development, Reuse of Urban Industrial Sites, June 1995, GAO/ RCED-95-172) finds that:

“As states and localities attempt to redevelop their abandoned industrial sites, they have faced several obstacles, including the possibility of contamination and the associated liability for cleanup ... This situation is caused largely by federal and state environmental laws and court decisions that impose or imply potentially far-reaching liability. The uncertain liability has encouraged businesses to build in previously undeveloped nonurban areas—called ‘greenfields’—where they feel more confident that no previous industrial use has occurred.”

The National Environmental Justice Advisory Council (NEJAC) has likewise “determined that there exists a compelling need to address issues of economic development and revitalization of America’s urban [and rural] communities.” The NEJAC has requested that EPA:

“Provide leadership in stimulating a new and vigorous national public discourse over the compelling need to develop strategies for ensuring healthy and sustainable communities in America’s urban [and rural] centers and their importance to the nation’s environmental and economic future.”

EPA is responding to these concerns through its EPA’s Brownfields Initiative. The Brownfields Initiative can be grouped into four broad and overlapping categories: (1) providing cooperative agreements for brownfields assessment and cleanup pilots; (2) clarifying liability and cleanup issues; (3) building partnerships and outreach among federal agencies, states, municipalities, and communities; and (4) fostering local job development and training initiatives.

To date, the Agency has funded 307 Brownfields Assessment Demonstration Pilots. The brownfields assessment pilots (each funded up to \$200,000 over two years) test cleanup and redevelopment planning models, direct special efforts toward removing regulatory barriers without sacrificing protectiveness, and facilitate coordinated environmental cleanup and redevelopment efforts at the Federal, state, and local levels.

These brownfields assessment pilots are being used to bring together community groups, investors, lenders, developers, and other affected parties to address the issue of assessing sites contaminated with hazardous substances and preparing them for appropriate, productive use. The pilots serve as vehicles to explore a series of models for states and localities struggling with such efforts. Experience gained from the brownfields assessment pilots, along with partnerships and outreach

activities, is providing a growing knowledge base to help EPA's Brownfields Cleanup Revolving Loan Fund pilots.

Both assessment and cleanup pilots focus on EPA's primary mission—protecting human health and the environment. However, they are an essential piece of the nation's overall community revitalization efforts. EPA works closely with other federal agencies through the Federal Interagency Working Group on Brownfields and builds relationships with other stakeholders on the national and local levels to develop coordinated approaches for community revitalization.

Evaluation of the Proposals

The Evaluation Process

BCRLF pilots are selected through a competitive process. All proposals are initially evaluated by U.S. EPA Regional evaluation panels. The panels consist of EPA Regional staff, including Regional Brownfields Coordinators, and other Federal Agency representatives. The panels assess how well the proposal meets the selection criteria and make recommendations on the number and size of the awards. Final selection of the pilots is made by EPA Senior Management, following the regional panel reviews.

Proposals must be clear, decisive, and strictly follow the criteria. They must provide sufficient detail so the panels may compare the merits of each while deciding which proposals best support the intent of the pilot program. Proposals providing the best evidence of a true need, a quality project, and appropriate use of funds will have the best chance of being recommended by the panels. Vague descriptions and unnecessary redundancy may reduce the chance of a favorable rating.

Applicants are strongly encouraged to familiarize themselves with the *Brownfields Cleanup Revolving Loan Fund Administrative Manual* (EPA 500-B-98-001, May 1998) and the *Brownfields Cleanup Revolving Loan Fund Administrative Manual: Model Terms and Conditions* (EPA 500-B-98-002, October 1998)(see, <http://www.epa.gov/swerosps/bf/rlflocat.htm>).

Applicants may also contact and meet with EPA Regional BCRLF Coordinators for assistance prior to submission of their proposal. A list of Regional BCRLF Coordinators and their phone numbers can be found on page 34 of the guidelines.

The Cooperative Agreement Award Process

Upon selection, applicants will receive a confirmation letter from EPA Headquarters. Applicants not selected also will be informed in writing.

Successful BCRLF pilot proposal applicants also will be contacted by the appropriate EPA Regional office. Successful applicants will be asked to submit a formal cooperative agreement application package.

Cooperative agreements are awarded by the EPA Regional offices. The information in the BCRLF pilot proposal, the answers submitted in response to the selection criteria, will form the basis for the cooperative agreement application. ***However, the cooperative agreement application will require more detailed information on specific products, schedule, and budgets.***

The cooperative agreement application package will include:

- the standard application and budget forms (SF 424);
- a formal work plan that provides a detailed description of the work to be performed, including a schedule, milestones, products, and budget backup information;
- information related to community relations, health and safety, and quality assurance plans;
- and the required certification forms.

The EPA Regional Brownfields Office and Regional Grants Specialist will work closely with the applicant to process and finalize the cooperative agreement package. Regulations require the award official³ to sign the cooperative agreement before costs are incurred, with limited exceptions.

Successful BCRLF pilot proposal applicants also will be asked to contact their State Intergovernmental Review office so that the required intergovernmental review process may begin immediately. If the State does not have an Intergovernmental Review Office, the successful applicant must provide notice of the proposed agreement directly to affected State, area-wide, regional, and local entities. EPA will provide further guidance, if needed.

³ An “Award official” is the individual who signs the assistance agreement ensuring that all technical, legal, and administrative evaluations have been made and that the proposed agreement is awardable. For regionally administered programs, the award official is either the Regional Administrator, Assistant Regional Administrator, or Division Director.

BCRLF Terminology

The following terminology will be used throughout the proposal guidelines:

- P **Applicant**, or legal recipient, is the state, political subdivision (e.g., city, town, county), or Indian tribe that is going to submit, or has submitted, a proposal for a BCRLF Demonstration Pilot with EPA. If the proposal is from a coalition, the “applicant” must be the legal recipient (lead agency/cooperative agreement recipient) for the coalition.
- P **Brownfields Site Manager** is a qualified government employee (either Federal, state, or local), selected by the cooperative agreement recipient, who carries out the “on-scene coordinator” responsibilities identified in the NCP. *See also, Roles and Responsibilities section on pages 12-13 for further explanation.*
- P **Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended or CERCLA**, also known as “Superfund,” is the Federal law that governs the cleanup of hazardous waste sites. The BCRLF demonstration pilot program is funded under § 104(d)(1) of CERCLA.
- P **Coalition** is a grouping of two or more entities (e.g., State, political subdivision, or Indian tribe) joined together under one proposal with one cooperative agreement recipient.
- P **Cooperative Agreement** is the document negotiated between EPA and those applicants EPA selected to receive BCRLF pilot funding. The cooperative agreement awards federal funds and outlines the terms and conditions to be met by the recipient of the funds.
- P **Cooperative Agreement Recipient** is the entity with the authority to enter into the cooperative agreement and is responsible for the overall implementation of the BCRLF demonstration pilot. *See also, Roles and Responsibilities section on page 11 for further explanation.*
- P **Eligible Entity** is either (1) a State, political subdivision, or Indian tribe that has been awarded a brownfields assessment demonstration pilot prior to FY ‘00; or (2) a political subdivision with jurisdiction over sites that have either been the subject of a targeted brownfields assessment (formerly called targeted site assessments) or been selected by the U.S. EPA prior to January 1, 2000 to be the subject of a targeted brownfields assessment.
- P **Fund Manager** is the cooperative agreement recipient or its legally designated representative. The Fund Manager manages the financial aspects of the fund and ensures that the BCRLF is managed in conformance with the cooperative agreement, applicable laws and regulations, and

prudent lending practices. *See also, Roles and Responsibilities section on page 13 for further explanation.*

- P ***Lead Agency*** is the cooperative agreement recipient. *See also, Roles and Responsibilities section on pages 12-13 for further explanation.*
- P ***The National Oil and Hazardous Substances Pollution Contingency Plan or NCP***, 40 CFR Part 300, is the Federal regulation that governs the cleanup of releases of hazardous substances, pollutants, and contaminants.
- P ***Pilot Area*** is the section(s) of the eligible entities' jurisdiction in which it intends to make BCRLF loans. It is NOT limited to those areas targeted by the Brownfields Assessment Demonstration Pilot program or the Targeted Brownfields Assessment program.
- P ***Political Subdivision*** is a unit of government that the State determines to have met the State's legislative definition of a political subdivision. 40 CFR § 35.6016(a)(31)
- P ***Proposal*** is the document submitted to EPA that provides responses to the criteria described in this guideline. If the *proposal* is selected by EPA, the applicant will be requested to prepare a formal *application* for a cooperative agreement.

Roles and Responsibilities

The following section provides guidance on the roles and responsibilities of various entities involved in the BCRLF program. This is *NOT* an exclusive listing of all roles and responsibilities, it is merely a guide.

P The *Cooperative Agreement Recipient*

The *Cooperative Agreement Recipient* is the entity with the authority to enter into the cooperative agreement. As the *Cooperative Agreement Recipient*, the entity:

- enters into the cooperative agreement with U.S. EPA;
- ensures the overall implementation of the BCRLF pilot;
- is the recipient of federal funds;
- ensures that the funds provided by EPA are used for authorized purposes;
- ensures that these funds are tracked, recorded, and reported to EPA;
- acts as Lead Agency;
- identifies the Brownfields Site Manager;
- selects the Fund Manager; and
- is responsible for the actions of the Fund Manager.

P The *Lead Agency*

The *Lead Agency* is the Cooperative Agreement Recipient. As the *Lead Agency*, the entity:

- is responsible for carrying out the Lead Agency responsibilities identified in 40 C.F.R. § 300.415;
- may not designate another entity to act as the Lead Agency (the cooperative agreement recipient/lead agency may enlist the services of other entities that have experience carrying out and overseeing environmental response activities, to help fulfill its Lead Agency responsibilities);

- determines whether BCRLF cleanup activities at a particular site are authorized by CERCLA and the NCP based on site evaluation (described in the NCP at 40 C.F.R. § 300.410) and on current site conditions;
- conducts a site-specific engineering evaluation and cost analysis of cleanup alternatives as required by 40 C.F.R. § 300.415(b)(4);
- ensures that a BCRLF cleanup meets applicable or relevant and appropriate requirements under Federal and State environmental laws, as required by 40 C.F.R. § 300.415(j);
- ensures that the NCP public participation requirements (see, 40 C.F.R. § 300.415(n)) are met. This includes ensuring the availability of documents, providing adequate public comment periods, and designating a spokesperson to inform the community of actions taken, respond to inquiries, and provide information;
- establishes an administrative record for each site, as required by 40 C.F.R. § 300.800(a). (The administrative record contains all the information that forms the basis for the selection of a cleanup action, including a decision document describing the final selection of a BCRLF cleanup.);
- works with the Fund Manager, as loan agreements are developed, to ensure that all environmental response requirements will be met and that BCRLF funds are used only for authorized activities;
- ensures the adequacy of each BCRLF cleanup as it is implemented, including, but not limited to, ensuring that all Federal and state requirements for worker health and safety are met;
- ensures that Natural Resource Trustees are promptly notified and coordinated with when there are potential damages to natural resources; and
- ensures that a site is secure and that it poses no immediate threat to human health or the environment, if a borrower is unable or unwilling to complete a BCRLF cleanup.

P The *Brownfields Site Manager*

The *Brownfields Site Manager*:

- must be a qualified government employee (either a Federal, state, or local government employee); and

- carries out the “on-scene coordinator” responsibilities identified in the NCP, which include, but are not limited to, the coordination, direction, and review of borrowers and contractors to assure compliance with the NCP and Lead Agency approved documents.

P The *Fund Manager*

The *Fund Manager* is the cooperative agreement recipient or its legally designated representative. The *Fund Manager*:

- ensures that the BCRLF is managed in conformance with the cooperative agreement, applicable laws and regulations, and prudent lending practices.
- may be a third party (either governmental or non-governmental). If the cooperative agreement recipient uses pilot funds to enter into agreements with non-governmental entities for these activities, proper procurement procedures must be followed. Intergovernmental agreements may be used for transactions between governmental units.

Legal and Program Guidelines for the Proposals

The BCRLF program is funded through the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). BCRLF pilot funds must be used in accordance with CERCLA. All CERCLA restrictions on the use of funding also apply to BCRLF funds.⁴

P *Eligible Applicants for BCRLF Pilots*

- States, political subdivisions (including, cities, towns, and counties), and Federally recognized Indian tribes that were awarded a Brownfields Assessment Demonstration Pilot; and
- political subdivisions that received a Targeted Brownfields Assessment Pilot, or were selected to receive a Targeted Brownfields Assessment pilot, prior to January 1, 2000, are eligible entities.
- Proposals from coalitions are permitted to apply (see specific requirements for Coalition proposals listed on page 16).

P *Eligible Properties*

- Use of BCRLF pilot funds is limited to brownfields sites, within the eligible entities jurisdiction, that have been determined to have an actual release or substantial threat of a release of a hazardous substance. Funds may also be used at sites with a release or substantial threat of release of a pollutant or contaminant which may present an imminent and substantial danger to the public health or welfare.
- BCRLF pilot funds may NOT be used for activities at any sites: 1) listed (or proposed for listing) on the National Priorities List; 2) at which a removal action must be taken within six months; or 3) where a federal or state agency is planning or conducting a response or enforcement action.

⁴ The BCRLF demonstration pilot program is funded under §104(d)(1) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended (CERCLA). Regulations applicable to this program include 40 C.F.R. Part 31 (Uniform Administration Requirements for Grants and Cooperative Agreements to State and Local Governments), 40 C.F.R. Part 35, Subpart O (Cooperative Agreements for Superfund Response Actions), and 40 C.F.R. Part 300 (The National Oil and Hazardous Substances Pollution Contingency Plan).

- Coalition funding is premised on an award of no more than \$500,000 per eligible entity. Loan funds must be directed to properties located within the jurisdictions of the eligible entities comprising the coalition.

P ***Eligible Borrowers***

- The cooperative agreement recipient may loan to any entity, public or private, that is authorized to enter into a loan agreement, can establish a legally binding agreement to repay the loan, and can identify a potential source of income for the repayment.
- BCRLF pilot funds may be loaned to a party that is an owner/operator of the site only if:
 - the owner/operator would fall under a statutory exemption from CERCLA liability; or
 - EPA would use its enforcement discretion and not pursue the party in question under CERCLA, as described by EPA guidance (see list in Appendix B).
- BCRLF pilot funds may NOT be loaned to a party that is a generator or transporter of contamination at the site for which that party is requesting funds.
- BCRLF funds may not be loaned to a party that is suspended, debarred, or otherwise ineligible to participate in Federal financial assistance programs.

The initial findings made by the lead agency do not, however, limit the authority of the Federal or state government.

P ***Eligible Activities***

- BCRLF pilot funds are for cleanup activities only, as designated by the U.S. EPA's Administrator.
- BCRLF activities must be removals, as defined in CERCLA §101(23). The National Contingency Plan at 40 C.F.R. §300.415 describes some examples of removal actions.
- BCRLF cleanups must meet the NCP requirements identified for non-time critical removal actions -- *i.e.*, removal actions for which a planning period of at least 6-months exists. These requirements are identified primarily in 40 C.F.R. §§300.415 and 300.800. Pilot funds may be used for costs associated with meeting any of these requirements, including the requirement to conduct engineering evaluation and cost analysis of cleanup alternatives and all public participation requirements.

- BCRLF pilot loan funds may be used for site monitoring activities that are reasonable and necessary during the cleanup process.
- BCRLF pilot funds may NOT be used to conduct environmental response activities preliminary to cleanup, such as site assessment, site identification, and site characterization.
- BCRLF pilot funds may NOT be used to clean up products that are part of the building structure and result in exposure within residential buildings or business or community structures (e.g., interior lead-based paint contamination or asbestos which results in indoor exposure).
- BCRLF pilot funds may NOT be used for cleanup of petroleum products, unless they are believed to be co-mingled with a hazardous substance, pollutant, or contaminant (e.g., used oil). CERCLA expressly excludes petroleum from the definition of hazardous substances.
- BCRLF pilot funds may NOT be used for development activities that are not removal actions (e.g., construction of a new facility or marketing of property).

P ***Special Requirements for Coalition Proposals***

- A single entity must be identified as the applicant.
- A letter of agreement, from each coalition member, must be included as an attachment.
- Only one award will be considered per eligible entity within the coalition, i.e., if one political subdivision received both a Brownfields Assessment Demonstration Pilot and Targeted Brownfields Assessment funds, the political subdivision would only be eligible for up to \$500,000.
- Coalition funding is premised on an award of no more than \$500,000 per eligible entity. Loan funds must be directed to properties located within the jurisdictions of the eligible entities comprising the coalition.

P ***Other Restrictions***

- The cooperative agreement recipient may use up to 15% of the total award of BCRLF pilot funds for the lead agency's or fund manager's administrative and legal costs. The final amount to be determined during cooperative agreement proposal negotiations with EPA. Allowable costs may include loan processing, professional services, audits, legal fees, and state program fees.

- BCRLF pilot funds may NOT be used for job training. Support for job training activities may be available through the Hazardous Material Training and Research Institute, EPA programs, other Federal agency programs, and state and local programs.
- BCRLF pilot funds may NOT be used to support “lobbying” efforts of the cooperative agreement recipient (e.g., lobbying members of Congress or State legislatures, or lobbying for other Federal grants, cooperative agreements, or contracts).
- The cooperative agreement recipient cannot use BCRLF pilot funds to match any other Federal funds without specific statutory authority. (*However, the borrower may use BCRLF pilot funds to match other federal funds.*)
- The cooperative agreement recipient is responsible for complying with all applicable Federal requirements that are applicable to the BCRLF by operation of statutes, executive orders, and regulations, in addition to CERCLA requirements (e.g., The Davis Bacon Act, 40 U.S.C. §276a *et seq.* applies to all projects funded entirely, or in part, with CERCLA funds.)
- The cooperative agreement recipient is generally expected to obligate all funds awarded under the BCRLF pilot within (3) years. Final payment and disbursement of award funds, generally, must be complete within (5) years from the agreement start date.

Structure of the Proposal

Proposals for BCRLF pilots should consist of the following sections:

- ! Cover Page (1 page)
- ! Proposal Overview (1-2 pages)
- ! Budget (1 page)
- ! Responses to Threshold Criteria -- Section A and B (up to 5 pages)
- ! Responses to Evaluation Criteria -- Sections C- F (up to 9 pages)
- ! Attachments (as appropriate; please provide an index)

Note: Coalition proposals may exceed page limits, as needed.

Attachments should be kept to a minimum. Attachments that will be considered during proposal evaluation include maps and letters of certification and commitment, support, or partnership from other government or private entities. Examples of attachments that will not be considered during proposal evaluation include strategies or plans developed for other programs, advertising brochures, newspaper articles, resolutions, statutes, and videotapes. Information in these types of attachments should be distilled and incorporated into the responses to criteria.

To ensure fair and equitable evaluation of the proposals, please *do not* exceed the above, single-sided page limitations. In addition, all materials included in the proposal (including maps and other attachments) must be printed on letter-sized paper (8½" by 11") and font sizes may be *no smaller* than 11 points.

Please submit two copies of your proposal materials, including attachments. One copy should be submitted directly to EPA Headquarters and the other copy should be submitted to the appropriate EPA Regional BCRLF Coordinator. (See page 34)

Cover Page

This is intended to identify the BCRLF Demonstration Pilot applicant and a point of contact for communication with EPA. This should be on a single page and in the format of your choice.

1. Proposal title: this should be as specific as possible.
2. Location: city, county, and state of the pilot area.

•For a coalition proposal, please list the relevant information for *EACH* eligible entity, with the lead member identified.

3. Scope and population of the pilot area.
 - For a coalition proposal, please list relevant information for *EACH* eligible entity.
4. Applicant identification: the name of the proposed cooperative agreement recipient (e.g., state or local agency).
 - For a coalition proposal, the entity named here will be considered the cooperative agreement recipient.
5. Proposal director: the name of the person who is responsible for the proposal. We will contact this person if we need further information.
6. Mailing address of the proposal director.
7. Telephone/Fax/E-mail of the proposal director.
8. Name of the chief executive of the applicant (e.g., Governor, Mayor, County Executive, Tribal President, etc.), if different from the proposal director.
 - For a coalition proposal, please list the chief executive of *EACH* entity.
9. Mailing address of the chief executive, if different from the proposal director.
 - For a coalition proposal, please provide the mailing address of the chief executive for *EACH* eligible entity.
10. Telephone/Fax/E-mail of the chief executive, if different from the proposal director.
 - For a coalition proposal, please provide the Telephone/Fax/E-mail of the chief executive for *EACH* eligible entity.
11. Date submitted: the date when the proposal is postmarked or sent to EPA via registered or tracked mail.
12. Pilot period: the cooperative agreement recipient generally has three years from the cooperative agreement start date to obligate (enter into loan agreements) all funds awarded. Final payment, disbursement of award funds, and close out must be complete within 5 years of award date. This will be determined by the applicant's projected implementation schedule for the initial round of lending to be described in "Criteria A.5: Describe proposed BCRLF Financial Plan" (See pages 25-26).

13. Community background: demographic statistics on minority, unemployment, and poverty rates or other statistics that demonstrate distress in the pilot area.
 - For a coalition proposal, please provide the relevant demographic statistics for *EACH* eligible entity.
14. Cooperative partners: provide a list of the individuals and organizations that have agreed to participate in the implementation of the pilot without charge.

Proposal Overview

The Proposal Overview is an important opportunity to briefly summarize the overall goals and objectives of the proposed pilot. Some of the information you provide in the Proposal Overview will overlap with the evaluation criteria.

Provide an overview of the following topics:

- Overall brownfields goals and objectives.
- How capitalization of a BCRLF will help advance your goals and objectives.
- How the EPA cooperative agreement funds will be used (e.g., administration, loans, and financing).

Budget

Provide a potential budget for your proposal. This should show the distribution of the BCRLF pilot funds, including the portion of funds to be used for loans, and the potential cooperative agreement recipients' administrative costs, legal fees, and professional services (limited to 15% of the total award). A clear and concise budget is a critical element of the package.

For coalition proposals, the budget should clearly identify how the funds will be distributed among each coalition member. No one member may receive more than a \$500,000 allotment.

Threshold Criteria (Sections A and B)

Applicants must meet the threshold criteria—demonstrate an ability to manage a revolving loan fund and environmental cleanups—to be selected for a BCRLF Demonstration Pilot. Applicants relying on a targeted brownfields assessment for eligibility, must also supply additional information to meet the threshold criteria.

A. *Ability to Manage a Revolving Loan Fund and Environmental Cleanups*

The proposed cooperative agreement recipient will carry out two primary functions: 1) act as lead agency, for the purpose of managing environmental cleanups; and 2) be responsible to EPA for fund management, for the purposes of directing and administering the BCRLF pilot. This section addresses the threshold criteria, i.e., the minimum criteria, an applicant must demonstrate to assure U.S. EPA it has the ability to implement a BCRLF pilot.

A.1. **Demonstrate That You Have an Effective Institutional Structure in Place or Planned**

(a). Please identify: (1) the entity that will be lead agency; (2) the government employee that will be the brownfields site manager; and (3) the types of entities that may act as fund manager⁵. If the applicant is unable to identify the government employee who will act as the Brownfields Site Manager or the entity that will act as Fund Manager, describe your *plan* for selecting the Brownfields Site Manager or Fund Manager.

(b). *Lead Agency*

(1) Provide background information on the institution and staff proposed to be the Lead Agency (*reminder: cooperative agreement recipient = lead agency*). This background information should describe the experience and qualifications the applicant has to act as Lead Agency or describe how the applicant intends to acquire this expertise.⁶ Your description of

⁵Recipients who intend to contract with an entity to perform fund manager services must comply with competitive procurement procedures as required by 40 CFR Part 35, Subpart O.

⁶The cooperative agreement recipient/lead agency may enlist the services of other entities that have experience with overseeing and carrying out environmental response actions to help the cooperative agreement recipient fulfill its lead agency responsibilities. The cooperative agreement recipient may **NOT**, however, designate another entity (including the Brownfields Site Manager) to act as the lead agency.

experience and qualifications should be based on the responsibilities described on pages 11-12 and must include a demonstration that the proposed Lead Agency has, or has access to, the following:

(a) Expertise in conducting or overseeing environmental response actions carried out in accordance with federal and state requirements and, in particular, experience with, or knowledge of, the non-time critical removal requirements in the National Contingency Plan (40 C.F.R. § 300.415); and

(b) Sufficient record-keeping expertise to ensure that the use of BCRLF funds (by the Cooperative Agreement recipient and by the borrower) is tracked, recorded, and reported to EPA.

(c) If the proposal is from a coalition, please describe how the proposed Cooperative Agreement recipient will implement its lead agency responsibilities with respect to the coalition, for example, how the lead agency would ensure that environmental response requirements are met at sites where it does not typically assert jurisdiction (i.e., sites located in other member's political boundaries).

(2) Provide information on any past or pending legal actions against the institutions or individuals proposed to be the Lead Agency relating to public and commercial financial and environmental matters, how those actions were resolved, and whether any are currently suspended, debarred, or otherwise ineligible to receive federal funding.

(3) If the proposed Cooperative Agreement Recipient plans to enlist the services of other entities to assist in carrying out Lead Agency responsibilities, describe the relationship between the potential Lead Agency and these institutions and the type of agreement (e.g., intergovernmental agreement, contract, or subgrant) that is planned. *Note: Any services acquired by contract are subject to the procurement procedures found in 40 CFR Subpart O. Intergovernmental agreements may be used for transactions between governmental units.*

Note: Political subdivision applicants who are selected to receive BCRLF funds will be asked to obtain written agreement from the State that the political subdivision may assume lead agency responsibility for removal activities at any site or sites addressed with BCRLF funds. This should be submitted with the formal cooperative agreement application package in the form of a letter from the State. Applicants who are selected to receive BCRLF funding should consult with the U.S. EPA Regional BCRLF Coordinator (see page 34) if they are unable to obtain this letter in time to submit it with the formal cooperative agreement application package.

(c). *Brownfields Site Manager*

(1) Provide background information on the ***government employee*** proposed to be the Brownfields Site Manager.⁷ This background information should describe the experience and qualifications of the government employee who will act as the Brownfields Site Manager. Your description of experience and qualifications must include a demonstration that the employee identified to serve this function has, or will have, the following:

(a) Experience with on-site coordination, direction, and review of environmental response activities; and

(b) Experience with, or knowledge of, the non-time critical removal requirements in the National Contingency Plan (40 C.F.R. § 300.415).

(2) Provide information on any past or pending legal actions against the employee proposed to be the Brownfields Site Manager relating to public and commercial financial and environmental matters, how those actions were resolved, and whether the employee is currently suspended, debarred, or otherwise ineligible to receive federal funding.

(3) If the proposed Cooperative Agreement Recipient plans to enlist the services of a government employee to act as the Brownfields Site Manager who is not an employee of the Cooperative Agreement Recipient (e.g., the Brownfields Site Manager is an employee of the State or Federal government that will work under the direction of a political subdivision lead agency), describe the relationship between the proposed Cooperative Agreement Recipient and the proposed Brownfields Site Manager. *Note: Any services acquired by contract are subject to the procurement procedures found in 40 CFR Subpart O. Intergovernmental agreements may be used for transactions between governmental units.*

(d). *Fund Manager*

(1) If the proposed Cooperative Agreement Recipient plans to enlist the services of other institutions or individuals to act as the Fund Manager, describe the relationship between the potential Cooperative Agreement Recipient and the institution or individual and the type of

⁷ Different options are available for the Brownfields Site Manager, e.g., an employee of the political subdivision, a state government employee, or someone from the U.S. Army Corp of Engineers.

agreement (e.g., intergovernmental agreement, contract, or subgrant) that is planned. *Note: Any services acquired by contract are subject to the procurement procedures found in 40 CFR Subpart O. Intergovernmental agreements may be used for transactions between governmental units.*

(2) Provide information on the qualifications of institutions and staff the applicant intends to have act as Fund Manager.⁸ Typical information should include:

- (a) Financial skills to manage the financial health of the fund;
- (b) Analytical skills to evaluate potential borrowers on both technical and financial criteria;
- (c) Legal skills to structure loan agreements, collateral arrangements, and repayment instruments; and
- (d) Recordkeeping skills to track and report on the activities of the BCRLF and its borrowers (e.g., number of loans, categories of borrowers, and program income).

Please note, that as part of its substantial involvement EPA may request information on any past or pending legal actions against the institution or individuals proposed to be the Fund Manager relating to public and commercial financial and environmental matters and how those actions were resolved. The institution or individual selected as fund manager must not be currently suspended, debarred, or otherwise ineligible to receive federal funding.

(3) For coalition proposals, please describe how the fund manager will independently manage and track the funds for each of the eligible entities that are part of the coalition.

A.2. Demonstrate Your Legal Authority to Manage Bcrlf Cleanups

⁸ To reduce their administrative costs, cooperative agreement recipients are permitted to designate third parties to serve as the fund manager. Should an applicant choose to (1) coordinate the administration of the BCRLF pilot with other existing revolving loan funds (e.g., EDA, others); (2) enter into agreements with the state to administer the BCRLF pilot funds; or (3) coordinate the administration of funds with other selected BCRLF cooperative agreement recipients, the applicant must ensure that BCRLF pilot funds are used only for authorized purposes.

The cooperative agreement recipient will be responsible for all actions of the fund manager. Therefore, should a BCRLF pilot cooperative agreement be terminated by EPA, the recipient must appoint a receiver to manage outstanding loans or EPA will appoint a receiver at the Agency's discretion.

Please provide a *legal opinion (in the form of an attachment)* from the applicant's legal counsel that demonstrates the applicant's legal authority to perform the actions necessary to manage environmental cleanups. This should include a demonstration of jurisdiction, as well as the authority to carry out the responsibilities, described previously, of the Lead Agency and Brownfields Site Manager (see pages 11-13). This authority may be based in statute, regulation, or other authority.⁹

A.3. Demonstrate Your Legal Authority to Manage a Revolving Loan Fund

Please provide a *legal opinion (in the form of an attachment)* from the applicant's legal counsel that demonstrates the applicant's legal authority to perform the actions necessary to manage a revolving loan fund. Legal authority must include, among other things, the ability to enter into the cooperative agreement, hold funds, make loans, enter into loan agreements, hold collateral, charge interest, and collect repayments. This authority may be based in statute, regulation, or other authority.¹⁰

A.4. Demonstrate the Applicant's Status as a Political Subdivision

Provide evidence that your entity is a political subdivision according to state law, e.g., a letter from you State Attorney General's office.

A.5. Describe Your Proposed BCRLF Pilot Financial Plan¹¹

Briefly outline your proposed financial plans. Provide the following:

- (a). the proposed financing structure for the program, such as planned level of fund capitalization, loan schedule, and administrative costs;

⁹ In some cases, all authority may come from one source. For example, if the potential cooperative agreement recipient is a municipal government, your state may have granted broad powers to all municipalities that include those needed to manage a BCRLF cleanup. In some cases, however, such broad authority may not exist. In these cases, the legal opinion must cite specific authorities.

¹⁰ In some cases, all authority may come from one source. For example, if the potential cooperative agreement recipient is a municipal government, your state may have granted broad powers to all municipalities that include those needed to manage the loan administration portion of the BCRLF. In some cases, however, such broad authority may not exist. In these cases, the legal opinion must cite specific authorities.

¹¹ Once a BCRLF pilot proposal is selected, but prior to when the cooperative agreement is signed, applicants will be asked to provide a more detailed financial plan demonstrating the applicant's financial management capabilities.

- (b). a brief description of how the BCRLF program may be operated in relationship with funding mechanisms other than EPA pilot funds;
- (c). a description of how BCRLF funds will be integrated into an existing redevelopment loan, grant, or tax incentive program, if appropriate;
- (d). if possible, identify anticipated initial loan recipients and the level of funding to be provided (this is not required); and
- (e). a proposed BCRLF pilot implementation schedule for the initial round of lending.¹²

B. Additional Criteria for Applicants Basing Eligibility upon the Receipt of a Targeted Brownfields Assessment

For those entities basing their eligibility on the receipt of a targeted brownfields assessment, identify the site name, site location, and the current status of the targeted brownfields assessment within your jurisdiction. Describe whether the State or the U.S. EPA is responsible for conducting the targeted brownfields assessment within your jurisdiction. If the State is, or was, responsible for conducting the targeted brownfields assessment, please provide the name and phone number of the relevant State contact for verification purposes.

¹² Failure to comply with the pilot period can result in the deobligation and recovery of undisbursed cooperative agreement funds, at the option of EPA.

Evaluation Criteria (Sections C-F)

Those applicants that meet the threshold criteria will then be evaluated based on their responses to four evaluation criteria: (1) demonstration of need; (2) commitment to creative leveraging of EPA funds; (3) benefits of BCRLF pilot loans to the local community; and (4) long-term benefits and sustainability.

Your response to the following criteria will be the primary basis on which EPA determines the size of award. EPA's evaluation panel will review the proposals carefully and assess each response based on how well it addresses each criterion.

Responses for *coalition proposals must provide sufficient detail for each of the eligible entities* within the coalition, where applicable.

C. Evaluation Criteria: Demonstration of Need

C.1. Problem Statement and Unique Needs of the Community

(a). Provide demographic measures that demonstrate economic distress in targeted municipalities and neighborhoods. Demographic measures should include population (including distribution of minorities), poverty rates, and unemployment rates. Other measures could include per capita or family income levels or other measures that demonstrate distress.

(b). Explain the unique needs of the community, including why certain demographic problems are a priority. Specific goals and strategies developed to deal with problems should be identified. Connecting to environmental justice issues, city or county-wide strategic planning, or comparative risk efforts is encouraged. If specific neighborhoods or communities have been targeted for enhanced development, a brief description of those plans should be included in the proposal.

(c). Explain interactions with other local, state, or federal economic incentive programs designed to increase jobs and capital investment (e.g., federal enterprise communities and empowerment zones, state-designated zones, tax increment financing districts, and public improvement districts). Any public/private investment activities associated with the demographic concerns should be described.

C.2. Description of Potential Borrowers and Property

(a). Detail the types of borrowers expected to benefit from BCRLF pilot financing and provide general information about their financial needs.

(b). Explain the process for identifying and selecting prospective BCRLF borrowers and detail how they will be certified as qualified borrowers. Identify planned procedures for determining how

potential borrowers requesting BCRLF pilot loans are well qualified to direct the proposed redevelopment and have a demonstrated record of success.

(c). Describe specific areas that are to be included in the BCRLF pilot eligibility pool. Maps of eligible areas of emphasis, with clear explanations attached, should be provided. When possible, the proposal should provide descriptions of eligible properties.

D. Evaluation Criteria: Commitment to Creative Leveraging of EPA Funds

D.1. Ability to Attract and Support Other Financing

(a). Provide information on all other currently available or anticipated sources of funding for cleanup in the eligible area, including other federal, state, local, non-profit, and private funding sources. Proposals should demonstrate the extent to which EPA seed funding of a BCRLF pilot will attract other resources and be used in conjunction with those resources to maximize benefit.

(b). Discuss how you plan to use BCRLF pilot funds to address funding gaps for cleanup of eligible BCRLF pilot area properties.

(c). Describe how the BCRLF pilot program will be coordinated with other revolving loan funds or financing programs for environmental assessment and cleanup, if available.

D.2. Cash and In-Kind Contributions

While applicants are not required to match seed capitalization funds, financial participation is encouraged and will be taken into account in evaluating proposals. Applicants, therefore, should describe their intended financial contributions to capitalizing the proposed BCRLF and the sources of these capitalization funds. This discussion can include both direct cash contributions and access to relevant in-kind services.

D.3. Efficiency of Planned Administrative Structure

Describe the anticipated administrative framework for the BCRLF pilot and discuss how the planned BCRLF pilot structure will be integrated with other programs (e.g., other revolving loan fund programs) in a manner that minimizes administrative costs for the BCRLF pilot program.

E. Evaluation Criteria: Benefits of BCRLF Loans to the Local Community

E.1. Announcement and Notification of BCRLF Fund Availability

- (a). Describe your procedures for providing for public hearings and Notification of Funds Available (NOFA) when a BCRLF program is being planned and before it is implemented.
- (b). Describe the public outreach process that must be held for the initial notification of the loan program. If a formal public comment period is provided, and the applicant allows for no action on the program until the comment period is completed, details must be included in the proposal. Documentation of all outreach efforts must be provided to EPA upon the Agency's request.
- (c). Describe your procedures for notifying minority business enterprises, women's business enterprises, and small business enterprises located within your jurisdiction about the BCRLF availability. Discuss any relationship which might already exist between the proposed cooperative agreement recipient and these types of business enterprises. Describe any existing procedures for linking these enterprises with opportunities under the BCRLF and, if no procedures currently exist, how you might develop such procedures. (For coalition proposals, answer for each coalition member community.)

E.2. Community Involvement in Future Land Reuse

- (a). Describe how the proposed BCRLF pilot is community-based or how the applicant plans to involve the community in targeted areas of the pilot. Community meetings will be required as a part of the redevelopment process at a brownfields site when the property owner or developer is accepted as a borrower. Outline how you intend to ensure community involvement.
- (b). Describe partnerships with academic associations, environmental justice groups, established community contacts, and organizational networks. Detail the method for including these groups in land reuse decisions.
- (c). Describe any standards for land-use based environmental cleanups. Include particulars on community involvement in the determination of the selected environmental cleanup standards.
- (d). To demonstrate significant involvement of other community organizations or local agencies, please provide letters of commitment from involved organizations, if available. (These letters are not required).

E.3. Contribution to Community Economic Development Plans

Cooperation among municipal, county, state, federal, and private economic development programs is encouraged. Please provide the following:

- (a). a summary of such partnerships already developed for the delivery of economic benefits to the impacted brownfields area;

- (b). details on how the partners cooperate for overall economic community development; and
- (c). a description of the relationship envisioned with these partners under the BCRLF pilot program.

E.4. Environmental Justice Benefits

Environmental justice seeks to rectify the disproportionately high burden of environmental pollution that is often borne by low income, minority, and other disadvantaged communities.

- (a). Describe how these communities have participated in the development of your brownfields redevelopments plans and how they will continue to participate in your Brownfields Cleanup Revolving Loan Fund.
- (b). Describe your plans for ensuring that affected disadvantaged populations benefit environmentally and economically (directly or indirectly) from the cleanup and reuse of brownfields as proposed in your proposal.
- (c). Describe how you plan to ensure that environmental risks to disadvantaged communities are not increased during cleanup and redevelopment.

E.5 Projected Sustainable Benefits

To ensure that the applicant's brownfields program continues when EPA funds are exhausted, please provide the following:

- (a). the long-range planning and budget efforts established by entity responsible for implementing the brownfields program;
- (b). a description of the environmental and economic benefits of the BCRLF pilot, including the benefits of near-term projects and the projected sustainable environmental protection and economic stability of the community (Projected taxes, job creation, and pollution prevention information, if available, should be presented.); and
- (c). a description of the intangible social benefits of the BCRLF pilot (e.g., increased community pride, improved perceptions that the community is a good place to live and work, and decreased fear of crime).

F. Evaluation Criteria: Long-Term Benefits and Sustainability

F.1. National Replicability

Describe how this pilot can serve as a model for others to use in addressing barriers to revitalizing brownfields. (Given the complexity and local nature of the brownfields problem, no single plan will be suitable nationwide, but how you address specific barriers may provide lessons for others with similar problems.)

F.2. Measures of Success

Success in this demonstration pilot should be measured in terms of environmental achievement, revolving loan fund activity, and program strategy.

(a). Describe your plans for measuring success in achieving your BCRLF pilot goals. Measures of success should be specific and linked to the goals established for your pilot. Provide quantifiable measures whenever possible.

Measures of success should include: environmental indicators (number of properties with cleanup activities started using BCRLF funds and number of properties with cleanup activities completed using BCRLF funds) and economic indicators (number of BCRLF loans made, amount of BCRLF funds loaned, and number of BCRLF loan applications received).

Measures may also include institutionalized environmental or outreach processes or other indicators of what you would consider a successful brownfields program (e.g., integration of the BCRLF with other funding resources may also be considered as a measure of success or the leveraging of private or public investment).

(b). Describe baseline measures that you have developed or plan to develop to measure success. If baseline measures have not been developed yet, describe how and when you plan to develop them.

(c). Describe any reports or other deliverables you plan to provide to EPA as documentation of your pilot's progress and success.

Proposed Schedule for Awarding EPA's Brownfields Cleanup Revolving Loan Fund Demonstration Pilots

February 7, 2000	Deadline for submission of BCRLF Pilot proposal
April 2000	Regions conduct initial proposal evaluation and prioritization
April 2000	EPA Headquarters review and selection of BCRLF proposals
May 2000	Announcement of proposals selected for the FY 00 BCRLF demonstration pilots
September 2000	BCRLF demonstration pilot cooperative agreements awarded

The BCRLF pilot proposals must be post-marked and sent to U.S. EPA Headquarters and EPA Regional Offices via registered or tracked mail no later than February 7, 2000.

Please send to :

U.S. Environmental Protection Agency
Barbara Bassuener
OSWER Outreach and Special Projects Staff
Mail Code 5101
401 M Street, SW
Washington, DC 20460

and

send a duplicate copy to the appropriate
U.S. EPA REGIONAL OFFICE
ATTN: BCRLF Coordinator
(see page 34 for a listing of EPA Regional Offices)

U.S. EPA Regional Office BCRLF Coordinators

If you have questions regarding the proposal, you may call EPA's Superfund Hotline at 1-800-424-9346 or your Headquarters contact or Regional representative presented below:

Regions	States	Address and Phone Number
EPA Region 1 Lynne Jennings	CT, ME, MA, NH, RI, VT	John F. Kennedy Federal Building One Congress Street Suite 1100 (HIO) Boston, MA 02203 Phone (617) 918-1210 Fax (617) 918-1291
EPA Region 2 Larry D'Andrea	NJ, NY, PR, VI	290 Broadway 18th Floor New York, NY 10007 Phone (212) 637-4314 Fax (212) 637-4360
EPA Region 3 Tom Stolle	DE, DC, MD, PA, VA, WV	1650 Arch Street Philadelphia, PA 19103 Phone (215) 814-3129 Fax (215) 814-3254
EPA Region 4 Maxwell Kimpson	AL, FL, GA, KY, MS, NC, SC, TN	Atlanta Federal Center 61 Forsyth Street Atlanta, GA 30303 Phone (404) 562-9969 Fax (404) 562-8628
EPA Region 5 Deborah Orr	IL, IN, MI, MN, OH, WI	77 West Jackson Boulevard (MC SE-4J) Chicago, IL 60604-3507 Phone (312) 886-7576 Fax (312) 886-4071
EPA Region 6 Stan Hitt	AR, LA, NM, OK, TX	First Interstate Bank Tower at Fountain Pl. 1445 Ross Avenue, Suite 1200 Dallas, TX 75202-2733 Phone (214) 665-6736 Fax (214) 665-6660
EPA Region 7 Susan Klein	IA, KS, MO, NE	901 N. 5 th Street Kansas City, KS 66101-2728 Phone (913) 551-7786 Fax (913) 551-8688
EPA Region 8 Kathie Atencio	CO, MT, ND, SD, UT, WY	999 18th Street, Suite 500 (EPR) Denver, CO 80202-2405 Phone (303) 312-6803 Fax (303) 312-6071
EPA Region 9 Jim Hanson	AZ, CA, HI, NV, AS, GU	75 Hawthorne Street, H-1 San Francisco, CA 94105 Phone (415) 744-2237 Fax (415) 744-2180
EPA Region 10 Lori Cohen	AK, ID, OR, WA	1200 Sixth Avenue Seattle, WA 98101 Phone (206) 553-6523 Fax (206) 553-0124

U.S. EPA Headquarters Contacts: Barbara Bassuener
401 M Street, SW (MC 5101)
Washington, DC 20460
(202) 260-9347

Jennifer Millett Wilbur
401 M Street, SW (MC 5101)
Washington, DC 20460
(202) 260-6454

Appendix A.
Brownfields Assessment Demonstration Pilots Eligible For FY 00
BCRLF Pilot Cooperative Agreements*

Region One

Burlington, VT
Chelsea, MA
Danbury, CT
Great Barrington, MA
Haddam, CT
Lewiston, ME
State of Maine
Mansfield, MA
Marlborough, MA
State of Massachusetts
 Department of Environmental Protection
Methuen, MA
Middletown, CT
Montachusett Regional
 Planning Commission, MA
Nashua, NH
Naugatuck Valley, CT
New Bedford, MA
New Britain, CT
New Haven, CT
New Milford, CT
Norwich & Griswold, CT
State of Rhode Island
State of Rhode Island
 Economic Development Corporation
Salem, MA
Southern Windsor County Regional
 Planning Commission, VT
Taunton, MA
Walpole, MA
Winsted, CT
Worcester, MA

Region Two

Albany, NY
Atlantic City, NJ
Buffalo, NY
Camden, NJ
Elizabeth, NJ
Elmira, NY
Glen Cove, NY
Hackensack Meadowlands
 District, NJ

Jersey City, NJ
Johnstown, NY
Long Branch, NJ
Middlesex County, NJ
Morris County, NJ
New York, NY
Newark, NJ
Ogdensburg, NY
Orange Township, NJ
Paterson, NJ
Perth Amboy, NJ
Phillipsburg, NJ
Puerto Rico Industrial Development
 Company, PR
Puerto Rico Ports Authority, PR
Rome, NY
Schenectady, NY
Seneca Nation, NY
Ulster County, NY
Utica, NY
Watertown, NY

Region Three

Baltimore County, MD
Borough of Central City, PA
Bucks County, PA
Cape Charles/Northampton County,
 VA
Delaware County, PA
Duquesne, PA
Ford City, PA
Johnstown, PA
Luzerne/Lackawanna Counties, PA
Mifflin County, PA
Montgomery County, PA
Neville Township, PA
Newport News, VA
Northampton County, PA
Phoenixville, PA
Reading, PA
Shenandoah, VA
Wilmington, DE

Region Four

Anderson, SC
 Atlanta, GA
 Augusta, GA
 Burlington, NC
 Charleston, SC
 Chattanooga, TN
 Columbia, MS
 Covington, KY
 East Point, GA
 Fayetteville, NC
 Fort Lauderdale, FL
 Fort Myers, FL
 Fort Valley, GA
 Gainesville, FL
 High Point, NC
 Hillsborough County, FL
 Jackson, MS
 Knoxville, TN
 Macon, GA
 Memphis, TN
 Miami, FL
 Miami-Dade County, FL
 Ocala, FL
 Oktibbeha County, MS
 Prichard, AL
 Raleigh, NC
 Sarasota, FL
 Southeast Florida
 Tallahassee, FL
 Tampa, FL
 Uniontown, AL
 Wilmington, NC
 Winston-Salem, NC

Region Five

Antrim County, MI
 Barberton, OH
 Calumet City, IL
 Chippewa County/Kinross
 Township, MI
 Cincinnati, OH
 Cleveland, OH
 Cook County, IL
 Dayton, OH
 Downriver Community
 Conference, MI
 East St. Louis, IL
 Flint, MI
 Fort Wayne, IN
 Girard, OH
 Glendale, WI
 Hamilton, OH
 Hammond, IN
 Jackson County, MI
 Kalamazoo, MI

Kenosha, WI
 Lima, OH
 Lockland, OH
 Milwaukee, WI
 Milwaukee County, WI
 Minneapolis, MN
 Muskegon Heights, MI
 Northwest Indiana Cities
 Northwest Regional Planning
 Commission, WI
 Rockford, IL
 Roseville, MN
 Saginaw, MI
 St. Joseph/Benton
 Harbor/Benton Charter Township, MI
 St. Paul Port Authority, MN
 South Bend, IN
 Southern Ohio Port Authority
 Springfield, OH
 Toledo, OH
 Twin Cities Metropolitan Council, MN
 Virginia, MN
 Warren, OH
 West Allis, WI
 Wisconsin Department of Natural Resources
 Youngstown/Campbell/Struthers, OH
 Ypsilanti, MI

Region Six

Albuquerque, NM
 Association of South
 Central Oklahoma Governments
 Bernalillo County, NM
 Brownsville, TX
 Comanche Nation, OK
 Fort Worth, TX
 Galveston, TX
 Grand Prairie, TX
 Gretna, LA
 Houston, TX
 Laredo, TX
 State of New Mexico Environment Department
 Oklahoma City, OK
 Pueblo of Acoma, NM
 Rio Grande Council of
 Governments, TX & NM
 San Antonio, TX
 Santa Fe, NM
 Southeastern Louisiana
 Regional Planning Commission
 Tarrant County, TX
 Tulsa, OK

Region Seven

Bonne Terre, MO
Clinton, IA
Coralville, IA
Kansas City, KS and MO
Omaha, NE
Sioux City, IA
Springfield, MO
Wichita, KS

Region Eight

Aurora, CO
Missoula, MT
Murray City, UT
North Stapleton, CO
Ogden City, UT
Provo, UT
Salt Lake City, UT
Sioux Falls, SD
Spirit Lake Nation, ND
Turtle Mountain Band of Chippewa, ND
Westminster, CO

Region Nine

Alameda County, CA
Anaheim, CA
State of California Trade
and Commerce Agency Carson, CA
Colton, CA
Ely Shoshone Tribe, NV
Hoopa Valley Tribe, CA
Los Angeles, CA
Lynwood, CA
Montebello, CA
Naco Fire District, AZ
Navajo Nation, AZ
Oakland, CA
Pomona, CA
Richmond, CA
San Diego, CA
San Francisco, CA
Santa Barbara County, CA
Stockton, CA
Tohono O'odham Nation, AZ
Ventura, CA
West Hollywood, CA
White Mountain Apache Tribe, AZ

Region Ten

Aberdeen, WA
Bellingham, WA
Coos Bay, OR
Duwamish Coalition, WA
Everett, WA
Ketchikan Gateway

Borough, AK
Oregon Mill Sites
Panhandle Health
District, ID
Port of Bellingham, WA
Port of Seattle, WA
Puyallup Tribe of Tacoma, WA
Renton, WA
Seattle/King County, WA
Tacoma, WA
Tri-County Metropolitan
Transportation District, OR

* Political Subdivisions with jurisdiction over sites that have either (1) been the subject of a targeted brownfields assessment (formerly called targeted site assessment), or (2) been selected by the U.S. EPA prior to January 1, 2000 to be the subject of a targeted brownfields assessment, are also eligible for a single BCRLF pilot award.

Appendix B. List of EPA Brownfields Policy and Guidance

Note: Many of these documents can be found at the EPA Brownfields website,
<http://www.epa.gov/swerosps/bf/gdc.htm>

- C Brownfields Cleanup Revolving Loan Fund Administrative Manual (May 1998)
- C Brownfields Cleanup Revolving Loan Fund Administrative Manual: Model Terms and Conditions (Oct. 1998)
- C Policy on the Issuance of Comfort/Status Letters (November 12, 1996)
- C Soil Screening Guidance Fact Sheet (July 1996)
- C Revised Model Comfort Letter Clarifying NPL Listing, Uncontaminated Parcel Identifications, and CERCLA Liability Involving Transfers of Federally-Owned Property (January 16, 1996)
- C Underground Storage Tank Lender Liability Rule (September 7, 1995)
- C Land Use in the CERCLA Remedy Selection Process Directive (May 25, 1995)
- C Community Reinvestment Act Regulations and Home Mortgage Disclosure (May 4, 1995)
- C Guidance on Deferral of NPL Listing Determinations While States Oversee Response Actions (May 3, 1995)
- C Military Base Closure: Guidance on EPA Concurrence in the Identification of Uncontaminated Parcels Under CERCLA Section 120(h)(4) (April 19, 1994)
- C Guidance on Agreements with Prospective Purchasers of Contaminated Property (May 24, 1995)
- C Policy Toward Owners of Property Containing Contaminated Aquifers (May 24, 1995)
- C "Asset Conservation, Lender Liability, and Deposit Insurance Protection Act of 1996" (September 30, 1996)
- C The Effect of Superfund on Involuntary Acquisitions of Contaminated Property by Government Entities (December 11, 1995)
- C Policy on CERCLA Enforcement Against Lenders and Government Entities that Acquire Property Involuntarily (December 11, 1995)
- C Tax Incentive Fact Sheet (August 1997)
- C Guidance on Cumulative Risk Assessment (July 3, 1997)
- C Liability and Other Guidance (April 1997)
- C Targeted Brownfield Assessment Fact Sheet (November 1998)
- C Fund Brownfields Remediation with the Clean Water State Revolving Loan Fund (October 1998)

Appendix C: List of Current BCRLF Pilots

<u>Region 1</u>		Cowpens, SC	\$500,000
Bridgeport, CT*	\$350,000		
Hartford, CT	\$500,000	<u>Region 5</u>	
Stamford, CT	\$500,000	Chicago, IL	\$500,000
Portland, ME	\$500,000	State of Illinois	
Boston, MA*	\$350,000	(IL DEP, Canton, East Moline,	
Brockton, MA	\$500,000	Freeport, Galva, Lacon, and	
Central Massachusetts		Waukegan)	\$3,500,000
Economic Development		West Central Municipal	
Authority	\$500,000	Conference, IL	\$350,000
Franklin Regional		Indianapolis, IN	\$350,000
Council of Governments		State of Indiana	\$350,000
(Colrain & Greenfield, MA)	\$1,000,000	Battle Creek, MI	\$500,000
Lawrence, MA	\$500,000	Detroit, MI	\$350,000
Lowell, MA	\$500,000	Wayne County, MI	\$500,000
Lynn, MA	\$450,000	Hennepin County, MN	\$500,000
Mystic Valley Development		State of Minnesota	\$350,000
Commission (Malden, Medford,		Columbus, OH	\$500,000
and Everett, MA)	\$500,000	Cuyahoga County	
Pioneer Valley Planning		(Cleveland), OH	\$350,000
Commission (Springfield,			
Chicopee, Westfield, and the		<u>Region 6</u>	
Pioneer Valley Region)	\$2,000,000	New Orleans, LA	\$350,000
Somerville, MA	\$500,000	Shreveport, LA	\$500,000
State of New Hampshire		Austin, TX	\$500,000
(NH DES, State Planning		Dallas, TX	\$350,000
Coastal Watershed, Durham,			
Londonderry, and Concord)	\$1,450,000	<u>Region 7</u>	
		Cedar Rapids, IA	\$500,000
<u>Region 2</u>		Des Moines, IA	\$500,000
Hudson, NJ	\$500,000	St. Louis, MO	\$350,000
Trenton, NJ*	\$350,000	St. Louis County, MO	
Niagara County, NY		(City of Wellston, MO)	\$500,000
(with Niagara Falls, NY)	\$1,000,000		
Rochester, NY*	\$350,000	<u>Region 8</u>	
Yonkers, NY	\$500,000	Commerce City, CO*	\$350,000
		State of Colorado	
<u>Region 3</u>		(Lakewood, Englewood,	
Washington, DC	\$500,000	Loveland, and Denver)	\$1,700,000
Baltimore, MD	\$350,000	West Jordan, UT	\$350,000
Hagerstown, MD	\$500,000	Evanston, WY	\$500,000
Philadelphia, PA	\$350,000	Kemmerer, WY	\$500,000
Pittsburgh, PA	\$350,000		
Richmond, VA	\$350,000	<u>Region 9</u>	
Wheeling, WV	\$500,000	State of Arizona	
		(Phoenix and Tucson)	\$1,000,000
<u>Region 4</u>		East Palo Alto, CA	\$500,000
Birmingham, AL	\$350,000	Emeryville, CA	\$500,000
Clearwater, FL	\$500,000	Long Beach, CA	\$500,000
Escambia County, FL	\$500,000	Sacramento, CA*	\$350,000
Jacksonville, FL	\$500,000	Las Vegas, NV	\$500,000
St. Petersburg, FL	\$350,000		
Louisville, KY*	\$350,000	<u>Region 10</u>	
Charlotte, NC	\$500,000	Portland, OR	\$500,000
Columbia, SC	\$500,000		

*Pilot selected to receive an additional \$150,000.



United States
Environmental Protection Agency
(5101)
Washington, DC 20460

Official Business
Penalty for Private Use
\$300

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