
# Welcome to the CLU-IN Internet Seminar

## Superfund Redevelopment Program Webinar Series – Optimizing Renewable Energy Reuse on Superfund sites

*Sponsored by: U.S. EPA, Office of Land and Emergency Management (OLEM), Superfund Redevelopment Program*

Delivered: Thursday, May 6, 2021, 1:00 PM-2:30 PM EDT (17:00-18:30 GMT)

Instructors:

- Frank Avvisato, EPA Superfund Redevelopment (avvisato.frank@epa.gov)
- Casey Luckett Snyder, EPA Superfund Redevelopment Program/EPA Region 6 (luckett.casey@epa.gov)
- Cheryn Robles, Environmental Affairs Administrator, City of New Orleans (crobles@nola.gov)
- Lora Strine, EPA RE-Powering America's Land (strine.lora@epa.gov)
- Tom Bloom, EPA Region 5 (bloom.thomas@epa.gov)

Moderator:

- Jean Balent, EPA Office of Superfund Remediation and Technology Innovation (balent.jean@epa.gov)

*Visit the Clean Up Information Network online at www.cluin.org*

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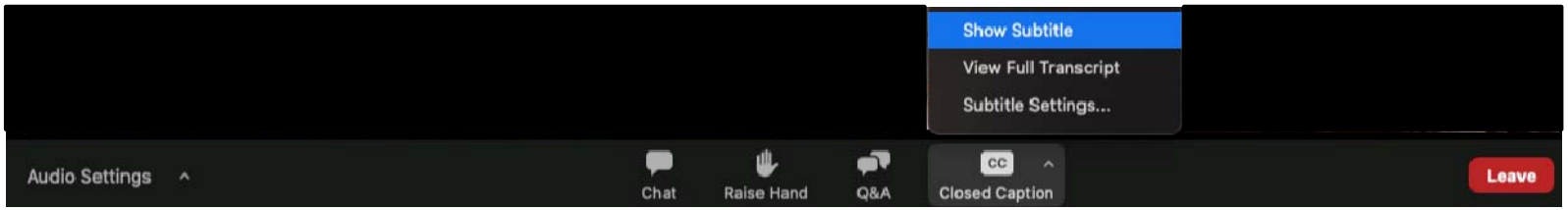
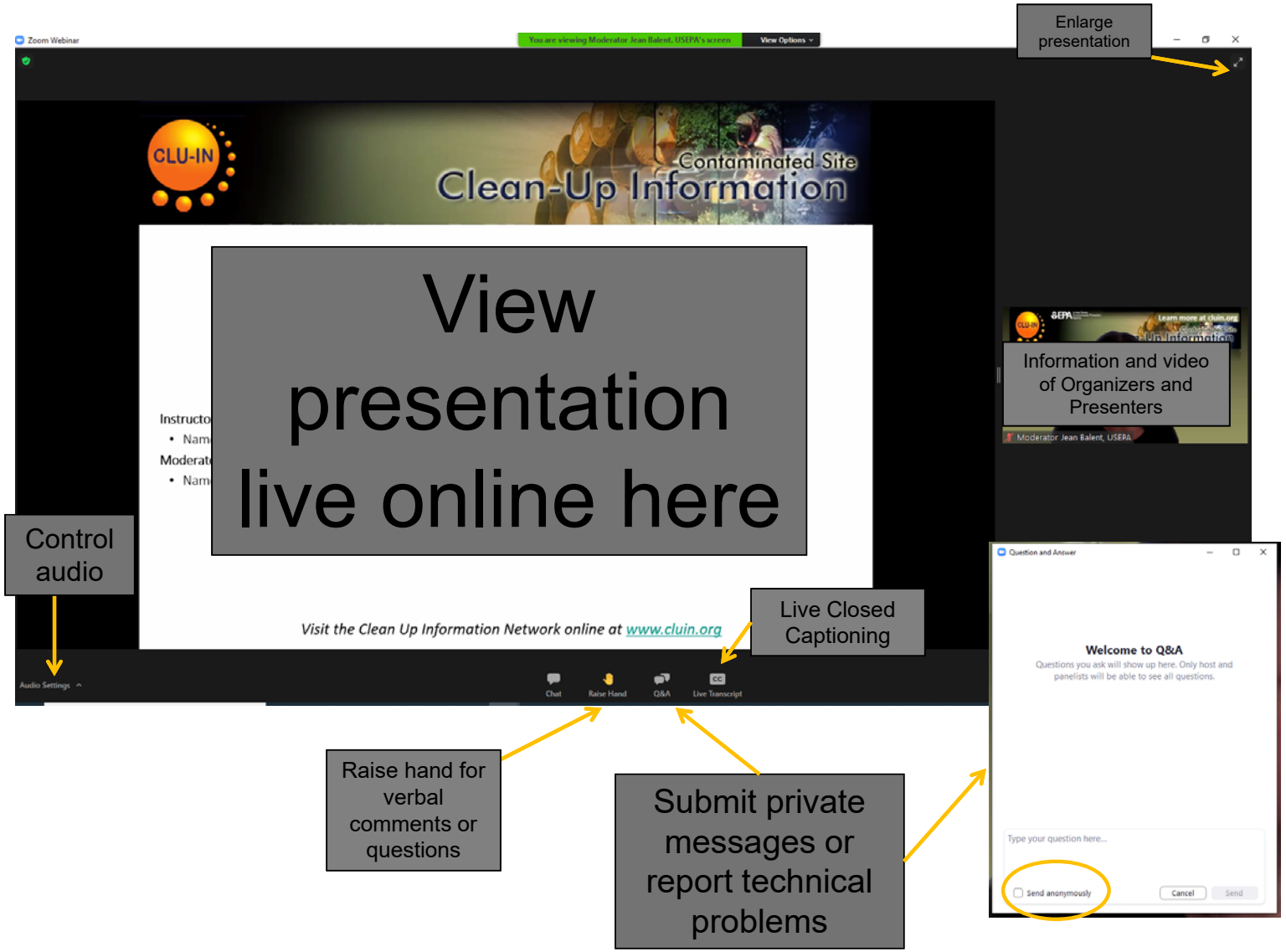



- This event is being recorded and shared via email shortly after live delivery
- Important reminders will be covered at the end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**Your**


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EPA United States Environmental Protection Agency

SUPERFUND REDEVELOPMENT PROGRAM

# Optimizing Renewable Energy Reuse on Superfund Sites

Thursday, May 6th, 2021;

1:00 PM – 2:30 PM EDT

# Overview

- **Introduction to Superfund Redevelopment**
  Casey Luckett Snyder, EPA Superfund Redevelopment Program/EPA Region 6

- **RE-Powering America's Land - Tools and Resources for Renewable Energy Reuse**
  Lora Strine, EPA RE-Powering America's Land

- **Planning Renewable Energy Reuse - Agriculture Street Landfill Superfund site, New Orleans, LA**
  Casey Luckett Snyder, EPA Superfund Redevelopment Program/EPA Region 6
  Cheryn Robles, Environmental Affairs Administrator, City of New Orleans

- **Utilizing EPA Resources - Continental Steel Corp. Superfund site in Kokomo, Indiana**
  Tom Bloom, EPA Region 5

- **Wrap Up: Resources and Contacts**

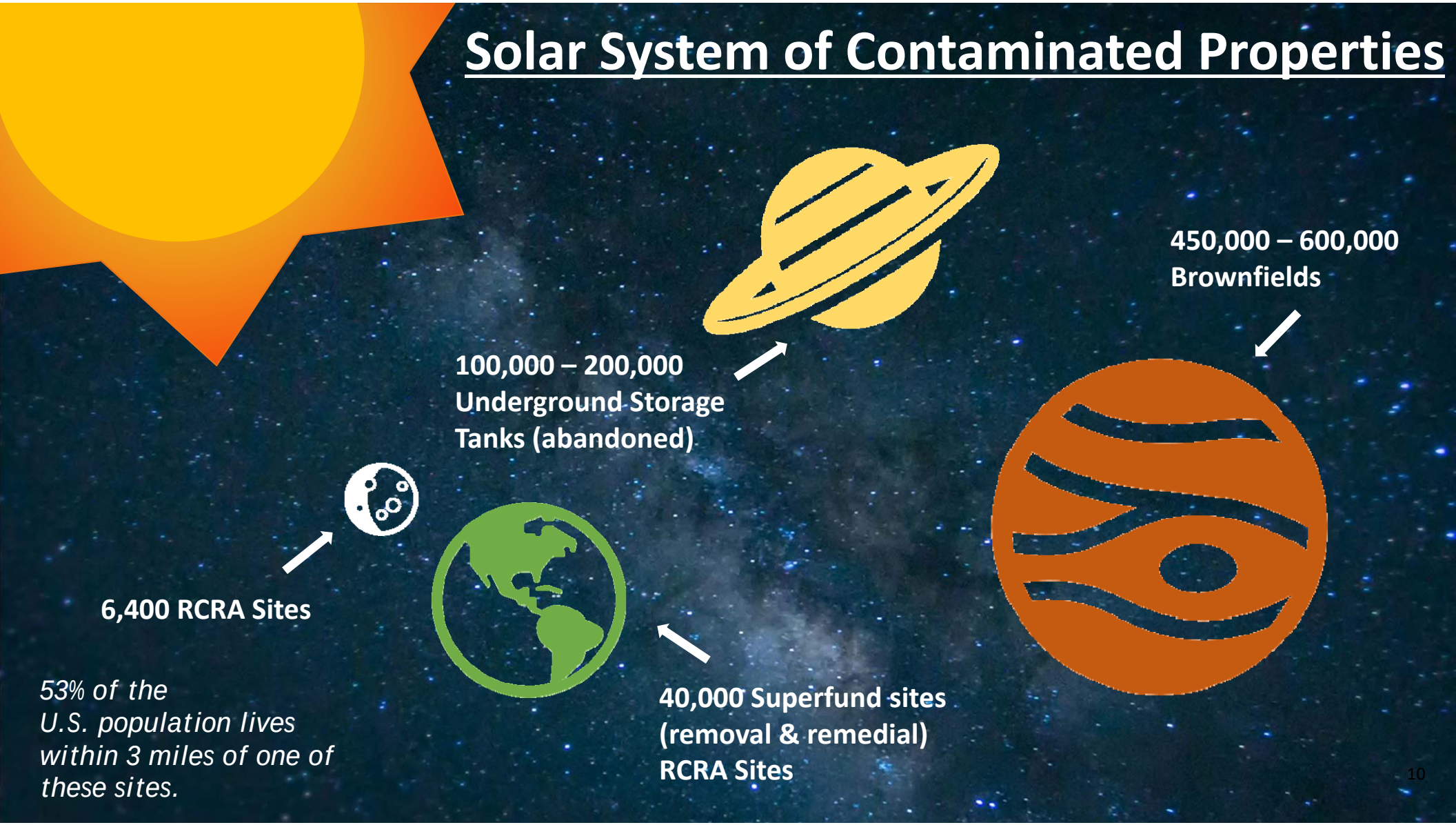
- **Question and Answer Session**

# Superfund Redevelopment Program

**Supports EPA staff and works with communities and other partners in considering future use opportunities and integrating appropriate reuse options into the cleanup process.**



# Solar System of Contaminated Properties




*53% of the U.S. population lives within 3 miles of one of these sites.*

# Benefits of Reuse at Superfund sites

*For every acre of contaminated property that gets redeveloped, 4.5 acres of greenfields are preserved.*

- George Washington University study

**Benefit to Community:**

Brings jobs; increases the tax-base; revitalizes neighborhoods and restores a sense of community by bringing housing, retail, recreation or ecosystem services.

**Benefit to EPA:**

Brings certainty to anticipated land use with a new owner who is obligated to be cooperative and provide access, who will be a good steward of the site, and who may be willing to take on part or enhance the cleanup.

# Examples of Successful Superfund Redevelopment

Tulsa Fuel and Manufacturing Superfund site in Collinsville, Oklahoma

Commencement Bay, Nearshore/Tide Flats Superfund site in Tacoma, Washington

# Sites Can and Are Redeveloped at Any Stage of Cleanup


***EPA benefits from reuse information at any stage of the cleanup process because EPA continues to ensure sites meet protectiveness standards.***

# Types of Renewable Energy on Superfund Sites

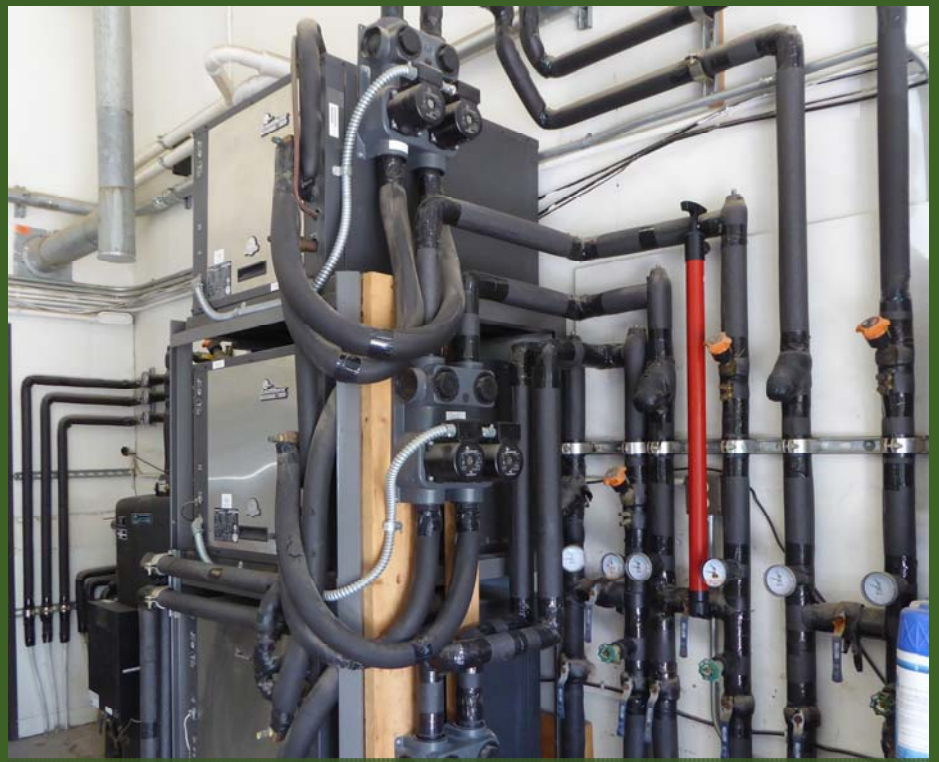
# Biofuel Sites

Rose Township Superfund site in
Rose Township, Michigan

Martin-Marietta, Sodyeco, Inc. Superfund site in
Charlotte, North Carolina

# Geothermal Sites

Lawrence Aviation Industries, Inc. Superfund site in Port Jefferson Station, New York



Arsenic Trioxide Superfund site in southeastern North Dakota

# Methane Gas to Energy Sites


Lowry Landfill Superfund site in Aurora, Colorado

Southside Sanitary Landfill Superfund site in Indianapolis, Indiana

# Solar Sites

Tucson International Airport Area Superfund site in Tucson, Arizona

Brick Township Landfill Superfund site in Brick Township, New Jersey

# Wind Sites

Pantex Plant (USDOE) Superfund site in Carson County, Texas

Bethlehem Steel Corp/Lackawanna Plant site in Lackawanna, New York

# Tools and Resources for Superfund Site Redevelopment

# Regional Seed Resources & Reuse Planning

- **Situation Assessment** – Initial information gathering to identify stakeholders and potential options for reuse support.
- **Reuse Assessment** – Determines broad land uses to inform cleanup activities.
- **Reuse Plan** – Outlines land uses on specific parcels based on stakeholder discussion and analysis of the site and surrounding context.
- **Community Engagement** – Engages stakeholders to identify reuse goals, evaluate scenarios, build relationships and shape a shared understanding of future options for the site; includes EJ and equitable development technical assistance.

# EPA Guidance, Handbooks & Fact Sheets

- Top Ten Questions to Ask When Buying a Superfund Site
- EPA site-specific reuse fact sheets
- Case studies/economic reports
- Opportunity Zones and Superfund sites

MAY 2008
EPA-330-F-08-001

## Top 10 Questions to Ask When Buying a Superfund Site

Office of Enforcement and Compliance Assurance
Office of Site Remediation Enforcement

Office of Solid Waste and Emergency Response
Office of Superfund Remediation and Technology Innovation

The purpose of this document is to provide answers to some of the questions that a prospective purchaser may have when considering whether to purchase property at a privately owned Superfund site.

The U.S. Environmental Protection Agency (EPA) supports the reuse of Superfund sites and believes this document may be useful in clarifying some of the opportunities and issues associated with their reuse. For purposes of this document, a Superfund site is defined as any property on EPA's National Priorities List (NPL) where a hazardous substance has been released into the environment or has come to be located on or under. Thus, even if a property is not the source of the release of the contamination, it can be part of a Superfund site.[1]



**Information for Prospective Purchasers of Federally-Owned Superfund Sites**

This document does not address the unique considerations associated with the purchase and transfer of real property on federally-owned Superfund sites (also known as federal facilities). While many of the questions and answers in this document are a useful starting point for prospective purchasers of property on federal facilities, Superfund cleanups at federal facilities are governed by CERCLA § 120 which has requirements specific to these facilities. For example, federal facility agreements between EPA and the current federal owner are required to address the clean up of these properties. A number of landowner liability issues unique to federal facilities are raised in the context of transfers of federal property and have been addressed by EPA guidance. While they warrant additional considerations, federal facilities are continuing to be cleaned up and purchased by local governments and developers and put back into reuse. Additional information on EPA's efforts to clean up federal facilities and make them available for reuse is available at http://www.epa.gov/swerffrr/.

[1] The Superfund program and the authority to clean up Superfund sites was created by the federal Superfund law which is officially known as the *Comprehensive Environmental Response, Compensation, and Liability Act* ("CERCLA"), 42 U.S.C. § 9601, *et seq.*

*Disclaimer*: This document is provided solely as general information to highlight certain aspects of a more comprehensive program. It does not provide legal advice, have any legally binding effect, or expressly or implicitly create, expand, or limit any legal rights, obligations, responsibilities, expectations, or benefits for any person. This document is not intended as a substitute for reading the statute or the guidance documents described above. It is the prospective purchaser's sole responsibility to ensure that its proposed use does not interfere with or impede the site's cleanup or protectiveness. EPA does not offer any guarantees or warranties as to the compatibility of a proposed use with the cleanup. It is also the purchaser's sole responsibility to maintain liability protection status as a bona fide prospective purchaser.

# Contact

**Casey Luckett Snyder**

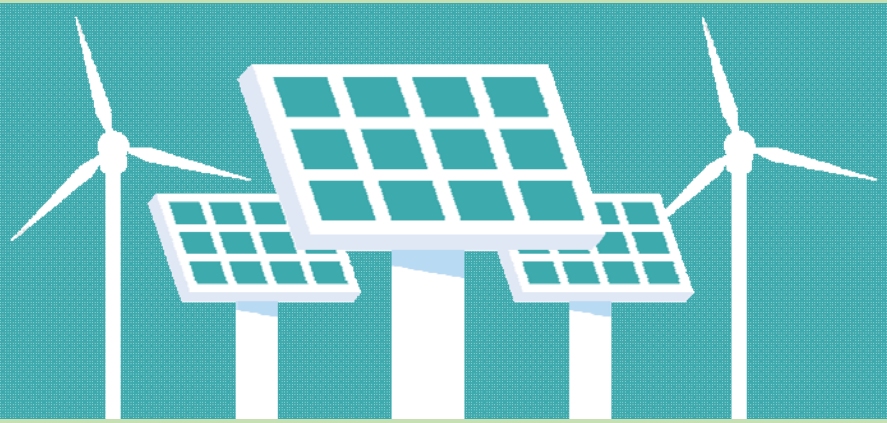
EPA Superfund Redevelopment Program/EPA Region 6
(214) 665-7393
luckett.casey@epa.gov

# RE-Powering America's Land

Lora Strine

*Presentation - Superfund Redevelopment Program Webinar Series –*
*Optimizing Renewable Energy Reuse on Superfund Sites*

*May 6, 2021*



# Today's Presentation

| | |
|---|---|
| 1 | Introduction |
| 2 | Tools and Training |
| 3 | Benefits and Trends |
| 4 | Policy Impacts |
| 5 | Project Examples |

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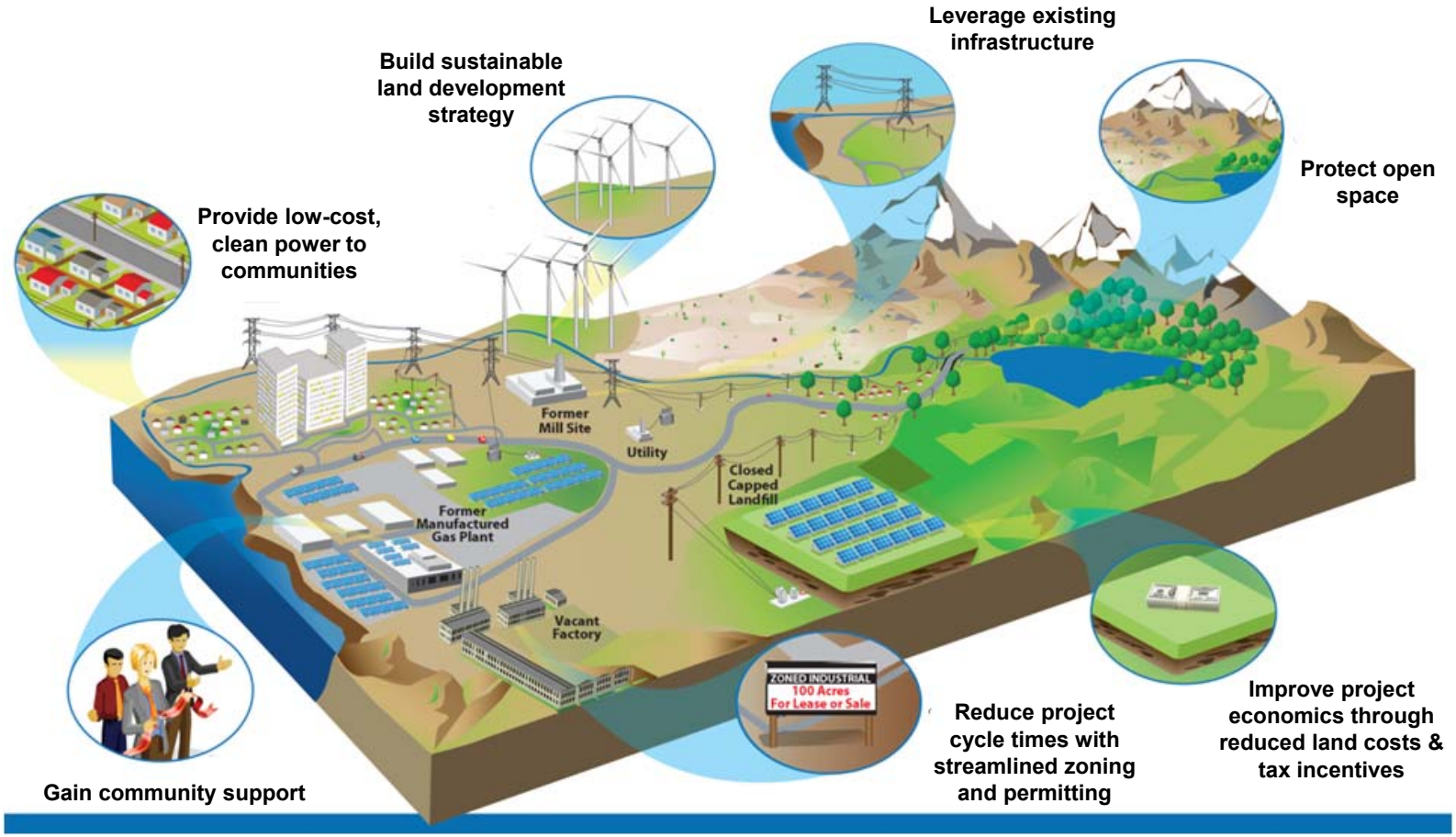
# Why Renewables on Potentially Contaminated Lands?




RE-POWERING AMERICA'S LAND INITIATIVE

# RE-Powering America's Land Initiative

- Encourages the reuse of formerly contaminated lands, landfills and mine sites for renewable energy development, when such development is aligned with the community's vision for the site.
  - Raises awareness, creates connections and outreach
  - Disseminates success stories and best practices
  - Develops mapping and screening tools to identify contaminated properties and renewable energy potential
  - Provides technical and programmatic assistance
    - Liability questions
    - Renewable energy feasibility studies with NREL – National Renewable Energy Lab
  - Financing
  - Articulates benefits – environmental, economic and community

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# Partnership Opportunities

## Solar economic feasibility studies

- Becker County Landfill in Minnesota
- Advisor/technical assistance Minnesota Solar on Landfill Study
- Colorado Brightfields Initiative – State Mapping Tool

## Outreach & engagement with

- *Power and Pollinators Webinar* – July 2020 – Virginia DEQ & DCR Pollinator Smart Program
- TAB – Technical Assistance for Brownfields

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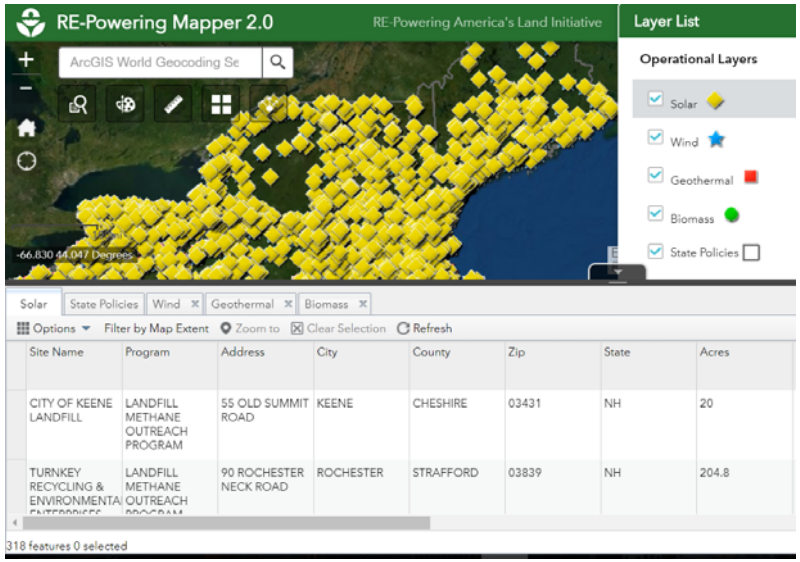
# RE-Powering Mapper




https://www.epa.gov/re-powering/re-powering-mapper

Mapped inventory of 130,000+ EPA and select state tracked sites (over 44 million acres of land)

- Incorporates data from:
- EPA Cleanup and Landfill Programs
- National Renewable Energy Lab
  - Wind, Solar, and Biomass Resources
- Southern Methodist University
  - Geothermal
- Department of Homeland Security
  - U.S. Highways
  - Railroads
  - Transmission Lines
  - Substations
- 17 State Agencies:
  CA, CO, CT, FL, HI, IL, MA, MD, MN, MO, NJ, NY, OR, PA, TX, VA, and WV
- Look for an update later in 2021!

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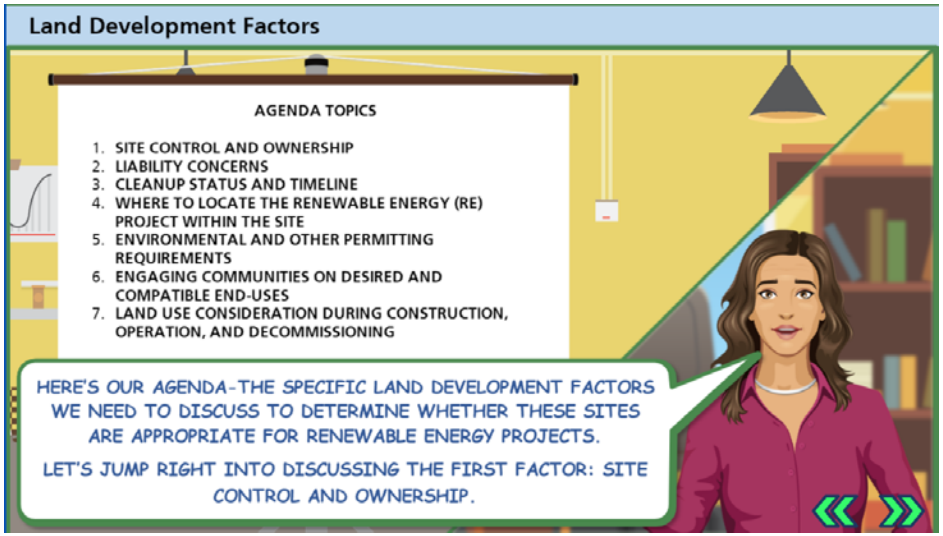
# RE-Powering Training

- Land Use Considerations - great overview of site development
- Interconnection and Electricity Sales – identify and assess interconnection and electricity sales options




https://www.epa.gov/re-powering/re-powering-mapping-and-screening-tools#tab-4

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# RE-Powering Reports


https://www.epa.gov/re-powering

- Tracking Matrix
- Benefits Matrix
- Feasibility Studies
- Case Studies
- Critical Infrastructure
- Interconnection
- Coming soon! Update: Best Practices for Solar on Landfills

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AMERICA'S
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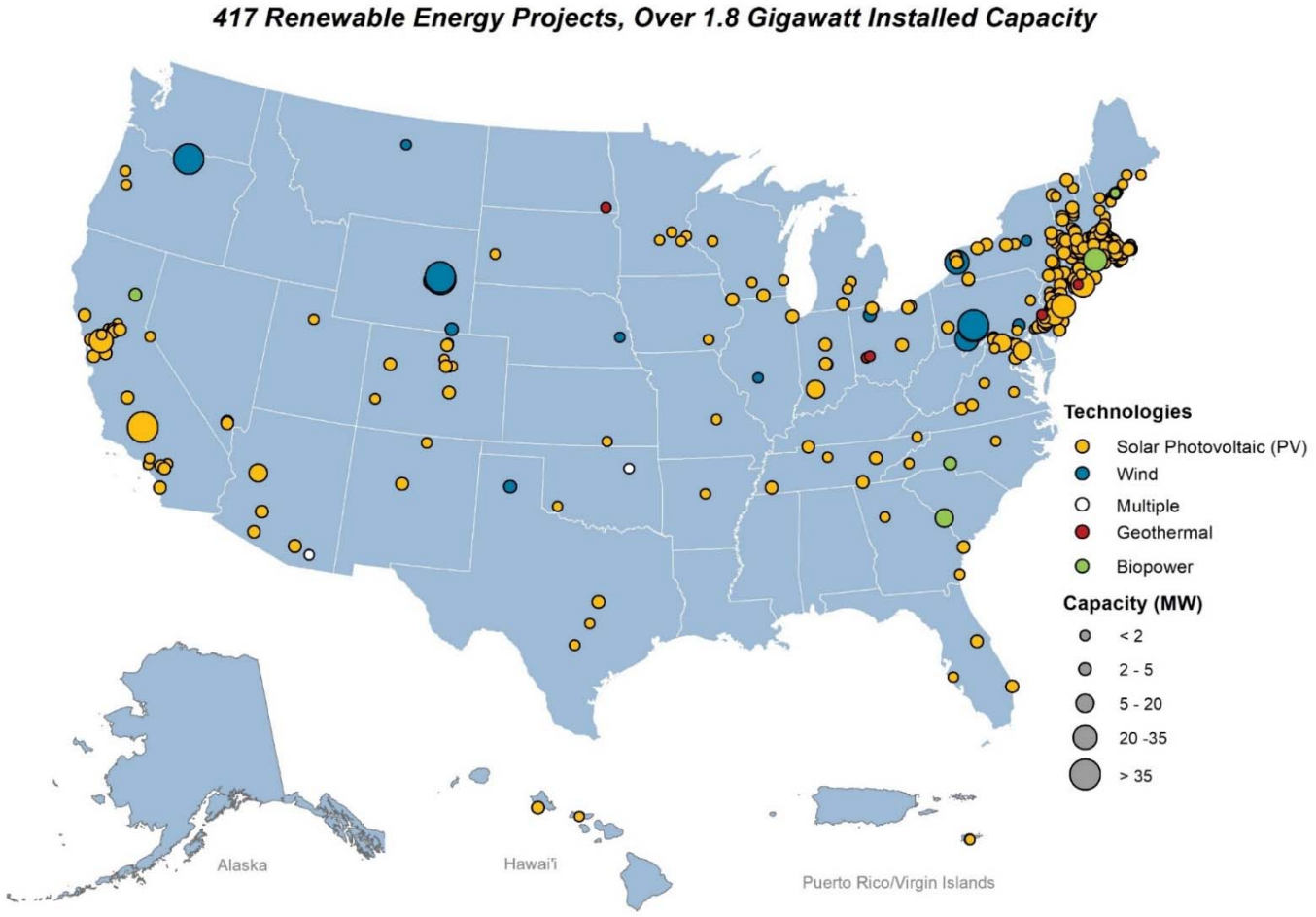
# Completed Projects

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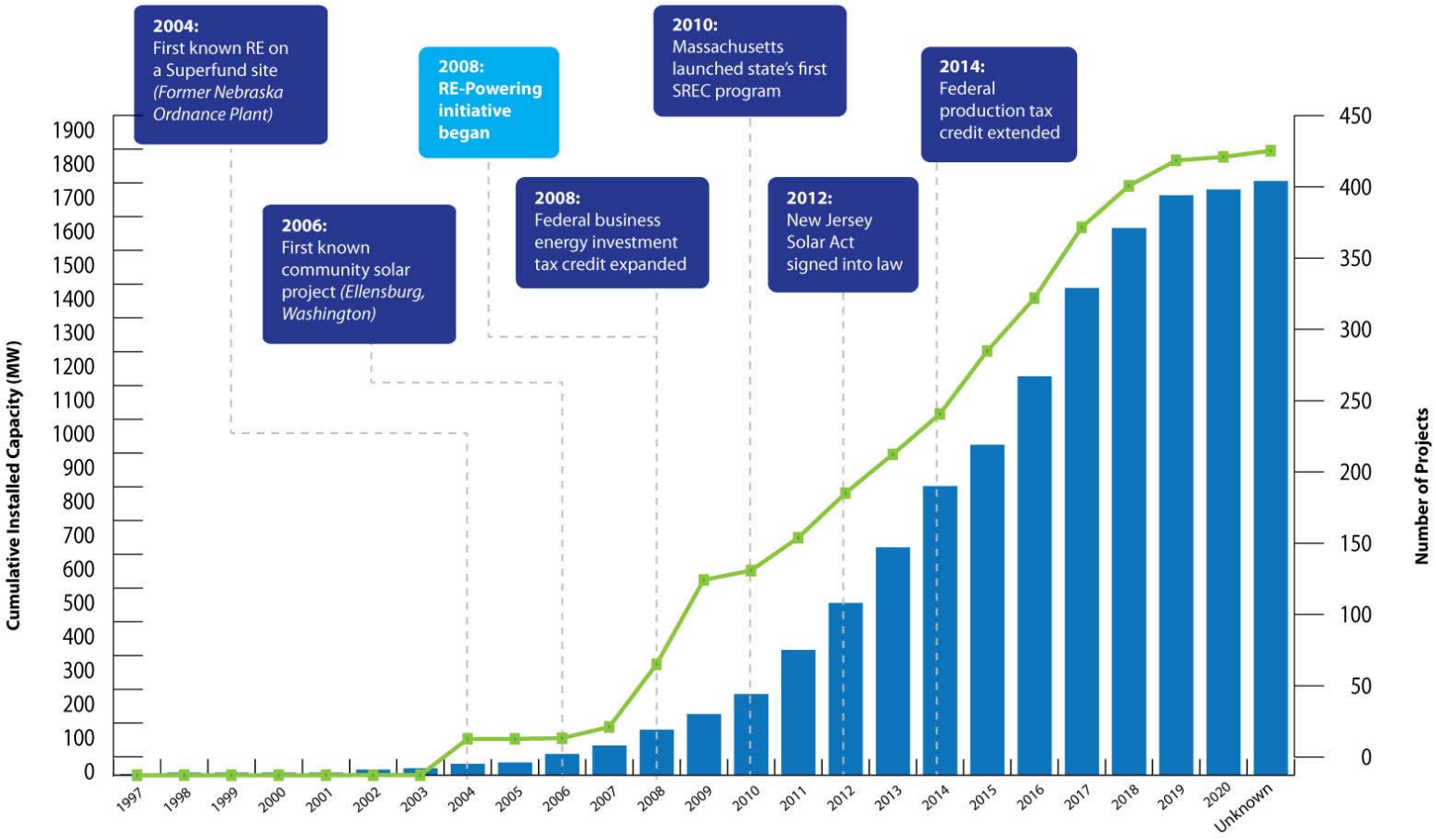
# Installed Capacity




Note: The growth curve for both the number of sites and cumulative installed capacity may differ from previous versions of the Tracking Matrix, as the RE-Powering team learns about additional renewable energy projects installed on contaminated lands in previous years.

There are six installations for which the completion date is unknown.

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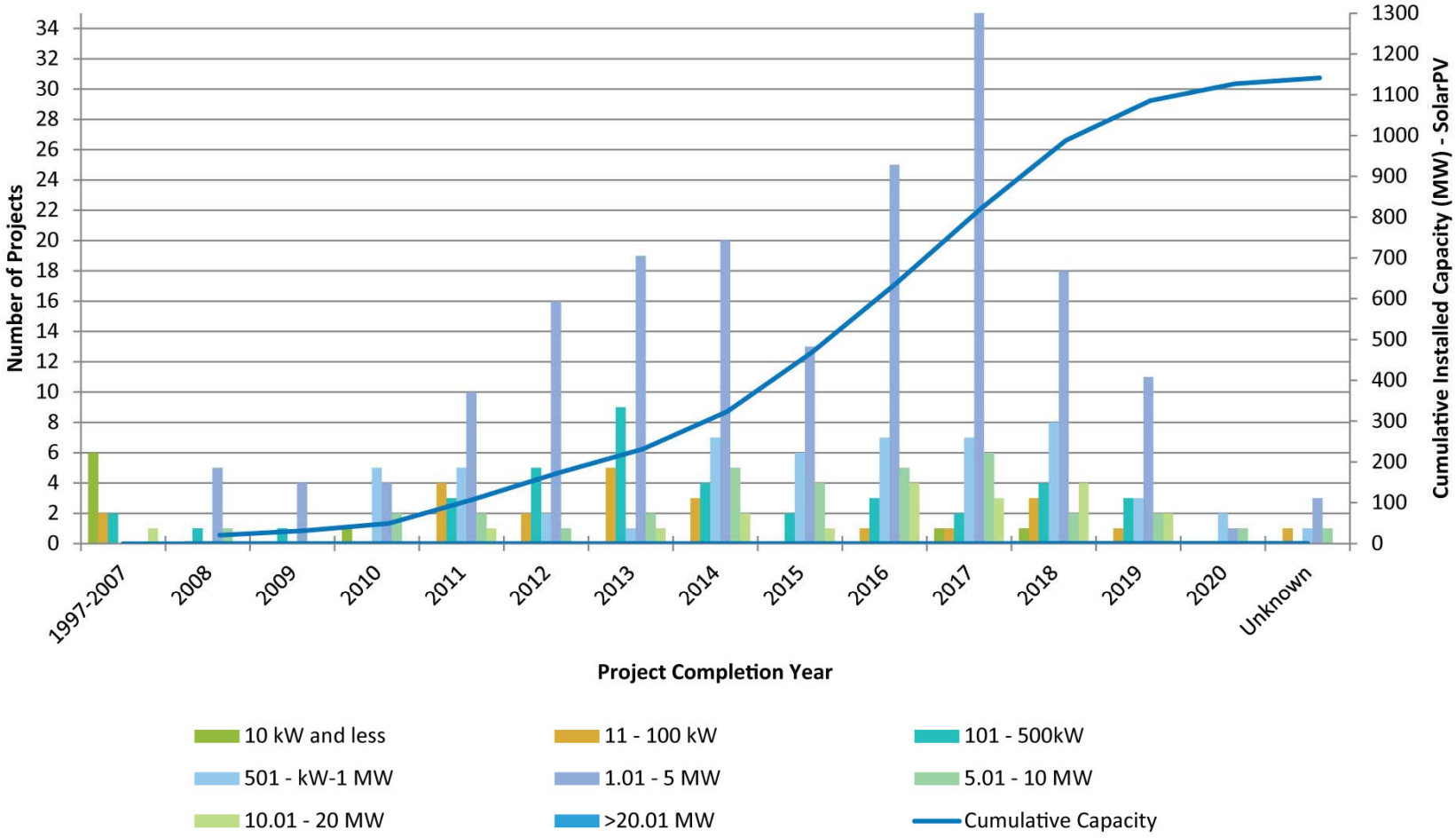
# Solar Trends

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# Resources on Grid Interconnection

Connecting projects to the electric transmission and distribution system is a critical step

- RE-Powering has developed tools and resources to assist:
  - Interconnection and Electricity Sales Training Module
  - Interconnection: Plugging RE-Powering Sites Into the Electric Grid
  - The Value of Existing Infrastructure for Renewable Energy Development
- Explore:
  - What is interconnection
  - Different types of interconnection
  - Steps and timing
  - Typical cost ranges
  - Tips for navigating interconnection the process

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# BUILD Act

2018 BUILD Act Provisions for Brownfields Grant Applications

- Energy efficiency
- Renewable energy

https://www.epa.gov/brownfields/summary-2018-build-act-provisions

**Brownfields Utilization, Investment, and Local Development Act (BUILD Act)**

*Bill Summary*

**Overview**

In March 2018, Congress passed the BUILD Act, which amends the Brownfields provisions of CERCLA, as part of the FY 2018 Omnibus Bill. In this factsheet, we explain the major changes to the Brownfields Amendments. The BUILD Act reauthorized the Brownfields Provisions through 2022.

**More Redevelopment Certainty for Governmental Entities**

Local or state governments that take control of a contaminated site no longer has to be an "involuntary" acquisition.

**Alaska Native Village and Native Corporation Liability Relief**

Provides liability relief for Alaska Native Villages and Native Corporations for a facility received under the Alaska Native Claims Act, as long as the entity did not cause or contribute to the release of a hazardous substance from the facility.

**Petroleum Brownfield Enhancement**

Removed the language and requirement that petroleum brownfield sites be "of relative low risk" in order to be eligible for funding.

**Prospective Purchasers and Lessees**

Bona Fide Prospective Purchaser definition was amended to include language related to those who have tenancy or leasehold interests in the facility.

**Expanded Eligibility for Non-Profit Organizations**

Non-profits (including LLCs and community development entities that are non-profit) can now apply for assessment and RLF grants.

**Certain Publicly Owned Brownfield Sites**

Publicly owned sites acquired prior to January 11, 2002 can apply for assessment and remediation (RLF and cleanup) grants as long as the entity is not responsible for the contamination.

**Increased Funding for Remediation Grants**

Increased the cleanup grant funding amount to $500,000 per site; eligible entities can also request a waiver to $650,000 per site, based on the anticipated level on contamination, size, or ownership status of the site.

**Multipurpose Brownfields Grants**

Grant authority for multi-purpose grants (assessment and cleanup combination) was increased up to $1,000,000. No more than 15% of the total appropriation can be awarded to multi-purpose grants.

**Allowing Administrative Costs for Grant Recipients**

Entities are now able to use up to 5% of grant awards on administrative costs.

**Grant Applications**

New ranking criteria focusing on renewable energy or energy efficiency projects and waterfront developments.

**Small Community Technical Assistance Grants**

Authorized a new grant program for states and tribes to provide training, technical assistance, or research for small communities (populations of 15,000 or less), Indian tribes, rural areas, and disadvantaged areas. Maximum of $20,000 per community.

EPA June 2018 EPA 560-F-18-170

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# Addressing Liability

2018 BUILD Act Provisions Address New Category of Local Government Acquisition

- CERCLA § 101(20)(D) now exempts from potential owner or operator liability, a "unit of state or local government which acquired ownership or control through seizure or otherwise in connection with law enforcement activity, or through bankruptcy, tax delinquency, abandonment or other circumstances in which the government acquires title by virtue of its function as sovereign."

Learn more in the 2020 Revitalization Handbook: *Revitalizing Contaminated Lands: Addressing Liability Concerns*

https://www.epa.gov/sites/production/files/2020-06/documents/revitalization-handbook-final-2020.pdf

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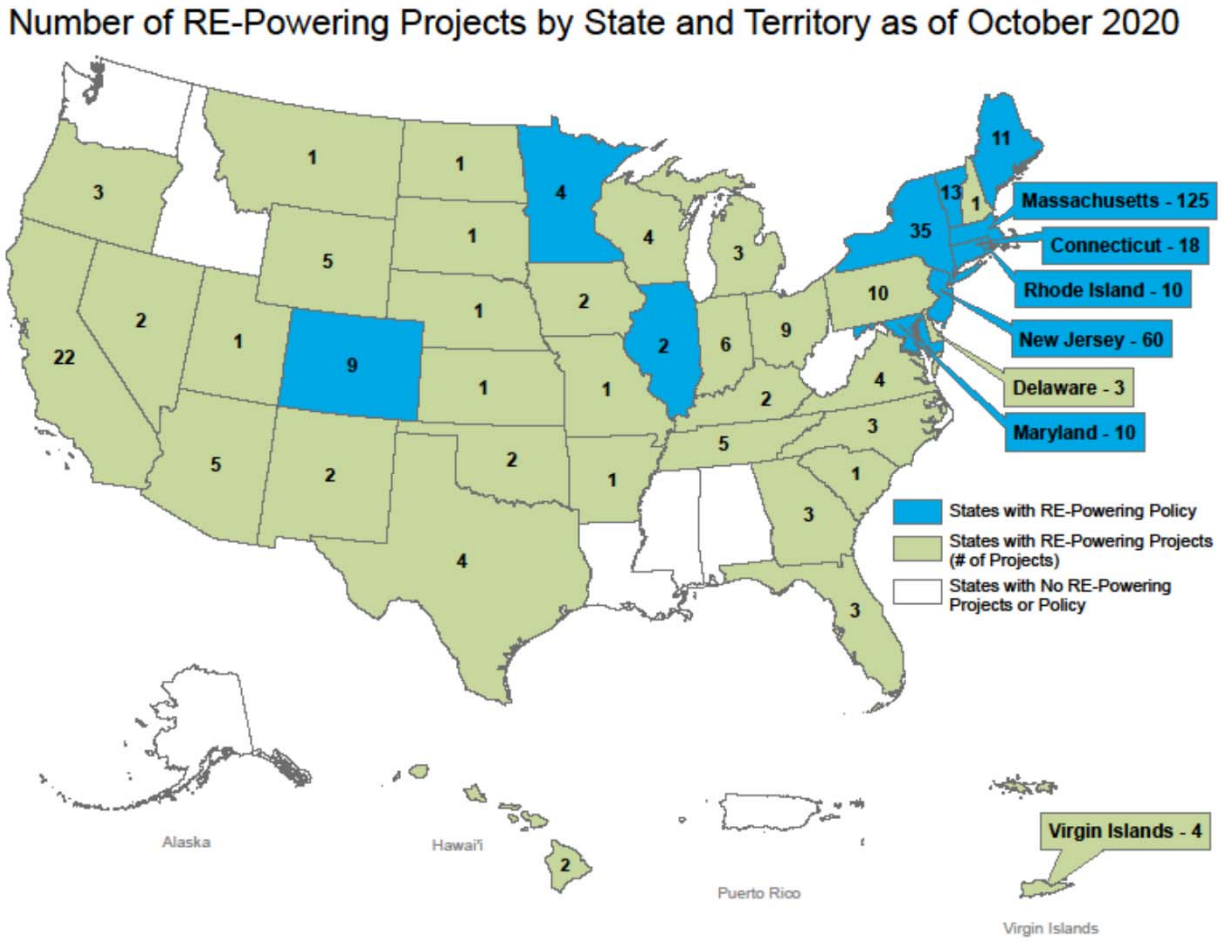
# State Policy Matters

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# Policy Analysis and Stakeholder Interviews

- RE-Powering conducted interviews with state agencies and developers in Massachusetts and New York to identify key concepts for cultivating renewable energy on contaminated lands
  - Identified common features and program elements
  - Used to assist other states, such as Minnesota Brightfields Initiative

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# Stakeholder Interviews

Permitting is more streamlined and more "bundled" in New York than elsewhere.

BQ Energy

The success was a result of, and was fundamentally spurred by, overarching legislative and executive action in Massachusetts.

Mass DEP

Landfill sites, in particular, were developed due to their size and the Commonwealth's net metering policy.

Mass DOER

Build-Ready seeks to 1) identify and assess those sites, 2) work through site development issues, 3) develop the sites to the point they can be auctioned to the private market for completion.

NYSERDA

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# Successful State Policy Programs

**Common features of state programs:**

- **Impactful** - Programs are associated with, and credited for, high levels of RE-Powering site development in MA & NY.
- **Multi-Pronged and Long-Lived** - Success requires multiple programs and a 5+ year commitment.
- **Tailored -** Successful program structures reflect state specifics (e.g., land resources, municipal organization, agency staffing).
- **Sponsored -** These efforts have consistent leadership from governors, agency leads, and legislatures.

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# Elements of a Successful State Program


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# Project Examples

- RE-Powering tracks and publishes economic and environmental benefits at completed projects.
- Using publicly available information, RE-Powering maintains a list of completed renewable energy installations on contaminated sites and landfills.
- Common benefits of renewable energy projects include job creation, reduced greenhouse gas emissions, electricity cost savings associated with the reduced need to purchase power from the grid, and revenues from land leases and taxes.

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# Site Types

- Landfills are frequently developed with solar installations
- Brownfield sites are the second most developed site type (this includes state brownfield sites)
- Many areas have landfills or other under-utilized areas that could be productive again by siting renewable energy

| NUMBER OF INSTALLATIONS BY SITE TYPE | |
|---|---|
| Solar and wind projects on Landfills | 245 |
| Renewable energy projects on brownfield sites | 100 |
| Renewable energy projects on Superfund sites | 71 |
| Renewable energy projects on current/former federal facilities | 27 |
| Renewable energy projects on RCRA corrective action sites | 21 |
| Renewable energy project on mine sites | 13 |

**https://www.epa.gov/re-powering/re-powering-tracking-matrix**

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# Environmental Justice – Region 8 Example

Norwood Landfill Community Solar

- Community solar array in Norwood, Colorado
- 200-kilowatt project on former landfill completed in 2016
- Collaboration of San Miguel Power Association (SMPA), GRID Alternatives Colorado, and the Colorado Energy Office
- Helps lower the electric bills of qualified low-income residents
- Part of statewide initiative to reduce energy costs for customers with highest need
- Provided solar job training to volunteers and installers

*Installation of the San Miguel community solar array in Norwood, Colorado.*

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# RE-Powering America's Land - Webinar

**Register today!**

**USEPA's RE-Powering America's Land Initiative - Interconnection: Plugging RE-Powering Sites into the Electric Grid**

*May 13 from 1-2pm ET - REGISTER HERE*

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# RE-Powering Website and Contacts

**Thank you!**

**Home page:**

https://www.epa.gov/re-powering

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# Appendix

- Additional Resources

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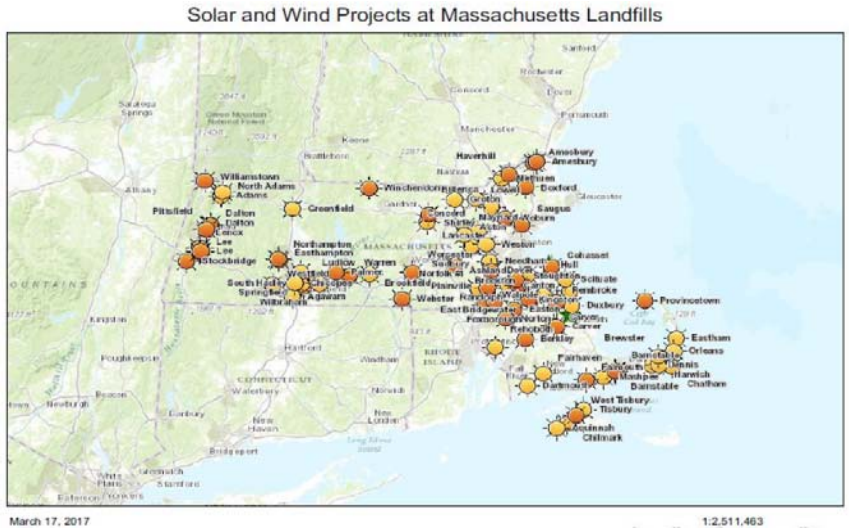
# Solar Program Example: Massachusetts

**Clean Energy Results Program (CERP)**

- Launched 2011
- Specific initiative to "advance environmental protection through renewable energy and energy efficiency projects" including development of solar PV on Landfills and Contaminated Land
- Close collaboration by environmental protection and energy resources departments
- Permitting process and regulations revised to facilitate solar PV on landfills and brownfields




**Installed & Proposed Capacity To Date:**

**240 MW on landfills**

**140 MW on brownfields**

**Total: 380 MW**

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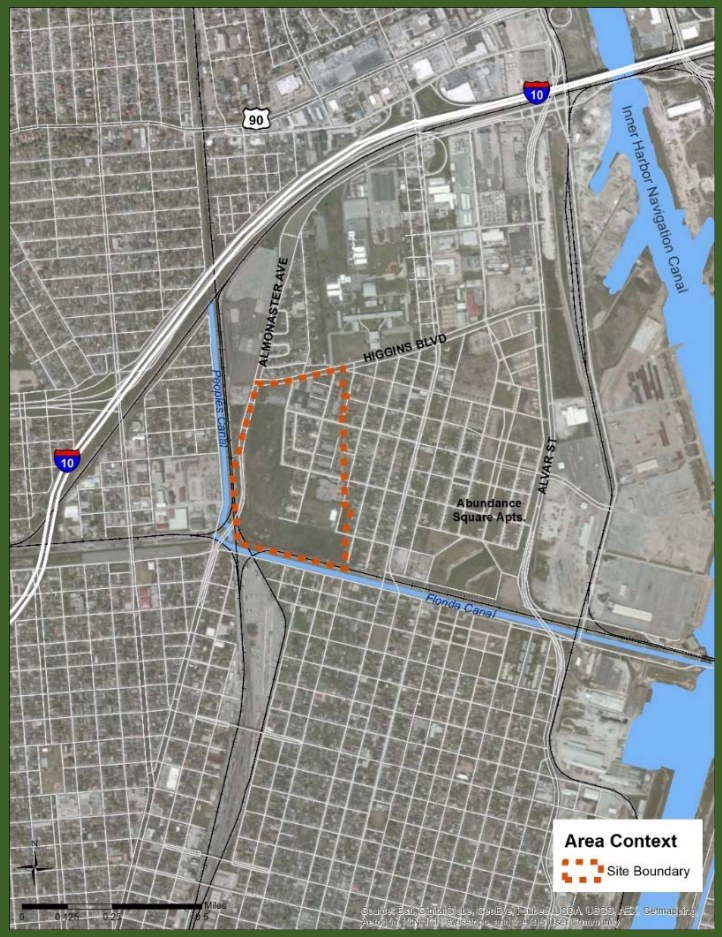
# Planning Renewable Energy Reuse - Agriculture Street Landfill Superfund site, New Orleans, Louisiana

Casey Luckett Snyder, EPA Superfund Redevelopment Program/EPA Region 6

Cheryn Robles, City of New Orleans

# Site Location

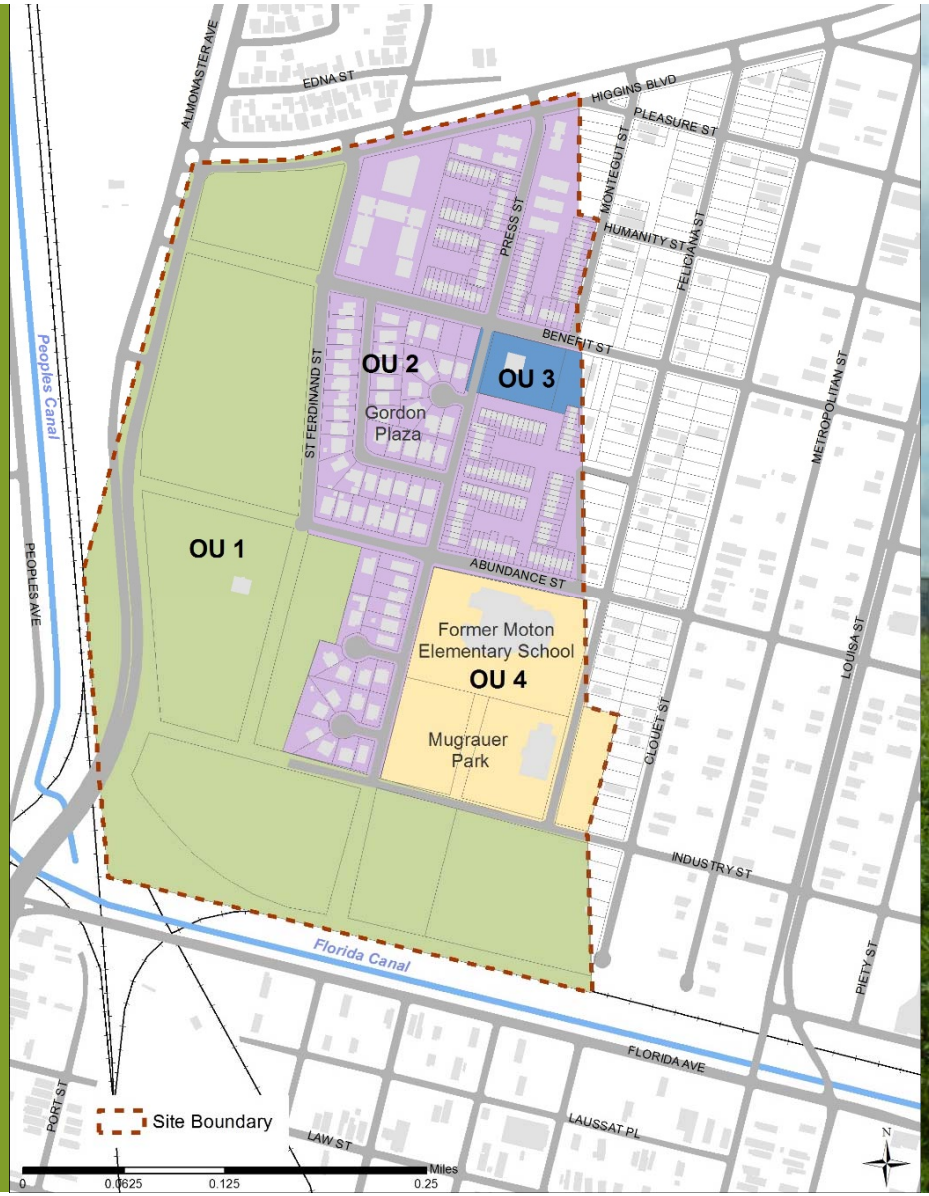



# Site History

# Site History cont.

# Current Site Status

# Regional Seed Technical Assistance




# Site Collaborative Planning

## Solar Suitability and Property Analysis

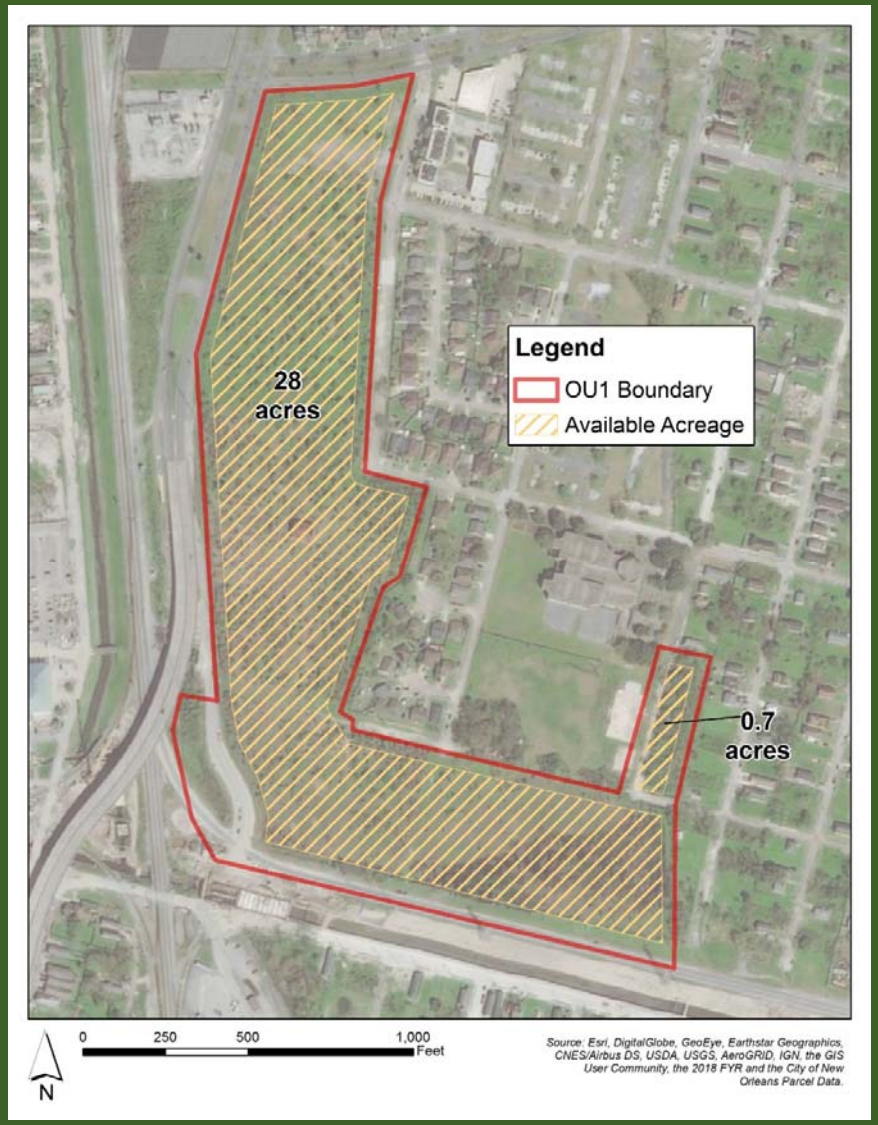
- SRP

## Renewable Energy Feasibility Study

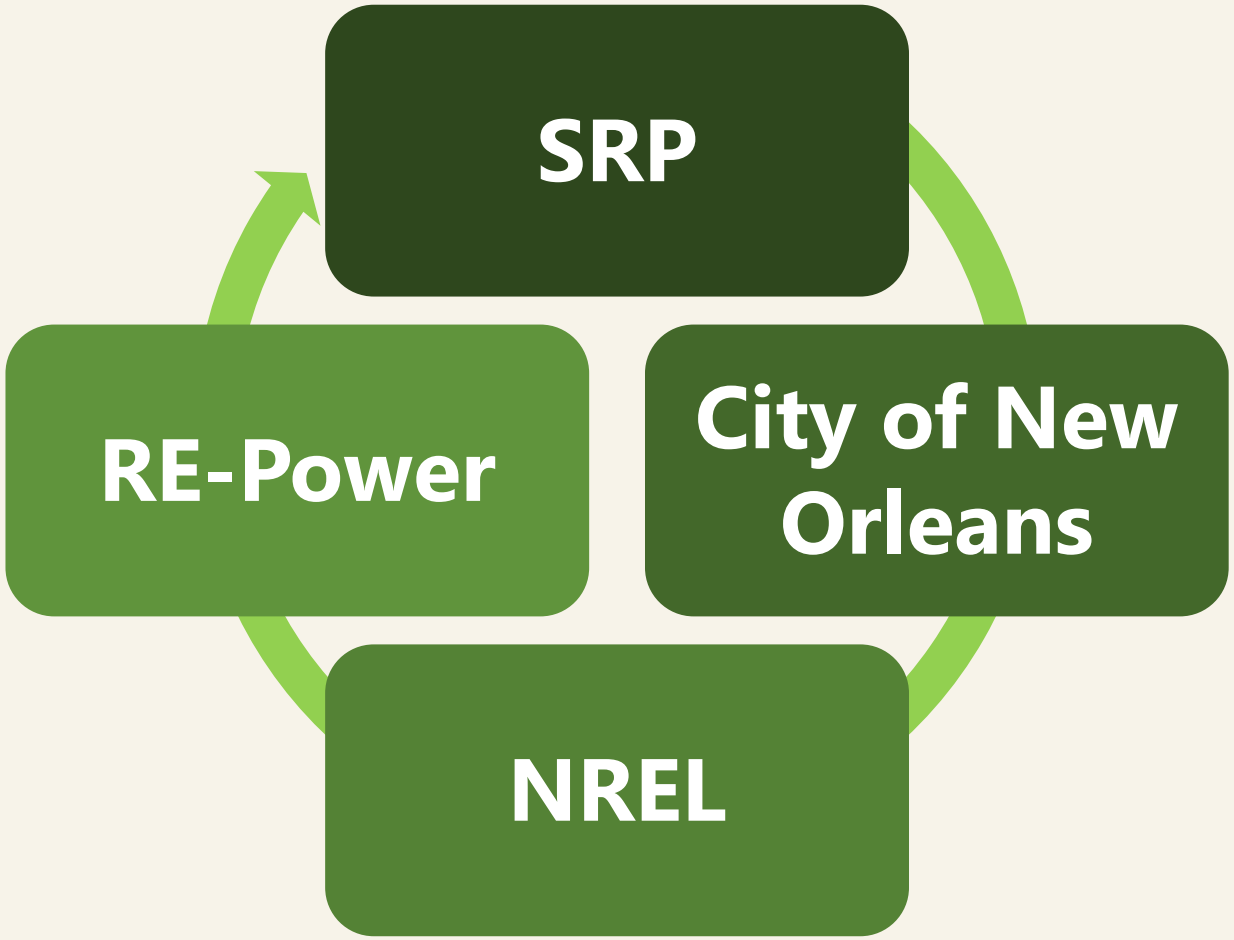
- Re-Power

## Resilience Strategy

- City of New Orleans



# Benefits of Partnership



# Meeting the City's Resilience Efforts

- A solar park (renewable energy) is an element of New Orleans' greater commitment to implementing resilience strategies
- National Disaster Resilience Competition Grant projects maximize water retention to reduce the need for pumping
- Living With Water strategy calls for ongoing updates to infrastructure practices including elevating houses, reducing pumping and energy needs, permeable streets

View the City's Resilient New Orleans vide here: https://www.youtube.com/watch?v=-B30BrSAlM4&t=36s

# Benefits of Redevelopment

- Resolve the grievances of the Gordon Plaza residents, providing a legitimate project reason to offer buy outs;
- Establish a backup power source for the Sewerage and Water Board of New Orleans pumping station;
- Minimize greenhouse gas emissions/carbon footprint;
- Return the former Superfund site to productive use;
- Potentially generate revenue/create a contributing City asset

# Recommendations from New Orleans

- Cultivate your relationship with your EPA counterpart.
- EPA staff is smart and friendly, they want to be helpful and are excellent resources.
- The City's initial estimates to fund Feasibility Study were not funded. EPA's technical assistance is providing the same service at no cost to the City.
- Don't be afraid to ask for technical assistance and guidance.

# Contacts

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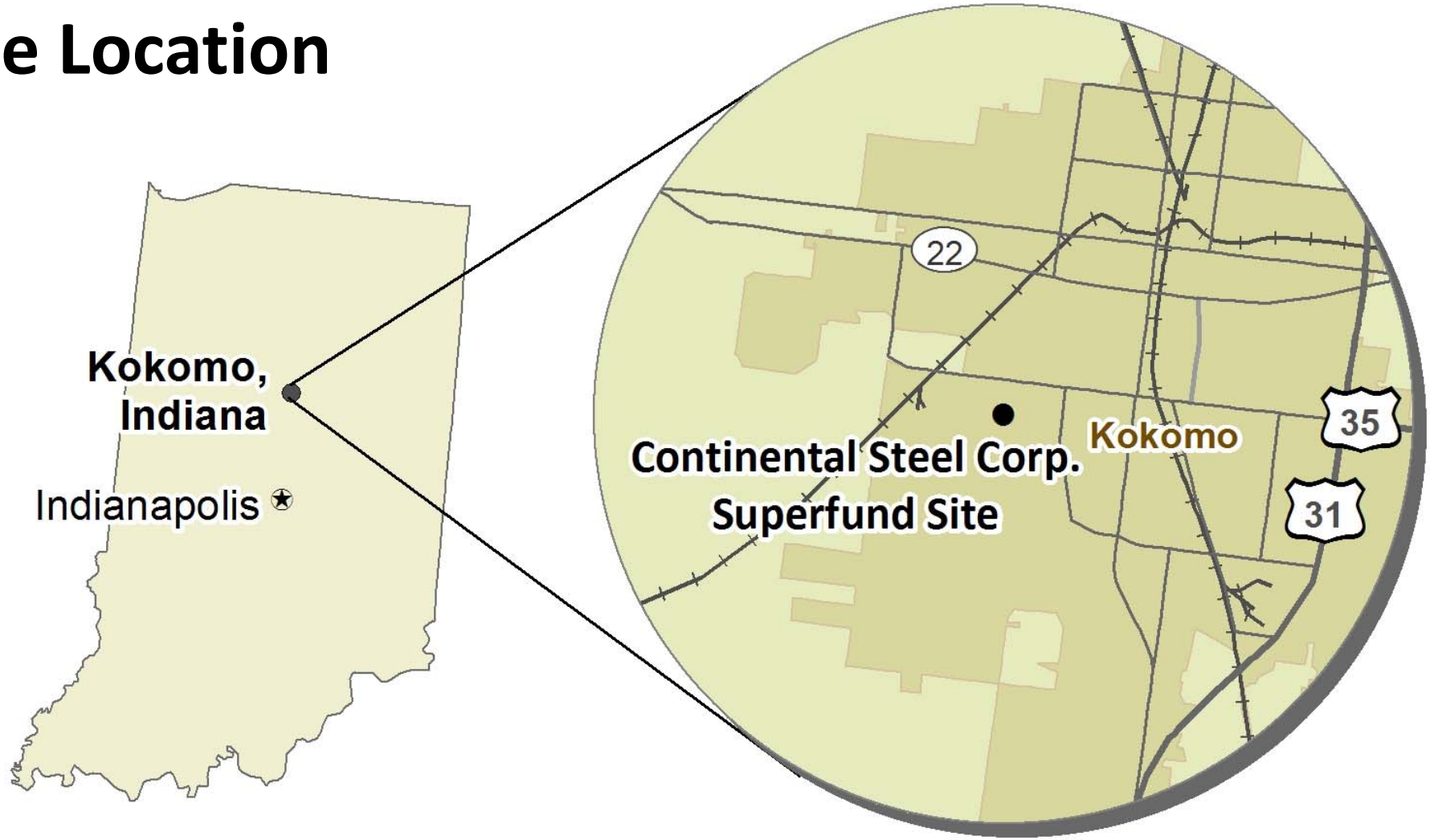
# Continental Steel Corp. Superfund Site

Tom Bloom, EPA Region 5

# Overview

- Site Location and History
- Cleanup Summary
- Coordinating Reuse and Remediation Considerations
- Site Reuse Outcomes and Milestones
- Lessons Learned

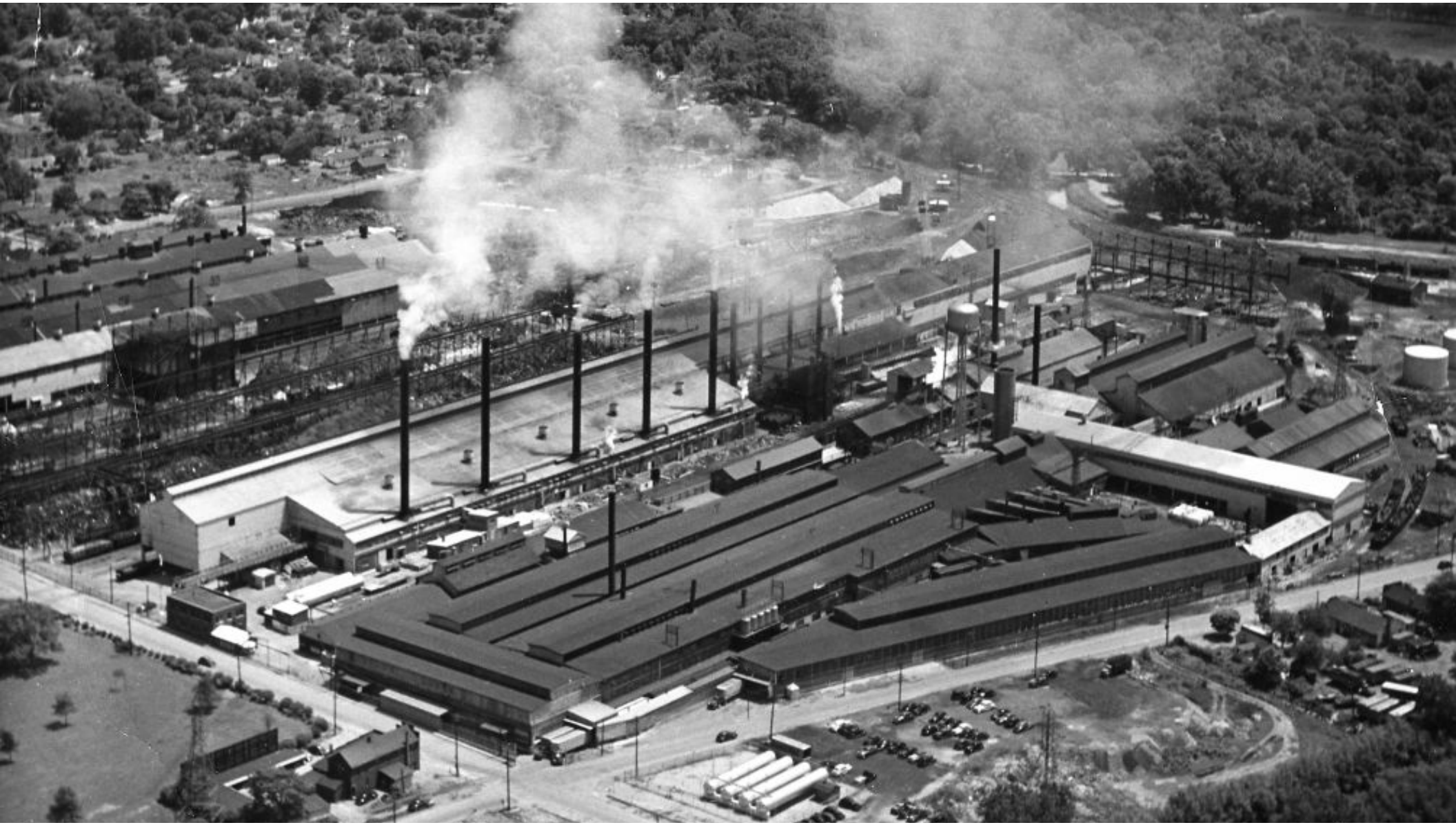
# Site Location




*Sources: Esri, DeLorme, AND, Tele Atlas, First American, UNEP-WCMC and USGS.*

# Site History

- 1896 – Kokomo Fence Machine Company operates facilities on site
- 1901 – Kokomo Steel & Wire operates facilities on site
- 1914 - 1986 – Continental Steel operates facilities on site
- 1984 - 1986 – IDEM identifies soil and groundwater contamination at the site
- 1986 – Continental Steel declares bankruptcy
- March 1989 – EPA places the site on the National Priorities List




CONTINENTAL STEEL
CORPORATION

# Cleanup Summary

- February 1990 – EPA completes removal actions to address immediate risks
- 1993 – EPA begins remedial investigations at the site
- 1998 – EPA selects site cleanup plan
- 2011 – EPA completes cleanup activities at the site

# Coordinating Reuse and Remediation Considerations

- In 2001, EPA gave the City of Kokomo a $100,000 Superfund Redevelopment Pilot
- Wildcat Creek Soccer Complex

# Site Reuse Outcomes

- The City of Kokomo is now leasing this once highly contaminated property to the solar company and generating revenue
- Completed installation of 21,000 solar panels on 26-acres of the Main Plant
- This $10 million energy project is expected to produce about 9,000 megawatts of electricity, enough to power 1,000 homes
- One of the largest photovoltaic arrays in the State of Indiana
- This renewable energy project cuts greenhouse emissions and air pollution and helps diversify Indiana's energy supply

# Site Reuse Success Milestones

- October 2015 – Kokomo Soccer Club hosts its first youth soccer match at the Wildcat Creek Soccer Complex
- June 2016 – Kokomo Plan Commission approves construction of 25-acre, $9 million solar facility
- December 2016 – Solar array begins operating on site
- April 2017 – EPA Region 5 presents its RENEW Award to site redevelopment partners

# Lessons Learned

- Reuse outcomes at the site were highly successful due to great cooperation, coordination, and execution between all of the parties
- Start reuse planning early in the remedial process!
- Stay the course
- Consider reuse and remedy protectiveness
- Address liability concerns

# Thank You

- Nabil Fayoumi – EPA Region 5, Site RPM
- Tom Krueger – EPA ORC
- Jessica Fliss – IDEM
- The City of Kokomo
- Inovateus Solar
- Alterra Power
- Heartland Energy
- 1st Source Bank
- Green Alternatives

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# Wrap Up

Casey Luckett Snyder, EPA Superfund Redevelopment Program/EPA Region 6

# Superfund Redevelopment Resources & Tools

- Regional Seed Resources & Reuse Planning
- EPA Guidance, Handbooks & Fact Sheets
- Prospective Purchaser Inquiry (PPI) calls
- Comfort Letters
- EPA Agreements

# Superfund Redevelopment Coordinators by Region

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www.epa.gov/superfund-redevelopment-initiative/regional-redevelopment-contacts

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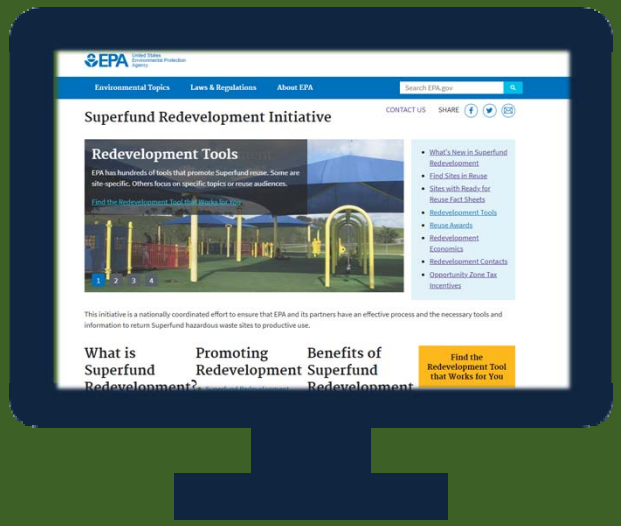


**Superfund Redevelopment Program Website:**

www.epa.gov/superfund-redevelopment-initiative

# Questions?

Casey Luckett Snyder, Cheryn Robles,

Lora Strine and Tom Bloom

# Q&A

- Enter questions and comments privately in Q&A
  - Can send anonymously
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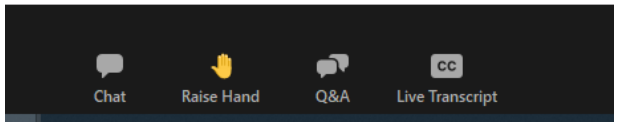


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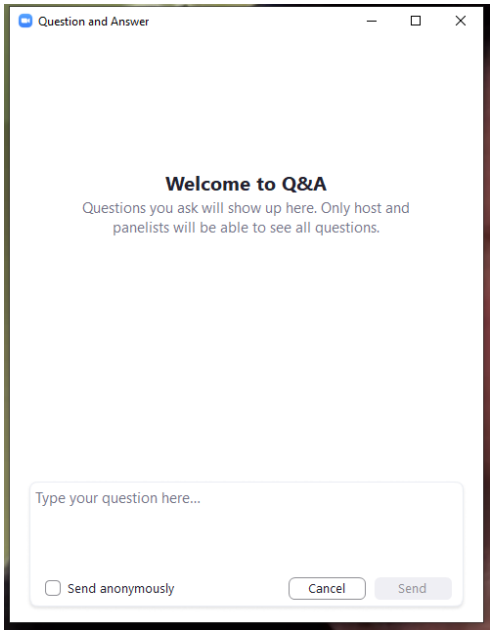

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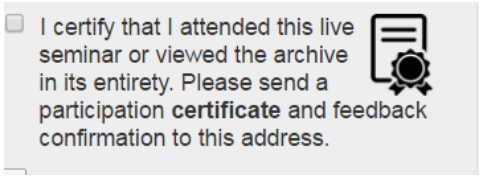


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