

Presented to

**Environmental
Review Commission
of the
General Assembly**

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The Brownfields Program

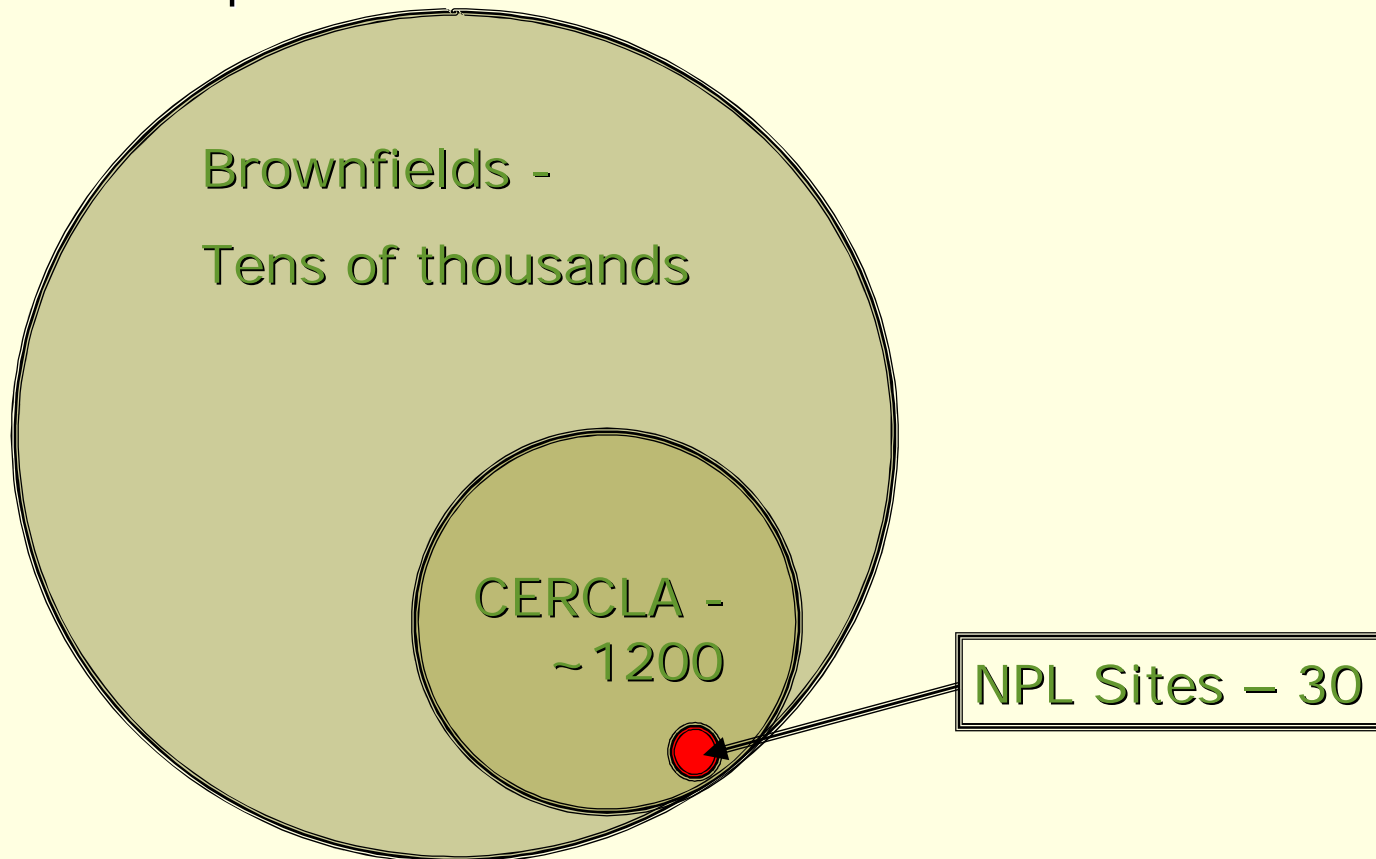


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Cleanup Site Universe: Brownfields, CERCLA or Worse?

Brownfield: "Abandoned, idled, or underused property where redevelopment is hindered by real or perceived environmental contamination."



Brownfields Public Policy

- Address contaminated sites with redevelopment potential in a way that encourages safe redevelopment
- Preserve Responsible Party Liability to discourage future contamination
- In effect, set two public policies on cleanup...one for polluters and one for non-polluters (Brownfields Property Reuse Act)

Brownfields Property Reuse Act of 1997

- Create Special Class of Remediating Parties... “prospective developers” of abandoned sites
- Provide them with liability protection in return for measures that make property safe for reuse
- Provide them with a tax incentive to assist in costs
- Ensure Enforceability of Land Use Restrictions

Hypothetical Cases

Contamination	<u>Non-Brownfields</u> Typical <i>Polluter</i> Requirements	<u>Brownfields</u> <i>Prospective Developer</i> Actions
Lead in Soil	Further Assess Soil, Excavate/Remove/ Treat Soil to Remedial Goals	Depending on desired use: Cap soil restrict use of land to safe uses, incorporate caps into parking plan, or excavate
Chlorinated Solvents in Groundwater	Define extent of contamination, remediate groundwater to NC GW Stds and VI Issues	Assess groundwater, search for potential receptors or wells, prohibit GW use, review Site for VI issues

Hypothetical Cases: Vary Property Use to Control Risk

Contamination	Somewhat restricted Residential Use	More restricted Residential Use	Commercial or Industrial Use
Solvents in Groundwater beneath bldg.	Subslab vapor mitigation and monitoring; prohibit use of GW	No basements, parking only on ground floor, residential above, prohibit use of GW	No basements, seal cracks, VI ranges from HVAC upgrade to vapor mitigation
Lead in soil	Excavate and remove	Excavate or Cap, multifamily use only, sampling of common play area; no commercial day care	Cap, restriction on excavations

A photograph of a green street sign with white text that reads "BROWNFIELD ST". The sign is mounted on a black pole. The background of the sign is green, and the text is in a bold, sans-serif font. The sign is slightly tilted to the right.

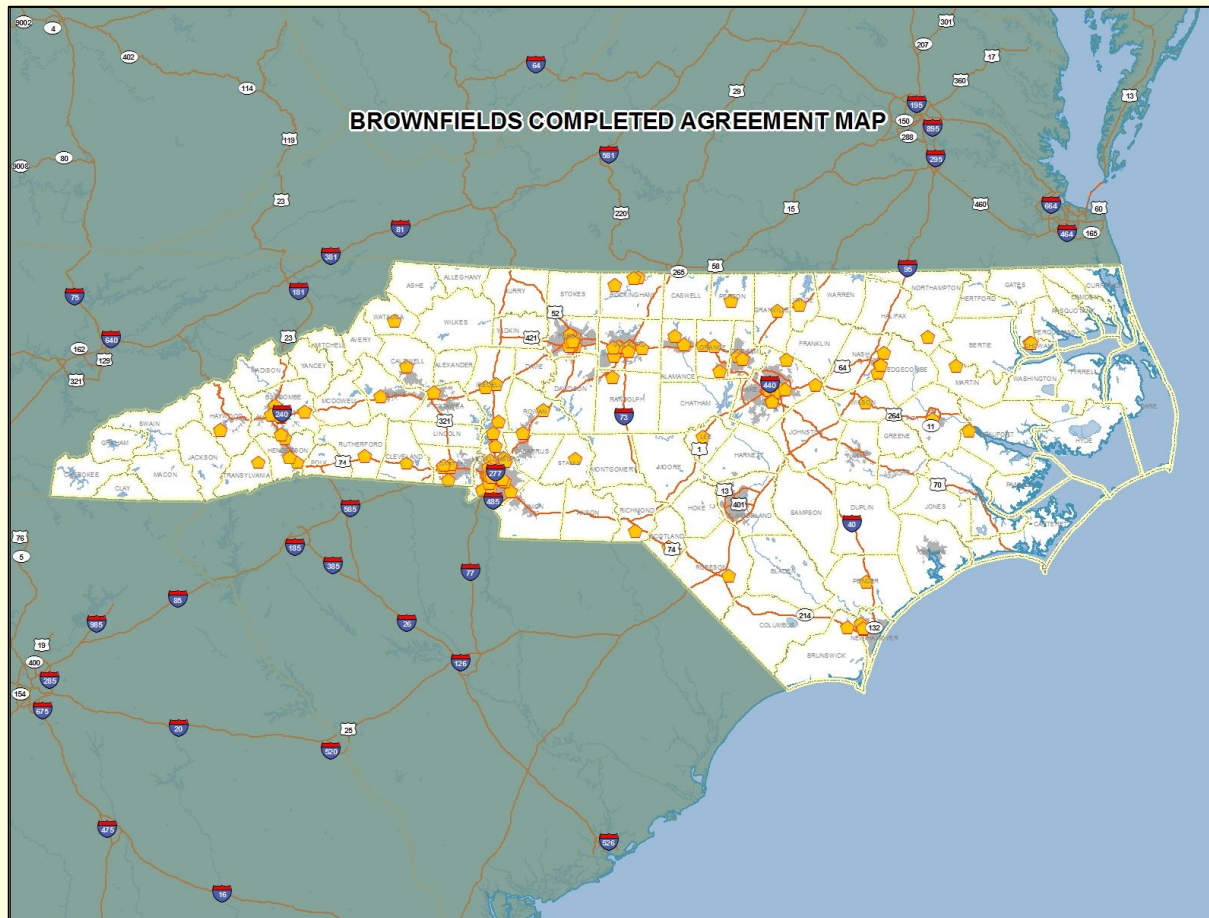
Where We Are

- 152 Brownfields Agreements Recorded
- \$4+ billion in facilitated private investment
- Lender recognition of BFAs as trigger to release funds



BROWNFIELD^{CT} 100

Completed Agreements



The logo for the Brownfield 100 program, featuring the text "BROWNFIELD 100" in white on a blue rectangular background, mounted on a black pole.

Recent Progress

- Land use restriction compliance monitoring and innovative compliance assistance a model for other states
- Redevelopment Now Program provides option for prospective developers needing fast turnaround
- Improved public comment process from last session law implemented October 1, 2009
- Exploring “ready for reuse” options for local governments and nonprofits to in attracting developers and economic development
- Partnering with NC Rural Center and Local Governments to Support local Brownfields initiatives and grant efforts.
- \$2.7 million in competitive federal grants to local govts in FFY 2009

2009 U.S. EPA Brownfield Grant Recipients

- Concord
- Durham
- Greensboro
- Greenville
- New Bern
- Land-of-Sky Regional Council

2010 U.S. EPA Brownfield Grant Applicants

- Elizabethtown
- Wayne County
- Whiteville
- Wilson
- Northwest Piedmont COG
- Centralina COG
- Upper Coastal Plain COG

Recipients of 2009 NC Rural Center Brownfields Grant

Federal and State Roles

Federal Program

- **Funding to States**
 - NC Brownfields Program, \$950K
- **Competitive Brownfields Grants to Local Governments**
 - \$2.7 million in NC last year

State Program

- **Liability Protection to PD**
 - Brownfields Agreement
- **Guidance for Safe Redevelopment**
 - Brownfields Agreement
 - Deed Recordation
- **Tax Incentives to PD**
 - BF Property tax abatement

Economic Development Success Factors Affected by Brownfields Program

- Defined and limited liability
 - Brownfields Agreement is a Covenant not-to-sue
- Break Barriers to Financing
- Financial/Tax Incentives
- Controlled and Defined Cleanup Costs
- Land Use Planning/Decisions
- Addressing Public Health
- Risk Communication to Public
- Return on Investment

Goal: Something For Everyone

NCDENR / EPA

- Risk Reduction / Public Protection
- Smart Growth
- Sustainability

Prospective Developer

- Profit
- Reduced Uncertainty
- Lower Liability

Local Govt.

- Economic Devel.
- Jobs
- Sustainability
- Risk Reduction

Lender

- Reduced Uncertainty
- Profit

Neighbors

- Economic Benefits, Jobs
- Risk Reduction
- Quality of Life

From Former Alpha Mill to Alpha Mill Apartments



Abandoned Textile Mill, circa 1888 and Chromium Electroplater, circa 1955



Alpha Mill Apartments bordering uptown Charlotte



Preservation of historic architectural heritage

From Former Schoonmaker Mica Co. to Mica Village Lofts

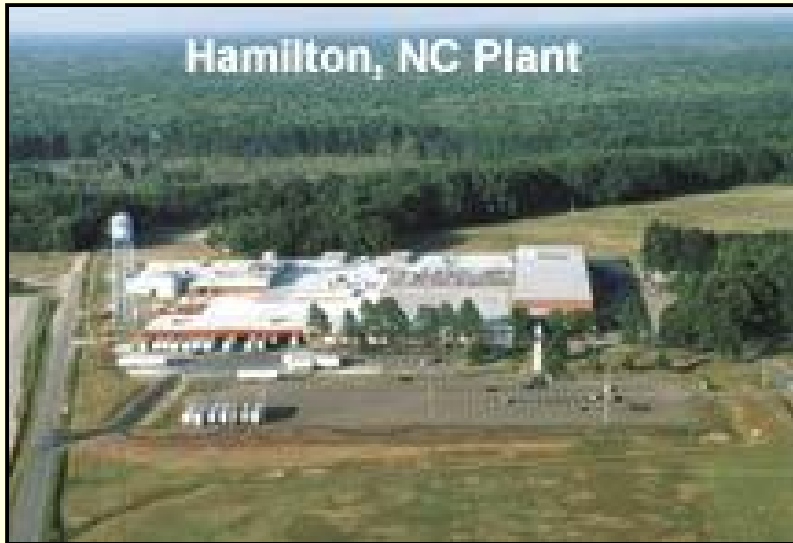


Abandoned Mica Plant,
circa 1905 in Biltmore
Village, Asheville



Green building redevelopment as
Mica Village Loft Condominiums

From Alamac Textiles to Penco Metal Products -Hamilton



School locker manufacturer relocates manufacturing operations to 400,000 ft² former textile mill.

- Hamilton, Martin County
- 300 manufacturing jobs replaced those lost by Alamac Textiles bankruptcy
- Brownfields Agreement facilitated Dept. of Commerce recruitment

From Former Almont Shipping Co. to PPD World Headquarters - Wilmington



Abandoned Fertilizer
Stockyard/Shipping Facility



PPD World
Headquarters in
downtown
Wilmington,
400,000-ft², and
1,800 workers



From Pillowtex Plant 1 to NC Research Campus - Kannapolis



Former Pillowtex and Canon Mill
on 150 acres in Kannapolis

Largest single layoff in State
history (4800 jobs lost)



North Carolina Research Campus

David Murdock/Dole/University
Public-Private Venture Nutrition/Ag
Research Park

\$500 Mil – \$1 Bil investment

Thousands of jobs

Core Labs built, more to follow

From Vacant Lot to RBC Plaza - Raleigh



Vacant lot with former
drycleaning history
needed brownfields
agreement

At 538 feet, the RBC Plaza and
Condominiums is presently the
tallest building in Raleigh



From Former Pilot Mill to Pilot Mill Office Complex - Raleigh



Abandoned Turn of the
Century Textile Mill Slated
For Demolition

Tax Value:\$200,000

Cleanup Cost:~\$1 million



Fully Leased Office
Complex on National
Register of Historic Places

Value over \$13 million

Cleanup Cost: ~\$100,000

Spurred Neighborhood
investment \$100 million



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