

# INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

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## Brownfields and Redevelopment

# Indiana Department of Environmental Management

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## Overview

- What are Brownfields
- Obstacles to Brownfields Redevelopment
- Tools for Redevelopment
- Financial Incentives
- Additional Resources

# Indiana Department of Environmental Management

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## Brownfields Definition (U.S. EPA) -

- Abandoned, idled or under-used industrial or commercial facilities where expansion or redevelopment is complicated by real or perceived environmental contamination

# Indiana Department of Environmental Management

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## Brownfields Definition (SEA 360)

- An industrial or commercial parcel of real estate that is abandoned or inactive or may not be operated at its appropriate use; and
- On which expansion or redevelopment is complicated because of the actual or perceived presence of a hazardous substance or petroleum released into the surface or subsurface soil or groundwater that poses a risk to human health and the environment.

# Why is Brownfields Redevelopment Important?

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- Links economic vitality with environmental protection
- Discourages urban sprawl
- Abandoned properties are returned to tax base
- Revitalization improves the appearance of the community

# Obstacles to Brownfields Redevelopment

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- Real or perceived environmental contamination
- Cleanup costs
- Liability issues for the lender, prospective purchaser, and third parties
- Socio-economic issues

# Tools For Brownfields Redevelopment in Indiana

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- Senate Enrolled Act (SEA) 360
- Indiana's Brownfields Program

# Main Provisions of SEA 360

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- Allows the creation of Brownfields Revitalization Tax Abatement Zones
- Establishes the Environmental Remediation Revolving Loan Program (funded for 3 years; 5 million 1st year, 2.5 for subsequent years)
- Environmental Legal Actions - Changes the liability from strict, joint, and several, to proportional, for cost recovery and liability claims



# **IDEM Brownfields Program**

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- I. Brownfields Education and Outreach**
- II. Brownfields Environmental Assessment  
Process**
- III. Voluntary Remediation Program**

# I. Brownfields Education and Outreach

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- Brownfields Workshops
- Education, Outreach and Consultation to Local Units of Government
- Participation in Local Efforts
- National and Regional Brownfield Pilot Projects
- Publication of a Financial Resource Guide for Brownfields Redevelopment (under development)

## II. Brownfields Environmental Assessments

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- To assist communities in putting abandoned properties into productive reuse, promoting sustainable development
- To conduct environmental assessments at sites meeting the criteria
- Service is free to political subdivisions (units of governments)

## II. Brownfields Environmental Assessments

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- Perform background review of site history, ownership and past environmental practices
- Conduct site reconnaissance
- Collect and analyze environmental samples
- Prepare a Brownfield Assessment Report
- Discuss report findings and future steps with applicant

# III. Voluntary Remediation Program

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- Indiana was one of the first states to address, through statutes, liability issues associated with property transactions
- Established in 1993, pursuant to IC 13-25-5 (prior to July 1, 1996, IC 13-7-8.9)

### III. VRP Program Eligibility

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- Any property owner, prospective purchaser, or a third party who wishes to remediate a property, or property location that is contaminated with petroleum or hazardous substances is potentially eligible

#### Ineligible if:

- State / Federal enforcement action is pending
- Federal Grants compel IDEM to take enforcement actions
- Imminent and substantial threat to human health and the environment
- Incomplete application

# Keyplayers

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## State, Federal and Local Government

- Elected Officials
- Local planning/redevelopment department
- Public Works
- Health and Housing departments
- Environmental Department
- IDEM/U.S. EPA
- HUD
- Department of Commerce
- Department of Transportation

# Keyplayers

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## Local Businesses and Interest Groups

- Developers
- Realtors (industrial & commercial)
- Financial Institutions
- Chamber of Commerce
- Industries
- Utilities
- Community Groups/Neighborhood Associations
- Environmental Organizations/Consultants
- Urban Enterprise Associations
- Community Development Corporations
- Not-for-Profit Groups



# Different Partnerships in Brownfields Redevelopment Efforts

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## Public / Private Partnerships

Private - sites where redevelopment would occur without any assistance; the easy ones

Public - usually sites with extensive environmental contamination, other problems; the hard ones

# Financial Incentives for Brownfields Redevelopment

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- IDEM - Free Environmental Assessments  
(for eligible applicants)
- Commerce Department - Various Funds  
and Grants -Community Development Division (317)  
232-8911
- Local Incentives - Tax abatement and tax  
increment financing
- Senate Enrolled Act 360 -establishing an  
Environmental Remediation Revolving Loan  
Fund

# Additional Resources

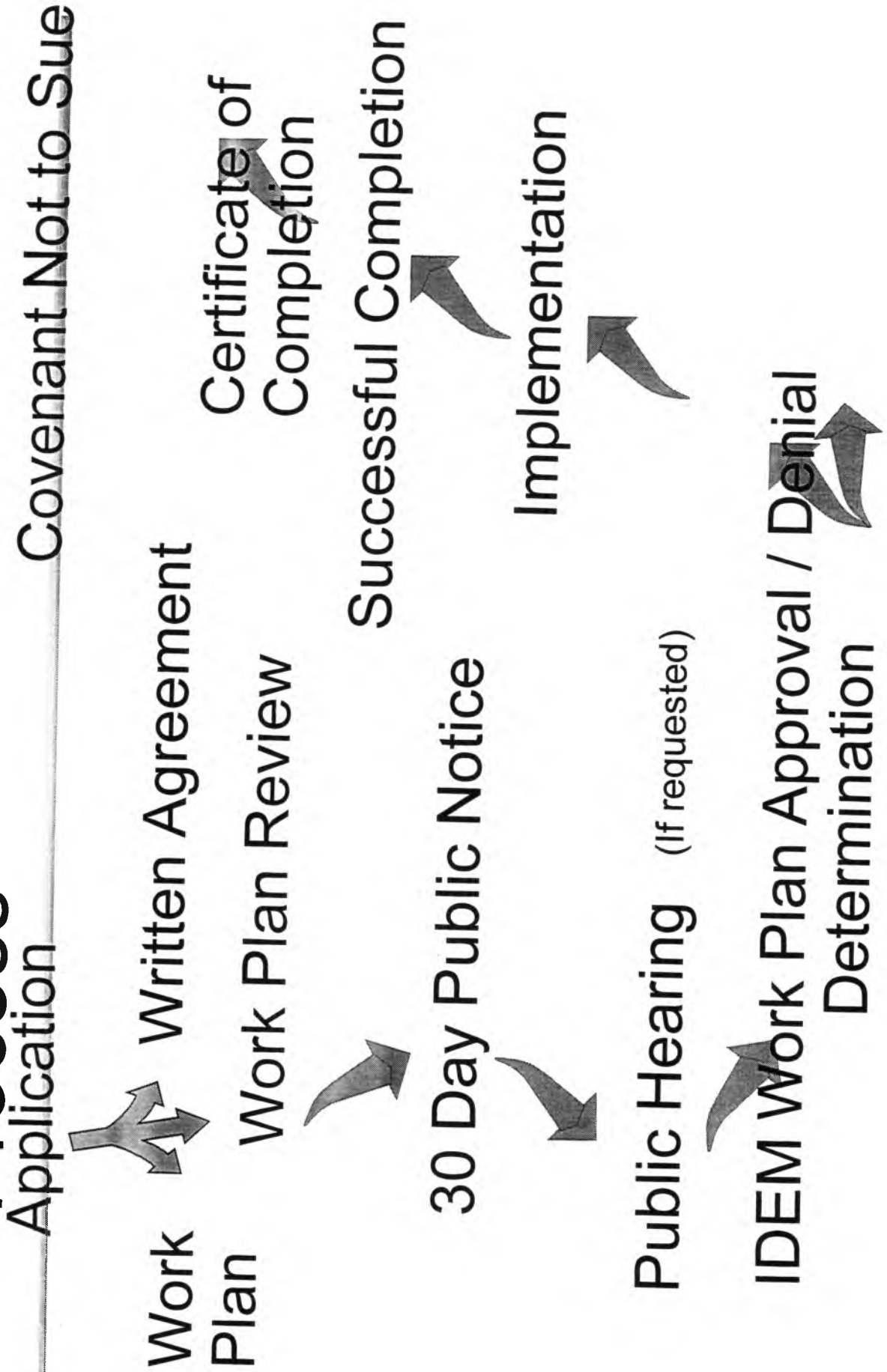
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## IDEM Assistance

- Brownfield Environmental Assessment Application
- Voluntary Remediation Program Application
- Technical Assistance
- Participation in education and outreach activities
- Assistance in coordinating activities with other state and federal agencies

# III. Key Steps in the VRP

## Process



# How to Get Started

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- Establish a site inventory
- Get keyplayers involved
- Form workgroups & subgroups if necessary

# Brownfields Revitalization Scopes

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Urban Planning  
Environmental Cleanup  
Economic Redevelopment

# Keyplayers

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## State and Federal Government Agencies

- IDEM / U.S. EPA
- HUD
- Department of Commerce
- Department of Transportation

# Keyplayers

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## Local Interest Groups

- Community Groups / Neighborhood assoc.
- Environmental Organizations / Consultants
- Urban Enterprise Associations
- Community Development Corporations
- Not-for-Profit Groups