Pennsylvania Brownfields Program

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PA Land Recycling Act (Act 2)

- Enacted in 1995, with companion bills
PA Land Recycling Act (Act 2)

Principles:

• Uniform Remediation Standards (Background, Statewide Health and Site Specific)

• Report Review Deadlines – set by Statute

• Liability Relief
Remediation Standards

• Releases of “Regulated Substances” to soil and groundwater under Solid Waste, State Superfund, Storage Tank and Clean Streams laws

• Applies to Voluntary Cleanups OR Cleanups Required by DEP
Report Review Times

• Required by Statute
  – 60 days Statewide Health and Background, 90 days Site Specific
  – Report Deemed Approved

• Most recent 6 month report – Average 45 days, 55 days
Cleanup Liability Issues

• Liability Release Granted for Remediation Obligations (excluding Reopeners) and Contribution Protection
  – Remediators, Current and Future Property Owners
• Buyer/Seller Agreements
• EDAs, Fiduciaries, Lenders have addtl Liability Protection
State Funding Programs

- Industrial Sites Reuse Program
- State Development (e.g. BOS, RCAP)
- High Performance, Energy Programs
- Pennvest Brownfield Loans
- Tax Credit Programs – KOZ, KSDZ, Job Creation
Permits for Redevlopment

- Priority reviews for Brownfield projects
- Permit and Cleanup Coordination
  - Pre-Application meeting, PACT, action teams
- Permit Decision Guarantee Policy
Results

• Over 4,500 Voluntary Cleanups Completed
  – About 1,300 in progress

• $606 million in State Funding provided under programs that support brownfields redevelopment (not including RCAP)

• 98,137 jobs created/retained
Information

• Brownfield Development Guide
• Brownfield Videos on YouTube – Link from DEP website
• www.depweb.state.pa.us, look for Environmental Cleanup and Brownfields
• Pennsylvania Council of Professional Geologists – Training