

1. What is a Brownfield?

A "Brownfield" is real property, the expansion, redevelopment, or reuse of which may be complicated by the release or threatened release of a hazardous material. In Vermont, the remediation of these sites is generally regulated by the Agency of Natural Resources – Department of Environmental Conservation. Program requirements can be found here:

<https://dec.vermont.gov/waste-management/contaminated-sites/brownfields>.

2. Who is eligible to apply for a cleanup grant?

For-profit, non-profit and municipalities are eligible to apply. State owned sites are not eligible for funding at this time.

3. Can out of state applicants apply?

Out of state applicants can apply for project sites located in Vermont.

4. What is Brownfields Reuse and Environmental Liability Limitation Program (BRELLA)?

The environmental liability limitation program which provides a way out of the chain of liability allowing for redevelopment to proceed knowing that legal and financial risks have been addressed.

5. Where can I learn more about BRELLA?

You can learn more about BRELLA here:

<https://dec.vermont.gov/waste-management/contaminated-sites/brownfields/BRELLA>

6. Does the site need to be enrolled in BRELLA?

Yes, the property must be enrolled in BRELLA to be eligible to receive an award.

7. What is a Corrective Action Plan (CAP)?

A CAP is a written plan developed to outline the process to “prevent and eliminate unacceptable risk to human health and the environment caused by the release of hazardous materials into the environment. A CAP must clearly communicate the basis and details of a proposed cleanup strategy.” There is more detailed information at this site:

<https://dec.vermont.gov/sites/dec/files/wmp/Sites/20.07.09.BROWNFIELDS.HANDBOOK.pdf>

8. Does the site need an approved CAP to apply?

An applicant’s site must have an approved Corrective Action Plan (CAP) to get funded. Applicants may apply if their CAP is pending approval; however, awards will not be issued to a site without an approved CAP.

9. Who can draft a Corrective Action Plan (CAP)?

The IRule stipulates that the CAPs must be prepared by an “environmental professional,” defined as follows: “Environmental professional” means a person who possesses the following education, training, and experience: (A) A current professional engineer’s (with certification within relevant area of expertise) or professional geologist’s license or registration from a state, tribe or U.S. territory (or the Commonwealth of Puerto Rico) and the equivalent of 3 years of relevant fulltime experience; (B) A license or certification by the federal government, a state, tribe, or U.S. territory (or the Commonwealth of Puerto Rico) to perform environmental site work equivalent to that required by this rule and have the equivalent of 3 years of relevant fulltime experience; (C) A baccalaureate or higher degree from an accredited institution of higher education in a discipline of engineering, geology, hydrogeology, or an applicable science and the equivalent of 5 years of relevant fulltime experience; or (D) The equivalent of 10 years of relevant fulltime experience in a discipline of engineering, geology, hydrogeology, or an applicable science.

10. Can funding be used for other Brownfield related costs other than CAP implementation?

No. This funding cannot pay for environmental site assessments (Phase I or Phase II), planning, or Corrective Action Plan Development, at this time.

11. Where can an applicant request funding for environmental site assessments (Phase I or Phase II), planning, or Corrective Action Plan Development?

Applicants can contact their local Regional Planning Commission (RPC) for environmental site assessment, planning, or CAP development funding assistance. Contact details and coverage map for RPCs can be found here: <https://www.vapda.org/regions.html>. Applicants can also visit the Department of Environmental Conservation’s website for other Brownfield funding opportunities, <https://dec.vermont.gov/waste-management/contaminated-sites/brownfields>.

12. Can funding be used for costs associated with hazardous building material abatement (ie lead and asbestos)?

Yes, if there are hazardous building material issues and brownfield contaminate issues that will be addressed via the approved CAP. However, as the primary focus of this funding is to cleanup of brownfields; priority will be given to applicants that can demonstrate that funding for abatement will significantly advance the redevelopment.

13. Can a CAP receive more than one award from this funding?

No, awards are limited to one per CAP.

14. Can applicants receive more than one award from this funding?

Yes, if an applicant has more than one brownfield site, they may apply for funding for each site.

15. Can an applicant apply for funding to cover a CAP that has already been completed?

No, retroactive funding will not be awarded from this program.

16. Can applicants secure an award from this funding and grants and loans from other available sources?

Yes, applicants may apply to this program as well as other programs to cover project costs. However, they cannot duplicate benefits.

17. What is the minimum grant amount?

There is no minimum grant amount.

18. What is the maximum grant amount?

Applicants may apply for up to 90% of the cost of implementing the approved CAP. Once awarded, if the actual costs of remediation are less than the estimates, the grantee may only draw 90% of the actual CAP expenditures and the award amount will be reduced.

19. What is the match requirement?

Applicants are required to provide a minimum of 10% of the cost of CAP implementation as match. The Commissioner of Economic Development may approve a waiver of the match requirement.

20. Do the requirements of the Davis-Bacon Act apply to the use of these funds?

No, Davis-Bacon Act requirements do not apply to work supported with this funding. If the match component or other components are supported by other types of funding, grantees should ensure they are meeting the requirements of those funding sources.

21. Are these grants paid as a reimbursement?

Yes, grant funds will be disbursed as a reimbursement of expenditure when the applicant submits evidence of eligible work completion AND proof of payment. Exceptions can be made to provide a cash advance if the grantee is unable to pay for the eligible work and await reimbursement. Additional conditions will apply.

22. How does the application process work?

Applications are completed using an on-line form. A review team will consider the application and determine if a site visit and project presentation is warranted. In addition, the review team may request additional information, if needed, to analyze the remediation and redevelopment plan. Determinations on funding will be made on a rolling basis.

23. Can an applicant complete a partial application and come back to finish the application at a later date?

No, applicants must complete the online application form at one time. We suggest you print out the entire instructions so that you are aware of the questions and can prepare accordingly.

24. Who should complete the application for funding?

Applications should be completed and submitted by a designated person within the applicant organization who is familiar with the project scope, funding and redevelopment and is authorized by the organization to make the request for funding and provide the required attestations.

25. What is VT ANR Sites Management Section (SMS)?

The ANR Sites Management Section within Vermont Department of Environmental Conservation regulates the State remediation process. They maintain a variety of resources and guidance to assist in the characterization and remediation of contaminated properties. For more information:

<https://dec.vermont.gov/waste-management/contaminated-sites/brownfields>

26. Where do I find my SMS number?

Applicants find their SMS number (ID/site number) online at: <https://anrweb.vt.gov/DEC/ERT/Default.aspx>

27. How will projects be evaluated to receive awards?

In addition to the considerations outlined within 10 V.S.A. § 6654 <https://legislature.vermont.gov/statutes/section/10/159/06654>; grant applications will be evaluated based on the project merits.

All applications shall include, at a minimum:

- Statement of Need describing the need this project will address. Include data to demonstrate the need and cite the source of the data.
- Population Served including number and demographic characteristics of those served.
- Results including a description of the measurable proposed impacts of the project, with at least 3 performance measures that will be tracked and reported. Wherever possible, include baselines and goals for each performance measure.
- Budget including all proposed project funding by sources and uses.
- Special Considerations describing any other information that might assist the State in its selection.

Furthermore, projects will be prioritized as follows:

- Projects that have an approved Corrective Action Plan.
- Projects that have demonstrated re-use opportunities with itemized impacts.
- Projects in which an award from this program will fill a funding gap that allows the project to move forward or to completion.

Note: *Only projects with complete applications that meet all eligibility criteria will be considered.*

28. Where can I find additional resources?

ANR – DEC – Brownfields Program:
<https://dec.vermont.gov/waste-management/contaminated-sites/brownfields>

The Brownfields Handbook:
<https://dec.vermont.gov/sites/dec/files/wmp/Sites/20.0709.BROWNFIELDS.HANDBOOK.pdf>

BRF – State Program:
<https://accd.vermont.gov/economic-development/funding-incentives/brownfieldrevitalizationfundstateprogram>

or email accd.brownfieldsteam@vermont.gov with questions.

Regional Development Corporations: <https://accd.vermont.gov/economic-development/resources/rdc>

Regional Planning Commissions: <https://www.vapda.org/regions.html>