



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

DEC - 3 1999

MEMORANDUM

SUBJECT: Call for Regional/State RCRA Brownfields Pilot Projects

FROM: Timothy Fields, Assistant Administrator  
Office of Solid Waste and Emergency Response (OSWER)

Steven A. Hernan, Assistant Administrator  
Office of Enforcement and Compliance Assurance (OECA)

TO: RCRA Senior Policy Managers  
CERCLA Senior Policy Managers  
Regional Counsel, Regions 1 - 10

On June 11, 1998, OECA and OSWER jointly announced in a memorandum the RCRA Brownfields Prevention Initiative, the Initiative's goals, and the formation of a work group. Among the Agency's goals articulated in the above memo was to have the work group identify actual or perceived RCRA barriers to reuse and develop solutions that take advantage of existing statutory and regulatory flexibility in the program to address them. Through this memo, we would like you and your state counterparts to consider submitting pilot proposals that would, for example, showcase RCRA reforms. Please share this memo and pilot application guidelines with your state solid waste management agencies.

At this time we are looking for two or three national pilots. We plan to use the pilots to focus our resources on identifying and implementing approaches such as those discussed in the RCRA reforms to highlight solutions to RCRA-specific brownfield issues that we can share with regions, states, and local communities. The pilots give us an opportunity to get out in front on RCRA issues associated with brownfields and support the goals of the RCRA program by advertising RCRA brownfield successes.

Since many states are now authorized for corrective action, we ask you to work closely with your state counterparts in identifying potential pilots. If you or one of your states is willing to sponsor a pilot project, please review your work load to determine if opportunities exist that lend themselves to the goals of the Initiative. Any pilot proposals should support and promote the Agency's goals of expediting clean up while preserving our enforcement authority, maintaining accountability to our stakeholders, and ensuring public involvement in the pilot process.



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Through the work group, we will provide a body of experience to assist you in overseeing the pilot. We will also help your staff develop solutions that meld brownfield goals with RCRA programmatic goals, share specific examples and lessons learned, and expedite resolution of issues. (A list of the work group members is attached for your information.)

Although these pilots will not have funding available to them, we have allocated some contractor support to assist the selected pilots. It is our goal to help you find ways to expedite cleanups that protect human health and the environment and allow for future reuse, utilize flexibility within the existing RCRA program, more effectively use our limited resources, prevent future brownfields, and address any RCRA-specific issues arising from the pilots. Pilot opportunities could range anywhere from capitalizing on a party's desire to reuse property or expediting cleanup to developing a site-specific, state, or regional brownfields prevention strategy. Attached are the guidelines for the pilot application. Please take some time to read through them. We believe that your willingness to sponsor a regional pilot now will provide answers to critical RCRA brownfields questions and help set the stage for potential financial support, depending on future budgets. If your region or one of the state's within your region is willing to sponsor a pilot, please submit the application to Marjorie Buckholtz, work group chair, no later than 30 days from the date from this memo. You may reach Marjorie at (202) 260-6153, or 401 M Street, SW (mailcode: 5105), Washington, D.C., 20460 or [buckholtz.marjorie@epa.gov](mailto:buckholtz.marjorie@epa.gov).

We believe that selecting pilot projects is a critical first step that may also help you to meet your GPRA Corrective Action clean up goals using results-based approaches, and address long-term livability through the clean up, prevention, and reuse of brownfields across America. We look forward to working with you on this important effort. Should you have any questions, please feel free to contact your regional representative (see attached list), Marjorie Buckholtz, Outreach and Special Projects Staff, Mike Fitzpatrick, Office of Solid Waste at (703-308-8411), or Elisabeth Freed, Office of Site Remediation Enforcement at (202-564-5117). Thank you for supporting the Agency's commitment to its RCRA program and brownfields.

#### Attachments

cc: Elizabeth Cotsworth, OSW  
Linda Garczynski, OSWER  
Barry Breen, OSRE  
Steve Luftig, OERR  
Steve Heare, PSPD  
Linda Boornazian, PPED  
Sandra Connors, RSD  
Brian Grant, OGC  
Bob Hall, CAPB  
Lori Boughton, PGB  
Workgroup members  
ASTSWMO

## Guidance for Applications for RCRA/Brownfields Pilot Projects

### Introduction:

In 1998, OSWER instituted the RCRA/Brownfields Prevention Initiative and formed a Work Group to help link the RCRA program with its ongoing regulatory and policy improvements with the overall Brownfields Initiative. An overarching goal for the work group is to identify and address real or perceived impediments posed by RCRA to the beneficial reuse/redevelopment of abandoned or underutilized properties and to prevent future brownfields.

As a step to achieve this goal, EPA would like to capitalize on state or regional pilot projects to promote regional and state coordination; develop creative approaches to address RCRA brownfield issues; utilize the inherent statutory and regulatory flexibility of RCRA to address common reuse/redevelopment issues; and gather information to effect policy changes for RCRA corrective action and other RCRA programs that impact reuse/redevelopment.

### Purpose:

The purpose of implementing a pilot program is to advance application of brownfields solutions in the RCRA arena. Specifically, RCRA/Brownfields regional and/or state pilot projects will serve to:

- \* Achieve protective outcomes while focusing on effective and efficient reuse/redevelopment opportunities;
- \* Evaluate streamlined/tailored/innovative cleanup and redevelopment strategies or those that promote resource conservation;
- \* Identify and use creative solutions to redevelopment barriers including the inherent flexibility in RCRA and other recent regulatory and policy changes, e.g., HWIR-media;
- \* Facilitate coordinated federal/state/local cleanup and redevelopment;
- \* Provide information useful to develop strategies to prevent RCRA sites from becoming "brownfields."

### Evaluation of the Proposals:

An evaluation panel consisting of representatives of EPA headquarters offices (OSW, OSPS, OECA), regional staff (headed by the RCRA lead Region), other federal agencies (e.g., HUD), and states will review regional and state RCRA brownfields pilot proposals. The panel will forward their recommendations to EPA senior management for final selection. The evaluation panel will use the selection guidance presented below to assess each proposal. Applications of 3-4 pages need not be elaborate but should be clear and concise, and provide sufficient information for the panel to evaluate the merits which support the intent of the pilot

program, demonstrate new approaches to "try-out," provide evidence of the need for the project, and demonstrate the likelihood of success to fulfill the initiative's objectives. The panel will recommend to senior management those pilots that demonstrate how "lessons learned" will benefit the program.

Because EPA does not have available funding to devote to the selected pilots, any selected pilot proposal may depend upon continued limited staff support and owner/operator funding; although, additional resources (such as FTE, contract and travel monies) that become available would be distributed across as many projects as possible.

Selected pilot applicants should coordinate with their regional work group members for assistance in achieving project milestones, tracking pilot reporting, and providing periodic updates to the RCRA/Brownfields Prevention Initiative work group. The work group will also serve as technical support, provide expertise, and continue its coordination and information-sharing efforts as we progress.

**Structure/ Preparation of Proposals:** Proposals for the RCRA/Brownfields pilot projects should consist of the following:

**1. Cover page with Project Overview. (one-half to one page)**

A. Identifier Information:

Project title;  
Location (city, county, state, tribal lands, etc.);  
Name, address, and telephone number of the Project Coordinator;  
Name of the applicant's agency (e.g., state or region);  
Date submitted and anticipated project duration.

B. Overview:

Map of the target area;  
Brief synopsis/ background information leading to the pilot proposal;  
Identification of project goals, which should be specific, measurable, and attainable by October 2000;  
Project approach/strategy; and  
Description of the measures of success for the project.

**2. Pilot Project Scope, Description, Evaluation criteria. (3 pages or less)**

The following types of elements should be addressed and will be used to evaluate each pilot proposal:

**Problem statement and needs assessment.** Define the nature of the environmental and RCRA issues and the stakeholders (interested parties) that could be affected by the RCRA/Brownfields pilot, e.g., the pilot concerns a Subtitle C disposal site/SWMU or Subtitle D landfill and the stakeholders may include the current operator, surrounding community, state project manager, active community group, and potential developer. Characterize the impact of the pilot and how it will advance the RCRA Brownfields Initiative goals and objectives.

**Stakeholder involvement.** Describe efforts planned/underway to engage affected stakeholders including states, communities, site owner/operator, developer, and other interested groups and how these efforts will help to prevent (future) or achieve (current) beneficial reuse of RCRA brownfields properties. Include any provisions for stakeholder involvement in the planning, implementation, or decision-making processes, as appropriate. Describe any economically disadvantaged communities or environmental justice concerns, rural-urban/sound growth aspects that may benefit from conducting this pilot. Describe community groups or other stakeholder groups who will participate in the pilot effort.

**Implementation planning.** List the authority under which the pilot is to be conducted (e.g., federal or state statute.) Specify resources available to ensure the success of the project. State the interest of the current owner/operator in reusing the site (or participating in the pilot). Indicate any contract resources requested of EPA Headquarters, if known. Describe the extent to which the pilot will apply the latest regulations and policy (e.g., HWIR-media, "contained out" findings, performance-based remediation goals, flexible oversight, treatability variances, permit waivers) and other tools like innovative technology. Explain, if applicable, how the pilot will promote the principles of resource conservation, such as the reuse of used construction materials or use of materials with recycled content. Describe innovative approaches to project planning, investigation, cleanup, or decision-making, as applicable. Identify flow of ownership scenarios under which property transfers may occur under the pilot, if appropriate. Provide a project schedule, including an indication of when the pilot will achieve success.

**Long-term benefits and replicability.** Describe how pilot successes may be replicated throughout the nation or assist in RCRA program policy formulation. Discuss how specific issues will be addressed (if any), opportunities for success the project offers, and how lessons learned may be transmitted to others. Include a description of the project measures of success. Propose project milestones and periodic reporting to Project Sponsors. Discuss the pilot's long-term benefits to stakeholders.

**Government support.** Provide evidence of support from state, tribal and local environmental, economic development, and health agencies (including local health departments). We expect that regions and states both approve of the proposed pilot project and document that approval in the application. Evidence of support may be documented through letters from the above listed agencies.

To ensure fair and equitable evaluation of the proposals, please do not exceed the above, single-sided, page limitations. All materials included in the proposal should be printed on letter-sized (standard 8.5" by 11") paper with font sizes 11/12 point preferred. Please submit two copies of the proposal to:

**Marjorie Buckholtz**  
**OSWER Outreach and Special Projects Staff (5101)**  
**U. S. Environmental Protection Agency**  
**401 M Street, Southwest**  
**Washington, D. C. 20460**                      **Phone: (202)-260-6153**

RCRA Brownfields Prevention Initiative Work Group List

|     |                    |                      |                                    |
|-----|--------------------|----------------------|------------------------------------|
| 1.  | Mary Andrews       | (OECA/ORE ) MC 2246  | P# 202-564-4011<br>F# 202-564-0019 |
| 2.  | Dave Bartus        | (Reg. 10)            | P# 206-553-2804<br>F# 206-553-8509 |
| 3.  | Marjorie Buckholtz | (OSPS) MC 5101       | P# 202-260-6153<br>F# 202-260-8626 |
| 4.  | John Dombrowski    | (OECA/OC) MC 2224A   | P# 202-564-7036<br>F# 202-564-0009 |
| 5.  | Stephanie Doolan   | (Reg. 7)             | P# 913-551-7719<br>F# 913-551-7947 |
| 6.  | Mike Fitzpatrick   | (OSW) MC 5303W<br>—  | P# 703-308-8411<br>F# 703-308-8609 |
| 7.  | Elisabeth Freed    | (OECA/OSRE) MC 2273A | P# 202-564-5117<br>F# 202-564-0093 |
| 8.  | Cathy Gilmore      | (Reg. 6)             | P# 214-665-6766<br>F# 214-665-7264 |
| 9.  | Mita Ghosh         | (Reg. 4)             | P# 404-562-9568<br>F# 404-562-9486 |
| 10. | Terry Grogan       | (OSW) MC 5306W       | P# 703-308-8600<br>F# 703-308-8686 |
| 11. | Matt Hoagland      | (Reg. 1)             | P# 617-573-5791<br>F# 617-573-9662 |
| 12. | Carolyn Hoskinson  | (OSW) MC 5301W       | P# 703-3088626<br>F# 703-308-0513  |
| 13. | Gayle Hubert       | (Reg. 7)             | P# 913-551-7433<br>F# 913-551-7521 |
| 14. | Bill Keener        | (Reg. 9)             | P# 415-744-1356<br>F# 415-744-1041 |

15. Gene Keepper (Reg. 6) P# 214-665-2280  
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16. Thea McManus (OSW) MC 5306W P# 703-308-8254  
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17. Dawn Messier (OGC) MC 2366 P# 202-564-5517  
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18. Mindy Mohr (Reg. 8) P# 303-312-6525  
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19. Wayne Naylor (Reg. 3) P# 215-814-3385  
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20. Gerald Phillips (Reg. 5) P# 312-886-0977
21. Michael Poetzsch (Reg. 2) P# 212-637-4147  
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22. Antoinette Powell (Reg. 1) MC SES P# 617-918-1775  
F# 617-918-1809
23. Beverly Williams (Reg. 4) P# 404-562-8493  
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24. Karen Ueno (Reg. 9) P# 415-744-2023  
F# 415-744-1044