Underground Storage Tanks and Brownfields: Opportunities for Partnership and Success

Who is the Audience?

This paper is written for federal, state, tribal, and local government underground storage tanks ("Tanks") and brownfields practitioners working to assess, cleanup, and help prepare contaminated sites for sustainable reuse.

What is the Opportunity?

The Infrastructure Investment and Jobs Act, commonly known as the Bipartisan Infrastructure Law (BIL), invests more than $1.5 billion in the United States Environmental Protection Agency's (EPA) Brownfields program. This investment presents an historic opportunity to assess, cleanup, and prepare more sites for reuse than ever before, including Underground Storage Tanks (UST) and Leaking Underground Storage Tank (LUST) sites that may be good candidates for brownfields revitalization projects. Tanks and Brownfields programs at the federal and state level are encouraged to work together to identify and address tanks sites eligible for brownfields funding. The table below illustrates the funding profile for the EPA Brownfields and Tanks programs, including BIL investments. More information on these funding categories can be found in *Attachments 1 and 3*.

Program	Funding Category	FY22			FY23		
		FY22 Appropriations		FY22 Total	FY23 Appropriations		FY23 Total
Brownfields	Competitive Grants	Base	$84.4 M	**$283.3 M**	Base	$76.6 M	**$241.6 M**
		BIL	$198.9 M		BIL	$165 M	
	State & Tribal Response Program Grants	Base	$47.2 M	**$105.1 M**	Base	$47.2 M	**$105.1 M**
		BIL	$57.9 M		BIL	$57.9 M	
	Targeted Brownfields Assessments (TBA)	Base	$10.5 M	**$30.1 M**	Base	$12.1 M	**$12.1 M**
		BIL	$19.6 M		BIL	$0	
Tanks	State LUST Cleanup Program Grants	Base	$55 M	**$55 M**	Base	$55 M	**$55 M**
		BIL	$0		BIL	$0	
	EPA-lead LUST cleanups in Indian country	Base	$2.1M	**$2.1 M**	Base	$1.7 M	**$1.7 M**
		BIL	$0		BIL	$0	

What is the Universe?

There are roughly 60,000 LUST sites nationwide, some of which may be a good fit for brownfields funding. While operating gas stations and many responsible party-lead tanks cleanups would **not** be candidates for Brownfields program assistance, this paper focuses on potentially eligible tank sites, such as:

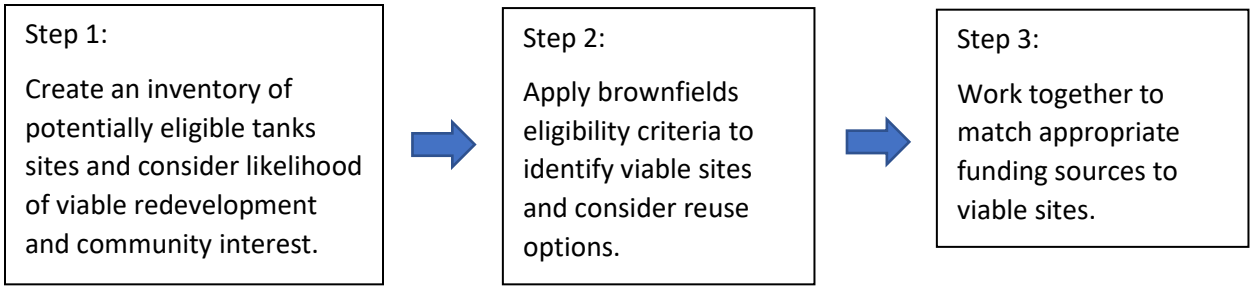
- **Lower priority abandoned LUST sites** that have known contamination but are not moving forward because there is no viable responsible party and/or no funding available to clean up the site. *Note: Federal LUST Trust Fund (LTF) money can be used to do site-specific assessment and cleanup work at*

higher priority sites only. If LTF money is used for site-specific work, the state program needs to pursue cost recovery.

- **Abandoned USTs and UST facilities**, including former gas stations or fueling facilities that are a blight on communities and may have the presence or perceived presence of petroleum contamination that inhibits reuse of the property. In addition, abandoned USTs associated with former facilities are often encountered during construction and redevelopment.

How Do I Get Started?

Collaboration is key to matching potentially eligible tank sites with brownfields support and funding. There are three fundamental steps:



What Are the Roles of Tanks and Brownfields Partners in Collaboration Efforts?

EPA's Tanks and Brownfields programs have a long history of working together to find innovative ways to address sites with known or perceived contamination from petroleum products. Numerous abandoned former gas stations and other LUST and UST sites have been assessed and cleaned up in whole or in part using Brownfields funding, and subsequently reused to benefit communities across the country. Some LUST sites may only need sampling to determine there is no environmental risk, and the cleanup can be considered completed with no further action necessary.

Communication and collaboration between Tanks and Brownfields programs at the federal, state, tribal and local government levels is essential to identify and address potentially eligible tanks sites for redevelopment. Understanding the roles, flexibilities, and available resources of each program is important in determining coordination opportunities. There is some variability in state Tanks and Brownfields programs and it is important to understand the nuances of each program. For example, many states have a state financial assurance fund that pays for LUST site cleanups that are eligible for coverage by the fund. Many of these state financial assurance funds are reimbursement funds that reimburse the Responsible Party (RP) for the cleanup work done at the site and do not cover abandoned LUST sites or sites with no viable responsible party. A handful of state financial assurance funds may also have the ability to pay for abandoned LUST sites or they may have a separate program for abandoned LUST sites. The table below outlines the different roles for collaboration efforts.

Role in Tanks/Brownfields Collaboration
EPA Regional Tanks Programs

• Connect state and tribal Tanks and Brownfields programs in the region and states; identify regional champion and point of contact for each state and tribal program.
  ○ Recently, EPA Region 1 Tanks and Brownfields programs jointly hosted a meeting with their state counterparts to share approaches and best practices to assess, cleanup, and reuse eligible tanks sites.
• Direct interested communities that have potentially eligible tanks sites to the regional EPA Targeted Brownfields Assessment (TBA) program for site assessments, especially in Indian country (for more information on site eligibility, see *Attachment 2*).
• Assist state and tribal Tanks programs in developing an inventory of tanks sites that are potentially eligible for brownfields funding; identify corridors or groups of sites to focus on; consider reuse options and prioritizing based on environmental justice, climate vulnerability, and Justice40 criteria.
  ○ EPA Region 5 partnered with Michigan to analyze their LUST backlog to identify potential candidates and funding opportunities.
• Seek information on competitive grant recipients in the region from regional Brownfields staff and share with state and tribal partners to determine if potentially eligible tanks sites fall within the boundaries of the Brownfields grantee's scope of work.

EPA Regional Brownfields Programs

• Coordinate and connect state and tribal Brownfields and Tanks programs in the region and states; identify a champion at the regional level and point of contact for each state and tribal program.
• Provide brownfields technical assistance to tanks staff, including assistance with petroleum eligibility determinations.
• Evaluate potentially eligible tanks sites for possible assessments under the EPA Targeted Brownfields Assessment (TBA) program; consider prioritizing based on environmental justice, climate vulnerability, and Justice40 criteria.
• Consider including language in 128(a) state and tribal grant workplans to highlight possibility and opportunity to work on tanks sites.
  ○ EPA Region 1 includes tanks-specific language in 128(a) workplans.
• Share the list of Brownfields program competitive grant winners in the region with EPA regional Tanks staff; work with Tanks staff to determine if eligible tanks sites fall within grantee's target areas and scope of work.
  ○ Identify entities that have been awarded assessment grants and whether potentially eligible tanks sites could be prioritized.
  ○ Check to see if there are revolving loan funds (RLFs) in states that could address potentially eligible tanks sites.
• Encourage grantees with unspent funds to consider evaluating eligible tanks sites.
• Examine EPA's ACRES database for brownfields properties that may have tanks; keep a regional inventory of brownfields sites with tanks.
• Promote tanks/brownfields successful practices with partners and during regional and state meetings.

State Tanks Programs
• Coordinate with the EPA regional Tanks program. • Create an inventory of sites that are potentially eligible for brownfields funding; identify corridors or groups of sites to focus on; consider reuse options and prioritizing based on environmental justice, climate vulnerability, and Justice40 criteria.   ○ For states with state financial assurance funds and/or abandoned tank funds, review inventory to determine if any identified sites could be addressed by state funds and not need brownfields funding; explore the possibility of using brownfields funding to meet the fund's deductible to gain access to the fund so that the fund can continue the cleanup. • Work with state Brownfields programs on eligibility determinations for tanks sites (for more information on brownfields eligibility, see *Attachment 2*.) • Coordinate with state Brownfields program to track progress on tanks sites and to capture cleanups completed with Brownfields assistance. • Seek information on competitive grant winners from state Brownfields program to determine if potentially eligible tanks sites fall within grantee's target areas; examine existing and future area-wide planning efforts for opportunities; offer technical assistance to grantees that are assessing or cleaning up a site with tanks.

State Brownfields Programs
• Coordinate with the EPA regional Brownfields program. • Explore flexibilities offered through 128(a) State Response Programs; consider possibility of site-specific work at eligible tanks sites. • Determine site eligibility (required before EPA Brownfields grant funding can be spent on a site contaminated with petroleum). • Connect with state tanks partners to understand state-specific funding sources; if a state has a financial assurance fund, explore the possibility of using brownfields funding to meet the fund's deductible to gain access to the fund so that the fund can continue the cleanup. • Track progress on tanks sites that are being assessed or cleaned up through the Brownfields program, report progress and cleanups completed to state tanks partners. • Share the list of competitive grant winners and successful petroleum eligibility determinations with state tanks staff to determine if potentially eligible tanks sites fall within grantee's target areas. • Encourage grantees with unspent funds to consider evaluating eligible tanks sites. • Check to see if there are revolving loan funds (RLFs) in the state that could cover potentially eligible tanks sites, see FY22 RLF recipients receiving supplemental funding and FY23 RLF supplemental funding fact sheets. • Examine the Cleanups in My Community database for brownfields properties that may have tanks on site; keep a state inventory of brownfields sites with tanks. • Promote tanks/brownfields successful practices with partners and during regional and state meetings.
Tribal Tanks Programs
• Coordinate with EPA regional Tanks program. • Create an inventory of sites that are potentially eligible for brownfields funding; identify corridors or groups of sites to focus on; consider reuse options and prioritizing based on environmental justice, climate vulnerability, and Justice40 criteria. • Identify potentially eligible tanks sites for site assessments under the regional EPA Targeted Brownfields Assessment (TBA) program.
Tribal Brownfields Programs
• Coordinate with the EPA regional Brownfields program. • Explore flexibilities offered through 128(a) Tribal Response Programs; consider possibility of site-specific work at eligible tanks sites. • Identify potentially eligible tanks that would be candidates for possible direct technical assistance under the EPA Targeted Brownfields Assessment (TBA) program; consider reuse options and prioritizing based on environmental justice, climate vulnerability, and Justice40 criteria. • Request petroleum site eligibility determinations from EPA (required before EPA Brownfields grant funding can be spent on a site contaminated with petroleum).
Local Brownfields Programs
• Coordinate with the EPA regional Brownfields program and state Brownfields program. • Request inventory of potentially eligible tanks sites from state Brownfields and Tanks programs. • Consider using Brownfields grant funding on eligible tanks sites that fall within the grant's target area and scope of work. • Evaluate reuse options and consider prioritizing based on environmental justice, climate vulnerability, and Justice40 criteria. • Include subsequent redevelopment visioning through non-EPA funding sources in the process.
Office of Underground Storage Tanks (OUST) [EPA National Program office]
• Encourage collaboration internally between the EPA Tanks and Brownfields programs and externally with state, tribal, and local partners, as well as ASTSWMO and NEIWPCC grantees. • Coordinate with regional Tanks programs regarding tanks/brownfields collaboration efforts. • Track tanks/brownfields collaboration efforts and continue to share success stories with other regions and state programs. • Promote tanks/brownfields best practices with partners and at the National Tanks Conference, the National Brownfields Conference, and other national platforms.
Office of Brownfields and Land Revitalization (OBLR) [EPA National Program office]
• Encourage internal collaboration between the tanks and brownfields programs and externally with state partners. • Coordinate with regional brownfields programs regarding tanks/brownfields collaboration efforts. • Track tanks/brownfields collaboration efforts and continue to share success stories with other regions and state programs. • Promote tanks/brownfields successful practices with partners and at the National Brownfields Conference.

Available Brownfields and Tanks Resources

Although EPA's Brownfields and Tanks programs both have an interest in assessing, cleaning up, and preparing sites for sustainable reuse, the two programs have different structures, resources, and constraints. Below is a summary of Brownfields and Tanks programmatic resources.

Brownfields Resources

EPA's Brownfields program offers several resources that can support the assessment, cleanup, and reuse of potentially eligible tanks sites. For more information on Brownfields grants and resources, see *Attachment 1*.

- Competitive Grants (CERCLA 104(k)) can provide up to $2 million per grant for recipients (depending on grant purpose). There are a variety of competitive grant types that focus on different aspects of addressing and reusing contaminated sites, including for assessment, cleanup, and revitalization.
- The Brownfields State and Tribal Response Program (CERCLA 128(a)) is a non-competitive grant program to establish and enhance state and tribal environmental response programs. Administrative infrastructure and enforcement mechanisms are key components of these environmental response programs and a portion of the funding can be used to perform site work.
- The Targeted Brownfields Assessment (TBA) Program is a contractual site assessment program administered by EPA regional Brownfields programs to perform assessment work on behalf of an eligible entity. Environmental assessments may, based on site conditions, include the removal of USTs to sample underlying soils. Services range from $20,000 to $100,000 and are based on funding availability. The sites for this program are selected locally by each regional office on a rolling basis. Priority is given to those sites with high redevelopment potential or sites prioritized by the community.
- The Technical Assistance to Brownfields (TAB) Program provides expert technical assistance with acquiring, assessing, cleaning up and redeveloping brownfield properties; understanding the health impacts of brownfield sites; understanding how to comply with voluntary cleanup requirements.
- Job Training Grants provide environmental training to individuals in communities affected by brownfields, including focus on LUST prevention.
- The Land Revitalization Program helps communities identify possibilities for reusing a contaminated or potentially contaminated site. EPA provides land revitalization technical assistance through EPA contractors to assist communities through the contaminated site redevelopment process.
- Additional funds from BIL expand resources available for brownfields redevelopment projects, supporting each of the grants and programs listed above.
    - For example, in FY22, BIL funding provided an additional $2 million in Assessment grants to 17 states, and an additional $500,000 to municipalities, see FY22 Brownfield Grant Selections.
    - In FY23, 262 communities were selected to receive 267 grant awards for a total of $215 million in Brownfields Multipurpose, Assessment, Revolving Loan Fund, and Cleanup (MARC) Grant funding, see Applicants Selected for FY 2023 MARC Funding.
    - Another good resource for identifying grant recipients is the Brownfields Grant Fact Sheet Search function on EPA's website; users can filter by a number of parameters including region, state, grant type, grant announcement year.

Tanks Resources

States are the primary implementers of the Tanks program, while EPA has direct authority in Indian country. The EPA Tanks program provides funding to support state and tribal LUST cleanup efforts. For more information on tanks grants and resources, see *Attachment 3*.

- LUST Trust Fund (LTF) funding supports state and tribal regulatory release prevention and cleanup programs. These funds are focused on oversight of RP-lead cleanups and higher priority LUST sites. Grant monies are typically used for staff oversight.
- The EPA Tanks program supports state, territorial, and tribal tank regulators by providing grants to Association of State and Territorial Solid Waste Management Officials (ASTSWMO) and New England Interstate Water Pollution Control Commission (NEIWPCC). These grantees support the national Tanks conference and workgroups of regulators to address challenges and opportunities facing our regulatory partners.

Best Practices

EPA's Brownfields and Tanks programs have collaborated to identify best practices for addressing abandoned tanks sites with brownfields funding.

1) Involve stakeholders at all levels, including federal, state, tribal, local groups.
2) Collaborate between regional and state Brownfields and Tanks programs.
3) Leverage brownfields and tanks resources.

For examples of the successful implementation of these best practices, see *Attachment 4.*

Conclusion

The missions and goals of the UST and Brownfields programs are strongly aligned. The BIL presents an historic opportunity to assess, cleanup, and reuse contaminated brownfields sites across the country, including those potentially contaminated by petroleum. Increased collaboration at the federal, state, tribal and local levels is critical to maximizing opportunities to clean up and reuse contaminated UST and LUST sites with Brownfields funding. Tanks and Brownfields programs working together to achieve their mutual goals is a win for local communities, a win for the environment, and a win for both programs.

Resources

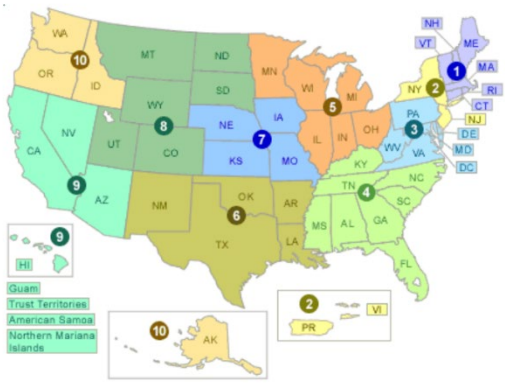
Click on the links below to access these resources:

- **National EPA Brownfields Website**
- **National EPA Tanks Website**
- Guide: Developing Petroleum Brownfields Inventories
- Opportunities for Petroleum Brownfields
- Petroleum Brownfields: Selecting a Reuse Option
- OBLR Gas Station Checklist for Action
- Brownfields RoadMap to Understanding Options for Site Investigation and Cleanup Sixth Edition
- OBLR Land Revitalization Toolkit
- Redevelopment Successes at Petroleum Underground Storage Tanks Sites – ASTSWMO
- Summary of State Programs and Data on Abandoned Underground Storage Tanks and Facilities – ASTSWMO

- EJScreen 2.1
- Climate and Economic Justice Screening Tool (CEJST)
- Brownfields Grant Fact Sheet Search function

Points of Contact

- EPA Brownfields Program Regional Contacts
- EPA Tanks Program Regional Contacts
- State Tanks Program Contacts
- Tribal Tanks Contacts
- EPA Brownfields Grant Recipients List and Contacts
- Technical Assistance to Brownfields (TAB) Points of Contact



Attachment 1

Brownfields Program Grants and Resources

Below is a list of brownfields grant programs. See list of entities eligible to receive brownfield grants. *Attachment 2* discusses brownfields site eligibility.

Competitive Grants (authorized under section 104(k) of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA))

Assessment Grants – There are a number of different assessment grants, including one specific to states and tribes (community-wide assessment grants for states and tribes). Assessment activities can include (but are not limited to) inventories, site characterizations, site assessments, planning activities, developing site-specific cleanup plans, and conducting community involvement. Some LUST sites may only need sampling to determine there is no threat and to achieve cleanup completed or no further action. *There is no cost share requirement.*

Cleanup Grants provide $500,000 - $2 million per grant for recipients to clean up contamination on Brownfields sites. Site must be owned by entity receiving the grant. *There is no cost share requirement for BIL grants.*

Revolving Loan Fund (RLF) Grants provide up to $1 million per grant for communities, states, tribes, and nonprofits to provide loans and subgrants for the cleanup of contamination and revitalization of brownfield sites. *There is no cost share requirement for BIL grants.*

Multipurpose (MP) Grants provide up to $800,000 per grant for recipients to plan, assess, and cleanup brownfields sites. MP grants are appropriate for communities that have identified, through community engagement efforts, a discrete area with one or more brownfield sites. *There is no cost share requirement.*

Non-Competitive Resources

The State and Tribal CERCLA 128(a) Response Program is a non-competitive grant program to establish and enhance state and tribal response programs. Generally, these response programs address the assessment, cleanup, and redevelopment of brownfields and other sites with actual or perceived contamination. A portion of the money received can be used to perform site work, including assessments and limited cleanup activities.

The Targeted Brownfields Assessment Program is a site assessment program administered by EPA Regional offices that uses an EPA contractor to perform assessment work on behalf of an eligible entity. Applicants must request this assistance directly from the regional office. Services include site assessments, and related community outreach. Services range from $20,000 to $100,000. The sites for this program are selected locally by each regional office on a rolling basis. Activities that can be conducted using contractor resources may include Phase I Environmental Site Assessments (ESA); Phase II ESA with sampling; and community visioning for site revitalization and other services.

Attachment 2

Brownfields Program Site Eligibility Requirements

In addition to the basic Brownfield Grant eligibility criteria in CERCLA 104(k), eligibility for petroleum sites is determined by applying the criteria established in CERCLA 101(39)(D)(ii)(II):

- There can be no viable responsible party.
- The applicant cannot be potentially liable for cleaning up the site.
- The site must not be subject to a RCRA corrective action order.

If a party is identified as being responsible for contamination at the site and that party is financially viable, then the site is not eligible for Brownfields Grant funding (refer to Section 1.3.2. in the Information on Sites Eligible for Brownfields Funding under CERCLA § 104(k) for more information).

EPA's Brownfields program looks at the current and immediate past owner to determine site eligibility, asking the following questions:

- Is the current owner liable for contamination?
- Is the current owner financially viable?

If the answer is no to at least one of these questions, look at past owner.

- Is the immediate past owner liable for contamination?
- Is the immediate past owner financially viable?

If the answer is no to at least one of these questions, the site may be eligible.

> **Note:** If no responsible party is identified, then a site contaminated with petroleum may be eligible for funding. If a responsible party is identified above, EPA or the state must next determine whether that party is viable. If any such party is determined to be viable, then the petroleum-contaminated site may not be eligible for funding.

Generally, petroleum site eligibility will be determined by the state. Where the state is unable to make the eligibility determination, EPA will make the determination. EPA will make the determination for sites in Indian country. Interested individuals should check with their state Brownfields Coordinators or EPA on eligibility for sites contaminated with petroleum.

Attachment 3

Tanks Program Grants and Resources

The EPA Tanks program provides LUST Trust Fund (LTF) funding to support state and tribal regulatory release prevention and cleanup programs. *Note: Tanks resources are limited and focused on oversight of RP-lead cleanups and higher priority LUST sites.*

- EPA's Tanks program allocates the federal LTF money annually through formula grants to state tanks programs. *Note: the term 'states' refers to states, territories, and the District of Columbia.* States typically use federal cleanup resources to pay for staff that oversee LUST cleanups. Some LTF money is used for site-specific work at higher priority LUST sites. When used for site-specific work, the state needs to pursue cost recovery. For more information on the eligible uses of federal LTF money and cost recovery procedures, see Leaking Underground Storage Tank Trust Fund Corrective Action Cooperative Agreement Guidelines and Cost Recovery Policy For Leaking Underground Storage Tank Trust Fund Corrective Action Cooperative Agreements.
    - EPA regional tanks programs work with tribal partners to implement the program in Indian country. Some federal LTF money is allocated for grants to tribes and EPA-lead LUST cleanups in Indian country.
- Some states have state-specific funding sources to assess and cleanup releases at tanks sites. States with state financial assurance funds typically pay for eligible cleanups at RP-lead sites; some also cover certain types of abandoned sites. Some states have funds specifically designated for abandoned sites. State UST contacts are the best source of information on state-specific resources.
- OUST supports state, territorial, and tribal tank regulators by providing grants to the Association of State and Territorial Solid Waste Management Officials (ASTSWMO) and New England Interstate Water Pollution Control Commission (NEIWPCC). These grantees support the national tanks conference and workgroups of regulators to address challenges and opportunities facing our regulatory partners. The grantees also convene other meetings, workshops, and training webinars and pay for travel as well as limited peer matching. The ASTSWMO Tanks Subcommittee produces a wide range of publications including a document entitled Redevelopment Successes At Petroleum Underground Storage Tank Sites. NEIWPCC's UST focus includes the national tanks conference, LUSTLine newsletter, and resources and trainings for UST inspectors and LUST cleanup managers.

Attachment 4

Brownfields and Tanks Success Stories and Best Practices

The national Brownfields and Tanks programs have identified three best practices for regional, state, local and tribal brownfields and tanks programs to consider in maximizing Brownfields funding and resources to redevelop abandoned tanks sites.

1) Involve Stakeholders at the Federal, State, Local, and Tribal Levels

Redevelopment begins at the local level. Local governments have insight into area-wide planning efforts for opportunities to revitalize corridors or other locations with high redevelopment potential. Many of these areas have underutilized or abandoned properties with environmental concerns. Outreach to these stakeholders is essential to promote awareness of how the Brownfields program can help communities address these sites.

- In Deming, New Mexico, local officials identified several abandoned gas stations situated in prime locations along Interstate 10 as part of their comprehensive plan. These officials brought the sites to the attention of the Region 6 Brownfields program and the New Mexico Environment Department (NMED) Brownfields program. NMED performed Phase II environmental assessments of these gas station sites using assessment grant funding, which included removal of onsite USTs to sample of the underlying soil.
- In Okemah, Oklahoma, there are 55 gas stations within the two square miles—45 of them are abandoned. Local officials in the town of Okemah approached the Oklahoma Corporation Commission (OCC) to identify solutions for dealing with the large number of gas stations in their town, and began The Okemah Brownfields Project. The OCC "jumped into action," meeting with local officials, touring the affected areas and conducting public meetings with the community. The OCC was able to secure additional brownfields grant funding to focus specifically on the Okemah community. OCC and Okemah are currently addressing five gas stations and have identified several other eligible candidate sites.
- Region 4 utilized partnerships with state and federal agencies as well as regional planning and local governments to coordinate, leverage resources, and plan for the assessment, cleanup, and reuse of brownfield sites contaminated with petroleum within transportation corridors. One success of this effort is a project focused on a 54-mile corridor stretching from Selma to Montgomery with the goal of delivering reuse-ready properties to foster economic and community revitalization along the corridor. Along with state and local stakeholders, the involvement of federal partners including the U.S. National Park Service, U.S. Army Corps of Engineers, and the U.S. Department of Housing and Urban Development was critical to success. Additionally, the U.S. Department of Agriculture Rural Development Administration offered grants for redevelopment and reuse, and the U.S. Department of Transportation offered funding for the redevelopment of properties sidelined by highway development elsewhere.

2) Collaborate between Regional and State Brownfields and Tanks Programs

Close collaboration between the Brownfields and Tanks programs at both the state and regional level is a key component of success in addressing USTs. At the regional level, cross-program interaction has helped to reduce the backlog of open LUST releases and make them ready for redevelopment. Additionally, regional Tanks and Brownfields program staff can help to educate

and inform stakeholders of inventories, eligibility, points of contact and other information from both programs.

- The EPA Region 1 Brownfields program has worked with their regional Tanks program to cross-reference tanks program data with data from the Brownfields ACRES database and identify tanks sites where brownfields actions have been taken to address the UST. This activity has been instrumental in clearing projects from the Tanks program's target list.
- The EPA Region 7 Brownfields program worked closely with their regional Tanks program to secure the assessment and eventual cleanup of a property owned by the Omaha Tribe. The state Brownfields program performed an assessment of the Jumps Food Barn and the State Tanks program oversaw the cleanup and installed monitoring wells. The Tribe was able to clean up the property using the Nebraska Petroleum Release Remedial Action Cash Fund. Brownfields engaged Kansas State University (KSU) TAB for site reuse visioning.
- EPA Region 8's Brownfields and UST programs recently coordinated with the Standing Rock Sioux Tribe brownfields program to remove two 10,000-gallon storage tanks and to test for soil contamination at the former Henry's Service station. The site had been vacant for 20 years due to environmental concerns about potential contamination. EPA performed assessment activities using the Targeted Brownfields Assessment (TBA) program and found no contamination. The site is now clear for redevelopment.

3) Leverage Brownfields and Tanks Resources

There is a high degree of variability amongst state-specific funding. Typically, state financial assurance funds pay for cleanups at Responsible Party-lead tanks sites and are often funded through fees on motor fuels dispensed within the state. Generally, these funds cover a different universe than sites that are potentially eligible for brownfields funding because they are not abandoned and are moving forward with cleanup. A few states may also finance abandoned sites through these funds or have separate abandoned tank funds. EPA has seen states use brownfields funds to assess a site and/or cover the state cleanup fund deductible, which can allow state cleanup fund money to be used to complete the cleanup. State tanks programs are the best source for more information.

- The Oklahoma Corporation Commission (OCC) administers the state's Indemnity Fund, which was created by the Oklahoma Legislature in 1989 to financially assist petroleum storage tank owners meet a requirement associated with cleanup actions necessitated by leaking tanks at release sites. The Indemnity Fund covers eligible sites and reimburses allowable costs incurred for the assessment and remediation of contaminated sites where petroleum storage tank systems have released pollutants into the environment.
- The NMED PST Bureau has used the state's Corrective Action Fund (CAF) to address contamination identified at UST facilities under Brownfields Phase II assessments. The CAF is funded by the petroleum industry within the State of New Mexico. In New Mexico, the CAF cannot be used to address the infrastructure at the site, but once the tanks are pulled (as a result of sampling requirements associated with the Phase II assessment) a State-lead cleanup can be performed using the CAF.
- Region 7 utilized the corridor concept under their historic highways project, which identified brownfields, including abandoned gas stations, along historic highways. The Region

discussed identifying opportunities for the use of Economic Development Administration funds to move projects forward.

These, along with other examples of best practices for collaboration on petroleum-contaminated sites, can be found here:

Redevelopment Successes at Petroleum Underground Storage Tanks Sites – ASTSWMO

The Oklahoma Corporation Commission Brownfield Program

Former Johnson Oil - Oregon DEQ

Johnson Oil in Clatskanie one step closer to redevelopment after latest DEQ cleanup project (Oregon)

L.U.S.T.Line Bulletin 87 Redeveloping Petroleum Brownfields

Additionally, LUSTLine Bulletin 53 highlights numerous examples of collaboration between EPA's UST and Brownfields programs to address and redevelop tanks sites. These examples focus on the corridor approach and the use of different funding sources, like CERCLA 128(a) and 104(k)-authorized programs, to complete successful projects.

Past inventory projects and Brownfields revitalization efforts have demonstrated that tanks sites can be viable candidates for potential redevelopment and can be returned to beneficial uses such as housing, businesses, public services, or environmental and recreational areas that can both enhance and enrich communities. Cleaning up and reinvesting in properties contaminated with petroleum products has increased local tax bases, facilitated job growth, provided new amenities for communities, utilized existing infrastructure, enhanced local property values, and improved and protected the environment.

June 2023

Imagine the possibilities!


Park, Greenspace, Garden or Recreational Reuse

Residential Reuse

Commercial Reuse

Commercial Reuse