

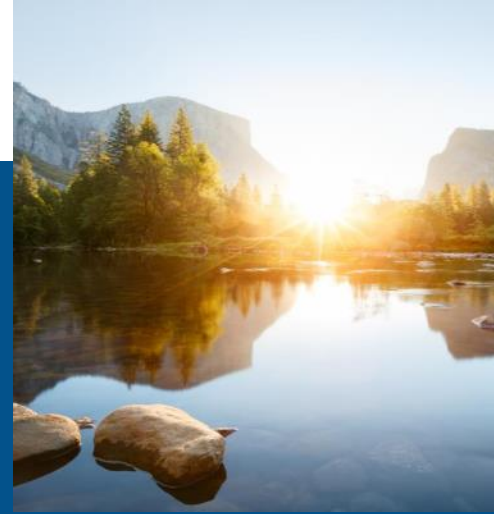
# REDEVELOPING YOUR STATE'S PETROLEUM BROWNFIELDS PROGRAM

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MT DEQ PETROLEUM BROWNFIELDS COORDINATOR

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*How to effectively operate within the limits of EPA's Brownfields  
Guidance.*



# Brownfields Innovations Unique To Montana

1. Revised Petroleum Brownfields Eligibility Guidance
2. Leveraging the Petrofund
3. Brownfields within NPL sites
4. Embedding Brownfields within LUST Program

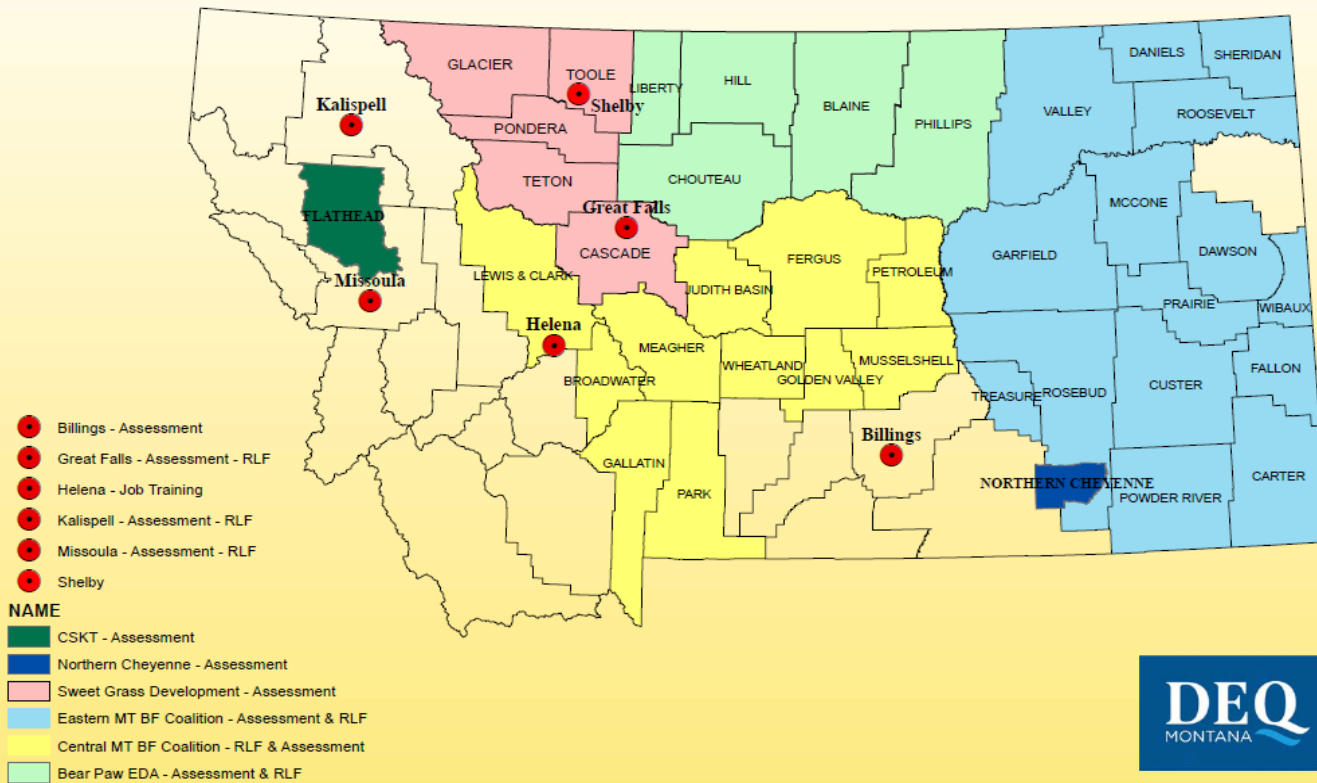


# Know What You're Getting Into!



# MT BROWNFIELDS GRANTEES

## Brownfields Grant Recipients in Montana



# Historical Barriers to Petroleum Brownfields Eligibility

- ▶ EPA's Responsible Party definition:  
"current and immediate past owner"
- ▶ Lack of real estate turnover in rural and urban areas.
- ▶ Assessment and cleanup costs often exceeded property values.



# Eligibility Barriers

The problem with “current and immediate past owner” aka “two-removed”.



Original Owner

Current Owner



# Eligibility Barriers

The problem with “current and immediate past owner” aka “two-removed”.



# EPA Brownfields Assessment Application Guidelines

- ▶ “Please note that states may, but are not required to, use this guidance to determine whether sites contaminated by petroleum or petroleum products are eligible for brownfields grant funding. States may apply their own laws or regulations, if applicable, to eligibility determinations under this section.” (Appendix 1, Page 59)





# DEQ's Petroleum Brownfields Eligibility Improvements

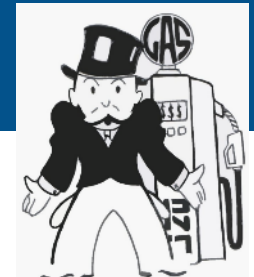
Created practical eligibility criteria without absolving RPs of their responsibility.

1. We killed off the "two removed" criteria.
2. Allowing a prospective purchaser to become eligible.

Without giving it all away!

1. No Active gas stations
2. Historic gas stations must be repurposed as a different use than as a fuel dispensing operation.

<http://deq.mt.gov/Land/brownfields>



# BROWNFIELDS/ STATE PETROFUND SYNERGY



- Bridging funding gaps and providing assurances.

# LEVERAGING THE POTENTIAL OF THE PETROFUND

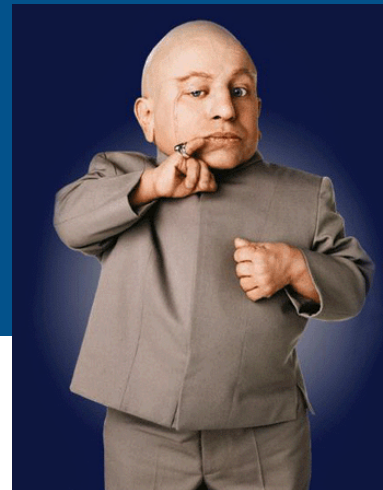
## Insurance Policy



## Total Coverage of



but with a deductible of...



<\$20,000

# BROWNFIELDS/PETROFUND SYNERGY



- Using BF to Cover Copay

# BROWNFIELDS/PETROFUND SYNERGY



Developer



Petrofund



# BROWNFIELDS/PETROFUND SYNERGY



Developer



Petrofund



Brownfields  
RLF

# BROWNFIELDS/PETROFUND SYNERGY



# HOW TO MAXIMIZE THE PETROFUND?



**\$200,000**



**\$50,000**



**\$50,000**



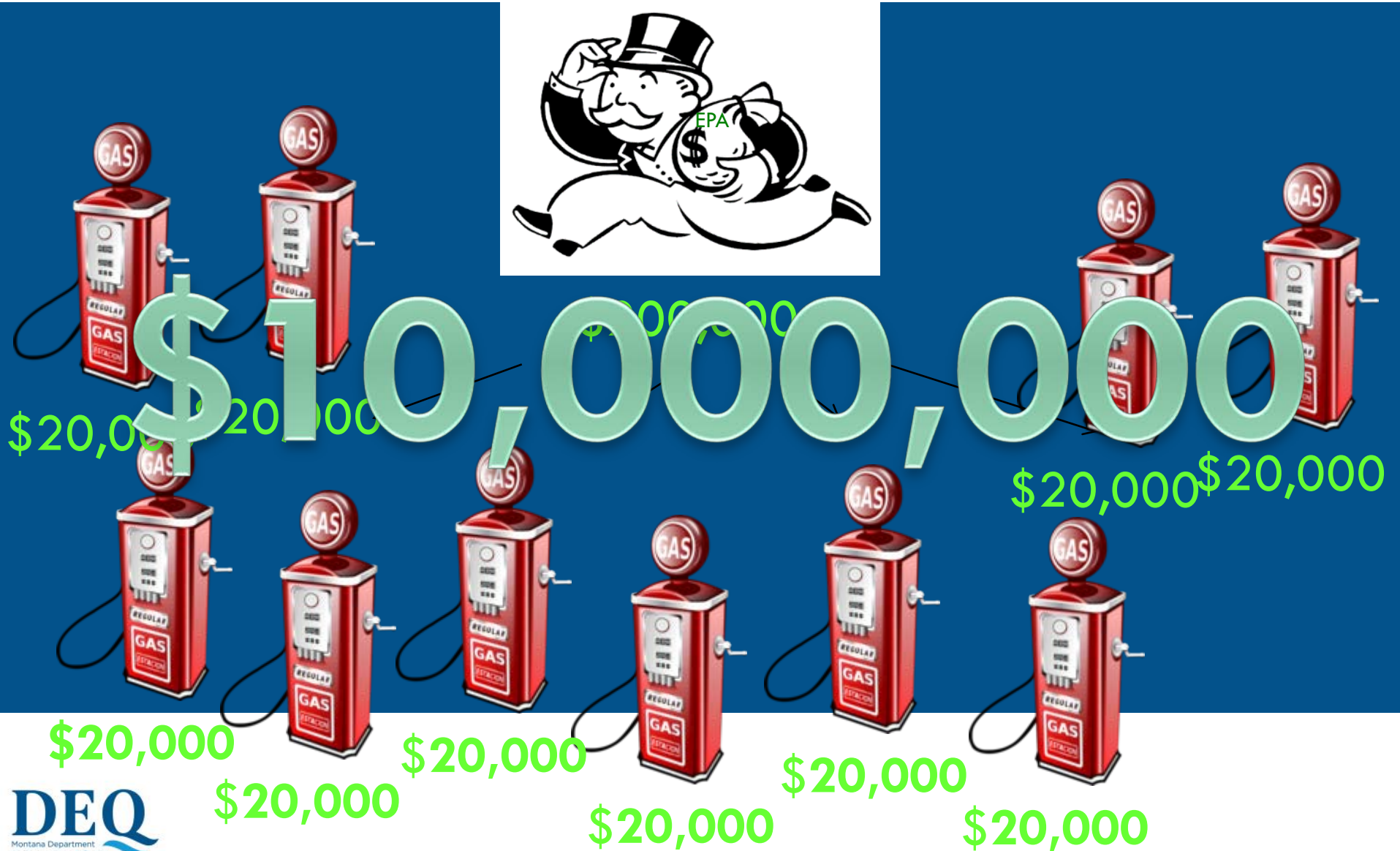
**\$50,000**



**\$50,000**



# HOW TO MAXIMIZE THE PETROFUND?



# THE SUPERFUND PROBLEM: MONTANA SIZED OPERABLE UNITS





# THE SUPERFUND PROBLEM: MONTANA SIZED OPERABLE UNITS



# THE SUPERFUND PROBLEM: MONTANA SIZED OPERABLE UNITS



# BROWNFIELDS ORGANIZATIONAL IMPROVEMENTS

Solitary Confinement



or





# REAPING THE BENEFITS

- Reinvigorating stalled LUST sites.
- Coordinating with LUST Trust Program
  - Inability to pay
  - RP change.
- Coordinating with UST program.
- A resource for leveraging the Petrofund.
- Offering the “Last Chance” before enforcement.



# MT DEQ Brownfields Team

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- Resources not regulators
- A guided approach through eligibility, assessment, and cleanup.
- Funding and Environmental Expertise