A Quick Introduction to Brownfields
Definition #1:
• A property that is abandoned or underutilized due to real or perceived contamination.
Examples

- Abandoned factories
- Former gas stations
- Dry cleaning establishments
- Formerly mined lands
- Old schools and hospitals
- Meth labs
- Scrap yards
- Landfills
- And many more.........
Definition #2:
• A real estate transfer with an environmental flavor.
Some Potential Advantages

Each brownfield is different, but potential advantages include:
• Price
• Workforce
• Location
• Existing Infrastructure
• Character
• Incentives
Do Not Acquire (Purchase or Receive by Donation) a Property Without First Getting a Phase I Environmental Site Assessment.
Footnote to Warning

• There are some exceptions for public entities if the property was acquired by:
  • Seizure or in connection with any law enforcement activity
  • Bankruptcy
  • Tax delinquency
  • Abandonment
  • Other circumstances where title to the property was acquired by virtue of the government’s function as sovereign

• (Public entities are eligible for cleanup grants without Phase I, if acquired before Jan. 11, 2002.)
Important

• Purchasers need to conduct environmental Phase I prior to the property acquisition
  • Environmental Site Assessment meeting EPA/ASTM standards
  • Conducted by an “Environmental Professional”
  • The assessment must be less than 1 year old, with certain parts updated if more than 6 months old at the time of the transfer
Kentucky Brownfield Redevelopment Program
Assessments
Assessments

• Free to local governments, quasi-governmental entities and non-profits. (For profit businesses are encouraged to partner with an eligible entity.)
Grantwriting Assistance
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- Grantwriting workshops
- Resource Library
- Newsletter announcements of grants
- One-on-one assistance
- Grant Review Party
Kentucky Brownfield Property Redevelopment and Reuse Program (KRS 224.1-415)
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• Reduces uncertainty for developers
• Addresses some issues with Bona Fide Prospective Purchaser Liability Protection
• Qualified applicant not required to do investigation or cleanup
• State provides written concurrence with Property Management Plan
Kentucky Brownfield Property Redevelopment and Reuse Program (KRS 224.1-415) (cont.)

• State response required within 30 days
• Can get a “Notice of Eligibility” prior to purchase
  • Helpful if seeking financing
Help Desk

• Provide information on all aspects of brownfield redevelopment
• Can be anonymous
Visioning
Visioning

• Can lead public visioning sessions
Funding
Funding

- Cleaner Commonwealth Fund
- State tax incentives
- Special brownfield utility tariffs
- Identification of other potential funding sources
Case Study
Contact

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