

Columbia Pacific Economic Development District EPA Brownfield Revolving Loan Fund

Loan & Sub-grant Applicant Guidance Document

Prepared for:



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Table of Contents

1	Introduction and Purpose	1
2	Project Team and Responsibilities	1
3	Financial Obligations	3
4	Community Involvement and Awareness	3
5	State Agency Engagement	4
5.1	Oregon Department of Environmental Quality Involvement:	4
6	Required Documents	5
6.1	Analysis of Brownfields clean-up Alternatives	5
6.2	Cleanup Work Plan	5
6.3	Endangered Species Act (ESA), National Historic Preservation Act (NHPA), and Clean Water Act Section 404	5
6.4	Applicable Federal and State Laws	5
6.5	Quality Assurance Project Plan & Health and Safety Plan	6
6.6	Health and Safety Plans	6
6.7	Cleanup Completion Documentation	6

Appendices

Appendix A: Glossary of Terms

Appendix B: RLF Program Information Sheet

Appendix C: RLF Program Flow Chart

1 Introduction and Purpose

The primary goal of the US Environmental Protection Agency (EPA) Brownfields Revolving Loan Fund (RLF) Program is to spur environmental clean-up and sustainable economic revitalization within the target area designated by the Brownfield RLF grant recipient. With ColPac as the RLF Brownfield grant recipient, the target area includes the entirety of Columbia County, Clatsop County, and Tillamook County, as well as the western portion of Washington County, Oregon.

As such, projects must align with the following Community Needs including:

- Enhanced quality of life for residents, workers, and visitors;
- Increased employment opportunities from economic activity within the target area;
- Expanded housing options, commercial buildings, and public space;
- Redevelopment of underdeveloped, blighted, and vacant structures;
- Increased property values, property tax, and sales tax revenues within the target area;
- Increased commercial and retail activity in the target area, leading to higher public revenues.

According to the EPA, the reuse of Brownfield sites tends to have greater location efficiency than alternative greenfield development scenarios. Cleanup and revitalization of properties in developed commercial/industrial areas encourage the use of existing infrastructure and reduce sprawl into undeveloped areas. Results of studies show a 32%-57% reduction in vehicle miles traveled when development occurs on a brownfield site rather than a greenfield site. Fewer vehicle miles traveled result in pollution emissions reductions.

Further, cleanup will also eliminate runoff from contaminated soil to nearby streams and waterways. Not only is this critically important to the protection of sensitive ecosystems further downstream but also to the protection of water supplies, a direct pathway/risk to the ColPac area community.

This document will provide detailed guidance to potential applicants for ColPac EPA Brownfields RLF loans or subgrants regarding the financial obligations, documentation requirements, community involvement, and reporting requirements.

More specifically this document is meant to supplement or provide context to the information provided in the following appendices:

Appendix A: Glossary of Terms

Appendix B: RLF Program Information Sheet

Appendix C: RLF Program Flow Chart

2 Project Team and Responsibilities

Cooperative Agreement Recipient (CAR): The Cooperative Agreement Recipient (CAR) for this program is the Columbia Pacific Economic Development District (ColPac). ColPac is responsible for implementing the Brownfield RLF grant program and determining which projects

receive funding. As the CAR, ColPac is responsible for following the RLF project schedule and complying with program requirements, goals, and objectives.

Fund Manager/Project Manager: ColPac's Fund Manager/Project Manager is responsible for the financial management of the project and confirming that the funds are used appropriately to achieve the desired goals and outcomes for each project. The Project Manager is responsible for the RLF project responsibilities. ColPac will be responsible for general project and cleanup-related labor standards compliance. The ColPac's main point of contact for the RLF program is:

- > **Sarah Lu Heath**, Deputy Director, Columbia Pacific Economic Development District
(971) 328.2877
SarahLu@nworegon.org

CAR's QEP: The oversight of the environmental clean-up and recordkeeping will be the responsibility of the environmental firm employed by the CAR. ColPac has retained the services of CHA Consulting, Inc. who will serve as ColPac's Qualified Environmental Professional (QEP). CHA's primary project personnel include:

- > **Keith J. Ziobron, P.E.**, Associate Vice President
(678) 787-9576
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- > **Sam Urban, P.E.**, Senior Project Manager
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RLF Loan/Grant Applicant: As the recipient of the loan/grant, the RLF applicant is responsible for providing all the necessary documents, completing the proposed project so that all the desired goals and outcomes are reached, and ensuring the funds are used appropriately. A loan/sub-grant application form is available upon request as well as on ColPac's website, nworegon.org. ColPac RLF funds may solely be utilized to finance cleanup activities and minor incidental costs associated with cleanup activities.

Brownfield Site Manager/Qualified Environmental Professional (QEP): The Qualified Environmental Professional is responsible for environmental clean-up and record keeping. CHA has been contracted by ColPac to take up this role. CHA will review project conditions and provide periodic oversight of field activities associated with the funded cleanup actions as well as provide program reports to ColPac in order to maintain compliance with federal reporting requirements.

Loan Review Committee (LRC): Primary responsibilities of the LRC includes reviewing, evaluating, approving, revising, or rejecting loan applications. The LRC is responsible for making a recommendation on the terms and conditions of each approved loan request. These terms include, but are not limited to, the amount of the loan, interest rate, loan term and monthly payments, collateral to be provided, and specified uses of loan proceeds and report requirements. Additional activities of the LRC include:

- Review loan/sub-grant applications submitted by the Fund Manager;
- Attend meetings to recommend approval of loan and sub-grant applications and set terms and conditions;
- Make decisions on procedures for loan delinquencies, foreclosures, and/or modifications to existing loans;
- Notify the Project Manager of loan and sub-grant decisions;

- Review the policy and procedure manual as needed, but no less than annually to make changes for the betterment of the program.

3 Financial Obligations

To qualify for funding, RLF applicants must demonstrate that they meet the following criteria before receiving a RLF loan or sub-grant:

- The RLF applicant must be in good financial standing, current on all property taxes and other obligations, and must demonstrate the ability to repay the loan and complete the project successfully.
- The RLF applicant must define how the RLF funding will supplement other project financing, including match financing.
- The RLF applicant intends to redevelop the property for the uses as referenced in Section 1, and the proposed reuse is in alignment with the Community Needs.
- The RLF applicant has secured the additional financing to complete the project.
- The RLF applicant has the ability to facilitate the reuse of the existing infrastructure.
- The RLF project will meet the state clean-up criteria put forth by or negotiated with the

There are two funding options under the Brownfields RLF program: direct loans and subgrants. The funding mechanisms are discussed below.

Direct Loans: Fixed-term loans with low interest are available for projects where private entities have secured a portion of the estimated remediation or development funding required. Loan agreements are typically structured with enough flexibility to maximize the borrower's success as well as ensure the sustainability of the RLF program. The size of the loans depends on the project and the availability of funds, as well as the terms set in the ColPac's Cooperative Agreement Work Plan with the EPA. The loan recipient will be required to sign a loan agreement that specifies loan terms, including cost share, repayment terms, Davis-Bacon Act compliance, etc.

Subgrants: Subgrants are only available to public and non-profit borrowers with appropriate fiscal solvency. The award and size of the subgrant depends on the project type and the availability of the funds, as well as the terms set in the Work Plan. The subgrant limit maximum value is typically \$200,000.00. The sub-grant recipient will be required to sign an agreement that stipulates grants loan terms, including cost share and Davis-Bacon Act compliance.

4 Community Involvement and Awareness

Per Section V.C. of ColPac's Cooperative Agreement with EPA Prior to initiating any clean-up activities, community outreach and involvement are required to inform area stakeholders and residents of the intent to complete cleanup activities funded by ColPac's RLP program. Specific methods to reach the community, including email, newsletters, meetings, and social media, are outlined in ColPac's Community Involvement Plan (CIP), a copy of which is available upon request and on the ColPac website, nworegon.org.

The RLF loan or subgrant recipient will be required to develop a brief addendum to the ColPac CIP that identifies specific community involvement actions for inclusion in the administrative record for the project. Community involvement actions should be coordinated with ColPac and CHA.

Typically, a community meeting is required before performing any clean-up activities, with a public comment period of typically **15 - 30 days**. Community meetings need to be publicly noticed for 14 days and should be held in or near the project vicinity to include residents most directly affected by the project. Community meetings must be coordinated by ColPac and CHA.

Any documents, fact sheets, and/or web materials developed as part of this cooperative agreement, shall include the following statement: **"Though this project has been funded, wholly or in part, by EPA, the contents of this document do not necessarily reflect the views and policies of EPA."**

The ColPac will provide all information on the clean-up activities to an established Information Repository (IR) convenient to the project target area so that all documents are available for public review. Project updates and other public information will be used to keep the public informed and involved during and after the clean-up.

5 State Agency Engagement

5.1 Oregon Department of Environmental Quality Involvement:

Generally, the RLF applicant is required to verify the project is being managed under a Oregon regulatory clean-up program, either through the state's Brownfield program or Voluntary Cleanup Program (VCP). Depending on the program, this often requires an additional application and/or submission of a state-approved Corrective Action Plan (CAP).

Oregon DEQ created its Voluntary Cleanup Program to provide oversight to property owners and others wishing to investigate and clean up hazardous substance sites in a voluntary, cooperative manner. The program's goal is to increase the number of remediated sites by streamlining the cleanup process while ensuring compliance with Oregon environmental regulations. Projects range from simple sites with a limited amount of contaminated soil to complex sites with multiple contaminants in soil, groundwater, surface water, sediment, and/or air. The Voluntary Cleanup Program offers two options for cleaning up contaminated sites, the Independent Cleanup Pathway and the traditional Voluntary Cleanup Pathway. More details regarding this program and the application process are located on the Oregon Department of Environmental Quality website: [Department of Environmental Quality: Voluntary Cleanup: Environmental Cleanup: State of Oregon](#).

An exception to this requirement would be for projects that are limited in scope to Asbestos and/or Lead Paint Abatement. Asbestos and Lead Paint Abatement projects must comply with applicable state standards. More specifically, asbestos abatement projects must comply with current state standards and regulations. Specific requirements are summarized in the guidance included here: [asb-2018rules.pdf \(oregon.gov\)](#). Lead abatement projects must comply with the Oregon State standards and regulations specified here:

- > <https://www.oregon.gov/oha/PH/HealthyEnvironments/HealthyNeighborhoods/LeadPoisoning/Pages/Lead-BasedPaintRegulations.aspx>.

6 Required Documents

6.1 Analysis of Brownfields clean-up Alternatives

The borrower or subgrantee shall prepare an Analysis of Brownfield Cleanup Alternatives (ABCA), or equivalent state Brownfields program document, which will include information about the site and contamination issues (i.e., exposure pathways, identification of contaminant sources, etc.); cleanup standards; applicable laws; alternatives considered; and the proposed cleanup. The evaluation of alternatives must include effectiveness, ability to implement, and the cost of the response proposed. The evaluation of alternatives must also consider the ability of the remedial options to address potential adverse impacts caused by extreme weather events (e.g., sea level rise, increased frequency and intensity of flooding, etc.). Alternatives may also consider the degree to which they reduce greenhouse gas emissions, reduce energy use or employ alternative energy sources, reduce the volume of wastewater generated/disposed of, reduce the volume of materials taken to landfills, and recycle and re-use materials generated during the cleanup process to the maximum extent practicable.

The evaluation will include an analysis of reasonable alternatives including no action. The cleanup method chosen must be based on this analysis and documented in a decision document upon completion of the public comment period. ColPac and CHA will work with the borrower or subgrantee to provide guidance on the development of the ABCA for the project.

6.2 Cleanup Work Plan

After selecting the Brownfield RLF environmental clean-up action via the ABCA process, the RLF borrower or subgrant recipient will prepare a Cleanup Work Plan identifying the proposed action taken and the clean-up standards and goals at the conclusion of the public comment period. If applicable, the state-required CAP may serve as the basis for the Cleanup Work Plan.

6.3 Endangered Species Act (ESA), National Historic Preservation Act (NHPA), and Clean Water Act Section 404

The CAR must comply with federal cross-cutting requirements. These requirements include but are not limited to, Disadvantaged Business Enterprise (DBE) requirements found at 40 CFR Part 33; OSHA Worker Health & Safety Standard 29 CFR § 1910.120; Uniform Relocation Act (40 USC § 61); National Historic Preservation Act (16 USC § 470); Endangered Species Act (P.L. 93-205); Permits required by Section 404 of the Clean Water Act; Executive Order 11246, Equal Employment Opportunity, and implementing regulations at 41 CFR § 60-4; Contract Work Hours and Safety Standards Act, as amended (40 USC §§ 327-333); the Anti-Kickback Act (40 USC § 276c); and Section 504 of the Rehabilitation Act of 1973 as implemented by Executive Orders 11914 and 11250. For additional information on cross-cutting requirements visit <https://www.epa.gov/grants/epa-subaward-cross-cutter-requirements>.

6.4 Applicable Federal and State Laws

All cleanup work completed with RLF funds must comply with Davis-Bacon Act prevailing wage requirements and associated U.S. Department of Labor (DOL) regulations for all construction, alteration, and repair contracts and subcontracts awarded with funds provided under this agreement by operation of CERCLA § 104(g). For more detailed information on complying with Davis-Bacon please see the Davis-Bacon Addendum to these terms and conditions.

Refer to the General Terms & Conditions for Buy America Sourcing requirements under the Build America, Buy America provisions of the Infrastructure Investment and Jobs Act (IIJA) (P.L. 117-58, §§70911-70917).

6.5 Quality Assurance Project Plan & Health and Safety Plan

If environmental data are to be collected as part of the brownfield cleanup (e.g., cleanup verification sampling, post-cleanup confirmation sampling), the collection of said data must comply with 2 CFR § 1500.12 requirements to develop and implement quality assurance practices sufficient to produce data adequate to meet project objectives and to minimize data loss. State law may impose additional QA requirements. Recipients implementing environmental programs within the scope of the assistance agreement must submit to the EPA Project Officer an approvable Quality Assurance Project Plan (QAPP) at least 60 days prior to the initiating of data collection or data compilation. The QAPP is the document that provides comprehensive details about the quality assurance, quality control, and technical activities that must be implemented to ensure that project objectives are met. Environmental programs include direct measurements or data generation, environmental modeling, compilation of data from literature or electronic media, and data supporting the design, construction, and operation of environmental technology.

The QAPP should be prepared in accordance with [EPA QAR-5: EPA Requirements for Quality Assurance Project Plans](#). No environmental data collection or data compilation may occur until the QAPP is approved by the EPA Project Officer and Quality Assurance Regional Manager. Additional information on the requirements can be found at the EPA Office of Grants and Department website at <https://www.epa.gov/grants/implementation-quality-assurance-requirements-organizations-receiving-epa-financial>.

Note that ColPac's QEP will be available to assist with respect to the QAPP development for the borrower or subgrantee's cleanup project.

6.6 Health and Safety Plans

The borrower or subgrantee is required to prepare and provide an Occupational Safety and Health Administration (OSHA) compliant Health and Safety Plan (HASP). The HASP will meet the requirement of OSHA's Hazardous Waste Operations and Emergency Response (HAZWOPER) Standard 29 Code of Federal Regulations (CFR) 1940.120.

The purpose of this document is to limit the potential safety issues associated with the project during clean-up. Specifically, the HASP will identify all potential contaminants of concern, routes of exposure, required personal protection equipment (PPE), and required safety procedures. The HASP is to be prepared in advance of any intrusive investigation or clean-up activities and must be submitted to the EPA, GA EPD, and the CAR's QEP for their records.

6.7 Cleanup Completion Documentation

The borrower or subgrantee shall ensure that the successful completion of an RLF cleanup is properly documented. This must be done through a final report or letter from a Qualified Environmental Professional, or other documentation provided by a State or Tribe that shows cleanups are complete (including No Further Action letters, institutional controls, etc.). This documentation must be included as part of the Administrative Record.

Appendix A – Glossary of Terms

AAI: All Appropriate Inquiries	EPA: Environmental Protection Agency
AAP: Asbestos Action Program	ESA: Environmental Site Assessment (Phase I or Phase II)
ABCA: Analysis of Brownfields Cleanup Alternatives	EWDJT (or JT): Environmental Workforce Development and Job Training (Job Training)
ACBM: Asbestos-Containing Building Material	FFY: Federal Fiscal Year
ACM: Asbestos-Containing Material	FY: Fiscal Year
ACRES: Assessment, Cleanup, and Redevelopment Exchange System	GCTL: Groundwater Cleanup Target Levels
ARC: Assessment, Revolving Loan and Cleanup (Brownfields grants)	GIS: Geographic Information Systems
ASTM: American Society for Testing and Materials	GPR: Ground Penetrating Radar
ATSDR: Agency for Toxic Substances and Disease Registry	GPRA: Government Performances and Results Act
AWP: Area-Wide Planning	GWPS: Groundwater Protection Standard
BF: Brownfields	HAZMAT: Hazardous Materials
BMP: Best Management Practice	IAQ: Indoor Air Quality
CAA: Clean Air Act	IC: Institutional Controls
CAR: Corrective Action Report	LOD: Limit of Detection
CBD: Central Business District	MCL: Maximum Contaminant Level
CBEP: Community Based Environmental Project	MDL: Method Detection Limit
CERCLA: Comprehensive Environmental Response, Compensation, and Liability Act (a.k.a. Superfund)	NFA: No Further Action
CFR: Code of Federal Regulations	NFRAP: No Further Remedial Action Planned
CIP: Community Involvement Plan	P2: Pollution Prevention
COC: Contaminants of Concern	PAH: Polyaromatic Hydrocarbons
CTL: Cleanup Target Levels	PIP: Public Involvement Program
DAO: Designated Approving Official	PIP: Public Involvement Program
DQO: Data Quality Objective	PO: Project Officer
EAP: Environmental Action Plan	POC: Point of Contact
ED: Economic Development	PPB/PPM: Parts per Billion, Parts per Million
EIS: Environmental Impact Statement	QA/QC: Quality Assurance/Quality Control
EJ: Environmental Justice	QAPP: Quality Assurance Project Plan
EPA: Environmental Protection Agency	QR: Quarterly Report
ESA: Environmental Site Assessment (Phase I or Phase II)	RCRA: Resource Conservation and Recovery Act
EWDJT (or JT): Environmental Workforce Development and Job Training (Job Training)	REC: Recognized Environmental Concern
FFY: Federal Fiscal Year	RFP/RFQ: Request for Proposals, Request for Qualifications
FY: Fiscal year	RLF: Revolving Loan Fund
COC: Contaminants of Concern	SCTL: Soil Cleanup Target Level
CTL: Cleanup Target Levels	SESD: Science and Ecosystem Support Division
DAO: Designated Approving Official	SVOC: Semi-volatile organic compounds
DQO: Data Quality Objective	TLV: Threshold Limit Value
EAP: Environmental Action Plan	TRI: Toxic Release Inventory
ED: Economic Development	UST: Underground Storage Tank
EIS: Environmental Impact Statement	VCP: Voluntary Cleanup Program
EJ: Environmental Justice	VOC: Volatile Organic Compound

Appendix B – RLF Program Information Sheet

COLUMBIA PACIFIC ECONOMIC DEVELOPMENT DISTRICT BROWNFIELD REVOLVING LOAN FUND PROGRAM



In 2022, the Columbia Pacific Economic Development District (ColPac) was awarded an Environmental Protection Agency (EPA) Brownfields Revolving Loan Fund (RLF) Grant.

The grant will be used to capitalize a revolving loan fund from which the Columbia Pacific Economic Development District will provide loans and subgrants to support cleanup activities. Grant funds also will be used to market the fund and support community outreach activities. RLF activities will focus on ColPac's full service area, including Columbia, Clatsop, Tillamook and Tillamook Counties as well as western Washington County.

The EPA defines a Brownfield as a real property, the expansion, redevelopment, or reuse of which may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant.

ColPac's Brownfield Program Goals:

- Provide Expanded Equitable Housing Opportunities
- Return Vacant or Underutilized Properties into Productive Reuse
- Protect Human Health and the Environment
- Economic Development
- Spur Job Growth
- Eliminate Blight
- Leverage Additional Resources

Typical Brownfield properties include former:

- Gas stations
- Automobile service and repair shops
- Dry cleaning facilities
- Industrial facilities
- Former Lumber mills
- Vacant schools, apartment complexes and motels
- Former agricultural facilities
- Vacant storefronts

RLF grant funds can be used for low interest loans to developers and sub-grants to non-profit businesses for remediation/cleanup of soil and ground water contamination, asbestos, lead paint, and mold abatement, etc.

ColPac's RLF Grant Provides Funding for Brownfield Cleanup Activities

EPA's Brownfield RLF Program, through the use of a low interest long-term loan to private developers or sub-grants to municipalities and non-profits, can help provide funding for cleanup of identified contamination to comply with State of Oregon risk based concentrations (RBCs).

Prior to the issuance of the loan or subgrant, site owners should consider participation in the State of Oregon Voluntary Cleanup Program. The terms of the loan, interest rates, payment terms, and the length of loan are negotiated. Oversight of all cleanup activities is required by ColPac's Qualified Environmental Professional (QEP), CHA Consulting, Inc (CHA) to ensure the cleanup is conducted in accordance with all applicable regulations.

ColPac's Brownfields RLF Program in concert with Oregon's Voluntary Cleanup Program (VCP) allows for the expedited cleanup of contaminated vacant and underutilized properties to expedite their redevelopment and put properties back into productive uses.

By leveraging Regional EPA and state of Oregon funded programs, including:

- Tillamook County's EPA Community-wide Assessment Grant
- Clatsop County's EPA Community-wide Assessment Grant
- Business Oregon Brownfields Properties Revitalization fund

Municipalities, non-profits, and developers can fund environmental due diligence and cleanup activities with subgrants (municipalities and non-profits) and low interest loans (developers). Leveraging these programs free up other funding options for the development/construction activities.

What are the next steps?:

As the loans or subgrants are funded by an EPA Grant, additional considerations are required prior to receiving funds and include the following:

- Prepare and Submit Application for funding
- Develop a Quality Assurance Project Plan (QAPP) for EPA Approval
- Conduct an Analysis of Brownfield Cleanup Alternatives (ABCA) for EPA Approval and Public Notice
- Project Specific Community engagement meeting
- Ensure Davis Bacon Act Compliance during remediation
- National Historic Preservation Act review in coordination with the State Historic Preservation Division
- Endangered Species Act Compliance
- Tribal Coordination



For a Site Application or additional information, please contact:

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Helpful websites:

EPA Brownfield Program:
www.epa.gov/brownfields

Oregon DEQ Brownfield Program
www.oregon.gov/deq/Hazards-and-Cleanup/env-cleanup/Pages/Brownfields.aspx

Business Oregon Brownfield Programs:
www.oregon.gov/biz/programs/brownfields/pages/default.aspx

Appendix C – RLF Program Flow Chart



Columbia Pacific Economic Development District Brownfield Revolving Loan (BRLF) Fund Process

