REDEVELOPING YOUR STATE’S PETROLEUM BROWNFIELDS PROGRAM

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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
3. Brownfields within NPL sites
Know What You’re Getting Into!
Brownfields Grant Recipients in Montana

- Billings - Assessment
- Great Falls - Assessment - RLF
- Helena - Job Training
- Kalispell - Assessment - RLF
- Missoula - Assessment - RLF
- Shelby

NAME
- CSKT - Assessment
- Northern Cheyenne - Assessment
- Sweet Grass Development - Assessment
- Eastern MT BF Coalition - Assessment & RLF
- Central MT BF Coalition - RLF & Assessment
- Bear Paw EDA - Assessment & RLF
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

Past Owner
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. The death of “two removed”.
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 ... ONE MILLION DOLLARS

but with a deductible of... <$20,000
BROWNFIELDS/PETROFUND SYNERGY

- Petrofund Guarantor for Brownfields RLF Loans
- Using BF to Cover Co-pay
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
• Resources not regulators

• A guided approach through eligibility, assessment, and cleanup.

• Funding and Environmental Expertise

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