

Clearing Away Old Blight for New Development





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Operations Manager

Mr. Ordeman has over 30 years of professional experience providing environmental consulting services to a wide variety of clients on a wide variety of sites. He has expertise in the following area:

- Investigation and remediation of petroleum, volatile and semi-volatile organic compound, PCBs and metals contaminated soil and groundwater
- In-situ and ex-situ remedial expertise and large-scale site demolition and environmental construction management
- Brownfield grant preparation and implementation (federal, state, and local)
- The issuance of over 100 BUSTR No Further Action (NFA) letters and four Ohio EPA Covenant-Not-to-Sue's (CNS) for clients across Ohio



Ohio's Abandoned Gas Station Grant Program

- What does this grant program entail?
- How can this program benefit your community?
- How do you prepare to take advantage of this program?



Ohio's Abandoned Gas Station Grant Program



- Ohio Development Services Agency (ODSA) currently has between \$4 million and \$9 million in funding to be used to assess and cleanup abandoned gas stations and other qualifying Bureau of Underground Storage Tank Regulations (BUSTR) Class C (abandoned) facilities.
- Two (2) funding tracks are currently available:
 - *Assessment Funding*
 - *Cleanup Funding*

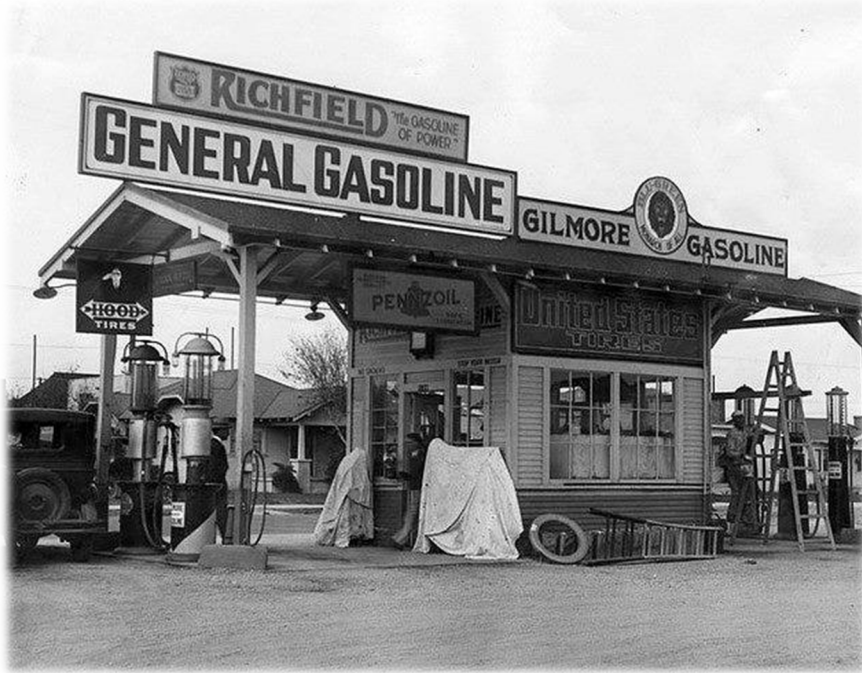
Assessment Grants

- Up to \$100,000 for assessment
- Must have a Class C designation
- Must have a VAP Phase I Assessment
- Must have a geophysical survey
- Assess soil and groundwater for petroleum and/or hazardous substances, and the existing buildings for asbestos and lead paint that may need to be remediated in order to prepare the site for re-use or redevelopment
- Once the site is assessed and contamination delineated, can go back to ODSA and request additional funds to remediate the site (maximum between 2 grants is \$500,000)

Cleanup and Remediation Grants

- Up to \$500,000 total for assessment and cleanup
- If applying for this up-front, must have a Class C designation, a VAP Phase I Assessment, and a geophysical survey
- Assess and clean up petroleum, hazardous substances, empty tanks, remove tanks, assess and abate asbestos and lead paint, demolition, and other conditions for site clearance
- Intent is to make the building re-usable or make the property shovel-ready for redevelopment
- Requires either BUSTR NFA or VAP NFA, depending on tank classification, compounds, and applicant desire
- A VAP covenant-not-to-sue (CNS) is not required

Redevelopment Is The Goal



Eligibility

- BUSTR Class C (abandoned) site with documented release.
- Owned by local government or jointly with private landowner.
- **No responsible parties (owner or operator of the former station)!**
- If site is not currently listed as a BUSTR Class C site, must complete a Determination Request Form to secure eligibility.

Abandoned Gas Station Cleanup Grant



- Priority will be given to vacant gas or service stations with greatest environmental, community and economic impact. Other considerations:
 - ❖ Current building status
 - ❖ Geographic diversity
 - ❖ Former uses
 - ❖ Community planning efforts
 - ❖ Private match desired but not required

Other Considerations

- Abandoned Industrial tanks may classify as BUSTR Class C tanks
- VAP Phase I must be current (less than 3 years)
- Cost for VAP Phase I's and geophysical surveys are reimbursable
- Sampling required to confirm a release prior to application is **NOT** an eligible expense
- Asbestos surveys during the assessment work are eligible expenses
- Limited legal fees included in the Phase I, title search, etc., are eligible expenses
- Requires a VAP Certified Professional (CP) for the VAP Phase I report
- Requires a VAP Certified Professional (CP) for NFA if non-petroleum contaminants are addressed



Other Considerations, cont.

- For privately owned property, there must be a legal agreement in place between the owner and a political subdivision to make an application (purchase agreement, access agreement, other legally binding documents between the two parties)
- Each community can apply for multiple grants at a time.



- Not all tanks on-site need to be Class C
- A grant/project is site-based, not area-wide
- Grant applications are completed online through the Ohio Development Services Agency (ODSA) website
- Using a consultant competent in both BUSTR and VAP rules will be beneficial

Grant Program Limitations

- Site cannot be used as a gasoline or service station once it receives an ODSA grant
- Site cannot have been used for any other purpose other than a gasoline or service station since the station closed
- Site should be in a populated area or a high-visibility area in the community
- Facility cannot have been last owned, leased or operated by a major oil company or a company that is now owned by a major oil company

Pros & Cons

Pros:

- It is a great opportunity to get old blemished gasoline and service stations removed from your community
- No match is required for the grant so a site can be cleaned up for little or no money from the community
- Clearing or cleaning up a location paves the way for a new business that will generate revenue for a community

Cons:

- The application process can take up to a year or more prior to award of a grant
- Municipality could be liable for contamination at the site if the property is not acquired by, or given to, a county land bank.
- Just because a site appears that it should be eligible does not mean it will be approved for a grant

Project Examples - No Grant Awarded

Former Sunoco Station, Piqua, Ohio

- Facility originally operated under the Sunoco brand but the business was privately owned and operated
- Site had been redeveloped with an office building
- Prior assessment of the site identified chemical concentrations beneath the building in excess of BUSTR standards
- Removal of the building would aid in the sale of two adjoining properties in downtown Piqua
- Review of historical property ownership identified that the land had previously been part of the Miami-Erie Canal which was owned by the State of Ohio and leased to Piqua after the canal was abandoned
- Since the land was leased to the City of Piqua when the station was abandoned, the site was ineligible for a grant



Project Examples - Success! (with a twist)

Former Swift's Red and White Gas, Pierpont, Ohio

- This site operated as a grocery store and a gasoline station
- The facility operated 2 USTs; an 8,000-gallon gasoline tank and a 12,000-gallon gasoline tank
- The site was converted to a BUSTR Class C from a Class D site
- The site was awarded an ODSA AGSC Grant.
- The USTs were removed, a BUSTR Tier 1 was completed
- No Further Action (NFA) letter issued by BUSTR
- Site was redeveloped as a Dollar General and is now an active business in Pierpont





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