



# Maine DEP Brownfields and VRAP Program

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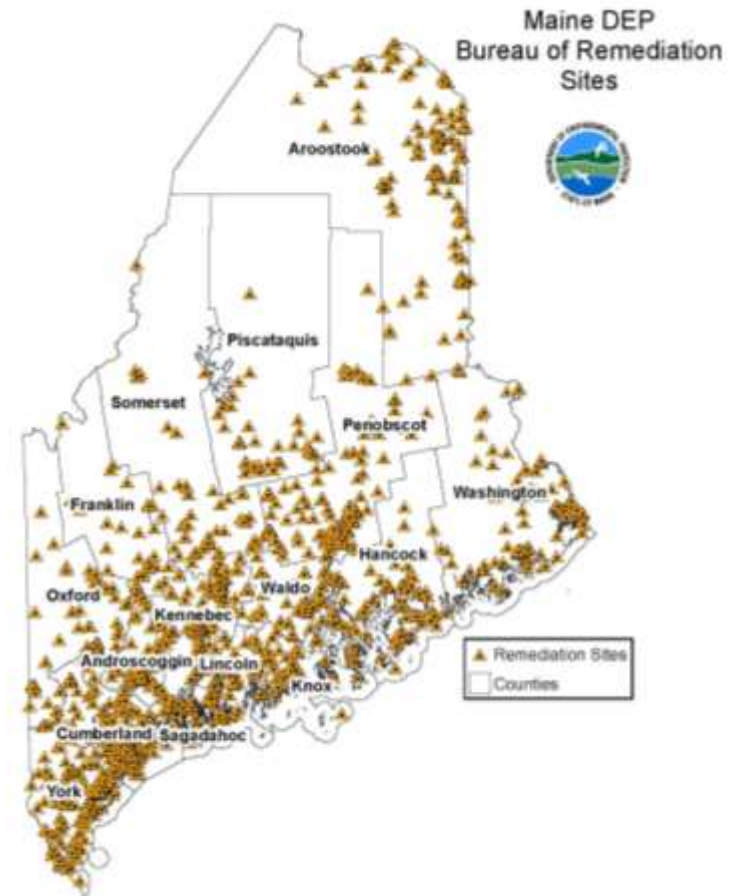
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*Protecting Maine's Air, Land and Water*

# What is Maine's Role in Brownfields Redevelopment?

- Maine Brownfields Program
  - Maintain Public Records
  - Municipal Brownfields Program
  - Support to Grantees



<http://www.maine.gov/dep/spills/brownfields/index.html>



# Additional Support

- Provides technical assistance
  - Reviews scopes of work
  - Reviews Phase I & Phase II Environmental Site Assessments (ESAs)
  - Reviews Remedial Plans
  - Oversight of Remedial Actions
  - Reviews Remedial Action Summary Reports
  - Provides transition to VRAP

# What is VRAP?

- **Maine Voluntary Response Action Program**
  - Voluntary program to assess, mitigate and/or remediate
  - Provides protection from Department Enforcement Actions
  - Addresses risk and liability



# What is the advantage?

- Reuse and Redevelopment
- Ability to implement remedial plans that are consistent with the proposed use
- Clarifies liability, assigns responsibility



# What is the process?

- Applicant or City's consultant completes VRAP application form
  - Submission Requirement
- Fee is 1% of the assessment value of the property
  - Assessed value is most recent tax assessed value
  - \$15,000 cap
  - Fee submitted with application



Source: Pickit Free Images



# No Action Assurance Letter

- Discuss future reuse scenarios
- Issue No Action Assurance Letter (NAA)
  - Approves of a remedial action plan (selected from the Brownfields ABCA)
  - Outlines the steps to take to receive liability protection



# Final VRAP Certificate

- No Further Action Assurance Letter (NFAA)
  - Environmental Conditions
  - Environmental Media Management Plans
- Deed Covenants
- Certificate of Completion (COC)





# Once I'm issued a final VRAP document, what does that mean?

- You are protected from Department environmental enforcement actions for the work that you've satisfactorily completed
- You are not protected for "unidentified" or "undiscovered" contamination, or unaddressed environmental conditions
- You must adhere to any conditions that are placed on the property as part of the certification
- VRAP protections pass on to successors and/or assigns, and also extends to lenders and fiduciaries



# Brownfields Economic Redevelopment Incentives

- Financial assistance to conduct assessments
- Gets the ball rolling
- Convenience of a pre-selected contractor
- Puts vacant or underused property back to productive use
- Reuses existing infrastructure
- Protects greenspace



# What is the incentive to enrolling in VRAP?

- Since 1993, over 1000 sites have entered VRAP
- VRAP sites are in every county in Maine and every possible physical setting
- VRAP has extensive experience
- All final VRAP certification documents are reviewed in draft form before they are finalized
- Properties cleaned up to health based standards



# Parallel Incentives

- Implementation of a Brownfields Community Relations Plan meets VRAP requirement for public notification
- Brownfields ABCA (report on cleanup options) reviewed by DEP is acceptable to VRAP
- Participation encouraged by EPA when applying for cleanup grants or loans



# Conclusion



Source: [www.frontstreetshipyard.com](http://www.frontstreetshipyard.com)

## A Good Story in the End





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