



BROWNFIELDS ADVISORY COMMITTEE

Meeting Agenda

Thursday, March 19, 2026, 10 – 11 am

Physical Location: Central Vermont Regional Planning Commission Conference Room
located at 29 Main Street, Suite 4 Montpelier, VT 05602

Participation via Zoom¹

<https://us02web.zoom.us/j/88055614529?pwd=c2dVaTMvUnc0VU55bUd1TEhTWjkzUT09>

Dial in via phone: +1 929 436 2866 | Meeting ID: 880 5561 4529 | Passcode: 215936

Download the app at least 5 minutes before the meeting starts: <https://zoom.us/download>.

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Page

1	<u>AGENDA</u>
	10:00² Recording Reminder & Adjustments to the Agenda
	10:05 Roll Call
	10:10 Public Comment
2-4	10:15 Review and Approval of Draft Minutes from 2/19/26 Meeting (Action possible - enclosed)³
5-10	10:20 Review of Brownfield Requirements Memos by Montrose <ul style="list-style-type: none">• I-Rule• Petroleum Projects Eligibility
11-15	10:25 New Projects and Requested Actions (Action possible - enclosed)³ <ul style="list-style-type: none">• Phase II ESA – 143 N. Main Street, Barre City
16-48	10:35 <ul style="list-style-type: none">• Revolving Loan Fund Program Manual Review (Action possible - enclosed)³
49-55	<ul style="list-style-type: none">• Revolving Loan Fund Decision Points Memo (Action possible - enclosed)³
56-63	10:45 Program Updates <ul style="list-style-type: none">• Assessment Grant Updates• Revolving Loan Fund Grant Updates
	11:00 Adjourn

¹ Dial-in telephone numbers are “Toll” numbers. Fees may be charged to the person calling in dependent on their phone service.

² All times are approximate unless otherwise advertised

³ Anticipated action item.

CENTRAL VERMONT REGIONAL PLANNING COMMISSION

Brownfields Committee Meeting – MINUTES

February 19, 2026

Present:

X	Janet Shatney, Chair, Barre City Commissioner
-	Don LaHaye, Vice Chair, Waitsfield Commissioner (Alternate Seat)
-	Alice Farrell, Barre Town Commissioner
X	Peter Carbee, Washington Town Commissioner
X	Ron Krauth, Middlesex Town Commissioner
-	Heather Hurlbert, CVEDC
X	Joan Marie Misek, VT Dept of Health
X	Nicola Anderson, Downstreet Housing and Community Development
X	Liz Scharf, Capstone Community Action
X	Kevin Casey, Hickok and Boardman
-	Vacant, (environment or finance organization)
-	Vacant (environment or finance organization)

Staff present: Christian Meyer, CVRPC Executive Director, Eli Toohey, CVRPC Planner, Kari Pelletiere, CVRPC Planner

Members of the Public: Stephen Whitaker

Call to Order: Chair Janet Shatney called the meeting to order at 10:06 am.

Roll Call

Adjustments to the Agenda: None

Public Comment: *Stephen Whitaker of Montpelier commented on 203 Country Club Road and that it was not yet submitted to the EPA, the sequencing of developers and brownfields timeline, the standards to which the remediation is happening and the role of the committee, requesting it be put on the agenda.*

Christian Meyer responded that the 203 Country Club Road has been submitted to EPA, Eli Toohey noted that that is included in the agenda item “program updates”.

Review and Approval of Draft Minutes from 1/15/25 Meeting

Peter Carbee made a motion to accept the minutes from the 1/15/25 meeting, Joan Marie Misek seconded, passed unanimously.

Review of Brownfields Advisory Committee Rules of Procedure: Conflicts of Interest

CVRPC staff, Eli Toohey reviewed the Brownfields Advisory Committee Rules of Procedure: Conflict of Interest section.

Committee had a discussion of the Conflicts of Interest Rules of Procedure.

Member of the public Stephen Whitaker provided additional comments, noting governance and structural issues that he opined are not resolved. He further opined that being employed by an organization/agency was a conflict of interest.

Brownfields Advisory Committee Process

CVRPC staff Eli Toohey reviewed the *Roles and Responsibilities* document. Committee had discussion of the roles and responsibilities.

CVRPC staff Eli Toohey reviewed the *Brownfields Assessment and Remediation timeline* document. IRule was defined.

Stephen Whitaker make public comment that what was asserted, that IRule applies to cleanup and not assessment, is not accurate.

Eli Toohey stated she would follow up with DEC and our QEP to confirm when IRule applies.

Staff reviewed the process for *EPA Grants Process* document from when a site is nominated through cleanup. Committee discussed the process.

Site Selection and Requested Actions

9 Heaton Street, Montpelier

CVRPC staff Eli Toohey informed the committee that 9 Heaton Street in Montpelier withdrew their funding request due to their project moving faster than our process allows for. Eli also noted that a typo was made in the assessment requested and address for 1756 US Rt 302, VTRANS Central Garage and that they requested a Supplemental Phase II, not a Phase I as printed.

Public comment question from Stephen Whitaker asked if the Brownfields Advisory Committee tracked the project if they withdrew funding request. Eli Toohey replied that

the BAC does not unless they submit a funding request in the future and clarified that DEC monitors the site.

150 Ayers Street, Barre VT

Staff reviewed the project and the reuse intentions as well as the request for a Phase I and noted that the site was a service station and likely had petroleum contamination which would necessitate the reuse owner be 2 owners removed from the responsible owner per EPA rules. Committee had discussion on this and Eli noted she would clarify that eligibility rule with EPA and Montrose.

Peter Carbee made the motion to recommend to fund the Phase I ESA for 150 Ayers Street in Barre City, Kevin Casey seconded, discussion of site selection matrix and map of property, what programs would be housed there was had, passed unanimously.

1756 US Rt 302 – VTrans Central Garage, Berlin VT

Eli Toohey presented the VTrans Central Garage in Berlin project and the request for a supplemental Phase II. Discussion was had around the readiness, timeline, reuse potential, cost estimate, whether the property would transfer ownership and previous reports.

Peter made the motion to recommend funding for a Supplemental Phase II for 1756 US Rt 302. No second, motion failed.

Program Updates

CVRPC Staff gave updates on current sites, MARC Assessment Funds, EPA Coalition Assessment Grant activities and EPA Revolving Loan Fund Grant, noting that the anticipated date for the Revolving Loan Fund to be operational is April 2026 and that the March meeting would be dedicated to discussion of the Revolving Loan Fund. Eli also noted that RFPs for legal and financial services has been drafted and will be posted soon.

Stephen Whitaker asked that 203 Country Club Road update and what threshold of cleaned up is to be used be on the next

Meeting Adjournment: Motion to adjourn was made by Kevin Casey and seconded by Peter Carbee and passed unanimously. Meeting adjourned at 11:08.

To: Eli Toohey, Central Vermont RPC From: Andrea Pedersen, Montrose
Project: EPA Brownfields Assessment Date: March 12, 2026
Coalition Grant

RE: Role of the IRule with the EPA Brownfields Assessment Grant Program

1.0 – INTRODUCTION

The purpose of this memorandum is to summarize when the Vermont Department of Environmental Conservation (VTDEC) Investigation and Remediation of Contaminated Properties Rule (IRule) applies to sites funded under the EPA Brownfields Assessment Grant Program.

2.0 – ROLE OF VTDEC UNDER THE EPA BROWNFIELDS GRANT PROGRAM

Sites approved for EPA Brownfields Assessment Grant funding will be under the oversight of an assigned VTDEC Site Manager who will oversee the site investigation and cleanup process, regardless of whether the site is enrolled in the Brownfields Reuse and Environmental Liability Limitation Act (BRELLA) Program. Work Plans for site investigation activities funded by an EPA Brownfields Grant must be prepared in accordance with the IRule and must receive VTDEC and EPA approval prior to initiation of field activities. Upon completion of fieldwork, a draft report will be prepared and submitted to VTDEC for review and approval prior to finalizing the report. EPA will also review these reports but defers to VTDEC to provide comments.

If a site investigation is completed at a property that is not enrolled in BRELLA and did not use EPA Brownfields Assessment Grant funds, there is a requirement to notify VTDEC if an exceedance of an environmental media standard is found. Following VTDEC notification, there will be an obligation to follow the site investigation and cleanup process as detailed in the IRule. Additionally, if initial site investigations were not funded by EPA Brownfields Assessment Grant funds but supplemental investigations are requesting grant funding, VTDEC will be engaged from that point forward to review the Site Investigation Report and review and inform the Supplemental Site Investigation Work Plan.

In summary, regardless of whether the site is enrolled in VTDEC's BRELLA Program, the involvement of EPA Brownfields Assessment Grant funds requires the site to follow the IRule through the site investigation and cleanup planning process as well as any cleanup activities completed beyond the involvement of the EPA Brownfields Assessment Grant.

To: Eli Toohey, Central Vermont RPC From: Andrea Pedersen, Montrose
Project: EPA Brownfields Assessment Date: March 12, 2026
Coalition Grant

RE: Petroleum Eligibility Criteria under the EPA Brownfields Assessment Grant Program

1.0 – INTRODUCTION

The purpose of this memorandum is to summarize petroleum-specific eligibility criteria and the petroleum eligibility review process under the EPA Brownfields Assessment Grant Program.

2.0 – KEY PETROLEUM-SPECIFIC ELIGIBILITY CRITERIA

Under the EPA Brownfields Program, sites contaminated by petroleum or petroleum products can be eligible for Brownfields Assessment Grant funding but they must meet additional statutory eligibility criteria beyond the normal brownfield definition. Additionally, petroleum eligibility must first go through review by the Vermont Department of Environmental Conservation (VTDEC) prior to EPA review. Below are the key petroleum eligibility rules used by EPA and VTDEC.

1. The Site Must Meet the Definition of a Brownfield

A petroleum site must first qualify as a brownfield property, meaning real property where reuse or redevelopment is complicated by actual or potential contamination. These are often properties where confirmed or potential petroleum contamination discourages redevelopment.

Typical examples:

- Former gas stations
- Former fuel terminals
- Former auto service or repair sites
- Sites with abandoned or leaking underground storage tanks (USTs)

2. There is No Viable Responsible Party Identified

VTDEC must determine that a viable responsible party does not exist. Specifically, VTDEC will review whether the current and/or immediate former owner were responsible for the following:

- dispensing or disposing of petroleum or petroleum products;
- exacerbating existing petroleum contamination at the site;
- owned the site when any dispensing or disposal of petroleum by others (such as a tenant) took place; and
- took reasonable steps with regard to the contamination at the site.

The purpose of this review is to confirm Brownfields funding does not replace responsible party cleanup obligations. Situations where no viable responsible party is identified may include:

- The company that operated the gas station no longer exists.
- The responsible party is bankrupt or cannot be located.

- Liability cannot reasonably be enforced.
- The site is twice removed from the last party that dispensed or disposed of petroleum or petroleum products.

3. Assessment Is Not Being Performed by a Liable Party

The party requesting grant funding cannot be involved in dispensing or disposing of petroleum or petroleum products, nor can they be involved in exacerbating the existing petroleum contamination at the site. The party requesting grant funding must confirm whether they took reasonable steps with regard to known or potential contamination at the site to avoid exacerbating conditions.

4. A Responsible Party Has Not been Identified Through Judgements, Orders or Third-Party Suits

VTDEC must determine that no responsible party is identified for the site through any of the following:

- A judgement rendered in a court of law or an administrative order that would require any person to assess, investigate, or clean up the site; or
- An enforcement action by federal or state authorities against any party that would require any person to assess, investigate, or clean up the site; or
- A citizen suit, contribution action, or other third-party claim brought against the current or immediate past owner that would, if successful, require the assessment, investigation, or clean-up of the site.

5. Not Subject to a Resource Conservation and Recovery Act (RCRA) Corrective Action Order

VTDEC must determine the site is not subject to a corrective action order under RCRA §9003(h) of the Solid Waste Disposal Act.

6. Not Subject to the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA)

The site must meet the following conditions:

- Not listed or proposed for listing on the National Priorities List;
- Not subject to unilateral administrative orders, court orders, administrative orders on consent, or judicial consent decrees issued to or entered into by parties under CERCLA; and
- Not subject to the jurisdiction, custody, or control of the United States government.

3.0 – PETROLEUM ELIGIBILITY REVIEW PROCESS

Before EPA Brownfields Assessment Grant funds can be used, a petroleum eligibility determination must be made by VTDEC followed by EPA. The site must meet the conditions described above and should generally be twice removed from a viable and/or liable responsible party. Meaning, neither the current owner nor the immediate former owner are responsible for dispensing or disposing of petroleum or petroleum products. For any current or immediate former owners identified as responsible for the contamination at the site, the party requesting grant funds must provide information regarding whether the current or immediate former owners have the financial capability to satisfy their obligations under federal or state law to assess, investigate, or cleanup the site.

Eligibility Review Process for Petroleum-Impacted Sites:

- A Petroleum Determination Form (attached) is submitted to VTDEC for review. VTDEC will prepare a letter with their approval decision and submit it to the appropriate EPA Project Officer.
 - If eligibility is approved by VTDEC, EPA's Eligibility Determination Checklist is prepared and submitted to the EPA Project Officer for review and approval.
 - If eligibility is denied by VTDEC, the site cannot move forward with EPA's eligibility review process and alternative funding sources should be reviewed.

4.0 – ATTACHMENTS

- VTDEC Petroleum Determination Form

VT DEC Brownfields Program Request for Petroleum Determination

Person Making Request:
Date of Request:
EPA PO:

2020 EPA guidelines are located [here](#).

Please provide information for the following items:

1. Site Description:

- a. Site Name – [HERE]
- b. Site Address – [HERE]
- c. Presence of contamination from petroleum or hazardous substances.

[BRIEF SUMMARY OF ANY KNOWN INFORMATION THAT MIGHT INDICATE THE PRESENCE OF PETROLEUM RELEASE]

- d. Operational history and current site use(s).

[BRIEF SUMMARY OF KNOWN/RELEVANT INFORMATION]

- e. Environmental concerns, if known, at the site.

[LIST RECS OR PHASE II RESULTS IF KNOWN]

2. Previous Assessments:

Explain the phase of assessment, if any, that have been completed to date. Provide dates of the assessments.

[LIST ANY PAST ASSESSMENTS]

3. Areas of Concern:

Identify how the site became contaminated, and to the extent possible, describe the nature and extent of the contamination.

[DESCRIBE KNOWN RELEASES/CAUSES]

4. Site Owner:

Identify the current and immediate past owner of the site.

Current Owner – [ENTITY]

Immediate Past Owner – [ENTITY]

5. Site Acquisition:

Identify when and by what method the current owner acquired the property (e.g., purchase, tax foreclosure, donation, eminent domain).

The property was acquired via [TRANSACTION TYPE] on [MONTH, DAY, YEAR].

6. Site Responsible Party:

Identify whether the current and immediate past owner dispensed or disposed of petroleum or petroleum products, or exacerbated the existing petroleum contamination at the site; owned the site when any dispensing or disposal of petroleum (by others) took place, and; whether the current or immediate past owner took reasonable steps with regard to the contamination at the site.

[INFORMATION REGARDING PETROLEUM USE]

7. Assessed by a Person Not Potentially Liable:

Identify whether you (the applicant) dispensed or disposed of petroleum or petroleum products, or exacerbated the existing petroleum contamination at the site, and whether you took reasonable steps with regard to the contamination at the site.

[INFORMATION REGARDING APPLICANT PETROLEUM USE]

- *Please provide the remaining information if it is known, otherwise VT DEC will make the determination. -*

8. Judgements, Orders, or Third-Party Suits:

Provide information that no responsible party is identified for the site through either:

- a. *A judgement rendered in a court of law or an administrative order that would require any person to assess, investigate, or clean up the site; or*
- b. *An enforcement action by federal or state authorities against any party that would require any person to assess, investigate, or clean up the site; or*
- c. *A citizen suite, contribution action, or other third-party claim brought against the current or immediate past owner that would, if successful, require the assessment, investigation, or clean-up of the site.*

[INFORMATION REGARDING JUDGEMENTS, ORDERS, AND THIRD PART SUITS]

9. Subject to RCRA:

Identify whether the site is subject to any order under Section 9003(h) of the Solid Waste Disposal Act.

[INFORMATION REGARDING RCRA]

10. Subject to CERCLA:

Affirm that the site is:

- a. *Not listed or proposed for listing on the National Priorities List;*
- b. *Not subject to unilateral administrative orders, court orders, administrative orders on consent, or judicial consent decrees issues to or entered into by parties under CERCLA; and*
- c. *Not subject to the jurisdiction, custody, or control of the United States government.*

[INFORMATION REGARDING CERCLA]

11. Financial Viability of Responsible Parties*:

For any current or immediate past owners identified as responsible for the contamination at the site, provide information regarding whether they have the financial capability to satisfy their obligations under federal or state law to assess, investigate, or clean up the site.

[INFORMATION REGARDING RP VIABILITY]

*If no responsible party is identified, then the petroleum contaminated site may be eligible for funding. If a responsible party is identified, the State or EPA must next determine if that party is viable. **If it is determined that any such party is viable, then the petroleum contaminated site may not be eligible for funding.**



MEMO

Date: March 12, 2026
 To: Brownfields Advisory Committee
 From: Eli Toohey, Planner
 Re: New Project Review Memo

143 North Main Street, Barre City

☒ **ACTION REQUESTED:** *move to recommend the CVRPC Board of Commissioners' Executive Committee approve funding of a Phase II Environmental Site Assessment for 143 North main Street, Barre City*

This is a new site that has been vacant for a long time. It was purchased by Barre Area Development Corporation who hired Weston & Sampson to do a Phase I which was finalized January 8, 2026. Findings of that report included;

- Petroleum-impacted soils left in place at the Subject Property associated with SMS #1996-2006.
- Likely impacts associated with the historical presence of several dry cleaning and auto repair facilities in the vicinity and upgradient of the Subject Property.
- Likely impacts associated with a drum in the basement of the Subject Property.
- Documented petroleum and chlorinated-solvent impacts to the Subject Property associated with the adjoining property (SMS #2014-4500).
- The likely presence of arsenic, lead, and PAHs in soil based on the Subject Property's location in a VTDEC-designated Urban Background Area.
- The likely presence of hazardous building materials associated with the Subject Property building.
- Portions of the Subject Property could not be observed due to flooding and structural issues, precluding full evaluation of potential RECs in these areas.

BADC transferred ownership to Barre City on 1/16/2026. Weston & Sampson's Phase I Report recommends a Phase II.

SMS #:	2025-5540
Reuse:	Mixed Use

Owner:	Barre City
Prospective Owner:	TBD
Developer:	City is pursuing RFQ to identify potential developers
Assessment Activity:	Site nomination form is requesting a Phase II
Assessment Status:	Site selection and Phase II recommendation request on the agenda for 3/19/26 BAC meeting
Funds recommended:	\$42,000 estimate by Weston & Sampson
Contractor:	Montrose/TBD
BRELLA status:	BRELLA enrolled

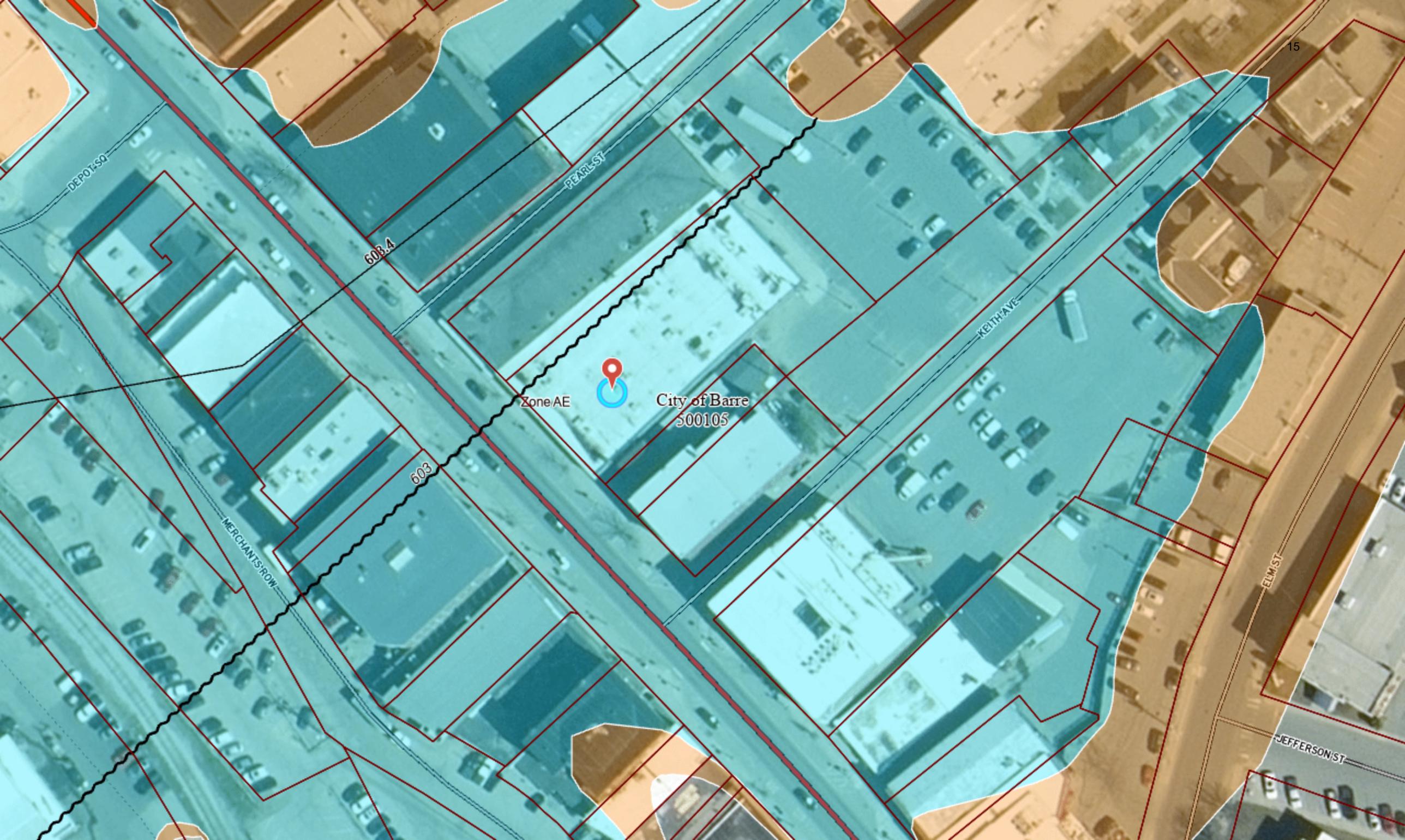
See also; *Site Selection Criteria in packet for 3/19/26 meeting*

143 North Main Street, Barre VT
Site Scoring Matrix
Central Vermont Regional Planning Commission

Factor	Criteria	Points	Score
Ownership	Publicly owned or access secured from private owner	25	25
	Private ownership but owner cooperative	10	
	Owner non-responsive and no access	0	
Redevelopment Potential	Clearly defined reuse plan	20	20
	Conceptual reuse plan or general community support	10	
	No clear reuse plan or barriers exist to reuse	5	
Equitable Housing Potential	Provide safe & affordable housing for diverse social and income groups	20	20
	Provide housing options above market value	10	
	Not a housing project	0	
Flood Resiliency Potential	Development outside of floodplain OR supports protection/restoration of floodplain	20	10
	Project located in floodplain but will not exacerbate flooding & fluvial erosion	10	
	Project located in flood hazard area & lacking clear plans for resiliency measures	0	
Community Benefit	Creation of new jobs, green space, and/or healthcare or other essential services	15	15
	Community benefits are expected but intangible or not easily quantified	10	
	No specific community benefit	5	
Disadvantaged or Overburdened Community	Site is located in a low income, area of negative socioeconomic outcomes, or historically overburdened area	15	15
	Moderately low income, moderately poor negative socioeconomic outcomes, or somewhat overburdened area	10	
	Limited alignment with the above criteria	5	
Environmental or Health Risks	Documented contamination with high potential exposure pathway	15	15
	Suspected contaminated with potential high or medium potential exposure pathway	10	
	Low likelihood of contamination	5	
Readiness to Proceed	Site is, "shovel ready" for assessment to begin	10	2
	Site groundwork or clearing is needed for assessment	5	
	Site has limited safe access or requires extensive preparations to investigate	2	
Priority and Planning Alignment	Site is in an adopted land use plan, AWP area, or is prioritized by local government	5	5
	General alignment with land use plans but not explicitly prioritized	3	
	No known alignment with existing plans	1	
Displacement	Reuse plans will not displace existing tenants or residents	5	5
	Potential to displace existing tenants or residents	3	
	Tennants or residents will be displaced	0	
	Zoning Compatibility: Sites located in areas zoned or planned for residential or mixed-use development	5	5
	Not compatibily zoned.	1	-
	Proximity to Services: Within ½ mile of transit, schools, or essential services to support workforce and affordable housing.	+1	1

State Planning Goal #11: Housing	Infrastructure Readiness: Access to water, sewer, and broadband to reduce development costs * WATER AND WASTEWATER LINES ARE ANTICIPATED TO BE REPLACED	+1	1
	Affordability Leverage: Potential to support income-qualified or workforce housing through public-private or nonprofit partnerships	+1	1
	Reuse Potential: Vacant or underutilized sites within existing settlement areas (to prevent sprawl).	+1	1
State Planning Goal #14: Flood Resilient Comr	Flood Hazard Avoidance: Outside mapped floodways and special flood hazard areas (SFHAs).	5	-
	Inside a mapped floodway or special flood hazard area	0	0
	Elevation and Drainage: Sites that allow safe building elevations or low-cost mitigation.	+1	1
	Natural Buffer Preservation: Maintains riparian buffers or wetlands that reduce downstream flood risks.	+1	1
	Stormwater Management: Opportunities for green infrastructure or flood storage enhancement.	+1	1
	Community Resilience Value: Supports relocation or redevelopment of vulnerable properties.	+1	1

Total Score (out of 160 points): 145



15

DEPOY SQ

PEARL ST

603.A

KETH AVE

Zone AE

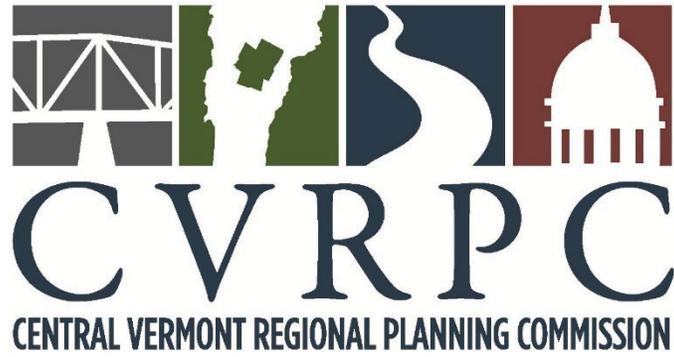
City of Barre
500105

603

MERCHANTS ROW

ELM ST

JEFFERSON ST



Central Vermont Regional Planning Commission Brownfields Revolving Loan Fund Program Manual

EPA Cooperative Agreement Number: 4B-00A01670

Prepared by:

Central Vermont Regional Planning Commission

29 Main Street, Suite 4

Montpelier, VT 05602

March 2026 | Version 1

Effective March 2026

This manual establishes the framework, procedures, and requirements for the administration of the Brownfields Revolving Loan Fund (BRLF) operated by the Central Vermont Regional Planning Commission (CVRPC). It is based on the authorities and requirements set forth in the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) Section 104(k), the Fiscal Year (FY) 2025 EPA General Terms and Conditions, Programmatic Terms and Conditions, and guidance provided by the U.S. Environmental Protection Agency (EPA) Brownfields Program, including the Updated BRLF Program Frequent Asked Questions (June 30, 2025).

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Appendix B	Funding Application
Appendix C	Loan Agreement Template
Appendix D	Project Evaluation Criteria
Appendix E	FY2025 EPA Brownfield RLF Terms and Conditions

Acronyms & Abbreviations

ABCA	Analysis of Brownfield Cleanup Alternatives
ACRES	Assessment, Cleanup and Redevelopment Exchange System
AAI	All Appropriate Inquiries
ASTM	American Society for Testing and Materials
BABA	Build America, Buy America Act
BFPP	Bona Fide Prospective Purchaser
BIL	Bipartisan Infrastructure Law
BRELLA	Brownfields Reuse and Environmental Liability Limitation Act
BRLF	Brownfields Revolving Loan Fund Cooperative
CA	Agreement
CACCR	Corrective Action Construction Completion Report
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act
CFR	Code of Federal Regulations
COC	Certification of Completion
CPO	Contiguous Property Owner
CVRPC	Central Vermont Regional Planning Commission
DEC	Vermont Department of Environmental Conservation
ECAA	Evaluation of Corrective Action Alternatives
EPA	U.S. Environmental Protection Agency
ESA	Environmental Site Assessment
FUSRAP	Formerly Utilized Sites Remedial Action Program
FUDS	Formerly Used Defense Sites
ILO	Innocent Landowner
LUST	Leaking Underground Storage Tank
MIA	Made in America
NHPA	National Historic Preservation Act
NPL	National Priorities List
PCBs	Polychlorinated Biphenyls
PO	Project Officer
QAPP	Quality Assurance Project Plan
RCRA	Resource Conservation and Recovery Act
REC	Recognized Environmental Condition
RLF	Revolving Loan Fund
SAP	Sampling and Analysis Plan
SDWA	Safe Drinking Water Act
SF-425	Federal Financial Report Form SF-425
SSQAPP	Site-Specific Quality Assurance Project Plan
TSCA	Toxic Substances Control Act

1.0 Introduction

The Central Vermont Regional Planning Commission (CVRPC) Brownfields Revolving Loan Fund (BRLF) Program is a financial assistance initiative funded by the U.S. Environmental Protection Agency (EPA) under Section 104(k) of Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). The BRLF helps towns, nonprofits, and private entities clean up contaminated sites so they can be safely reused. The fund is supported by a \$1 million EPA award through the Bipartisan Infrastructure Law (Cooperative Agreement BF-00A01669) with a project period of May 16, 2025 – September 30, 2030. Loan repayments will be reinvested in new cleanup projects to build a sustainable BRLF program and keep funds circulating in the region.

The CVRPC's BRLF serves municipalities, nonprofit organizations, and private entities undertaking eligible cleanup projects within its jurisdiction (see **Figure 1**). Funds revolve as loan repayments and interest income are returned to the program and reinvested into additional cleanup projects. EPA Region 1 provides technical oversight and ensures the program's compliance with federal requirements. The Vermont Department of Environmental Conservation (DEC) is also involved in providing technical oversight.

2.0 Governance, Roles, and Responsibilities

CVRPC (the Grantee) serves as the lead agency for BRLF administration. The program is governed by policies established in this manual and the conditions of the cooperative agreement with EPA. The following groups work together to run the BRLF Program effectively:

- **Brownfield Advisory Committee** – Reviews applications, evaluates funding recommendations, and ensures equitable distribution of funds.
- **CVRPC's Board of Commissioners** – Provides oversight and adopts policies for BRLF implementation.
- **CVRPC Executive Committee** – Reviews income and authorizes expenditures for BRLF implementation.
- **RLF Fund Manager** – Handles all financial operations such as underwriting, tracking loan repayments, and preparing reports.
- **Loan Servicer** – Supports the RLF Fund Manager by tracking and managing repayments.
- **Qualified Environmental Professional (QEP)** – Ensures cleanups comply with federal and state technical requirements and assists with work plan and Site-Specific Quality Assurance Project Plan (QAPP) preparation.
- **Borrowers and Subgrantees** – Implement cleanup activities, comply with loan or subgrant terms, and report progress to CVRPC.
- **EPA Region 1** – Provides oversight and reviews site eligibility, QAPPs, and cleanup completion documentation.

3.0 Eligibility Requirements

3.1 Who Can Apply?

Applicants must demonstrate that both the organization and the site meet EPA’s eligibility rules. Eligible entities include municipalities, regional planning commissions, nonprofit organizations, and private for-profit entities that are not potentially responsible parties under [CERCLA Section 107](#). The table below further describes the type of funding different entities are eligible to request.

Table 1: Eligible Loan and Subgrant Applicants

Type of Entity	Loan Eligible	Subgrant Eligible
For-Profits	X	
General purpose unit of local government (as defined in 2 CFR 200.1)	X	X
Land clearance authority or other quasi-governmental entity	X	X
Government entity created by a state legislature	X	X
Regional council or group of general-purpose units of local government	X	X
Redevelopment agency that is chartered or otherwise sanctioned by a state	X	X
State	X	X
Non-Profit Organizations (with or without 501(c)(3) tax exemption)	X	X
Non-Profit Organizations with 501(c)(4) tax exemption that do not lobby	X	X
Non-Profit Organizations with 501(c)(4) tax exemption that <u>do lobby</u> (Not eligible for loans or subgrants)		
Limited liability corporation or limited partnership comprised of 501(c)(3) non-profits	X	X
Qualified community development entity under Section 45(D)(c)(1) of Internal Revenue Code	X	X
Central Vermont Regional Planning Council	X	
Coalition Members	X	X

3.2 Which Sites Qualify?

Eligible sites must meet the definition of a brownfield as defined by [CERCLA Section 101\(39\)](#) and receive approval from the CVRPC’s EPA Project Officer (PO). Excluded sites include properties listed or proposed for listing on the National Priorities List (NPL), properties subject to CERCLA enforcement actions, and federally owned facilities. For petroleum-contaminated sites, eligibility must be confirmed by DEC or approved by EPA Region 1 if DEC declines to make a determination.

Applicants must also document landowner liability protections (Bona Fide Prospective Purchaser, Contiguous Property Owner, or Innocent Landowner) and complete All Appropriate Inquiry (AAI) in accordance with American Society for Testing and Materials (ASTM) Standard E1527-21 prior to property acquisition. In the Brownfields Law, there are defenses to potential liability under CERCLA § 107 that are important in determining whether a potential borrower or subgrantee may use brownfield funds to clean up a site. The Brownfields Law specifies the following three categories of liability protection defenses:

- Bona fide prospective purchaser (BFPP),
- Contiguous property owner (CPO), and
- Innocent landowner (ILO).

Borrowers and subgrantees who are eligible, or wish to become eligible, to receive a loan or subgrant based on liability protection from CERCLA in one of these three categories must meet certain criteria and comply with any continuing obligations to maintain their status as an eligible borrower or subgrantee. These include, but are not limited to, the following:

- All borrowers and subgrantees asserting a BFPP, CPO, or ILO limitation on liability must perform (or have already performed) AAI as provided for in CERCLA §101(35)(B), before acquiring the property.
- Under 40 CFR 312.20, AAI must be conducted “within one year prior to the date of acquisition of the subject property”, but certain time critical elements must be updated within 180 days prior to acquisition.

The most common way of demonstrating an affirmative defense to CERCLA liability is completing a Phase I Environmental Site Assessment (ESA) prior to acquisition of the property. Common elements of the BFPP, CPO, and ILO defense can be found [here](#).

3.3 Subgrant Eligibility Considerations and Restrictions

In addition to a defense to liability identified above, the CVRPC must take into consideration and document the extent to which a subgrant will:

- Facilitate the creation of, preservation of, or addition to a park, greenway, undeveloped property, recreational property, or other property used for nonprofit purposes.
- Meet the needs of a community that has the inability to draw on other sources of funding for environmental remediation and redevelopment because of small population or low income.
- Facilitate the use or reuse of existing infrastructure.
- Promote the long-term availability of BRLF funds.

The subgrantee must retain ownership of the site throughout the cleanup. For the purposes of this type of agreement, the term “ownership” means fee simple title unless EPA approves of a different arrangement. Once the terms of the subgrant are met and the agreement ends, the statutory ownership requirement also ends. CVRPC may not provide a subgrant to itself or another component of its own unit of government or organization.

3.4 Eligible Sites

A site must meet the definition of a “brownfield site” provided in [CERCLA § 101\(39\)\(A\)](#) to be eligible for funding. Brownfield sites are defined as “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.” For a

site to be eligible, the definition considers the primary contaminants to be hazardous or petroleum. These can be contamination from manufacturing sites, automotive body shops, dry cleaners, gas stations, or regulated building materials containing asbestos or lead paint.

3.4.1 Other Eligible Sites

Less common than sites contaminated with hazardous substances or petroleum, the types of sites described in the following subsections are considered brownfields by EPA and generally eligible for BRLF funding from CVRPC.

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3.4.1.1 Sites Contaminated by Controlled Substances

BRLF funds may be used to cleanup sites contaminated by controlled substances unless other factors make the site ineligible. A “controlled substance” is defined under the Controlled Substances Act as “a drug or other substance, or immediate precursor, included in Schedule I, II, III, IV, or V of Part B of this title 21 USC § 802). The term does not include distilled spirits, wine, malt beverages, or tobacco.”

These sites may include private residences, formerly used to manufacture or distribute methamphetamines or other illegal drugs, where there is a presence or potential presence of controlled substances or pollutants, contaminants, or hazardous substances (e.g., red phosphorus, kerosene, acids).

3.4.1.2 Mine-Scarred Land

BRLF funds may be used to clean up mine-scarred lands. Mine-scarred lands include the land, associated waters, and surrounding watersheds where extraction, beneficiation, or processing of ores and minerals (including granite quarries) has occurred. Mine-scarred lands may include but are not limited to:

- abandoned surface and deep mines;
- abandoned waste rock or spent ore piles;
- abandoned roads constructed wholly or partially of waste rock or spent ore;
- abandoned tailings, disposal ponds, or piles;
- abandoned ore concentration mills;
- abandoned smelters;
- abandoned cyanide heap leach piles;
- abandoned dams constructed wholly or partially of waste rock, tailings, or spent ore;
- abandoned dumps or dump areas used for the disposal of waste rock or spent ore;
- acid or alkaline rock drainage; and
- waters affected by abandoned metal mine drainage or runoff, including stream beds and adjacent watersheds.

3.5 Sites Not Eligible for Brownfield Funding

The following sites are excluded from the general definition of a “brownfield site” by statute and under no circumstance can receive funding from CVRPC:

- Sites listed, or proposed for listing, on the National Priority List (NPL) (Superfund Sites).
- Sites subject to unilateral administrative orders, court orders, administrative orders on consent or judicial consent decrees issued or entered into by parties under CERCLA.
- Sites that are subject to the jurisdiction, custody, or control of the United States government, except for land held in trust by the United States government for an Indian tribe. Facilities owned by, or under the custody or control of, the federal government are not eligible for brownfields funding. EPA’s view is that this exclusion may not extend to:
 - privately-owned, Formerly Used Defense Sites (FUDS);
 - privately-owned, Formerly Utilized Sites Remedial Action Program (FUSRAP) properties; and
 - other former federal properties that have been disposed of by the United States government.

3.6 Sites Requiring a Property Specific Determination

Certain sites *may* be eligible for funding from CVRPC, but under [CERCLA § 101\(39\)\(C\)](#), these types of properties require a special approval from EPA.

- Properties subject to planned or ongoing removal actions under CERCLA.
- Properties with facilities that have been issued or entered into a unilateral administrative order, a court order, an administrative order on consent, or judicial consent decree or to which a permit has been issued by the United States or an authorized state under Resource Conservation and Recovery Act (RCRA), the Federal Water Pollution Control Act (FWPCA), the Toxic Substances Control Act (TSCA), or the Safe Drinking Water Act (SDWA).
- Properties with facilities subject to RCRA corrective action (§3004(u) or §3008(h)) to which a corrective action permit or order has been issued or modified to require the implementation of corrective measures.
- Properties where there has been a release of Polychlorinated Biphenyls (PCBs) and all or part of the property is subject to TSCA remediation.
- Properties that include facilities receiving monies for cleanup from the Leaking Underground Storage Tank (LUST) Trust Fund.

3.7 Site Eligibility FAQ

Q: I completed a Phase I ESA on the property I own, is it eligible?

A: Maybe. If the time sensitive elements of the Phase I ESA were completed within 180 days *prior* to closing, the owner may qualify as a Bona Fide Prospective Purchaser (BFPP). If the time sensitive elements of the Phase I ESA were not updated within 180 days *prior to* closing, if the report was over a year old, or if the Phase I ESA was completed after acquisition, the site is not eligible for funding under the BRLF.

Q: If an NPL site is deleted from the list, will the site or parts of the site become eligible for a property specific determination?

A: Yes, subject to eligibility approval by EPA.

Q: If a site has only hazardous building materials and there has been no release to the environment, is this site eligible for funding?

A: Yes, subject to eligibility approval by EPA.

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4.0 Eligible and Ineligible Use of Funds

The BRLF can cover most reasonable costs needed to clean up a site. Common examples include the following but other cleanup-related costs may also qualify:

- Removing, mitigating, or preventing the release or threat of a release of a hazardous substance, pollutant, contaminant, petroleum product, or controlled substance into the environment.
- Using chemicals and other materials to retard the spread of the release or mitigate its effects.
- Oversight of cleanup activities.
- Excavation, consolidation, or removal of contaminated soils.
- Installation of fences, warning signs, or other security or site control precautions.
- Removal of drums, barrels, tanks, or other bulk containers that contain or may contain hazardous substances, pollutants, or contaminants, including petroleum.
- Installation of drainage controls.
- Removal of source materials, including free product recovery.
- Stabilization of berms, dikes, or impoundments; or drainage or closing of lagoons.
- Containment, treatment, or disposal of hazardous materials and petroleum products.
- Cleanup planning/design, to include development and implementation of institutional controls (ICs).

- Site monitoring activities, including sampling and analysis that are reasonable and necessary during the cleanup process, including determination of the effectiveness of a cleanup.
- Sampling as related to design and implementation (confirmatory sampling) of a selected cleanup plan.
- Minor structural repairs to buildings if integral to clean-up health and safety protocols for workers on site.
- Demolition of structures if the activity is integral to the cleanup.
- Cleanup or decontaminating drug labs.
- Immediate provision of alternative water supply, where necessary, to reduce exposure to contaminated household water and continuing until such time as local authorities can satisfy the need for a permanent remedy.
- Purchasing environmental insurance.

Below is a list of expenses that will not be considered eligible or reimbursed under a BRLF loan or subgrant. (Note, this list is not exhaustive.)

- Property acquisition.
- Purchasing equipment.
- Construction and demolition NOT required to access contamination.
- To pay for a penalty or fine.

- Phase I and II ESAs.
- Pre-cleanup costs (e.g., site assessment, identification, and characterization except for site monitoring activities).
- Plaques and signage for historic sites.
- Costs associated with complying with federal or state laws not required for the clean.
- Federal cost share requirements unless statutorily allowed.
- Paying for a cleanup where the property owner or borrower is potentially liable.
- Lobbying activities.
- Job training.
- Unallowable costs under 2 CFR Parts 200 and 1500.

4.1 Eligibility Use of Funds FAQ

Q: If additional activities are required by DEC for a cleanup, are they eligible expenses?

A: Yes, with the exception of site characterization activities, required by the state are usually eligible expenses for the BRLF. For example, monitoring costs are eligible if that is required by DEC to work toward a Certificate of Completion (COC) for the site cleanup (e.g., multiple years of groundwater monitoring may be required by the state). Similarly, activities required by the state to achieve closure on a tank removal are eligible expenses.

Q: Does CVRPC offer discounted loans or loan forgiveness?

A: Yes, as a matter of policy, EPA allows grantees to offer discounted loans as published in the [October 28, 2005 Federal Register Notice](#). CVRPC may offer discounted loans (i.e., loans where a portion of the principal is forgiven when the terms of the loan agreement are satisfied) to states, political subdivisions, as well as nonprofit organizations. Private, for-profit entities are not eligible for discounted loans. In addition, the above referenced 2005 policy specifies that a discounted loan may not be used in combination with a subgrant at the same site. Current EPA program policy limits the forgiveness on an individual loan to no more than 50% of the principal, but not to exceed \$500,000.

Q: Are sampling costs related to the design and implementation of a selected cleanup plan eligible?

A: No.

Q: If DEC requires placement of clean fill after removal of an UST, is the acquisition and placement of the clean fill an eligible expense?

A: Yes.

Q: Can funds be used to record a deed restriction on a property title?

A: Yes.

5.0 Loan and Subgrant Application Process

5.1 Pre-Application

Interested applicants must submit a completed Site Nomination Form to the CVRPC. A copy of the form is attached as **Appendix A**. Montrose Environmental Solutions, Inc. (Montrose), CVRPC's Qualified Environmental Professional (QEP), will review the funding request and background environmental reports with CVRPC, discuss the project with DEC and EPA, and provide a recommendation for next steps or identify missing information needed from the applicant to process the funding request. Upon issuance of a site eligibility determination from EPA (and DEC, if applicable), the applicant will be notified of eligibility.

5.2 Loan Application

If eligible, the applicant will be asked to complete a Funding Application. A copy of the form is attached as **Appendix B**. An analysis and evaluation of each loan application will be made by the BAC and Executive Committee to determine the level of risk based on the applicant's ability to repay the loan and the value of collateral. Once an applicant is deemed eligible, CVRPC and its review committee will evaluate the project's financial and environmental readiness. The CVRPC Executive Committee will make the final funding decision. Final approval of eligibility must be made by EPA.

If the funding request is declined by the CVRPC Executive Committee, the applicant is notified in writing and CVRPC staff will review the project to determine if restructuring and resubmission of the application is appropriate. If the funding request is approved, a commitment letter will be sent to the applicant that includes the amount, rate, terms, and primary conditions for the loan. CVRPC staff will work with the applicant and CVRPC's legal counsel to facilitate loan closing.

5.3 Subgrant Application

If eligible, the applicant will be asked to complete a Funding Application. A copy of the form is attached as **Appendix B**. An analysis and evaluation of each subgrant application will be made by the BAC and Executive Committee to determine the level of risk. Once an applicant is deemed eligible, CVRPC and its review committee will evaluate the project's financial and environmental readiness. The CVRPC Executive Committee will make the final funding decision. Final approval of eligibility must be made by EPA.

If the funding request is declined by the CVRPC Executive Committee, the applicant is notified in writing and CVRPC staff will review the project to determine if restructuring and resubmission of the application is appropriate. If the funding request is approved, a commitment letter will be sent to the applicant that includes the amount, rate, terms, and primary conditions for the subgrant. CVRPC staff will work with the applicant and CVRPC's legal counsel to execute the subgrant agreement.

6.0 Loan and Subgrant Terms

The terms outlined in this section are effective as of **March ##, 2026** and are subject to change at the discretion of the CVRPC Executive Committee.

Table 2 below provides an overview of EPA programmatic requirements by funding type. Additional information is provided in the subsections that follow the table.

Requirements For:	Loan Eligible	Discounted Loan	Subgrant
Site Ownership	Not Required	Not Required	Required
Intra-Governmental	Allowed In Specific Circumstances	Not Allowed	Not allowed
Can be awarded to for-profit entity	Allowed	Not Allowed	Not Allowed
Federal Procurement Standards at 2 CFR 200.317 through 200.327	Not Required	Not Required	Required
Consultant fee cap 2 CFR 1500.10	Not Required	Not Required	Required
Indirect Costs	Not Allowed	Not Allowed	Allowable, 5% administrative cost cap.

6.1 Loan Agreements

The Loan Agreement between CVRPC and the Borrower shall dictate the loan terms and conditions and control the promissory note, and such other documents as may be necessary to complete the particular loan. Final lending decisions and loan negotiations will be conducted by CVRPC with the advice of Legal Counsel. Once the Loan Agreement has been negotiated and agreed upon, a Closing Date will be scheduled.

The Fund Manager shall work with Legal Counsel and the Loan Servicing Agent to prepare draft loan documents for review by CVRPC's BAC and Executive Committee, EPA and the Borrower.

- 1) **Loan Amount.** There is no minimum or maximum loan amount at this time. The value of the loan amount will depend upon the amount of funding available in the BRLF. However, the loan amount may not exceed **90%** of the total approved cleanup cost.
- 2) **Interest Rates.** The BRLF is intended to be a flexible financing tool. The interest rate may be as low as **zero** for non-profits and municipalities or as high as the prime rate, dependent upon the loan term and other project characteristics.
- 3) **Terms.** Loans for environmental remediation typically have terms up to **ten years**. The actual term is negotiable, but the deal must justify the maximum term **of ten years, if requested. CVRPC will give priority**

to short term (6-24 months) “bridge” style loans. Interest only payments may be made available for the first year; however, all loans will be fully amortized by a daily rate.

- 4) **Loan Discounts.** At the discretion of the CVRPC’s BAC and Executive Committee, loans for non-profits and municipalities may be discounted up to **fifty percent (50%)** but not to exceed \$500,000. The discount will only be applied upon the site receiving a Certificate of Completion (COC) or equivalent from the DEC Project Manager. Per EPA rules, discounted loans cannot be given to private or for-profit entities.
- 5) **Security.** CVRPC will utilize prudent lending practices to evaluate whether sufficient and adequate collateral is available to secure all BRLF loans. It will usually be in the form of liens on the assets financed, including fixed assets such as machinery and real estate, accounts receivable, inventory and lease assignments. Liens upon other non-project assets of the Borrower or personal guarantees may also be used to secure the loan. CVRPC’s preference is to have first mortgage on property. If asked to subordinate, CVRPC will seek additional collateral including liens on real or personal property.
- 6) **Promissory Note.** BRLF programs are to provide for the recapture of BRLF funds to be returned for future loan awards. The loan principal and interest of a BRLF loan shall be paid in accordance with any and all applicable loan documents. The entire amount of principal outstanding shall be due and payable in full together with any applicable accrued interest no later than on the expiration of the loan term. Loan agreements are to provide for equity participation on behalf of the Borrower if deemed possible.
- 7) **Cost Share Requirement.** Evidence of a cost share of at least **10%** of the loan amount may be required of all Borrowers. The cost share contribution must be for costs that are eligible and allowable under the Cooperative Agreement between CVRPC and EPA and must be supported by adequate documentation. The cost share may be in the form of a contribution of money, labor, materials, or services from a nonfederal source. Additionally, a “hardship” waiver may be considered for municipalities and non-profit corporations on a case-by-case basis.
- 8) **Fund Disbursements.** CVRPC will provide funding using an “actual expense” disbursement approach requires the borrower to submit documentation of the expenditures to CVRPC in order for CVRPC to request payment from EPA. This includes submittal of invoices describing the work completed **as well as proof of payment for the invoices.** Upon invoice approval, CVRPC will process the disbursement and typically provide payment within **30-45 days.** Disbursement requests may be made by the borrower to CVRPC no more once per month.
- 9) **Completion Date.** All BRLF projects shall be completed in a timely manner (preferably with a maximum remediation project duration of **eighteen [18] months**). A remediation project is considered “complete” once a Corrective Action Construction Completion Report (CACCR), or equivalent, has been submitted and approved by the DEC Site Manager and a COC, or equivalent, is provided by DEC. If circumstances require additional time for completion, a memorandum shall be written and placed in the loan file explaining the reasons for the delay. With the approval of DEC and EPA, CVRPC may extend the deadline for completion. It is within CVRPC’s discretion to suspend or end additional funding if a project is unreasonably delayed. If the BRLF funds are not expended within the allocated time, the amount of the loan not expended may be reallocated to the BRLF to loan to other applicants.
- 10) **Closing the Loan.** The closing date will be scheduled at the convenience of all parties. A list of items necessary for closing will be provided to the Borrower prior to closing.

6.2 Subgrant Agreements

The Subgrant Agreement between CVRPC and the subrecipient shall dictate the grant terms and conditions. Final funding decisions and negotiations will be conducted by CVRPC with the advice of the BRLF Executive Committee and Legal Counsel.

The Fund Manager shall work with Legal Counsel to prepare draft subgrant documents for review by CVRPC's BAC, Executive Committee, EPA and the subrecipient.

- 1) **Grant Amount.** There is no minimum grant award at this time. A maximum grant award of up to \$500,000 may be requested by municipalities and non-profit corporations. The value of the grant amount approved will depend on the amount of funding available in the BRLF. However, the grant amount may not exceed 90% of the total approved cleanup cost.
- 2) **Cost Share Requirement.** Evidence of a cost share of at least 10% of the grant amount may be required of the subrecipient. The cost share contribution must be for costs that are eligible and allowable under the Cooperative Agreement between CVRPC and EPA and must be supported by adequate documentation. For municipalities and non-profit corporations, the cost share may be in the form of a contribution of money, labor, materials, or services from a non-federal source. Additionally, a "hardship" waiver may be considered for municipalities and non-profit corporations on a case-by-case basis.
- 3) **Completion Date.** All BRLF projects shall be completed in a timely manner (preferably with a maximum remediation project duration of eighteen [18] months). A remediation project is considered "complete" once a CACCR, or equivalent, has been submitted and approved by the DEC Site Manager and a COC, or equivalent, is provided by DEC. If circumstances require additional time for completion, a memorandum shall be written and placed in the loan file explaining the reasons for the delay. With the approval of DEC and EPA, CVRPC may extend the deadline for completion. It is within CVRPC's discretion to suspend or end additional funding if a project is unreasonably delayed. If the BRLF funds are not expended within the allocated time, the amount not expended may be reallocated to the BRLF to award to other applicants.

7.0 Community Involvement Requirements

Community involvement is an essential component of the BRLF. Through this process, the public has an opportunity to provide input on the proposed site cleanup and plans for redevelopment, to comment on the required documents drafted in preparation for the environmental cleanup and to have these comments considered in part of the final cleanup decision.

Community involvement activities must be initiated prior to the cleanup of a site and continue throughout cleanup. Final cleanup decisions must not be made prior to carrying out the required community involvement activities. BRLF loan or grant funds may be used to support cleanup planning and community involvement activities. All environmental cleanups require a site-specific Community Involvement Plan (CIP) that includes providing reasonable notice, and the opportunity for public involvement and comment on the proposed cleanup options under consideration for the site. All information, including responses to public comments and administrative

records, may be made available to the public to the extent consistent with 2 CFR § 200.338 and applicable state, tribal, or local law. Requirements for cleanup planning and community involvement are summarized below. A CIP template can be provided to the subrecipient upon request.

7.1 Preparing the Cleanup Plan

7.1.1 Analysis of Brownfield Cleanup Alternatives / Evaluation of Corrective Action Alternatives (ABCA/ECAA)

An ABCA or ECAA is required for all cleanup response actions funded by the BRLF, including lead and asbestos abatement. The ABCA or ECAA must consider the site characteristics, surrounding environment, land-use restrictions, potential future uses, and cleanup goals in order to document that the appropriate type of cleanup is selected to address the site. The ABCA or ECAA must include the following elements:

- Information about the site and contamination issues (i.e., contaminants of concern, exposure pathways, contaminant sources, etc.); cleanup standards; applicable laws; alternatives considered; and the proposed cleanup.
- A comparative analysis of the alternatives being considered using the criteria of effectiveness, implementability and the cost of each alternative. At a minimum, the ABCA or ECAA must include a comparison of the proposed cleanup action and the “no action” alternative. As appropriate, additional cleanup alternatives may be included in the analysis. The ABCA or ECAA should discuss whether/ how each alternative would achieve cleanup standards and applicable laws.
- Cleanup method chosen must be based on this analysis.

DEC and EPA must approve the ABCA or ECAA, except for lead and asbestos abatement projects which only require EPA approval.

7.1.2 Corrective Action Plan (CAP)

A DEC- and EPA-approved CAP is required for all cleanup response actions funded by the BRLF, except for lead and asbestos abatement which only requires EPA approval. The CAP and ABCA/ECAA may be completed as one document providing they satisfy the requirements of the DEC and the EPA, or as separate documents.

7.2 Facilitating Community Involvement

The Subrecipient must designate a community relations spokesperson that is the responsible for establishing the Administrative Record (described below), hosting a public meeting, and responding to any comments received regarding the proposed cleanup alternatives.

The loan or grant Subrecipient must prepare a Community Involvement Plan (CIP) for EPA approval. The CIP should outline the steps to provide notice of proposed cleanup, opportunities for public involvement, process for responding to public comments, and the administrative records that are available to the public.

7.3 Establishing the Administrative Record

CVRPC will maintain an Administrative Record (also referred to as an “information repository”) for the site. The Subrecipient, through a term in the loan/subgrant documents, shall be required to provide the documents to CVRPC. The Administrative Record includes all relevant site information and documents such as site investigation reports, the ABCA or ECAA, and the CAP. The administrative record may also include appropriate sections of loan or subgrant documents necessary to ensure that cleanup requirements are met.

The Administrative Record must be available for review at a location convenient to the public (such as CVRPC’s BRLF project webpage) and will be specified in the CIP and must include:

- The name of the Subrecipient and the proposed cleanup activities.
- An ABCA or ECAA (or equivalent).
- A site-specific CIP for involving and informing the community during the cleanup process.
- Documents or other information that form the basis for selection of a cleanup. Such information may include sampling data, quality control and assurance documentation, site investigation reports, Phase I and Phase II ESA Reports, public health evaluations or risk assessments, and other technical and engineering documents as deemed appropriate by CVRPC or the Subrecipient.
- Documentation of community involvement activities (i.e. meeting agendas and/or meeting minutes).
- Documenting responses to public comments via the Decision Document (described in Section 5.4).
- Verification that cleanup is complete in the form of a Corrective Action Construction Completion Report (CACCR) and/or Certificate of Completion (COC) issued by DEC.

Prior to selecting the final cleanup action for the site, the loan or grant Subrecipient is required to make the ABCA or ECAA available for public comment for a minimum of 30 days and a public meeting must be held during the public comment period to discuss the proposed cleanup and solicit comments from interested parties. The meeting shall be publicly advertised with at least 15 days notice. The Subrecipient may request to include the public comment forum as an agenda item of the local Town’s regularly scheduled SelectBoard meeting. Publishing one public notice in the local newspaper is sufficient advertising for the public meeting provided it is advertised at least 15 days prior to the date of the meeting.

Written comments received as well as oral comments received (via the public meeting or other means), must be documented and responded to within two weeks by the community relations spokesperson.

If the CAP is a separate document, public comment requirements shall be solicited as dictated by DEC. Typical requirements include posting the CAP on DEC’s Environmental Notice Bulletin (ENB) for a minimum of 30 days.

7.4 Issuing the Decision Document

The Decision Document shall include a response to all relevant written and oral comments received during the public comment period and document any change(s) to the final cleanup plan based on the comments received. A Decision Document template can be provided to the subrecipient upon request.

8.0 Environmental Cleanup and Oversight

Each cleanup must follow federal and state environmental standards. Projects require an EPA and DEC-approved ECAA which must also meet EPA's requirements for an ABCA, as well as a Site-Specific Quality Assurance Project Plan or Sampling and Analysis Plan (SSQAPP or SAP). If these documents do not exist, CVRPC and its environmental consultant may assist with preparing them at no cost to borrowers.

Cleanups, if eligible, should be conducted under the oversight of DEC through enrollment in the Brownfields Reuse and Environmental Liability Limitation Act (BRELLA) Program. All activities must comply with applicable federal cross-cutting requirements, including (but not limited to) the Non-Discrimination under Title VI of the Civil Rights Act, prohibitions on covered telecommunications equipment, the Endangered Species Act, National Historic Preservation Act (NHPA), Davis-Bacon Act, and the Build America Buy America Act (BABA). Cleanups not regulated by DEC will be reviewed by the EPA to ensure the protection of human health and the environment.

8.1 Environmental Cleanup and Oversight FAQ

Q: If my site was already cleaned up to commercial/industrial standard and received a COC, can I use BRLF funds to complete additional remediation to a residential standard?

A: Yes. If the proposed reuse requires additional cleanup the BRLF can be used to help.

Q: What happens if a BRLF Loan must be terminated and the cleanup is not complete?

A: If the cleanup is not complete at the time of termination, CVRPC will:

- Document the difference between the amount loaned to the borrower and the cost of cleanup that took place prior to the default;
- secure the site to ensure public safety; and • inform EPA and DEC.

9.0 Cross-Cutting Federal Requirements

Projects funded through the BRLF are subject to federal cross-cutting requirements in [EPA's General Terms and Conditions](#). These include, but are not limited to, Non-Discrimination under Title VI of the Civil Rights Act, prohibitions on covered telecommunications equipment, the Endangered Species Act, National Historic Preservation Act, Davis-Bacon Act, and the Build America Buy America Act described below. For additional information on cross-cutting requirements visit <https://www.epa.gov/grants/epa-subaward-cross-cutterrequirements>.

- **Non-Discrimination under Title VI of the Civil Rights Act:** Non-discrimination refers to the legal requirement that no person in the United States may be excluded from participation in, denied benefits of, or subjected to discrimination on the basis of race, color, or national origin in any program or activity that receives federal financial assistance.
- **Prohibitions on Covered Telecommunications Equipment:** All projects funded by EPA grants must follow federal rules that restrict using or obtaining certain telecom or video-surveillance equipment made by specific, high-risk foreign vendors.
- **Endangered Species Act:** All projects funded by EPA grants must complete Section 7 consultation requirements before cleanup may begin.
- **National Historic Preservation Act (NHPA):** All projects funded by EPA grants must complete Section 106 consultation requirements before cleanup may begin. CVRPC must consider the effect of grant-funded cleanup activities on any historic properties included on or eligible for inclusion on the National Register of Historic Places (NRHP) or “cultural resources.” The Section 106 of NHPA process includes the following steps:
 - Step 1: Initiate Review.
 - Step 2: Determine if the undertaking has the potential to cause an effect.
 - Step 3: Determine if the property is historically or culturally significant.
 - Step 4: Mitigate, if necessary.
- **Davis-Bacon Act of 1931:** CERCLA § 104(g) requires that Subrecipients comply with the prevailing wage rate requirements under the Davis-Bacon Act of 1931 for construction, repair or alteration contracts “funded in whole or in part” with funds provided under the RLF agreement. The Subrecipient must obtain recent and applicable wage rates from the U.S. Department of Labor and incorporate them into the construction, alteration or repair contract. The Subrecipient shall certify that all solicitations and contracts contain the clauses required by the Davis Bacon Act (29 CFR 5.5) and will submit payroll information and “Statement of Compliance” regarding payment of Davis-Bacon wages on a weekly basis to CVRPC’s QEP.
- **Build America, Buy America (BABA):** BRLF-funded cleanup activities that involve construction (such as soil removal, barrier installation, backfill, lead and asbestos abatement, etc.) are most likely to trigger BABA. Effective May 14, 2022, the funds made available under federal financial assistance programs for infrastructure may, “be obligated for a project unless all of the iron, steel, manufactured products, and construction materials used in the project are produced in the United States,” where the “project” means, “any activity related to the construction, alteration, maintenance, or repair of infrastructure, buildings, or real property in the United States.” Waivers may be permitted under certain circumstances approved by EPA. (Note: Made in America [MIA] and BABA are related but not the same. MIA is applicable to federal

contracting. BABA applies to federal financial assistance recipients. Additional information is available at <https://www.epa.gov/baba>.)

10.0 Reporting, Monitoring, and Recordkeeping

Borrowers and subgrantees must submit quarterly progress reports to CVRPC showing cleanup spending and progress. CVRPC compiles these reports for EPA using its ACRES database and financial reporting forms. All project records must be kept for at least three years after the grant closes.

All project related records for BRLF activities must be retained for at least three years by the borrower or subgrant recipient, or longer if required by federal regulations. CVRPC will maintain all project files for a minimum of three years after the Cooperative Agreement closes.

Figures

- Figure 1 CVRPC Jurisdiction
Figure 2 BRLF Process Flowchart

Figure 1 - CVRPC Jurisdiction

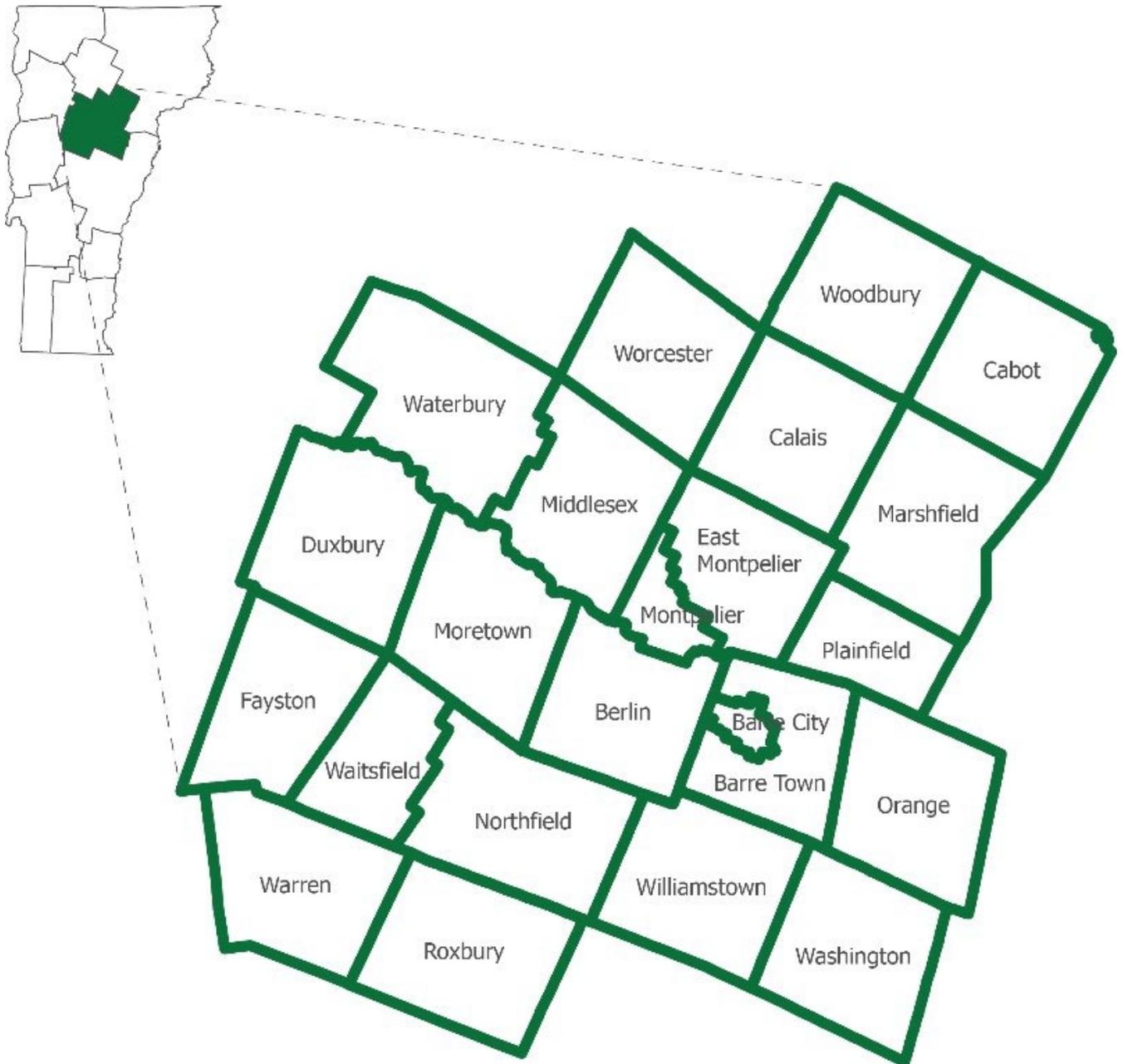
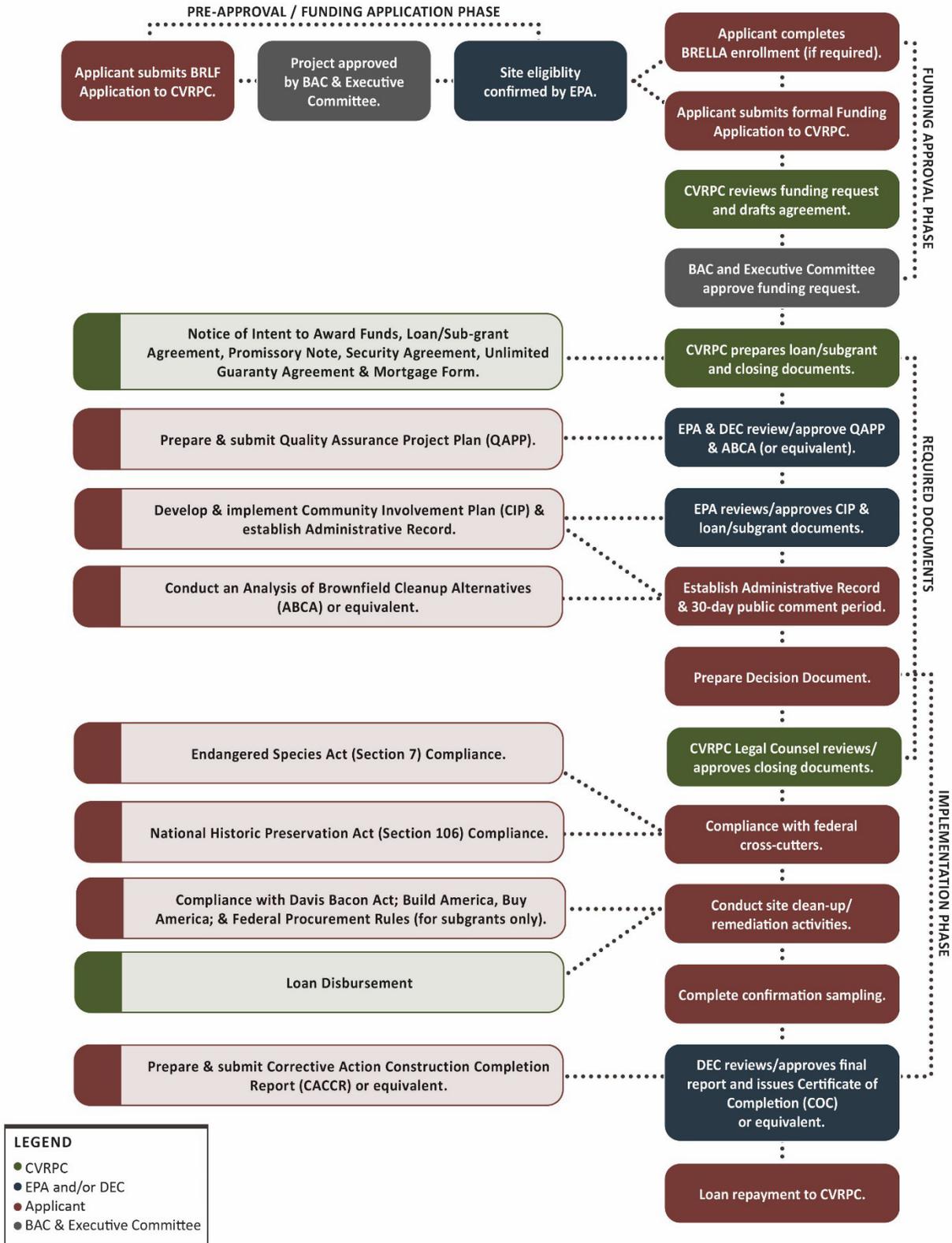


Figure 2 - BRLF Process Flowchart



APPENDIX A

Site Nomination Form

APPENDIX B

Funding Application

APPENDIX C

Loan Agreement Template

APPENDIX D

Project Evaluation Criteria

APPENDIX E

EPA Brownfield RLF Terms & Conditions



MEMO

Date: March 11, 2026
 To: Brownfields Advisory Committee
 From: Eli Toohey, Planner
 Re: Revolving Loan Fund Program Manual Memo

☒ **ACTION REQUESTED:** *move to adopt the Brownfields Revolving Loan Fund Program Manual as drafted.*

The Central Vermont Regional Planning Commission Brownfields Revolving Loan Fund Program Manual was drafted by our QEP, Montrose Environmental with input from CVRPC Brownfields program staff.

This manual establishes the framework, procedures, and requirements for the administration of the Brownfields Revolving Loan Fund (BRLF) operated by the Central Vermont Regional Planning Commission (CVRPC). It is based on the authorities and requirements set forth in the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) Section 104(k), the Fiscal Year (FY) 2025 EPA General Terms and Conditions, Programmatic Terms and Conditions, and guidance provided by the U.S. Environmental Protection Agency (EPA) Brownfields Program, including the Updated BRLF Program Frequent Asked Questions (June 30, 2025).

There are several decision points that we will review during our March 19, 2026 Brownfields Advisory Committee meeting. Each loan terms decision point is listed as drafted with a page number for reference and rationale for the loan terms.

Section 6.1 Loan Agreements, Page 9,

1) Loan Amount. There is no minimum or maximum loan amount at this time. The value of the loan amount will depend upon the amount of funding available in the BRLF. However, the loan amount may not exceed **90%** of the total approved cleanup cost.

Recommendation Rationale:

The program does not establish a minimum or maximum loan amount in order to maintain

flexibility and respond to the wide variation in environmental cleanup costs associated with brownfield sites. Cleanup costs can vary significantly depending on site size, contamination type, regulatory requirements, and redevelopment plans. Allowing the loan amount to be determined based on available funds in the BRLF enables the program to support a broader range of projects while ensuring responsible management of limited resources.

Limiting loans to no more than 90% of the total approved cleanup cost ensures that borrowers maintain a financial stake in the project, which helps reduce financial risk to the fund and encourages strong project commitment and due diligence by the borrower. This cost-share approach also helps leverage additional public or private investment and allows BRLF resources to support more projects over time.

2) Interest Rates. The BRLF is intended to be a flexible financing tool. The interest rate may be as low as **zero** percent for non-profits and municipalities or as high as the prime rate, dependent upon the loan term and other project characteristics.

Recommendation Rationale:

The BRLF is designed to function as a flexible financing tool that can support a wide range of borrowers and project types while advancing community redevelopment goals. Establishing a variable interest rate structure allows the program to tailor financing to the financial capacity of the borrower, the public benefits of the project, and the overall risk profile.

Allowing interest rates as low as zero percent for municipalities and non-profit organizations recognizes that these entities often undertake projects that provide significant public benefits, such as affordable housing, community facilities, and environmental remediation, but may have limited access to traditional financing. Reduced or zero-interest loans help remove financial barriers to addressing contaminated properties that might otherwise remain idle. At the same time, allowing interest rates up to the prime rate for other borrowers ensures that the BRLF can responsibly manage financial risk and generate loan repayments that help replenish the fund. This approach supports the long-term sustainability of the revolving loan fund by enabling capital to be recycled into future cleanup projects, thereby expanding the program's impact over time.

3) Terms. Loans for environmental remediation typically have terms up to **ten years**. The actual term is negotiable, but the deal must justify the maximum term of ten years, if requested. **CVRPC will give priority to short term (6-24 months) "bridge" style loans. Interest only payments may be made available for the first year; however, all loans will be fully amortized by a daily rate.**

Recommendation Rationale:

Loan terms of up to ten years provide borrowers with sufficient time to complete environmental remediation and integrate cleanup costs into the overall redevelopment financing structure. Because brownfield redevelopment projects can vary significantly in complexity, allowing the

loan term to be negotiated provides the flexibility needed to align repayment schedules with project timelines, financing structures, and anticipated revenue streams. Requests for the maximum term must demonstrate clear financial or project-based justification to ensure responsible use of limited BRLF resources.

CVRPC will prioritize short-term “bridge” loans (6–24 months) because these loans help address immediate funding gaps that often delay or prevent site cleanup. Bridge financing can allow projects to move forward while borrowers secure longer-term financing, redevelopment funding, or property transfers. Shorter loan durations also allow BRLF funds to revolve more quickly, enabling the program to support a greater number of cleanup projects over time. Allowing interest-only payments during the first year provides borrowers with flexibility during the early stages of cleanup, when project costs are typically highest and redevelopment revenue may not yet be available. Requiring that all loans be fully amortized on a daily rate thereafter ensures consistent repayment of principal and interest, supports sound financial management of the fund, and helps maintain the long-term sustainability of the revolving loan program.

4) Loan Discounts. With a recommendation from the BAC, loans for non-profits and municipalities may be discounted up to **fifty percent (50%)** but not to exceed \$500,000. The discount will only be applied upon the site receiving a Certificate of Completion (COC) or equivalent from the DEC Project Manager. Per EPA rules, discounted loans cannot be given to private or for-profit entities.

Recommendation Rationale:

Loan discounts are intended to incentivize the cleanup and productive reuse of contaminated properties that provide significant public benefit while ensuring compliance with federal BRLF requirements. Allowing the CVRPC to approve discounts of up to 50%, not to exceed \$500,000, provides the program with the flexibility to support projects led by municipalities and non-profit organizations that may have limited financial capacity but are pursuing redevelopment activities that advance community priorities such as affordable housing, public infrastructure, open space, or community facilities.

Requiring that the discount only be applied after the site receives a Certificate of Completion (COC) or equivalent from the Vermont Department of Environmental Conservation (DEC) Project Manager ensures that the environmental remediation has been successfully completed in accordance with state regulatory requirements. This condition protects the integrity of the fund by tying the financial incentive directly to verify cleanup outcomes and encourages borrowers to fully complete the remediation process.

Limiting discounted loans to non-profit and municipal borrowers also ensures compliance with the requirements of the EPA Brownfields Revolving Loan Fund program, which does not allow loan forgiveness or subsidy to be provided to private or for-profit entities. This policy ensures that the program remains aligned with federal regulations while still enabling CVRPC to use loan

discounts strategically to advance public-benefit brownfield redevelopment projects.

Section 6.1 Loan Agreements Page 10,

7) Cost Share Requirement. Evidence of a cost share of at least 10% of the loan amount may be required of all Borrowers. The cost share contribution must be for costs that are eligible and allowable under the Cooperative Agreement between CVRPC and EPA and must be supported by adequate documentation. The cost share may be in the form of a contribution of money, labor, materials, or services from a non-federal source. Additionally, a “hardship” waiver may be considered for municipalities and non-profit corporations on a case-by-case basis.

Recommendation Rationale:

Requiring evidence of a minimum 10% cost share helps ensure that borrowers have a meaningful financial stake in the environmental remediation project. Borrower participation encourages careful project planning, cost control, and long-term commitment to successful cleanup and redevelopment. It also helps leverage additional non-federal resources, allowing the Brownfields Revolving Loan Fund (BRLF) to support more projects and maximize the impact of available funding.

Limiting the cost share to eligible and allowable costs under the Cooperative Agreement with the EPA ensures compliance with federal program requirements and protects the integrity of the fund. Requiring adequate documentation of the cost share contribution provides transparency and accountability in the use of public funds.

Allowing cost share contributions in the form of cash, labor, materials, or services from non-federal sources provides flexibility for borrowers and recognizes that many brownfield projects, particularly those led by municipalities and non-profit organizations, rely on a combination of financial and in-kind resources to move forward.

Finally, permitting a case-by-case hardship waiver for municipalities and non-profit organizations allows the Central Vermont Regional Planning Commission to reduce barriers for projects that deliver strong public benefits but may face financial constraints. This flexibility helps ensure that important community redevelopment and environmental cleanup projects are not prevented from moving forward due to limited local funding capacity while still maintaining overall program accountability.

8) Fund Disbursements. CVRPC will provide funding using an “actual expense” disbursement approach requires the borrower to submit documentation of the expenditures to CVRPC in order for CVRPC to request payment from EPA. This includes submittal of invoices describing the work completed **as well as proof of payment for the invoices.** Upon invoice approval, CVRPC will process the disbursement and typically provide payment within **30-45** days. Disbursement requests may be made by the borrower to CVRPC no more once per month.

Recommendation Rationale:

The “actual expense” disbursement approach ensures that project funds are used solely for eligible and completed activities and complies with federal financial management requirements

associated with funding from the EPA. Requiring borrowers to submit invoices and proof of payment provides documentation that the work has been completed and that expenses are legitimate project costs. This process helps maintain transparency, reduces the risk of misuse of federal funds, and ensures that CVRPC can accurately document expenditures when requesting reimbursement from EPA. The monthly disbursement schedule and 30–45-day processing period allow adequate time for invoice review, verification of eligibility, and compliance with federal grant administration and auditing standards.

9) Completion Date. All BRLF projects shall be completed in a timely manner (preferably with a maximum remediation project duration of **eighteen [18] months**). A remediation project is considered “complete” once a Corrective Action Construction Completion Report (CACCR), or equivalent, has been submitted and approved by the DEC Site Manager and a COC, or equivalent, is provided by DEC. If circumstances require additional time for completion, a memorandum shall be written and placed in the loan file explaining the reasons for the delay. With the approval of DEC and EPA, CVRPC may extend the deadline for completion. It is within CVRPC’s discretion to suspend or end additional funding if a project is unreasonably delayed. If the BRLF funds are not expended within the allocated time, the amount of the loan not expended may be reallocated to the BRLF to loan to other applicants.

Recommendation Rationale:

Establishing a preferred maximum remediation duration helps ensure that contaminated sites are addressed promptly, reducing potential environmental and public health risks while supporting timely redevelopment. The requirement that projects be considered complete only after submission and approval of a Corrective Action Construction Completion Report (CACCR) and issuance of a Certificate of Completion (COC), or equivalent documentation, by the Vermont DEC ensures that remediation activities meet state regulatory standards and have been formally verified by the responsible regulatory authority.

Documenting delays through a memorandum maintains transparency and provides a clear administrative record for project oversight and auditing. Allowing deadline extensions with approval from the Vermont DEC and the EPA ensures flexibility when legitimate project challenges arise while maintaining compliance with federal grant requirements.

Finally, giving CVRPC the discretion to suspend funding for projects that experience unreasonable delays and to reallocate unused funds allows the program to maximize the impact of limited remediation resources and ensure that funds remain available for other eligible brownfield cleanup projects.

Page and Section in Draft Manual: page 11, Section 6.2 Subgrant Agreements

1) Grant Amount. There is no minimum grant award at this time. A maximum grant award of up to **\$500,000** may be requested by municipalities and non-profit corporations. The value of the grant amount approved will depend on the amount of funding available in the BRLF. However, the grant amount may not exceed **90%** of the total approved cleanup cost.

Recommendation Rationale:

Establishing no minimum grant amount allows the program to support a wide range of brownfield cleanup projects, including smaller sites where limited financial assistance can still enable meaningful environmental remediation and redevelopment. This flexibility helps ensure that communities with varying project sizes and financial needs, particularly smaller municipalities and nonprofit organizations, can access funding.

Setting a maximum grant amount of up to \$500,000 helps distribute available funds equitably among multiple eligible projects and ensures that the BRLF can assist several sites rather than concentrating resources on a single project. The final grant amount is dependent on available BRLF resources, allowing the administering agency to manage funds responsibly and align awards with overall program capacity.

Limiting grant funding to no more than 90% of the total approved cleanup cost encourages recipients to contribute a portion of project funding from other sources. This cost-share requirement promotes local investment in the project, leverages additional public or private funding, and helps ensure that recipients remain financially committed to the successful completion of the cleanup. The structure also aligns with grant guidelines established by the EPA for Brownfields Revolving Loan Fund programs.

2) Cost Share Requirement. Evidence of a cost share of at least 10% of the grant amount may be required of the subrecipient. The cost share contribution must be for costs that are eligible and allowable under the Cooperative Agreement between CVRPC and EPA and must be supported by adequate documentation. For municipalities and non-profit corporations, the cost share may be in the form of a contribution of money, labor, materials, or services from a non-federal source. Additionally, a “hardship” waiver may be considered for municipalities and non-profit corporations on a case-by-case basis.

Recommendation Rationale:

Requiring a cost share of at least 10% helps ensure that subrecipients have a meaningful financial or in-kind investment in the project, which can promote careful project planning, efficient use of resources, and a strong commitment to successful cleanup outcomes. Requiring documentation that cost share contributions are eligible and allowable under the cooperative agreement helps maintain accountability and ensures compliance with federal grant management standards associated with funding from the EPA.

Allowing municipalities and nonprofit corporations to meet the cost share requirement through non-federal contributions such as labor, materials, or services provides flexibility for communities that may have limited cash resources but can still support the project through other tangible contributions. This flexibility can broaden access to the program, particularly for smaller or resource-constrained communities.

Providing the option for a hardship waiver on a case-by-case basis allows CVRPC to ensure that the cost share requirement does not prevent important environmental remediation projects from moving forward in communities with limited financial capacity. At the same time, case-by-case review preserves oversight and ensures that waivers are granted only when justified and

consistent with program requirements.

CVRPC BROWNFIELD PROGRAM UPDATES

February 19, 2026

These updates keep the Brownfields Advisory Committee informed about program activities, potential modifications to state and federal programs and practices, and other news that may be of interest. CVRPC Brownfields Program receives funding from Mount Ascutney Regional Planning Commission through a subgrant agreement for assessments. This subgrant agreement is active through June 30, 2026. The program also received funding through EPA Brownfields Assessment Grant and an EPA Brownfields Revolving Loan Fund grant. The project period for the Brownfields Coalition Assessment Grant is 5/16/2025 - 09/30/2029. The project period for the Brownfields Revolving Loan Fund is 05/16/2025 - 09/30/2030. Acronyms and brownfield-related terms are defined at the end of this document. Please feel free to share additional acronyms or terms you would like explained.

Upcoming Workshops and Conferences

Vermont Environmental Consortium (VEC) Spring Conference. April 30th, 2026, at the Film House @ Main Street Landing, Burlington. The last session of the day includes *Brownfield Funding Stack* and *CHIP and Brownfields*. More information can be found here: [Events — Vermont Environmental Consortium](#)

Many free Grow America office hours and workshops can be found here; [The Grow America EPA-supported Technical Assistance for Brownfields Collaboration – Grow America EPA RLF TAB](#)

Grow America is hosting a Brownfields Workshop Series and there is one in Portland, Maine May 28-29, 2026 @ the *Holiday Inn Portland – By the Bay*. Lodging must be booked by April 27th, 2026. Find more information here; [Brownfields RLF Workshop Series – Grow America EPA RLF TAB](#)

The Revitalizing New England Brownfields Summit 2026 is December 9th and 10th @ the Newport Marriot in Newport Rhode Island. More information can be found here; [2026 Brownfields Summit](#)

The next National Brownfields Conference is May 25-28, 2027 in Salt Lake City, Utah. Find more information on that here; [2027 National Brownfields Training Conference](#)

Brownfields Advisory Committee

Active Sites

EPA Brownfields Assessment Coalition Grant Sites

707 Stonecutters Way, Montpelier

This site is located at 707 Stonecutters Way (the old RK Myles lo, next to the Hunger Mountain Coop). In December 2025 the Coop submitted a site nomination form requesting funding of a Supplemental Phase II ESA. The project is BRELLA enrolled, had a Phase I done prior to the transfer to the Hunger Mountain Coop and a Phase II done by Stone Environmental in June 2025. Exceedances of VOCs, PAHs and heavy metals were found, and a Supplemental Phase II ESA was recommended. The Brownfields Advisory Committee passed a motion to recommend to the CVRPC Board of Commissioners' Executive Committee to fund the Supplemental Phase II.

SMS #:	2025-5528
Reuse:	TBD
Owner:	Hunger Mountain Coop
Developer:	TBD
Assessment Activity:	Requested Supplemental Site Investigation
Assessment Status:	Phase I ESA was completed in April 2025, Phase II ESA completed in June 2025. Awaiting site eligibility approval from EPA prior to CVRPC Board of Commissioners' Executive Committee approval.
Funds recommended:	TBD, initial proposed amount \$41,057.08
Contractor:	Montrose/Stone Environmental
BRELLA status:	Enrolled

Update: 707 Stonecutters Way has completed Phase I and Phase II ESAs and is BRELLA enrolled. During the January 15, 2026 Brownfields Advisory Committee the advisory committee recommended a Phase II Supplemental for the site. The site is currently awaiting site eligibility approval from the EPA prior to CVRPC Board of Commissioners' Executive Committee approval. Assessment will commence following this approval.

Next Steps: Work with Montrose and EPA on site eligibility approval process. Include the project in the next CVRPC Board of Commissioners' Executive Committee meeting following EPA site eligibility approval. Work with Montrose, Stone Environmental, DEC and EPA to get Supplemental Phase II ESA completed.

203 Country Club Road, Montpelier

Brownfields Advisory Committee

SMS #:	2022-5116
Reuse:	Housing and Community Center
Owner:	City of Montpelier
Developer:	TBD
Assessment Activity:	BAC made the recommendation for the CVRPC Board of Commissioners to fund a Supplemental Phase II ESA (12-18-2025 Meeting).
Assessment Status:	Awaiting EPA Site eligibility approval prior to CVRPC Board of Commissioners' Executive Committee approval.
Funds recommended:	TBD, initial proposed amount \$50,543.55
Contractor:	Montrose/Stone Environmental
BRELLA status:	Enrolled

Update: 203 Country Club Road has completed the site nomination form and gone through site selection process. During the 12-18-25 Brownfields Advisory Committee the committee made the recommendation to the CVRPC Board of Commissioners to fund a Phase II Supplemental ESA. The Site Eligibility Checklist form is fully signed and has been sent to EPA for review. Once approved Phase II Supplemental ESA will go to the CVRPC Board of Commissioners' Executive Committee for approval and assessment will commence.

Next Steps: Work with Montrose and EPA on site eligibility approval process. Work with Montrose, Stone Environmental, DEC and EPA to get Supplemental Phase II ESA completed.

9 Heaton Street, Montpelier

Withdrew Request in February, 2026

Mount Ascutney Regional Commission Assessment Funds FY24 Sites

33 North Main Street, Waterbury

SMS #:	TBD
Reuse:	Flood Plain Restoration/FEMA Buyout
Owner:	Clark Feres
Prospective Owner:	Waterbury
Developer:	N/A
Assessment Activity:	BAC made the recommendation for the CVRPC Board of Commissioners to fund a Phase I ESA in 2025.
Assessment Status:	Phase I completed.

Brownfields Advisory Committee

Funds recommended:	\$1,000 (part of contract for \$2,000 to do 33 & 35 North Main Street at the same time)
Contractor:	LE Environmental
BRELLA status:	Pending BRELLA enrollment

Update: 33 North Main Street, Waterbury had a delay in Phase I assessment due to property access issues. As of January 5, 2026, LE Environmental was able to access the site and the Phase I report will be completed by the end of January 2026. The BRELLA application is taking longer than anticipated and Waterbury is having to do a parcel survey to meet the BRELLA application requirements. CVRPC staff reached out to Mount Ascutney program staff and have confirmed that an extension of the subgrant is approved and that funding is not dependent on BRELLA enrollment, just BRELLA eligibility (site is eligible). The extension will extend the funding period through June 30, 2026. Worked with MARC and DEC to make sure all contract and reporting requirements were completed. Findings were four Recognized Environmental Conditions (RECs) including the historic gas station, a probable fuel oil Underground Storage Tank (UST), probable enrichment of lead in shallow soils surrounding the house due to peeling paint, and the basement fuel oil spill in 2011. A recommendation to evaluate/remove the USTs and perform appropriate assessments and investigations is included in the executive summary.

Next Steps: Referred to Two Rivers-Ottawaquechee Regional Commission (TRORC) as they are doing FEMA Buyouts assessments for selected sites statewide through CDBG-DR funds.

35 North Main Street, Waterbury

SMS #:	TBD
Reuse:	Flood Plain Restoration/FEMA Buyout
Owner:	Clothes Quarters, LLC
Prospective Owner:	Waterbury
Developer:	N/A
Assessment Activity:	BAC made the recommendation for the CVRPC Board of Commissioners to fund a Phase I ESA in 2025.
Assessment Status:	Phase I completed.
Funds recommended:	TBD, \$1,000 (part of contract for \$2,000 to do 33 & 35 North Main Street at the same time)
Contractor:	LE Environmental
BRELLA status:	Pending BRELLA enrollment

Brownfields Advisory Committee

Update: 35 North Main Street, Waterbury had a delay in Phase I assessment due to property access issues. As of January 5, 2026, LE Environmental was able to access the site and the Phase I report will be completed by the end of January 2026. The BRELLE application is taking longer than anticipated and Waterbury is having to do a parcel survey to meet the BRELLE application requirements. CVRPC staff reached out to Mount Ascutney program staff and have confirmed that an extension of the subgrant is approved and that funding is not dependent on BRELLE enrollment, just BRELLE eligibility (site is eligible). The extension will extend the funding period through June 30, 2026. Worked with MARC and DEC to make sure all contract and reporting requirements were completed. Findings were one Recognized Environmental Condition (REC): likelihood of petroleum contamination due to historic activities and incidents at 33 North Main Street. A recommendation to perform appropriate assessments and investigations is in the executive summary.

Next Steps: Referred to Two Rivers-Ottawaquechee Regional Commission (TRORC) as they are doing FEMA Buyouts assessments for selected sites statewide through CDBG-DR funds.

Program Outreach

Continue to outreach to prospective sites, finance partners, real estate partners, and municipal leaders about CVRPC Brownfields Program and current funds available.

Work Plan and Budget

Mount Ascutney Regional Commission Assessment Subaward - FY24

The Mount Ascutney Regional Commission Assessment subgrant for FY24 has funded 3 completed assessment projects and has one currently underway (this one includes 2 properties at 33 & 35 North Main Street in Waterbury. The total encumbered amount for these projects is \$ 92,653. Not all of these projects spent the full proposed amounts and there is a remaining encumbered balance of \$2,021.05. We will have our last progress report due Here is a list of the projects funded with FY 24 MARC Subaward funds;

- 203 Country Club Road, Montpelier - Phase II ESA
- 173 South Main Street, Barre – Supplemental Phase II ESA
- 300-302 Granger Road, Berlin – Corrective Action Plan (CAP) Planning
- 33 & 35 North Main Street, Waterbury – 2 Phase I ESAs

Brownfields Advisory Committee

EPA Brownfields Coalition Assessment and Revolving Loan Fund Grants

No assessment or loan funds have been requested to date. Funding through EPA Brownfields Assessment Grant and an EPA Brownfields Revolving Loan Fund grant is for the following periods, 5/16/2025 - 09/30/2029 and 05/16/2025 - 09/30/2030, respectively.

Program updates

Ongoing EPA Coalition Assessment Grant Work:

- Sites recommended for assessment being monitored
 - 203 Country Club Road, Montpelier – During the 12/18/25 Brownfields Advisory Committee the committee made the recommendation to the CVRPC Board of Commissioners’ Executive Committee to fund a Phase II Supplemental ESA Property Access Agreement has been completed, and Supplemental Phase II is being reviewed by the EPA for site eligibility. It will also be reviewed by EPA and DEC (site eligibility must be resent as originally was sent as co-mingled which is not eligible so it has to be sent in with the petroleum release section filled out. The cost will be based on the final scope. This will be reviewed by the next CVRPC Executive Committee for funding approval after EPA site eligibility approval.
 - 707 Stonecutters Way, Montpelier – BAC made the recommendation to fund during the 1/15/26 meeting. The site eligibility checklist has gone to the EPA for review. They requested more information on why the site needs a Supplemental Phase II to aid in cleanup planning and future decisions for remediation. Property Access Agreement has been completed.
 - 150 Ayers Street, Barre City – BAC made the recommendation to fund to the CVRPC Board of Commissioners’ Executive Committee a Phase I during their 2/19/26 meeting. Site eligibility checklist is being prepared for the EPA site eligibility approval process. Property access agreement is being prepared.
- Outreach for potential site nominations
 - Prospect Heights, Barre has historical uses that require a Phase I. KAS was hired by the City of Barre. May be nominated for CVRPC funds if further assessment is needed.
 - 143 Main Street, Barre Area Development contracted with Weston & Sampson to do a Phase I and findings conclusion included;
 - Petroleum-impacted soils left in place at the Subject Property associated with SMS #1996-2006.

Brownfields Advisory Committee

- Likely impacts associated with the historical presence of several dry cleaning and auto repair facilities in the vicinity and upgradient of the Subject Property.
- Likely impacts associated with a drum in the basement of the Subject Property.
- Documented petroleum and chlorinated-solvent impacts to the Subject Property associated with the adjoining property (SMS #2014-4500).
- The likely presence of arsenic, lead, and PAHs in soil based on the Subject Property's location in a VTDEC-designated Urban Background Area.
- The likely presence of hazardous building materials associated with the Subject Property building.
- Portions of the Subject Property could not be observed due to flooding and structural issues, precluding full evaluation of potential RECs in these areas.

They are BRELLA enrolled. The property has been transferred to the City of Barre. Barre Area Development Corporation (BADC) filled out a site nomination form for the site with a request for a Phase II.

Ongoing Revolving Loan Fund Work:

- Research and checklist for potential contracting of underwriter and/or loan servicing agent. Request for Proposals for Financial Services to manage the CVRPC Brownfields Revolving Loan Fund is being drafted. This will be on March's BAC meeting agenda.
- Draft of Revolving Loan Fund Program Manual is completed, will need terms recommendations to the CVRPC Executive Committee. Staff recommend BAC makes initial recommendation for loan/subgrant awards. The Executive Committee will make the final decision for loan/subgrant awards. This will be on the agenda for March's BAC meeting.
- The goal is to have the Revolving Loan Fund active by April/May, 2026

Brownfield Assessment Activities		
Acronym	Assessment Activity	Description
Phase I ESA*	Phase I Environmental Site Assessment	-Background information gathering and historical records review -Visual site inspections -Other requirements according to ASTM standards

Brownfields Advisory Committee

Phase II ESA	Phase II Environmental Site Assessment	-Subsurface Soil Sampling -Groundwater Sampling -Ecological Assessment (if necessary) -Quality Assurance Project Plan (QAPP) required by EPA
Supplemental Phase II ESA	Supplemental Phase II Environmental Site Assessments	-Subsurface soil sampling and groundwater sampling to determine the extent of contamination found in the initial Phase II ESA
SSQAPP**	Site Specific Quality Assurance Project Plan	- a document that outlines the procedures that those who conduct a monitoring project will take to ensure that the data they collect and analyze meets project requirements. - invaluable planning and operating tool that outlines the project's methods of data collection, storage and analysis
HBM	Hazardous Building Materials Assessment	- Assessments for the hazardous materials that impact building use, renovation or demolition. - Determines if hazardous substances are present and in what quantities, and then develop options and costs for management or removal.
ECAA	Evaluation of Corrective Action Alternatives	- Evaluation of remediation options and associated costs, while balancing environmental protection and site redevelopment goals - Identification of redevelopment scenarios - Identification of remedial alternatives Engineering evaluation of remedial alternatives and selection of preferred alternative - Required by DEC to be included in all DEC approved Corrective Action Plans
CAP	Corrective Action Planning Activities	A plan detailing the specific remedial actions necessary to implement the preferred alternative selected in the ECAA process.
<p>Notes: *Phase I ESAs for current owners of a property may be eligible projects. This would be reviewed by DEC on a project basis as this funding is not intended to benefit potentially liable parties.</p> <p>**This is State funding so SSQAPPs are not needed. However, the expense may be eligible if a SSQAPP is needed, such as if state funding is partnered with federal funding for the project. This can be determined on a project basis.</p>		