



## The Lifecycle of a Brownfield

April 2025



An aerial photograph of a wide river flowing through a landscape with dense forests. The trees on the banks are in various stages of autumn, showing shades of yellow, orange, and green. The river itself is a deep blue-grey color. In the distance, the horizon is flat under a pale blue sky with some light clouds. A semi-transparent dark blue box with rounded corners is overlaid on the lower half of the image, containing the text.

# Our mission

Protect and improve the environment and enhance human health.



# Purpose of the Brownfield Program

Created by the legislature to address liability concerns & provide technical oversight for voluntary parties

## **Voluntary Parties include:**

- Developers
- Local Units of Government
- Lenders
- Property/Business Owners
- Non-Profit Organizations
- Anyone involved in buying, selling, financing, or redeveloping contaminated property

# Key Players



Local Government Agencies: MPCA



Property Owner



Developers



Economic Redevelopment Groups



Lenders and Financial Groups



Environmental Consultants

# MPCA's Brownfield Program



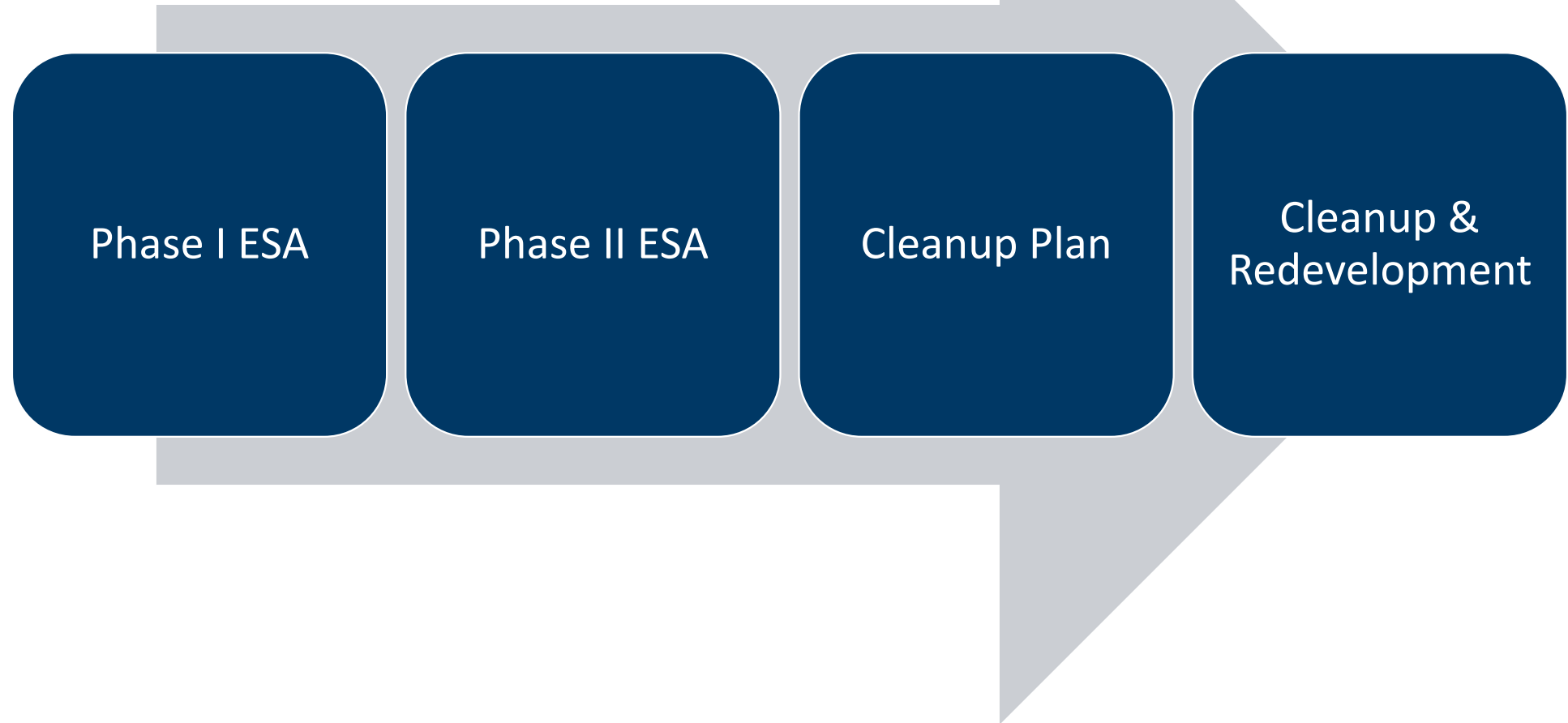
## Petroleum Brownfields Program (PBP)

- MN Statute 115.C, the Petroleum Tank Release Cleanup Act
- Petroleum related contaminants



## Voluntary Investigation & Cleanup (VIC) Program

- MN Statute 115.B, the Minnesota Environmental Response & Liability Act "MERLA" - Minnesota's version of the Superfund Law
- Non-petroleum contaminants



**How it Works**

# Due Diligence Phase I ESA

- Due Diligence is important!

- Required by most commercial lenders
- Helps protect your financial investment
- Helps protect workers in the building
- Helps protect workers doing work underground
- Gives liability protection to redevelopers

Properties might look OK, but can have hidden and costly environmental issues

- Phase I Environmental Site Assessment – the desktop review

What are the likely environmental issues at a property?

- deed and title research
- search of government records & databases
- review of historical information
  - Aerial photos
  - Topos
  - City directories
  - Local records
  - interviews
- property ownership and uses
  - Likely contamination from things like dry cleaners, gasoline stations, manufacturing, etc.
- visual inspection of the property



- Phase II Environmental Site Assessment – the sampling

Collect samples to test for contaminants

- soil
- groundwater
- soil vapor
- sub-slab soil vapor,
- building material samples

# Clean-up Plans

- Clean-up plans aka Response Action Plans (RAPs)

If contaminants are found at levels greater than risk values, then a clean-up plan is needed

- Defines what will be cleaned up
- How excavated soil will be managed
- How to handle dewatering
- Imported fill
- Vapor mitigation systems
- Confirmation sampling plan
- Includes a contingency plan for unexpected items

# Clean-up and Redevelopment

- Implementation of the clean-up plan.

- Removal or treatment of contaminants from
  - Soil
  - Ground water
  - Surface water
  - Vapor
- Removal or treatment by use of
  - Chemical stabilization
  - Bioremediation
  - Thermal desorption
- Continuous monitoring is crucial in maintaining the integrity of the remediation process.

# Liability Assurances

- The Brownfield Program services include **technical assistance** and **issuance of liability assurance letters** to promote the investigation, cleanup, and redevelopment of property contaminated with petroleum and/or hazardous substances. These can be important for project financing.
- Voluntary parties can seek documentation from the MPCA showing that they will not be held responsible under state statute for contamination identified at a property, and/or confirming that the identified contamination does not pose a risk to human health or the environment based on the current or proposed property use.

# MPCA Petroleum Liability Letters

## Statutory Liability Letters

1. General Liability Letter
2. Leak Site Tank Removal Verification Letter
3. Off-site Source Determination

✓ These letters are commonly requested by banks for project financing

## Technical Letters

1. Petroleum No Action Letter
2. Petroleum Closure for an active leaksite
3. Petroleum Leak Site File Closure Confirmation Letter
4. Response Action (and/or Construction Contingency Plan) Approval
5. Response Action Complete/Petroleum No Action Letter (aka RAP Implementation Approval)





# MPCA Voluntary Investigation and Clean-up Letters



1. Technical assistance for hazardous substances, pollutants, or contaminants
2. No Action or No Further Action Letter
3. Statutory liability assurances for hazardous substances, pollutants, or contaminants

# Tips for Success



ENTER THE PROGRAM WITH A ROBUST PHASE II.  
THIS HELPS TO PREVENT THE NEED FOR  
ADDITIONAL SAMPLING AND REPEATING WORK.



ENTER THE PROGRAM WITH YOUR DEADLINES IN  
MIND. MAKE SURE YOU LEAVE TIME FOR  
UNEXPECTED DELAYS.



CONTACT US EARLY IF YOU'RE UNSURE.


# Changes Coming

- We will soon be requesting a cover letter. Please consider the following questions:
  - Will you be applying for grants for this project?
  - Why did you enroll in the program? For example, do you need assurance letters? Do you need an approved clean-up plan?
- Please note that our review time has changed. It was previously 30 business days, but it is now 42 business days



# MPCA Brownfield Assessment Grants

- Our program offers funding, which will be discussed later in the conference.

 **MINNESOTA POLLUTION  
CONTROL AGENCY**  
520 Lafayette Road North  
St. Paul, MN 55155-4194

**Brownfield Assessment Grant  
Application**  
**MPCA Brownfield Program**  
Doc Type: Brownfield Assessment Grant Application

**Instructions:** Review the Brownfield Grants Program Guidelines below to determine whether your project is eligible for funding. Provide as much information as you can for each question and contact us at 651-757-2004 if you need help.  
Please attach this completed form to the cover letter (see page 3) and attach any other supporting information (pictures, support letters, etc.) and email the package to [brownfieldgrants.MPCA@state.mn.us](mailto:brownfieldgrants.MPCA@state.mn.us)

### Section 1. Property Description

1. Provide the property name and any aliases or historic names the property is known by. A current or preferred project name will also work.  
\_\_\_\_\_
2. List the street address of the property, the city, county, and parcel identification number(s), if known.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
3. List the size of the property, in acres.  
\_\_\_\_\_
4. Submit a map of the property that clearly shows the outline of the property boundary (look on your County's property map webpage).  
\_\_\_\_\_
5. List and describe any known or suspected areas of contamination and contaminants of concern at the property.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Known or suspected sources/wastes** – Indicate if the sources of contamination/wastes are known ("K") or suspected ("S"):

<input type="checkbox"/> Foundry sand	<input type="checkbox"/> Surface spills	<input type="checkbox"/> Routine industrial operations	<input type="checkbox"/> Transformer
<input type="checkbox"/> Dumping or buried drums	<input type="checkbox"/> Burning of materials	<input type="checkbox"/> Underground pipeline or tank	<input type="checkbox"/> Lagoon
<input type="checkbox"/> Contaminated building	<input type="checkbox"/> Industrial accident	<input type="checkbox"/> Aboveground pipeline or tank	<input type="checkbox"/> Fly ash
<input type="checkbox"/> Old, imported fill	<input type="checkbox"/> Other (specify): _____		
<input type="checkbox"/> Unknown			

**Past use of the property** – Indicate if the sources of contamination/wastes are known ("K") or suspected ("S"):

<input type="checkbox"/> Service station	<input type="checkbox"/> Salvage yard	<input type="checkbox"/> Pipeline	<input type="checkbox"/> Drycleaner
<input type="checkbox"/> Coal gas manufacturer	<input type="checkbox"/> Electroplater	<input type="checkbox"/> Manufacturing	<input type="checkbox"/> Unknown
<input type="checkbox"/> Bulk plant	<input type="checkbox"/> Tannery	<input type="checkbox"/> Landfill (dump)	
<input type="checkbox"/> Other (specify): _____			

6. Identify the current landowner:  
Name: \_\_\_\_\_  
Mailing address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip code: \_\_\_\_\_  
Phone: \_\_\_\_\_ Email: \_\_\_\_\_
7. How did the current landowner acquire the property?  
☐ Purchase ☐ Donation ☐ Tax forfeit ☐ Payment in lieu of taxes

<https://www.pca.state.mn.us> • 651-295-6300 • 800-657-3864 • Use your preferred relay service • Available in alternative formats  
c-bw/f03-01 • 11/30/23 Page 2 of 4

# Stay Connected

Are you receiving Remediation Division email updates? Environmental Justice updates?

If not, got to the MPCA webpage, [www.pca.state.mn.us](http://www.pca.state.mn.us), click on the **Gov Delivery** link in the footer, and sign up for the lists you're interested in!

\*be sure to pick the **Remediation** and **Environmental Justice** lists!

## Contact us

651-296-6300 or 800-657-3864

- Email us
- Regional offices

Environmental emergencies (24 hrs)

800-422-0798

## Follow us




Sign up for **Gov Delivery** emails on many MPCA topics

## Tools

- Assistance (How can we help?)
- Ask us a question
- Glossary of terms

MPCA website policies and disclaimers

 Register to vote





Questions?

Brownfield Outreach Team

651-757-2283

[brownfieldgrants.mpca@state.mn.us](mailto:brownfieldgrants.mpca@state.mn.us)

[martha.faust@state.mn.us](mailto:martha.faust@state.mn.us)

