

MAXIMIZING OPPORTUNITIES FOR REDEVELOPING BROWNFIELDS SITES: ASSESSING THE POTEN- TIAL FOR NEW AMERICAN INNOVATION

HEARING BEFORE THE SUBCOMMITTEE ON ENVIRONMENT OF THE COMMITTEE ON ENERGY AND COMMERCE HOUSE OF REPRESENTATIVES ONE HUNDRED NINETEENTH CONGRESS

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MAXIMIZING OPPORTUNITIES FOR REDEVELOPING BROWNFIELDS SITES: ASSESSING THE POTENTIAL FOR NEW AMERICAN INNOVATION

TUESDAY, MARCH 11, 2025

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON ENVIRONMENT
COMMITTEE ON ENERGY AND COMMERCE,
Washington, DC.

The subcommittee met, pursuant to call, at 10:16 a.m., in the John D. Dingell Room 2123, Rayburn House Office Building, Hon. Morgan Griffith (chairman of the subcommittee) presiding.

Members present: Representatives Griffith, Crenshaw, Latta, Carter of Georgia, Joyce, Weber, Pfluger, Miller-Meeks, Lee, Langworthy, Evans, Fedorchak, Guthrie (ex officio), Tonko (subcommittee ranking member), Schakowsky, Ruiz, Peters, Barragán, Soto, Auchincloss, Carter of Louisiana, Menendez, Landsman, and Pallone (ex officio).

Also present: Representative Dingell.

Staff present: Ansley Boylan, Director of Operations; Jessica Donlon, General Counsel; Emily Hale, Staff Assistant; Christen Harsha, Senior Counsel; Calvin Huggins, Clerk; Megan Jackson, Staff Director; Daniel Kelly, Press Secretary; Ben Mullaney, Press Secretary; Kaitlyn Peterson, Policy Analyst; Jackson Rudden, Staff Assistant; Kaley Stidham, Press Assistant; Dray Thorne, Director of Information Technology; Matt VanHyfte, Communications Director; Rasheedah Blackwood, Minority Intern; Giancarlo Ceja, Minority Environment Fellow; Waverly Gordon, Minority Deputy Staff Director and General Counsel; Tiffany Guarascio, Minority Staff Director; Anthony Gutierrez, Minority Professional Staff Member; Caitlin Haberman, Minority Staff Director, Environment; Emma Roehrig, Minority Staff Assistant; Kylea Rogers, Minority Policy Analyst; Harikrishnan Sanil, Minority Press Intern; Andrew Souvall, Minority Director of Communications, Outreach, and Member Services; and Hannah Treger, Minority Intern.

Mr. GRIFFITH. The subcommittee will come to order.

The Chair recognizes himself for 5 minutes for an opening statement.

OPENING STATEMENT OF HON. H. MORGAN GRIFFITH, A REPRESENTATIVE IN CONGRESS FROM THE COMMONWEALTH OF VIRGINIA

Today this subcommittee will examine implementation of the Environmental Protection Agency's Brownfields Grant Program. Brownfields are generally described as properties that contain or may contain a hazardous substance, pollutant, or contaminant, which in turn complicates efforts to expand, redevelop, or reuse the site. Often these contaminated sites are not redeveloped because prospective new owners are worried about becoming responsible for potential liability, as the original company that is liable for the contamination no longer exists.

Through this program, EPA provides grant funding to States, Tribes, economic development agencies, and other entities who are then able to study the extent of contamination, clean up the site, and find a way to redevelop it. Since 1993, the EPA has administered efforts to clean up these sites. Congress first formally established the Brownfields Program in the Small Business Liability, Relief, and Brownfields Revitalization Act of 2002 and codified it under the Comprehensive Environmental Response, Compensation, and Liability Act.

The Brownfields Program has traditionally enjoyed bipartisan support, and the last statutory authorization expired last September at the end of fiscal year 2023. Reauthorizing this program will provide us with an opportunity to examine the program and find out what aspects are working well and what aspects need improvement. I believe taking testimony from our witnesses today will help us to inform our efforts.

Additionally, the Infrastructure Investment and Jobs Act provided an unprecedented supplemental appropriation of 1.5 billion for brownfields. The awards funded under the Infrastructure Investment and Jobs Act were exempted from some of the traditional statutory limitations, such as certain maximum grant amounts and State and the local cost share requirements. We will need to examine these changes and understand their advantages and their disadvantages.

EPA estimates there are more than 450,000 brownfield properties in the United States. This amounts to a lot of unused or underutilized land with great economic potential. Broadly, we also know that we will need additional infrastructure and facilities to support our growing economy and process the materials and components needed for new, innovative technologies.

The Brownfields Program may also be a good tool to help secure American leadership in emerging industries and traditional manufacturing. For example, ABI Research, an industry analysis firm, estimates that by the end of 2025 there will be over 6,000 data centers built worldwide as artificial intelligence continues to take off. Over the next 5 years, our country's electricity demand is expected to grow by 16 percent. This growing demand will entail construction of additional energy resources.

So today we will examine opportunities to bring those industries to brownfield sites in our communities and explore existing barriers to put these sites to good use. In my district in southwest Virginia, county, State agencies, regional organizations, and public-

private partnerships have already been hard at work revitalizing former mine land for economic development. I hope we can learn more today about how the Brownfields Program can support these endeavors and similar ones around the country.

[The prepared statement of Mr. Griffith follows:]

Chairman H. Morgan Griffith
Opening Statement—Subcommittee on Environment:
“Maximizing Opportunities for Redeveloping Brownfields
Sites: Assessing the Potential for New American Innovation”
March 11, 2025
As Prepared for Delivery

Today, this Subcommittee will examine the implementation of the Environmental Protection Agency’s Brownfields grant program.

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Often, these contaminated sites are not redeveloped, because prospective new owners are worried about becoming responsible for potential liability as the original company that is liable for the contamination no longer exists.

Through this program, EPA provides grant funding to states, Tribes, economic development agencies, and other entities who are then able to study the extent of contamination, clean up the site, and find a way to redevelop it.

Since 1993, EPA has administered efforts to clean up these sites. Congress first formally established the Brownfields program in the Small Business Liability Relief and Brownfields Revitalization Act of 2002, and codified it under the Comprehensive, Environmental Response, Compensation, and Liability Act.

The brownfields program has traditionally enjoyed bipartisan support, and the last statutory authorization expired last September, at the end of Fiscal Year 2023.

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For example, ABI Research, an industry analysis firm, estimates that by the end of 2025, there will be over 6,000 data centers built worldwide as artificial intelligence continues to take off.¹

Over the next five years, our country's electricity demand is expected to grow by almost 16 percent.² This growing demand will entail construction of additional energy resources.

So, today we will examine opportunities to bring those industries to Brownfields sites in our communities and explore existing barriers to putting these sites to good use.

In my district in Southwest Virginia, counties, state agencies, regional organizations, and public-private partnerships have already been hard at work revitalizing former mine land for economic development.³

I hope we can learn more today about how the Brownfields Program can support these endeavors and similar ones around the country.

Thank you to our witnesses for being here and contributing to these efforts.

First, we have the Honorable Jim Connaughton, Chief Executive Officer of James L. Connaughton Strategies where he works on sustainable technology innovation and public policy.

Mr. Connaughton recently served as CEO of Nautilus Data Technologies, a company producing data center components with minimal environmental impacts. He also served as Chairman of the White House Counsel on Environmental Quality under President Bush.

As you all know, this Committee has been engaged in robust discussion over the past few years on ways to improve the permitting process generally, so we welcome his extensive experience in this area.

We also welcome back Mayor Christian Bollwage from the City of Elizabeth, New Jersey.

The Committee greatly appreciates him lending his knowledge and expertise to our efforts to reauthorize the Brownfields Program.

We will also hear from Christa Stoneham, President and CEO of the Houston Land Bank. Thank you for being here to share your insights on the program and efforts to revitalize the areas your organization serves.

¹ [ABI Research: How Many Data Centers are There and Where are they Being Built](#)

² [NPR: U.S. Electricity Demand is Set to Explode. That Will Make it Harder to Cut Climate Pollution](#)

³ [Cardinal News: 4 Southern Virginia Projects Receive \\$10 Million in Funding](#)

Last but not least, I am excited to welcome my constituent Duane Miller, Executive Director of the LENOWISCO Planning District Commission. My staff and I have had the privilege of working with the Commission for years. They've played an integral role in attracting emerging industries to our region, creating jobs, and cleaning up abandoned sites in Southwest Virginia.

Thank you all for being here, and I look forward to a good discussion. I now recognize the Ranking Member of the Subcommittee, Mr. Tonko, for his opening statement.

Mr. GRIFFITH. Thanks to our witnesses for being here and contributing to these efforts.

First we have the Honorable Jim Connaughton, chief executive officer of James L. Connaughton Strategies, where he works on sustainable technology, innovation, and public policy. Mr. Connaughton recently served as CEO of Nautilus Data Technologies, a company producing data center components with minimal environmental impacts. He also served as chairman of the White House Council on Environmental Quality under President Bush.

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We also welcome back Mayor Christian Bollwage. Did I get that right? All right—from the city of Elizabeth, New Jersey. The committee greatly appreciates him lending his knowledge and expertise to our efforts to reauthorize the Brownfields Program.

We will also hear from Christa Stoneham, president and CEO of the Houston Land Bank.

Thank you for being here today and sharing your insights on the program and efforts to revitalize the areas your organization serves.

Last but not least, I am excited to recognize and to welcome my constituent, Duane Miller, executive director of LENOWISCO Planning District Commission. And if you want a definition of what that is, we will give it to you later. But my staff and I have had the privilege of working with the commission for years. They have played an integral role in attracting emerging industries to our region, creating jobs, and cleaning up abandoned sites in southwest Virginia.

Thank you all for being here, and I look forward to a good discussion today. And I now recognize the ranking member of the subcommittee, Mr. Tonko, for his opening statement.

OPENING STATEMENT OF HON. PAUL TONKO, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NEW YORK

Mr. TONKO. Well, thank you, Mr. Chair.

EPA's Brownfields Program has enjoyed tremendous bipartisan support for decades, and I do hope we can continue to work together to examine and strengthen the program in the 119th Congress. I am certain we all share a love for the places we have the privilege of representing. And like so many districts across the country, New York's 20th has an incredible manufacturing history that is foundational to its story.

Along the Mohawk and Hudson Rivers many mill towns once thrived. Factories produced carpets and collars and leather products, to name just a few. But sadly, many of these sites have closed, leaving valuable properties, often on the waterfront, abandoned or underutilized. And this too is part of my district's history.

But the story of these former industrial communities does not need to end here, with blighted properties and years of disinvestment. EPA's Brownfields Program can be the catalyst for these communities' comebacks by creating new economic opportunities

that begin with assessing and remediating former industrial sites. In my district, brownfields funding has led to transformational revitalizations. Some sites have become new parks, allowing public access to the waterfront. Others have been prepared for redevelopment, enabling new employers to move in.

And simply put, these success stories would not be possible without EPA's programs. Since 2002, tens of thousands of acres of idle land have been made ready for productive use, increasing property values and local tax revenue, preserving green fields, and creating jobs. We know EPA's program has a proven track record of success and provides effective downpayments. Each dollar spent leverages more than \$20.

And I am incredibly proud that the Infrastructure Investment and Jobs Act included an historic investment of some \$1.5 billion for the program for fiscal years 2022 through 2026. These funds include \$1.2 billion for the EPA's program and \$300 million for State programs. IIJA also took important steps to create greater opportunities for disadvantaged communities by waiving the program's cost—cost share requirements and increasing the maximum award amounts. I look forward to hearing from our witnesses whether the IIJA has been effective and how Congress can best build upon those investments.

Finally, I want to express my concerns that the Trump administration's suggestion that 65 percent of EPA's budget could be cut. The majority of EPA's funding goes to programs that State and local governments rely upon. Without a doubt, a cut of this magnitude will have devastating consequences for our districts, and I do hope Congress will ensure that the value of EPA's programs, including the Brownfields Program, are properly reflected in our appropriations process as it moves forward.

Because the Brownfields Program is an incredible investment of Federal dollars, it enables local governments to support environmental and economic revitalization by turning a liability into an opportunity. I hope we can work together to make certain this program has the resources and the authorities necessary to continue its great work.

[The prepared statement of Mr. Tonko follows:]

Committee on Energy and Commerce**Opening Statement as Prepared for Delivery
of
Subcommittee on Environment Ranking Member Paul D. Tonko*****Hearing on “Maximizing Opportunities for Redeveloping Brownfields Sites: Assessing the
Potential for New American Innovation”*****March 11, 2025**

Thank you, Mr. Chair. EPA’s Brownfields program has enjoyed tremendous bipartisan support for decades, and I hope we can continue to work together to examine and strengthen the program in the 119th Congress. I am certain we all share a love for the places we have the privilege of representing.

And like so many districts across the country, New York’s 20th has an incredible manufacturing history that is foundational to its story. Along the Mohawk and Hudson Rivers, many mill towns once thrived. Factories produced carpets, collars, and leather products, to name just a few.

But sadly, many of these sites have closed, leaving valuable properties— often on the waterfront— abandoned or underutilized. And this too is part of my district’s history.

But the story of these former industrial communities does not need to end here, with blighted properties and years of disinvestment. EPA’s Brownfields program can be the catalyst for these communities’ comebacks by creating new economic opportunities that begin with assessing and remediating former industrial sites.

In my district, Brownfields funding has led to transformational revitalizations. Some sites have become new parks, allowing public access to the waterfront. Others have been prepared for redevelopment, enabling new employers to move in. And simply put, these success stories would not be possible without EPA’s program.

Since 2002, tens of thousands of acres of idle land have been made ready for productive use, increasing property values and local tax revenue, preserving greenfields, and creating jobs. We know EPA’s program has a proven track record of success and provides effective downpayments. Each dollar spent leverages more than \$20. And I am incredibly proud that the Infrastructure Investment and Jobs Act included an historic investment of \$1.5 billion for the program for Fiscal Years 2022 through 2026.

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March 11, 2025

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Without a doubt, a cut of this magnitude will have devastating consequences for our districts, and I hope Congress will ensure that the value of EPA's programs, including the Brownfields program, are properly reflected in our appropriations process moving forward. Because the Brownfields program is an incredible investment of federal dollars. It enables local governments to support environmental and economic revitalization by turning a liability into an opportunity.

I hope we can work together to make sure this program has the resources and authorities necessary to continue its great work. With that, I would like to yield my remaining time to Congressman Menendez.

Mr. TONKO. With that I would like to yield my remaining time to our colleague and good friend, Congressman Menendez, and thank you.

Mr. MENENDEZ. Thank you, Ranking Member Tonko. I am honored to welcome Mayor Bollwage to the Energy and Commerce Committee today to discuss the incredible work being done on brownfields across the country and back home in New Jersey's Eighth Congressional District.

Mayor Bollwage was first elected as mayor of Elizabeth in 1992 and has prioritized the redevelopment of brownfield sites throughout his tenure. He has been recognized for his role in redeveloping brownfields and was awarded the Distinguished Leadership Award for Elected Officials by the American Planning Association. He is testifying today in his capacity as chair of the U.S. Conference of Mayors Brownfields Task Force, a role that he has held for over 20 years.

Mayor Bollwage is uniquely qualified to discuss the importance of reauthorizing the Federal Brownfields Program and has testified at every brownfields hearing this committee has had. It is an honor to call Mayor Bollwage a friend and partner and to recognize the success stories in Elizabeth that he has overseen.

Mayor Bollwage, thank you for your leadership on this issue. I look forward to hearing your testimony here today.

With that, I yield back.

Mr. GRIFFITH. The gentleman yields back. Now I recognize the chairman of the full committee, Mr. Guthrie, for 5 minutes for an opening statement.

OPENING STATEMENT OF HON. BRETT GUTHRIE, A REPRESENTATIVE IN CONGRESS FROM THE COMMONWEALTH OF KENTUCKY

Mr. GUTHRIE. Thank you, Chairman Griffith, and Ranking Member Pallone and Ranking Member Tonko, my colleagues, and thank you to our witnesses for being here today.

Today we will be examining implementation of EPA's Brownfields Program and opportunities to carry on bipartisan tradition of reauthorizing the program.

As you all know, brownfields are contaminated sites or areas that are suspected of being contaminated. The negative impact of a brownfield site does not end within the geographic boundary of the site itself. They can also pose environmental hazards beyond their borders and lead to broader economic downturns in their communities. And unfortunately, brownfields are found nationwide.

Legal liability for existing contamination often discourages buyers from purchasing properties for redevelopment out of fear of litigation. Properties then sit vacant as communities lose the opportunity to improve their local economy. We have a mandate to ensure our taxpayer dollars are spent wisely, and part of why we are here today is to look at how we can improve upon this program moving forward and redevelop brownfield sites to support new and emerging industries, potentially even including opportunities to build state-of-the-art AI data centers.

The Brownfields Program has been successful in aiding economic development while prioritizing environmental contamination. Just

look at my home State of Kentucky. The Commonwealth of Kentucky and the historic Fayette County Courthouse in Lexington was used for over 100 years before the courts transitioned to a bigger facility. Shortly after becoming vacant, workers discovered structural defects, water damage, high levels of lead paint, asbestos, and other hazardous materials. The public-private partnership between the developer and the EPA through the Brownfields Program made its revitalization possible. This building now houses a restaurant, visitor center, event space, and a focal point of the—and is a focal point for the community while maintaining historical integrity.

You have major sites like the Hudson Yards in New York City, which is built on the Long Island Railroad yard. When completed, Hudson Yards is expected to contribute \$19 billion per year to the local economy. And I went to school just up the Palisades Parkway from Elizabeth, and so I consider northern New Jersey and Manhattan my college town. And my daughter went to intern a couple of summers ago in New York City, and I saw the address. She was in a college dorm, and it was near Hudson Yards, adjacent. But I didn't know that it really existed until I moved her in. And I know the difference between what it was and what it is. So I was concerned when I saw the neighborhood she was moving into, until I got there and just saw how beautiful and nice it was. And absolutely, northern New Jersey is just absolutely fantastic as well.

And so we have other brownfield sites across the country I know that we are going to talk about today. One in Indianapolis was a vacant 19th century iron foundry, and it was given a second chance to make affordable housing.

This program also helps us in our mission to expand nuclear power and restore American energy dominance. In the 118th Congress, I was proud to see my bill, the Nuclear for Brownfield Sites Preparation Act, signed into law as part of the ADVANCE Act. My bill utilizes existing infrastructure to lower project costs and further our investments in nuclear power by allowing nuclear facilities at brownfield sites.

The Brownfields Program has been a bipartisan tradition here at the Energy and Commerce Committee, and this hearing today upholds that legacy. I really appreciate our witnesses for being here and look forward to hearing what is going on in your communities.

And I look forward to the further discussion.

[The prepared statement of Mr. Guthrie follows:]

Chairman Brett Guthrie
Opening Statement—Subcommittee on Environment:
“Maximizing Opportunities for Redeveloping Brownfields Sites:
Assessing the Potential for New American Innovation”
March 11, 2025
As Prepared for Delivery

Thank you, Chairman Griffith and Ranking Member Pallone, Ranking Member Tonko, my colleagues, and thank you to our witnesses for being here. Today, we will be examining implementation of the EPA’s Brownfields Program and opportunities to carry on the bipartisan tradition of reauthorizing the program.

As you all know, Brownfields are contaminated sites, or areas that are suspected of being contaminated. The negative impact of a Brownfields site does not end within the geographic boundary of the site itself. They can also pose environmental hazards beyond their borders and lead to broader economic downturns in their communities, and unfortunately, brownfields are found nationwide.

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The public-private partnership between the developer and the EPA through the Brownfields Program made its revitalization possible. This building now houses a restaurant, visitors center, event space, and is a focal point of the community while maintaining its historic integrity.

You have major sites like Hudson Yards in New York City, which was built on a Long Island Railroad yard. When completed, Hudson Yards is expected to contribute 19 billion dollars per year to the local economy.

Other Brownfields sites across the country have been repurposed to help our most vulnerable populations. In Indianapolis, a vacant 19th century iron foundry was given a second chance through this program and now provides affordable housing for homeless veterans.

This program also helps us on our mission to expand nuclear power and restore American energy dominance. In the 118th Congress, I was proud to see my bill, the Nuclear for Brownfields Site Preparation Act, signed into the law as part of the ADVANCE Act. My bill utilizes existing infrastructure to lower project costs and furthers our investment in nuclear power by allowing nuclear facilities at brownfield sites.

The Brownfields Program has been a bipartisan tradition here at the Energy and Commerce Committee, and this hearing today upholds that legacy.

I look forward to our discussion this morning. Thank you and I yield back.

Mr. GUTHRIE. And Mr. Chair, I yield back.

Mr. GRIFFITH. The gentleman yields back. I now recognize the ranking member of the full committee, Mr. Pallone, for 5 minutes opening—of an opening statement.

OPENING STATEMENT OF HON. FRANK PALLONE, JR., A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NEW JERSEY

Mr. PALLONE. Thank you, Mr. Chairman. Let me thank all of the panel, but I particularly want to thank Mayor Chris Bollwage, who is, as you know, the chair of the—I guess his official title is chair, U.S. Conference of Mayors Brownfields Task Force.

But I think that kind of, you know, underplays the role that you have played for so many years in our Brownfields Program from the very beginning. And I know you have been a trusted advisor to me on everything we do with brownfields, so thank you for all that and for being here today.

We are discussing the Brownfields Program, which continues to be a shining example of how government can protect the public health of our communities while also stimulating economic growth.

In 2002 I partnered with the late Representative Paul Gillmor of Ohio, who chaired the subcommittee at the time, to write the brownfields law. And over the last 20 years, the Brownfields Program has consistently enjoyed bipartisan support and has been an economic engine for local government and communities looking to turn former contaminated sites into economic centers and green spaces. And every congressional district is home to at least one of these sites.

As part of the program, the Federal Government provides financial help in the form of grants or loans for cleanup, assessments, and job training so communities can turn impacted sites into parks, public housing, or new business centers. And since its inception, more than 40,000 sites have been revitalized and made ready for development around the Nation, and these revitalization projects leveraged nearly 280,000 jobs and more than \$41 billion in economic development.

So this funding really has been a lifeline for communities. And with the passage of the Bipartisan Infrastructure Law in 2021, we were able to inject an additional \$1.5 billion into the Brownfields Program, and that increased annual awards by nearly 400 percent to around \$240 million. Through these funds, communities are growing their economies for the future and creating good-paying jobs.

And the Brownfields Program also benefits public health and safety by reducing contamination in communities that couldn't afford to repurpose contaminated sites on their own. And that is just the beginning. For every dollar the Federal Government invests in the Brownfields Program, we get more than \$20 back in economic return, and that showcases the win-win scenario that the program facilitates.

And it is important that we keep all of these benefits in mind as we look to reauthorize the program before funding runs out in fiscal year 2026. We must reauthorize and fund the program to continue its critical mission, and I believe that starting these bipar-

tisan conversations early, Mr. Chairman, is the necessary first step.

I hope we can all agree that this program is more than worth every dollar we put into it and that we can work together to provide robust funding moving forward. But what makes today's hearing unique is the chaotic circumstances in which we find ourselves. The Trump administration, perpetrated by Elon Musk and DOGE, has continued to recklessly and, I believe, illegally cut staff at Federal agencies, including those that administer the Brownfields Program at the EPA's Office of Land and Emergency Management.

These illegal funding freezes have directly impacted the Brownfields Program, delaying projects and causing confusion among grant recipients who are responsible for cleaning up these sites. The Brownfields Program protects our communities and revitalizes our local economies, and we owe it to all of our constituents to figure out a path forward, ensuring funding is delivered. It is crucial that any discussion of the future of the Brownfields Program builds on the program's economic and community success while recognizing the need for dedicated Federal staff to administer it.

[The prepared statement of Mr. Pallone follows:]

Committee on Energy and Commerce

**Opening Statement as Prepared for Delivery
of
Ranking Member Frank Pallone, Jr.**

Hearing on “Maximizing Opportunities for Redeveloping Brownfields Sites: Assessing the Potential for New American Innovation”

March 11, 2025

Today we are discussing the Environmental Protection Agency’s Brownfields Program, which continues to be a shining example of how government can protect the public health of our communities while also stimulating economic growth.

In 2002, I partnered with the late Representative Paul Gillmor of Ohio, who Chaired this Subcommittee at the time, to write the Brownfields law. Over the last 20 years, the Brownfields Program has consistently enjoyed bipartisan support and has been an economic engine for local government and communities looking to turn former contaminated sites into economic centers and green spaces. Every Congressional district is home to at least one of these sites.

As part of the program, the federal government provides financial help in the form of grants or loans for cleanup, assessments, and job training so communities can turn impacted sites into parks, public housing, or new business centers. Since its inception, more than 40,000 sites have been revitalized and made ready for development around the nation. These revitalization projects leveraged nearly 280,000 jobs and more than \$41 billion in economic development.

This funding has been a lifeline for communities, and with the passage of the Bipartisan Infrastructure Law in 2021 we were able to inject an additional \$1.5 billion into the Brownfields Program, increasing annual awards by nearly 400 percent to around \$240 million. Through these funds – communities are growing their economies for the future and creating good-paying jobs.

The Brownfields Program also benefits public health and safety by reducing contamination in communities that couldn’t afford to repurpose contaminated sites on their own. And that’s just the beginning. For every dollar the federal government invests in the Brownfields Program, we get more than 20 dollars back in economic return, showcasing the win-win scenario that the program facilitates.

It’s important that we keep all of these benefits in mind as we look to reauthorize the program before funding runs out in Fiscal Year 2026. We must reauthorize and fund the program to continue its critical mission. I believe that starting these bipartisan conversations early is a necessary first step. I hope we can all agree that this program is more than worth of every dollar we put into it, and that we can work together to provide robust funding moving forward.

March 11, 2025

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But what makes today's hearing unique is the chaotic circumstances in which we find ourselves. The Trump Administration, perpetuated by Elon Musk and DOGE, has continued to recklessly and illegally cut staff at federal agencies -- including those that administer the Brownfields Program at the EPA's Office of Land & Emergency Management. These illegal funding freezes have directly impacted the Brownfields Program, delaying projects and causing confusion among grant recipients who are responsible for cleaning up these sites.

The Brownfields Program protects our communities and revitalizes our local economies, and we owe it to all of our constituents to figure out a path forward, ensuring funding is delivered. And it is crucial that any discussion of the future of the Brownfields Program builds on the program's economic and community success, while recognizing the need for dedicated federal staff to administer it.

Thank you and I yield back.

Mr. PALLONE. So I thank you again, Mr. Chairman, and with that I yield back.

Mr. GRIFFITH. The gentleman yields back, and I appreciate that. We now conclude with Member opening statements. The Chair would like to remind Members that, pursuant to the committee rules, all Members' opening statements will be made a part of the record.

We want to thank our witnesses for taking the time to testify before the subcommittee. Although it is not the practice of this subcommittee to swear in witnesses, I would remind our witnesses that knowingly and willfully making material false statements to the legislative branch is against the law under title 18, section 1001 of the United States Code.

You will have an opportunity to give an opening statement, followed by questions from Members. That said, we will now begin our opening statements, and our first witness will be Mr. Connaughton.

You are recognized for 5 minutes.

STATEMENTS OF JAMES L. CONNAUGHTON, CHIEF EXECUTIVE OFFICER, JLC STRATEGIES; J. CHRISTIAN BOLLWAGE, MAYOR OF ELIZABETH, NEW JERSEY, AND CHAIR, U.S. CONFERENCE OF MAYORS BROWNFIELDS TASK FORCE; CHRISTA STONEHAM, CHIEF EXECUTIVE OFFICER AND PRESIDENT, HOUSTON LAND BANK; AND DUANE A. MILLER, EXECUTIVE DIRECTOR, LENOWISCO PLANNING DISTRICT COMMISSION

STATEMENT OF JAMES L. CONNAUGHTON

Mr. CONNAUGHTON. Good morning, Chairman Griffith, Ranking Member Tonko, and members of the subcommittee. My name is Jim Connaughton. I am a technology entrepreneur, a policy entrepreneur, and an innovation infrastructure developer.

I have spent the better part of my professional life in and around brownfields, and I was privileged to be with Mayor Bollwage at the signing of the Brownfields Act in 2001 in Conshohocken, Pennsylvania.

Growing our economy to meet the needs of a thriving population and national security will require a doubling or even a tripling of infrastructure over the next 25 years. That means hundreds of thousands of new projects. The hundreds of thousands of America's brownfields are the best place to start driving innovation, unleashing prosperity, and revitalizing our communities.

My written testimony highlights five priority areas of American industrial innovation, where brownfields are ideal: data centers, semiconductor manufacturing, submarine and ship building, energy production, and plastics recycling. During Q&A I hope to be able to talk about my own successful, albeit challenging, 8-year saga developing innovative AI data center infrastructure at two brownfields in the State of California and many others.

My testimony today, however, is going to focus on the critical barriers to success of brownfield projects, the prolonged delays in approving site assessments, environmental permits, and connections to the electricity grid. These delays either kill brownfield

projects or needlessly make them two to three times more expensive than they need to be.

Whether your objective is growing the economy, sustaining U.S. technology leadership, strengthening national security, addressing the energy emergency, or confronting climate change, fully achieving these objectives is procedurally impossible. I will highlight four policies to enable immediate and lower-cost project development. These policies eliminate process and litigation barriers while preserving compliance with our Nation's environmental protection laws.

The first speed bump for projects happens when agencies delay signing off on the environmental site assessments used to clear brownfield sites for reuse. This work is now performed quickly and cost-effectively by credentialed private-sector experts using well-established methods developed over 30 years and tens of thousands of projects. Congress should authorize an automatic signoff process for certified third-party-expert site assessments.

The second major delay happens during environmental permitting. I am recommending that Congress legislate a permit-by-rule approach that I call Approve, Build, and Comply, or ABC. The legislation would categorically approve a list of precleared locations and precleared types of critical infrastructure projects in lieu of further permitting. Such projects would still have to comply with substantive environmental regulations, and any noncompliance would still remain subject to enforcement. These precleared locations would include areas that Federal, State, and Tribal law have already prioritized, such as brownfields, opportunity zones, energy communities, shipyards, and existing rights of way.

The third delay factor, of course, is NEPA and its State equivalents. The solution is to refocus NEPA reviews on unquantified environmental impacts as the original 1970 law provides. Since 1970, hundreds of Federal, State, local, and Tribal laws have been enacted, all of which quantify most every environmental impact in thousands of implementing regulations and technical documents. Congress should clarify that any environmental impacts that are regulated or managed under another law do not require redundant analysis and evaluation under NEPA. We still get full coverage, but we eliminate the redundancy.

Finally, new infrastructure faces a 5-year delay and a massive backlog, preventing connection to the electricity grid. Imagine if that was your home, your school, or your hospital. Five years before you can connect to the grid. Congress should set a 6-month limit on interconnection decisions and direct the FERC and DOE to work with system operators to implement automated technology solutions for 3 years. We have the hardware, we have the software. We just need to invest to make it happen.

With these initiatives, brownfields can happen starting tomorrow, and we can move from thousands of sites redeveloped to hundreds of thousands of sites redeveloped, and it will be the foundation of the future of our economy.

Thank you for your consideration, and I will look forward to your questions.

[The prepared statement of Mr. Connaughton follows:]

Driving Innovation, Unleashing Prosperity and Revitalizing Communities
By Redeveloping America's Brownfields
March 11, 2025

Testimony of James L. Connaughton

I. INTRODUCTION

Good morning, Chairman Griffith, Ranking Member Tonko, and members of the Sub-Committee. Thank you for the opportunity to testify on this important and exciting topic.

My name is Jim Connaughton. I am CEO of JLC Strategies, a technology and policy advisory firm, working with technology startups, innovation project developers, private and public companies, and a handful of policy think tanks, universities, and government organizations. Specific to this discussion, I also served for eight years as the Chairman of the White House Counsel on Environmental Quality and proud to have played a small role, along with thousands of others, in Congress' unanimous passage of the original Small Business Liability Relief and Brownfields Revitalization Act of 2002 ("Brownfields Act"). I was also Chairman and CEO of the AI data center infrastructure startup Nautilus Data Technologies; Executive Vice President of C3.ai, one of the earliest AI software technology companies; and Executive Vice President of Constellation Energy, one the nation's most innovative developers and operators of power generation and providers of energy technologies and services. I have spent the better part of my professional life in and around brownfields.

Growing our economy to meet the needs of a thriving population over the next 25 years will require both replacing a major portion of our existing industrial and infrastructure footprint, as well as at least doubling, or possibly, tripling it. That amounts to the development of hundreds of thousands of new projects. Significantly more rapid and widespread redevelopment of America's brownfields is essential to the deployment of US innovations in manufacturing and infrastructure, unleashing greater prosperity, and revitalizing lives and livelihoods in our local communities.

Brownfields are currently understood as abandoned or underutilized commercial and industrial properties where redevelopment is complicated by the potential for environmental contamination. Recognizing the economic, environmental, and community importance of these sites, the US government, states and localities have developed policies to encourage their assessment for potential contamination, cleanup where contamination is identified, and productive reuse.

As this sub-committee considers reauthorization and expansion of the Brownfields Act, I encourage you to substantially widen the lens of policy development to significantly amplify the benefits that redevelopment will deliver, while substantially lowering the cost of doing so. Making improvements at the edges of the program will not be of lasting value or

consequence. Go big. Enough to fully realize the opportunity. Here are some guiding principles to consider:

- Start with the objective of profitable redevelopment of all economically viable brownfields by 2050, at increasingly lower costs to taxpayers and consumers.
- Broaden what constitutes a brownfield to encompass all abandoned or underutilized locations that are or were zoned for industrial activity, which would encompass a multitude of locations and existing rights of way where there is no or extremely low potential for prior environmental contamination.
- Advance interdependent brownfield redevelopment opportunities systematically to support growth of critical industrial sectors—i.e. assuring parallel development of critical minerals, material processing, component manufacturing, commodity and supply chain delivery (pipelines, electrical lines, railways, roadways, shipping), and end production.
- Create a default policy of brownfield project approval by eliminating both process and litigation barriers to enable *immediate, lower cost* redevelopment, recognizing that:
 - the current siting, permitting and interconnection, and project completion lag of 7-10 years (or more) makes projects cost two the three times more than they should,
 - brownfield sites are already a well-established element of a local community's footprint, and are generally well-known, understood and accepted as preferable for redevelopment,
 - new projects must, and in fact do, comply with all the substantive performance requirements embedded in our highly stringent environmental and natural resource protection laws and regulations enacted over 50 years.
- Take greater advantage of private market forces and private certified professionals to better leverage existing governmental programs, incentives and personnel.
- Legislate. 50 years of deferring to executive branch task forces, regulatory reforms, and judicial decisions has not resulted in predictable and sustained progress at the scale and speed needed to replace and build out new infrastructure.

II. BROWNFIELDS HISTORY

Brownfields exist in nearly every community in the United States. According to the Environmental Protection Agency (EPA), there are over 450,000 brownfield sites nationwide: an average of nearly 10,000 per state and hundreds per congressional district. These sites range from former industrial complexes to small, abandoned gas stations.

The concept of brownfields redevelopment gained traction in the early 1990s as local and state governments struggled with economic downturns and declining urban and rural cores. In response, EPA initiated a pilot program in 1995, offering grants to communities to assess and clean up brownfield sites. This program marked a shift from traditional hazardous waste management toward economic revitalization. The early

brownfields programs provided financial assistance, liability protection, and technical guidance to encourage redevelopment.

Recognizing the success of the early programs, Congress unanimously passed the Small Business Liability Relief Act and Brownfields Revitalization Act at the end of 2001. This landmark legislation amended the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) to provide clearer liability protections for property owners and prospective purchasers. It also expanded funding for site assessments and remediation. The Brownfield Act removed the financial and legal barriers that had previously discouraged investment in brownfield sites.¹

At the same time, states and tribes have played a crucial and increasing role in brownfields redevelopment through tailored legislation and programs. Many states have established voluntary cleanup programs (VCPs) to offer incentives such as tax credits, liability waivers, and grant funding. EPA collaborates with state and tribal programs to support brownfields cleanup and redevelopment.

While brownfields as currently defined tend to have moderate contamination, they typically do not present an acute public health problem.² Extremely contaminated sites, e.g. those qualifying for the Superfund National Priorities List, are excluded from the brownfield category. Roughly 70% of brownfields assessed to date have contamination that exceeds regulatory safety standards and require well proven cleanup or remediation measures.³ Approximately 30% of brownfields assessed to date have contamination below regulatory concern levels and typically can be redeveloped without further remediation. An expanded view of brownfields would encompass hundreds of thousands of locations that fall within the no further remediation category.

EPA recently reported that the federal program has assessed 40,477 properties, made 11,723 properties (149,094 acres) ready for reuse, cleaned up 2,828 properties, leveraged \$41B of investment and created 279,884 jobs.⁴ State level programs are also reportedly enrolling more than 33,000 properties annually and have completed more than 232,000 cleanups, and making nearly 4 million acres ready for anticipated use.⁵ Included

¹ Since the passage of the Brownfield Act, the EPA has distributed billions of dollars in grants to support brownfields redevelopment. Key federal initiatives include:

- **Brownfields Assessment Grants:** Funding to help local governments evaluate potential contamination levels.
- **Cleanup Grants:** Financial assistance to remove contaminants and prepare sites for redevelopment.
- **Job Training Grants:** Programs to train workers in environmental remediation techniques.
- **Multipurpose Grants:** Comprehensive funding for assessment, cleanup, and redevelopment. These efforts have resulted in significant economic benefits, including job creation, infrastructure improvements, and increased tax revenues in revitalized areas.

² [osha.gov](https://www.osha.gov)

³ stacks.cdc.gov

⁴ [epa.gov](https://www.epa.gov)

⁵ The Environmental Protection Agency (EPA) maintains several databases that provide state-specific information on brownfield sites. One key resource is the **Assessment, Cleanup and Redevelopment Exchange System (ACRES)**, an online database where Brownfields Grant recipients submit data directly to the EPA. ACRES contains detailed information

among an exhaustive profile of the benefits of redeveloping brownfield, EPA has further note that cleaning up a brownfield can boost surrounding property values by 5% to 15% on average, as blight is removed and perceptions improve. Local governments can gain significant tax revenue (2 to 7 times the dollars invested by EPA) after sites are cleaned and returned to productive use. At the same time, private sector investment in brownfields is growing. Initially, public funds were crucial to kick-start redevelopment, but now many projects are driven by real estate market demand (for urban land) and public-private partnerships. Trends in real estate – such as the high demand for warehouse/logistics space and housing in cities – are leading developers to seek out brownfield sites, sometimes with less reliance on public subsidies.⁶

The progress over the last 25 years in identifying, assessing, and making sites ready for development is very encouraging.⁷ But it begs the critical question: with so many sites now ready for redevelopment and even more on the way, why aren't more of these sites being redeveloped? In particular, shouldn't we be doing more to put these sites back to work with renewed deployment of modern, large scale industrial innovations that historically have been the hallmark and the foundation of American technology, economic, and national security leadership? That should be a major focus of brownfields redevelopment policy over the next 25 years.

III. BROWNFIELDS AS THE ENGINE OF AMERICAN INDUSTRIAL INNOVATION

Brownfields are ideal for development, deployment and substantial growth of modern, large scale industrial innovations. Construction of such projects requires a lot of land and materials, hundreds of millions or billions of dollars, hundreds or thousands of skilled workers, engineers and service professionals at both the project and in mines, factories, and offices all along the project development and supply chain. Operating these projects requires highly reliable, cost-effective, scalable and secure physical infrastructure for electricity and gas, transportation (road, rail, shipping, aviation), digital services, storage and warehousing, and both onsite and offsite security and emergency response systems. Just as important, the construction and operation of these projects requires substantial community infrastructure—project managers, operators, service, maintenance and public safety and service professionals; homes, schools, churches, stores, restaurants

necessary to track environmental progress at brownfield facilities across various states. Additionally, the EPA's **Cleanups in My Community** web application allows users to explore sites where pollution is being or has been cleaned up throughout the United States. This tool provides maps, lists, and cleanup progress profiles for various programs, including Superfund, RCRA Corrective Action, Brownfields, Emergency Responses, and Federal Facilities. Users can define their geographic area of interest to access specific information about cleanups and grants in their communities. For more localized data, the EPA's **EnviroAtlas** offers an interactive map with hundreds of geospatial datasets, including those related to brownfields. This resource supports brownfields redevelopment by providing data layers and analysis tools relevant to specific projects.

⁶ jsheild.com

⁷ A different government report notes "Many Sites, Slow Progress: There is a vast inventory of brownfields in the U.S. (hundreds of thousands of sites), but only a small portion have been addressed so far. As of recent estimates, less than 7% of U.S. brownfields have even undergone environmental assessment, and only a fraction of those have been cleaned up through EPA's programs." stacks.cdc.gov

and other local amenities; and knowledgeable, professional and supportive regulators (with some prominent exceptions). Projects also benefit from the environmental and natural dimensions of a site being well developed and well understood. Brownfields have a substantial head start over greenfields in satisfying these requirements.

Most large brownfields, such as ports, military facilities and industrial parks also have undertaken campus-wide environmental assessments and operate under umbrella permitting schemes that allow greater flexibility for developers and tenants to add and subtract facilities. And most large brownfields have previously been extensively analyzed, situated, and engineered to ensure the least exposure and highest level of resilience to major weather events or natural disasters, with a long history and track record of experience bearing that out. When the big storm hits, significant damage to or shut down of industrial, public works, and services infrastructure is rare.

Given these advantages, the critical question for policymakers should be: what must done to add accelerators and remove the brakes to unleash and rapidly drive investment and deployment of such innovative infrastructure? In the Appendix, I highlight five of the most consequential areas of American industrial innovation where brownfields have and will promise to figure prominently—data centers, semiconductors, submarine and shipbuilding, energy production, and plastics recycling.⁸

Delivering on the proven promise of brownfield driven industrial innovation requires a significant modernization of governmental approval processes for site assessment, permitting and interconnecting. Consistent with the policy principles outlined above, the following describes a few of the most important and broadly consequential areas of policy improvement that Congress should address.

IV. KEY POLICY IMPROVEMENTS

a. Environmental Permitting

Legislative improvement to accelerating government approvals of critical infrastructure is the only way to meet the demands of a growing economy; to make infrastructure more available, reliable, affordable, and secure; and to unleash exports of innovative American infrastructure technologies, products, and expert services.

Several years ago, I was privileged to co-chair a bi-partisan permitting reform panel (“Panel”) consisting of current and former policymakers, experts, and practitioners to consider solutions to permitting process delays. At the time, the national policy focus was on the urgency of confronting climate change. Today, the national policy focus is on the urgency of confronting our energy emergency. Regardless of which objective you prefer, both face a common reality. They are procedurally impossible.

⁸ For a broader sampling of [brhttps://www.epa.gov/brownfields/success-stories](https://www.epa.gov/brownfields/success-stories)

Recognizing this fact, the Panel explored well-established precedent for legislative and regulatory tools that can streamline the approval process for energy projects that will bring net benefits and otherwise comply with strict requirements. These lessons apply with equal relevance to other critical infrastructure. The Panel endorsed four critical paths to success, built around the well-precedented “permit-by-rule” concept:⁹

Immediate approvals: For categories of projects where environmental impacts are well understood, either due to the nature or location of the project, Congress should establish approval criteria that enable project clearance without delay.

Accelerated approvals: For projects that may cause unique or significant negative local environmental impacts, Congress should establish a bifurcated process that documents the categories of beneficial projects at the outset, and then focuses environmental review and permitting on any uniquely local conditions of a project on an accelerated timeline.

Accelerated adjudications: Once a project is approved, any adjudications for projects must include a final decision timeline of well under one year to ensure that protracted litigation does not undermine project viability.

State and local conformity: Eligibility for any federal infrastructure or climate-related funding, tax incentives, or grants shall be conditioned on a state or locality conforming to the same framework and timeline for fast approval and adjudication of projects.

Each of these recommendations is discussed at length in the Panel report. Here are a few specific ideas for putting these recommendations into practical policy.

1. Immediate Approval: ABC

Legislating a framework for immediate approvals of infrastructure is the single most consequential policy that Congress could undertake. One way to accomplish this is through an approach I call “Approve, Build, and Comply.”

Combining two standalone ideas from the Panel report, Congress would legislatively designate a list of pre-cleared types of locations along with a list of pre-cleared type of critical infrastructure projects. Such legislation would categorically approve any pre-cleared projects built in a pre-cleared location in lieu of any further permitting and

⁹ See <https://www.aspeninstitute.org/wp-content/uploads/2021/06/Building-Cleaner-Faster-Final-Report.pdf>. My discussion in this section is not precisely verbatim from the report, but a very close adaptation, for the purposes of illustrating the report’s broader applicability to the significantly overlapping sets of urgent objectives of import to different policy makers.

judicial review. Importantly, such projects would remain subject to and must comply with the technical performance, monitoring, and reporting requirements specified in applicable federal environment and natural resource laws, regulations and resource management plans. And any non-compliance would remain subject to inspection, enforcement, civil and criminal penalties, liability for damages, and judicial review.

The list of pre-cleared locations would start with the 450,000+ US brownfield sites that are the focus of this hearing. And as noted earlier in my testimony, a number of federal laws have set national priorities for development a series of other categories of essentially brownfield locations:

- The Opportunity Zone legislation called on each state to work with their local communities to prioritize and designate specific economically disadvantaged census tracts for substantially tax incentivized private sector redevelopment. A substantial portion of these areas are ideal for innovative infrastructure investment. This program is ripe for legislating a second round of designations which could include automatic designation of industrial areas immediately adjacent to existing opportunity zones, as well as new designation for maritime opportunity zones and critical infrastructure opportunity zones.
- The Infrastructure Investment and Jobs Acts specifies project priorities worthy of locational pre-clearance.
- The Inflation Reduction Act establishes priorities for infrastructure redevelopment in Energy Communities, which have now been formally designated by the Department of Energy. These include, for example, operating and decommissioned thermal power plant locations and coal mining regions.
- The Community and Hydropower Improvement Act establishes a priority and accelerated licensing process for electrifying non-powered dams and for closed-loop and off-stream pumped storage projects.

A variety of administrative programs establish categories of expanded brownfield locations as priorities for redevelopment:

- Federal land management plan designation of areas prioritized for infrastructure development on public land
- EPA RE-Powering America's Land Initiative locations
- Current and former military bases and facilities
- U.S. National Laboratory campuses
- Ports
- Mines and abandoned mine areas
- Ash and mine tailing areas
- Oil and gas lease areas
- Geothermal tracts

State, tribal and local authorities have established various forms of Enterprise Zones that warrant pre-clearance, as well as existing rights of way (e.g. for electricity, pipelines, railways, roadways, and telecommunications) and public works facilities, including municipal recycling facilities.

The legislation would also specify a list of locations excluded from pre-clearance, such as national, state or local parks, national monuments, national recreation areas, national wildlife refuges, national watershed protection areas, national wilderness and wilderness study areas, superfund sites, and designate prime farmland, unique farmland, and farmland of statewide or local importance.

The list of pre-cleared projects would dovetail with the pre-cleared locations, and include for example: data centers and other digital infrastructure, semiconductor R&D and manufacturing, energy production, storage and export facilities, advanced manufacturing facilities, supply chain military facilities, submarine and ship construction, energy efficiency projects and installations, critical minerals production and processing, supporting system infrastructure (electricity lines and substations, pipelines, railways, roadways, and telecommunications systems), plastics recycling facilities.

2. Accelerated Approval: NEPA

The initially groundbreaking and originally modest National Environmental Policy Act process for developing environmental impact statements and assessments has evolved into an administrative quagmire and a litigation festival.¹⁰ We can do a lot better.

The US Supreme Court is taking its first look in 20 years at the way the federal government conducts environmental reviews under the National Environmental Policy Act. At stake is an 88-mile railway bringing oil and farm goods out of rural Utah. Eagle County Colorado sued under the National Environmental Policy Act, claiming that the Surface Transportation Board's 3,600-page environmental-impact review was inadequate. The U.S. Circuit Court of Appeals for the District of Columbia agreed, holding that the board is required to analyze possible impacts as far away as the Gulf Coast, where the exported oil might be refined, and the environmental effects of "long-term employment and commercial activity" resulting from the railway. The Seven County Infrastructure Coalition contends that it shouldn't have to analyze the environmental impact of anything not directly associated with the new railroad and that it should be responsible only for the "proximate effects" of development over which it has regulatory authority.

Although ample legal precedent exists to reverse the lower court's decision, the odds are low that the Supreme Court will be able establish a predictable principle to guide future project review and litigation. During the oral arguments, the litigants predictably parried a barrage of hypotheticals about what the relevant proximate effects might be. This interpretive challenge may be exacerbated by the recent amendment to NEPA that added a new "reasonably foreseeable" filter to consideration of potential impacts. While well-intentioned, it may instead provide additional fodder for the burgeoning and increasingly

¹⁰ <https://thebreakthrough.org/issues/energy/understanding-nepa-litigation>

unpredictable judicial common law of NEPA. As every first-year law school student learns in torts class: “on a clear day you can reasonably foresee forever.”

Congress should instead consider a much simpler approach that would deliver process certainty and speed, and significantly reduce litigation, while fully sustaining compliance with all of our environmental and natural resource protections. Congress should refocus federal agencies on NEPA’s threshold directive found in Section 102(b) that federal agencies assess and consider “presently unquantified environmental amenities and values.” When NEPA was enacted in 1970, little in the environmental domain was quantified. More than 50 years later, almost everything is.

Since 1970, Congress has enacted more than 25 environmental and resource-protection statutes, compounded by a vast array of state, county, local and tribal laws. These laws cover every imaginable environmental topic. They amount to hundreds of thousands of technical rules established by countless experts constantly reviewing, monitoring, inspecting and enforcing every one of them. Each one has its own process for public notice and comment; monitoring, reporting, and inspection; public and private citizen enforcement; judicial review for any alleged non-compliance; and steep civil penalties, criminal liability, and essentially strict liability for economic damages and restoration costs for any harm to people, the environment and natural resources. In other words, there is very little that is still “unquantified” by NEPA’s standards. If something can be studied, regulated, enforced, and penalized, there is probably another agency already doing so.¹¹

Accordingly, Congress should simply clarify that an action agency should focus their NEPA reviews only “unquantified” environmental impacts, deeming any environmental impacts that are now regulated and managed under other laws as “quantified” environmental impacts, excluded from further evaluation under NEPA.

¹¹ A couple of examples illustrate the value of distinguishing between unquantified and quantified environmental effects—as NEPA intended. In 2008 the Ninth Circuit enjoined the U.S. Navy from conducting submarine training in California on the ground that the Navy hadn’t adequately assessed effects on whales and dolphins under NEPA. The court ignored that the Navy’s plan had been approved as sufficiently protective by the National Oceanic and Atmospheric Administration under the Endangered Species Act and received a waiver under the Marine Mammal Protection Act. Although the Supreme Court reversed the injunction, the Navy still had to produce further analysis. But to what end, since the Navy was already doing what federal law required to assure protection of whales and dolphins?

This past summer, the D.C. Circuit blocked the Federal Energy Regulatory Commission from authorizing two liquefied-natural-gas projects, at brownfield locations in Texas, mainly on the grounds that FERC hadn’t adequately assessed the projects’ effects on air quality. The court overlooked that the Texas Department of Environmental Quality had already approved the projects’ air-quality permits and found them in line with standards set by the U.S. Environmental Protection Agency. The unquantified/quantified distinction would curtail such redundant NEPA analysis, while still assuring compliance with the specific environmental protection requirements that substantive law requires.

3. Accelerated Approval: Clean Air Act Section 309

Congress should also evaluate whether Section 309 of the Clean Air Act of 1990 has outlived its usefulness and consider repealing it.¹² Section 309 provides that EPA review all draft Environmental Impact Statements (EIS) prepared by other federal agencies and make these reviews public.¹³ In this process, EPA deems an EIS either “satisfactory” or “unsatisfactory.” An “unsatisfactory” determination puts in motion a prolonged process of re-evaluation and litigation-proofing of any EIS. After 35 years, it is not clear what the added value of this process is. EPA separately reviews infrastructure projects for compliance with the statutes under EPA’s jurisdiction. And all infrastructure projects are reviewed by other federal, state, and local environmental and resource management agencies for compliance with the statutes under their jurisdiction. EPA does not possess any special expertise above and beyond what the other regulatory agencies already possess in their own particular domains. Similar to the needless NEPA redundancy discussed above, the Section 309 process is simply another redundant layer of process, one that likewise is less accountable than the direct regulatory processes and judicially reviewable decisions entrusted under other substantive laws to EPA and other expert agencies.

b. Site Assessment

Prolonged timelines for obtaining government agency sign off on site assessments for any contamination is a common barrier to fostering private sector interest in redeveloping brownfields. After 30 years and tens of thousands of assessments, the methods, practices and standard for performing site assessments and characterizing sites are quite mature and very well practiced. This work is performed relatively quickly and cost-effectively by competent, credentialed private sector experts. Drawing on this substantial body of experience with site assessments, Congress should consider authorizing an automatic sign-off process for site assessments, for all but the most exceptional circumstances.

c. Electricity Grid Interconnection

The most overlooked impediment to the deployment of innovative infrastructure in brownfields is the growing difficulty and delay that power plants and energy intensive consumers face in securing approval to connect to the grid.¹⁴ Solving for permitting delays is of no use without also solving the problem of delay in interconnection.

¹² <https://www.epa.gov/nepa/epa-review-process-under-section-309-clean-air-act>

¹³ EPA does this by posting EPA comment letters in the [EIS database](#).

¹⁴ <https://clearpath.org/wp-content/uploads/sites/44/2023/08/all-queued-up-and-nowhere-to-go.pdf>

Nearly 12,000 power generation projects representing 1,570 gigawatts (GW) of capacity and 1,030 GW of storage are actively seeking interconnection.¹⁵ Only ~19% of projects requesting interconnection from 2000-2018 reached commercial operations by the end of 2023. And the typical project built in 2023 took nearly 5 years from the interconnection request to commercial operations, compared to 3 years in 2015 and under 2 years in 2008. Imagine being ready to move into your house and being told by the power company they can't turn the power on for five years. To compound the problem, two regional transmission operators, MISO¹⁶ and PJM¹⁷ have more than 50GW of projects each with signed interconnection agreements that are delayed or not being constructed due to issues including supply chains, siting & permitting, and financing.

In addition to the relatively modest actions currently being considered by the FERC, Congress should consider a more holistic suite of policies:

- Establish a national policy benchmark of interconnection decisions in no more than 6 months.
- Charge DOE to develop a program of action with the transmission system operators requiring them to co-fund over the next year, development and deployment of a series of potential private sector information technology solutions to more rapidly inform, analyze and automate grid interconnection analyses and decisions.
- Require coordination between FERC and other relevant agencies to create a fast track for approving the construction of new transmission capacity in existing corridors in concert with the Approve, Build and Comply framework discussed above.
- Establish a legislative process and a commission, similar to that used for military base re-alignment and closure, to conduct a phased program of federally approving National Interest Electric Transmission Corridors over the next three years, providing for regional and state differences in regulatory structure and utility business models.

¹⁵https://emp.lbl.gov/sites/default/files/2024-04/Queued%20Up%202024%20Edition_1.pdf

¹⁶<https://cdn.misoenergy.org/20241210%20System%20Planning%20Committee%20of%20the%20BOD%20Item%2004%20Generator%20Interconnection%20Queue%20Update665714.pdf>

¹⁷ https://d1dth6e84htgma.cloudfront.net/03_05_2025_ENG_Testimony_Haque_08233b47af.pdf

APPENDIX

A. Data Centers

i. Nautilus Data Technologies

Nautilus Data Technologies, a startup company that I helped found and led for many years, has developed and deployed a patented data center cooling technology that eliminates the need for air cooling using mechanical chillers and refrigerants. Nautilus' approach significantly reduces energy consumption and essentially eliminates environmental impact. Unlike traditional data centers that consume millions of gallons of (mainly) drinking water per year to support evaporative cooling, Nautilus' system doesn't consume a single drop. The system also does not use any water treatment chemicals or potent ozone depleting and greenhouse gas refrigerants, produces no wastewater, and makes no noise. Most important, the system can much more effectively cool the increasingly powerful, energy hungry, and therefore hotter AI computing chips and servers.

Nautilus engineered the system to enable factory construction of large modules containing most of the critical structural and components of a data center. The modules can readily be transported, assembled on site, and rapidly put into operation. As an option, Nautilus can fully construct and pre-commission a large data center in a shipyard by incorporating it onto a vessel—e.g. a barge or floating platform—transporting it to a waterside location, and simply plugging it into the local electricity and fiber optical networks. This modular approach creates steady factory jobs which offset a portion of temporary construction jobs. The result is a high-performance, AI ready data center, that costs less to build, costs less to operate, and is easy on the environment.

Brownfields are central to the Nautilus story. Nautilus invented, engineered and developed its first prototype and constructed its first data center at the former Mare Island Naval Shipyard in Vallejo, California. For more than 140 years, Mare Island served as a naval base, port, and ship and submarine construction and maintenance facility on more than 5200 acres. During World War II, it became a powerhouse of wartime production, with 50,000 workers turning out submarines, escort ships, and landing craft. Later, during the Cold War, it became a center for nuclear-powered submarine construction, keeping the Navy at the cutting edge of technology. Serendipitously, Mare Island was the home port of the world's first nuclear submarine named the "Nautilus."

The Navy decommissioned the facility in 1996 as part of the base realignment and closure process, leaving behind a hard-hit community and one of the nation's biggest brownfields and hard-hit community. Although the deepwater access, heavy-duty infrastructure, and manufacturing expertise remained, much of it sat idle waiting for a new purpose. Nearly 20 years later, Nautilus saw an opportunity to take advantage of the

residual skilled workforce and industrial capabilities needed for complex engineering projects. Nautilus played a significant role in the reestablishment of re-opening of the Mare Island dry dock for private sector shipbuilding and marine services. Nautilus invested tens of millions of dollars and employed dozens of skilled trade workers over four years at the site. In mid-summer of 2000, we launched our first water-cooled, floating data center out of the drydock and towed it up the San Joaquin River for mooring, commissioning and operation at the Port of Stockton in Stockton, California—another brownfield.

The Port of Stockton also has a long and storied history. Originally developed in 1933, it played a critical role during World War II as a Naval Supply Depot on Rough and Ready Island, providing inland security with infrastructure capable of berthing 13 ships simultaneously. After the war, the island remained a key Naval Communications Station until its decommissioning in 1996, when the property was transferred to a new port authority for commercial redevelopment. Today, the 4,200-acre port is one of California's largest, serving as a deepwater trade hub handling bulk cargo, breakbulk shipments, and foreign trade. Despite its industrial significance, however, very large portions of the port remained underutilized, presenting another opportunity. Redevelopment efforts—like the conversion of in the port's West Complex—demonstrated the potential to repurpose existing infrastructure for modern needs.

Nautilus found an ideal, albeit derelict, location on the west side of port—named “Rough and Ready Island”—for rapid commercial deployment from the perspective of as logistics, engineering, and a very routine brownfield site assessment and characterization for contaminants. We enjoyed strong support in the local community, the city and in the state capital. Nonetheless, the otherwise straightforward civil and electrical engineering work needed make the site ready to support the data center got bogged down by prolonged and overlapping permitting and approval processes. In a matter of just months, our environmental and technical experts prepared a 160-page CEQA environmental assessment (equivalent to a federal NEPA environmental impact statement) finding that the project would have no significant environmental impacts. Yet, it took years to get final sign-off on those findings, with fingers-crossed that we would avoid litigation. Only two aspects of our operations were ultimately subject to substantive regulation: our back-up diesel generator emissions and our thermal water discharge. And because both were well below regulatory thresholds, they qualified for general permits (a.k.a permit-by-rule), which are supposed to be automatic. Even so, it took extensive consultation, a substantial amount of delay, and agreement to a suite of ad hoc monitoring and operating requirements, before we were able to lock down those approvals.

Initially securing agreements for reliable and affordable power supply and upgrading electricity infrastructure was also very challenging, requiring innovative solutions to meet the growing demands of high-density operations. These delays substantially increased the costs of completing the project. Despite these setbacks, Nautilus provided family wage employment to over a hundred skilled workers to complete site construction and commission the data center, and to a dozen skilled operators,

security personnel and managers who operate the data center, contributing to the technological and economic success of a hardworking, heartland city in California. The Stockton data center project is now a model for the future—proving that high-performance computing and environmental responsibility can go hand in hand.

Some of the most advanced technology companies in the world have now chosen the Nautilus Stockton facility to support their operations. Cerebras, a leader in AI hardware, builds the most powerful AI processors in existence. Their systems push the limits of machine learning, requiring extreme cooling density—something Stockton can provide without the environmental costs of traditional solutions. Backblaze, a cloud storage provider with more than half a million customers, selected Stockton to expand its infrastructure, demonstrating that companies don't have to sacrifice performance to meet sustainability goals. These companies represent the future of computing—AI, cloud, and high-performance workloads that demand more efficient, scalable, and environmentally responsible data centers.

The proving grounds in the brownfields of the Mare Island Naval Shipyard and the Port of Stockton established a technology innovation and brownfield project development template that Nautilus and its partners can now replicate in the US and export abroad. For example, in Portugal, Nautilus is working with a development partner to transform a brownfield site at the Port of Sines into a global technology hub. The site was once home to heavy industry and a very large, decommissioned coal fired power plant. Taking advantage of this readily available infrastructure, the campus will now support 1.2GW of high-performance computing and AI workloads—efficiently and sustainably. The Sines project is on track to be the largest data center campuses in Europe, the Middle East, and Africa (EMEA). The first phase of the project has already been completed in record time and on budget.

While at Nautilus, I visited and evaluated dozens of brownfields across the country and abroad that are locationally and logistically perfectly situated to support the rapid and beneficial growth of data centers, especially for data centers developers wanting to take advantage of infrastructure technology innovations such as what Nautilus offer. These include ports, industrial parks, municipal water facilities, former thermal power stations, former pulp and paper mills. In every location I visited, local officials, communities and regulators strongly supported the prospect of data center development.

At the same time, in too many cases, such enthusiasm was overshadowed by very challenging constraints in permitting, electricity system interconnection, electricity supply, and the ever present “objector’s veto.” For example, at both the Port of Los Angeles in California and the Port of Shannon Foynes in Limerick, Ireland, Nautilus spent a couple of years securing leases and approvals for brownfield data center projects, only to be told by the local electricity system operator that it would take them years to connect the projects to the grid. So, no projects.

Early in the process of trying to develop a data center project in the beleaguered brownfield community of East Palo, California (not the tech side of town), at a pre-planning meeting with regulators a US EPA official informed us that he “would NEVER permit a new water discharge into my bay.” When we explained that we had already demonstrated in Stockton that the technology would fully comply with all federal, state and local environmental protection laws and would not cause any environmental harm, he simply replied, “well after I deny your permit, you can spend the next few years making that case to the court.” So, no project.

About the same time, city officials in Alameda, California, courted Nautilus to construct a \$1B data center inside a massive, concrete munitions bunker at the former Alameda Naval Air Station. The facility lay dormant since 1997 after it too was shuttered as part of the base closure process. The project would employ more than 100 local union workers, annually procure millions of dollars of emissions-free electricity from the city’s municipal power authority and produce millions of dollars of new tax revenue for the City. Nautilus spent two years in extensive consultation with stakeholders explaining how the project would work and how it would fully comply with all federal, state and environmental laws. The City’s own wildlife expert provided supportive public testimony concluding that project would not cause any harm to wildlife or the San Francisco Bay and instead would be a net environmental benefit. Nonetheless, a handful of local environmental group members raised objections to the project, persuading the City Council to shelve their approval of our lease—which was the predicate for us being able to get the permits to prove our point. But with the added delay and risk of future litigation we could not take the chance on moving forward. So, no project.

ii. AI Data Centers

Until recently, data center developers focused on building in “greenfield” locations near commercial real estate districts, tending to concentrate their development in places like Ashburn (VA), Silicon Valley/Los Angeles (CA), New York (NY, NJ), Chicago (IL), Dallas/Houston (TX), as well as Singapore, Dublin, Amsterdam, Paris, London and Frankfurt. As the AI data center boom unfolds, data center developers are scrambling to find brownfields that can support the much greater industrial scale of these new facilities and where there is greater prospect of finding an able workforce and securing existing and developing large quantities of electrical power supplies.

xAI recently proved at a brownfield in Memphis, Tennessee that it is possible to construct a massive new, state of the art data center in a span of just six months, following an equally rapid site development and environmental approval process. They have set the benchmark for what federal and state policy and management should fully commit to achieve at all brownfield data center projects nationwide. This will require a major rethinking of the present “accelerator and brake” reality of data center development and the enactment of federal and state improvements to the permitting process that aligns with building at the speed of the need.

The news is full of innovative and ambitious proposals to develop AI data centers in brownfields. These projects plan to use power from an existing nuclear power station, from the restart of a decommissioned nuclear power station, from an innovative modular nuclear power plant, from a massive new clean energy park and, further out, from an innovative nuclear fusion power plant.

B. Semiconductors

The US is undergoing an exciting renewal of semiconductor manufacturing and R&D. Many of these advanced technology production facilities have been or will be constructed on brownfield sites. To highlight just a few examples of completed and announced projects:

- Luther Forest Technology Campus (LFTC) in Malta and Stillwater, New York: This site, once home to the Malta Test Station—a rocket engine testing facility in the mid-20th century—has been transformed into a hub for semiconductor manufacturing. GlobalFoundries' Fab 8 facility operates here, producing advanced semiconductor wafers. The redevelopment of this area showcases the effective conversion of a former industrial site into a state-of-the-art technology campus.¹⁸
- SkyWater Technology's Facility in Bloomington, Minnesota: SkyWater Technology operates a semiconductor fabrication plant on a site with a rich industrial history. The facility was formerly part of Cypress Semiconductor and has been revitalized to serve as a U.S.-owned pure-play silicon foundry, contributing to domestic semiconductor manufacturing capabilities.¹⁹
- Intel's Fab 11X in Rio Rancho, New Mexico: Intel's manufacturing site in Rio Rancho has undergone significant upgrades over the years. Originally established in 1995, the facility has been modernized to accommodate advanced semiconductor fabrication processes, illustrating the adaptive reuse of existing industrial infrastructure.²⁰
- Intel's Expansion in Chandler, Arizona: Intel has announced plans to construct two new semiconductor fabrication plants in Chandler, Arizona, expanding its existing Ocotillo campus. This site has a long industrial history, and the new development aims to rejuvenate the area while enhancing Intel's manufacturing capabilities.²¹
- GlobalFoundries' New Fab in Malta, New York: In February 2024, GlobalFoundries received a \$1.5 billion investment under the CHIPS and Science Act to build a new semiconductor fabrication plant in Malta, New York. The development is set to occur on a site with prior industrial use, contributing to the revitalization of the area and strengthening domestic semiconductor manufacturing.²²

¹⁸ en.wikipedia.org

¹⁹ mysanantonio.com+2en.wikipedia.org+2investopedia.com+2

²⁰ en.wikipedia.org

²¹ <https://download.intel.com/newsroom/2024/corporate/Intel-Arizona-The-Silicon-desert.pdf>

²² en.wikipedia.org+1en.wikipedia.org+1

- Hemlock Semiconductor's Facility in Hemlock, Michigan: Hemlock Semiconductor has been awarded \$325 million under the CHIPS Incentives Program to construct a new manufacturing facility in Hemlock, Michigan. The project is planned for a site with a history of industrial activity, aiming to enhance the domestic supply of hyper-pure polysilicon essential for semiconductor production.²³
- Applied Material's EPIC Center in Santa Clara, California: Applied Materials is building the multibillion-dollar Equipment and Process Innovation and Commercialization (EPIC) Center on a brownfield in the heart of Silicon Valley. This will be the world's largest R&D facility of its kind—with a footprint of three football fields—focused on high-velocity innovation platform designed to accelerate development and commercialization of the foundational technologies needed by the global semiconductor and computing industries.²⁴

C. Submarine and Ship Manufacturing

Restoration of U.S. capability to rapidly and cost-effectively build a new class of innovative submarines as well as naval and civilian vessels has moved to the top of the national security agenda.²⁵ Almost all of this critical renaissance will occur in brownfields. The recent acquisition of the Mobile Naval Yard in Alabama is a prime example of how this will unfold nationwide. The Mobile Naval Yard is a 355-acre shipyard, including 3 piers, 1 dry dock, plus access to deep-water ports and ideally located within a nexus of designated federal Opportunity Zones. The U.S. Navy prioritized the strategic value of Mobile, AL out of a selection of possible location for co-investment by the private sector and DOD. These investments will upgrade the shipyard's infrastructure and will likely include complementary investments in local or on-site production facilities, workforce housing, and training centers. An existing tenant is currently leasing legacy assets and additional off-take lease arrangements are being negotiated with 3rd parties for built-to-suit facilities.²⁶ Speed will be the most critical benchmark of success or failure for this complex undertaking.

²³ <https://www.ourmidland.com/news/article/hemlock-semiconductor-officially-awarded-325m-20019821.php>

²⁴ <https://ir.appliedmaterials.com/news-releases/news-release-details/applied-materials-launches-multibillion-dollar-rd-platform>

²⁵ <https://www.wsj.com/politics/policy/draft-of-trump-executive-order-aims-to-eliminate-education-department-5315c3a4>

²⁶ <https://www.navsea.navy.mil/Media/News/Article-View/Article/3913023/navy-partners-with-private-industry-to-grow-submarine-industrial-base-capacity/>

D. Energy

The future of innovation in American energy infrastructure is also being written in brownfields. The following is a sampler of what is to come.

i. Nuclear Fission

- TerraPower's Advanced Reactor Demonstration Program (ARDP) project is being built adjacent to a [retiring coal facility](#) in Kemmerer, Wyoming.
- Oklo is [characterizing a site](#) at Idaho National Lab to deploy their Aurora microreactor.
- Kairos demonstration reactor, Hermes, is [under construction](#) at Oak Ridge National Lab. They intend to build two larger-scale reactors there as well.
- X-energy will soon break ground on its reactor in collaboration with Dow Chemical in Texas. This is both on an existing industrial site and within an Energy Community. They are also building a fuel fabrication facility at Oak Ridge National Lab, and are planning a second deployment near Pacific Northwest National Lab and the Hanford Site.
- Natura and NOV Shepherd Power plan to deploy microreactors in oil fields.
- Oklo was awarded a contract to deploy at Eielson Air Force Base in Alaska.
- Holtec plans to add its small modular reactor to existing nuclear site Palisades, where it's also restarting the plant. Holtec also proposed adding SMRs to the retired Oyster Creek site.

2. Nuclear Fusion

- Commonwealth Fusion Technologies is [deploying its first commercial reactor](#) at the James River Industrial Park in Virginia, in a Coal Closure Energy Community.
- Helion is planning to deploy its first commercial reactor in Malaga, Washington, which is adjacent to Rock Island Dam and likely will use existing right of ways.
- Type One Energy plans to build [Infinity One](#) at Bull Run Fossil Facility near Oak Ridge National Lab.

3. Geothermal

- Fervo Energy's Project Red in Nevada is being built in an Energy Community²⁷
- Eavor Inc., Teverra, Zanskar Geothermal, Fervo Energy, GreenFire Energy, and Sage Geosystems are building projects on military sites.²⁸
- Energy Communities are widespread in the west given the more expansive nature of western Metropolitan Statistical Areas. Given the strong geothermal potential in many western states, and large amounts of federal land, this designation is ripe to accelerate a new generation of geothermal development.

4. Hydrogen

- IPP Renewed is retiring existing coal-fueled units and replacing them with new natural gas-fueled electricity units designed to utilize 30% hydrogen fuel transition to 100% by 2045.²⁹
- Idaho National Laboratory has deployed a high-temperature electrolysis test stand to work with industry partners and demonstrate performance.³⁰

5. Carbon Dioxide Capture Use and Storage

- Petra Nova project in Thompsons, Texas: Retrofitting the existing W.A. Parish coal-fired power plant with post-combustion carbon capture technology. The captured carbon dioxide was transported to the West Ranch Oil Field for enhanced oil recovery.
- Archer Daniels Midland Co. is leading the Illinois Industrial Carbon Capture and Storage Initiative in Decatur, Illinois with a project that captures CO₂ from ethanol production and stores it underground in the Mt. Simon Sandstone saline aquifer.
- Rocky Mountain Power and 8 Rivers are collaborating to evaluate a carbon capture project at one of the utility's existing brownfield power plant sites in Wyoming.

²⁷ <https://fervoenergy.com/fervo-energy-announces-technology-breakthrough-in-next-generation-geothermal>

²⁸ <https://www.diu.mil/latest/three-additional-next-generation-geothermal-technology-companies-advancing>; <https://www.sagegeosystems.com/press-release-sage-geosystems-expands-collaboration-with-the-dod-to-enhance-energy-resilience-through-geothermal-energy-at-naval-air-station-corpus-christi/>

²⁹ <https://www.ipautah.com/ipp-renewed/>

³⁰ https://www.hydrogen.energy.gov/docs/hydrogenprogramlibraries/pdfs/progress18/tahi_obrien_2018.pdf?sfrsn=9f31960a_1

e. Circular Plastics Recycling

The United States is seeing a surge in molecular plastics recycling innovations aimed at tackling the growing plastic waste problem. Once again, brownfields figure prominently in the innovation equation. Companies are developing advanced technologies to break down plastics at the molecular level, transforming them into valuable raw materials for new products. Brownfields are the locus of development and deployment of this important industrial innovation. Many initial efforts are co-locating with large scale petrochemical operations. Several startups are building their commercial demonstration facilities inside of industrial parks to lower capital and operating costs and leverage existing infrastructure for power, gas, security, safety and emergency response, logistics and supply chains. Some innovators envision leveraging our current system of local collection of used plastics and redeveloping the more than 300 municipal recycling centers in the U.S. with large scale molecular recycling facilities---transforming what currently imposes substantial costs on municipalities with very limited net environmental value into a significant profit center for municipalities with very significant environmental value. Here are a few examples:

- Loop Industries, which uses a proprietary depolymerization technology to convert PET plastic waste into virgin-quality PET resin. Their process is designed to handle a variety of post-consumer plastics, including colored and contaminated PET, which traditional recycling methods struggle to process.
- Eastman Chemical Company with its carbon renewal technology. This method breaks down mixed plastic waste into simple molecules, which can then be reused in the production of new plastics and other materials. Eastman's facility in Tennessee has been actively processing millions of pounds of waste annually.
- A partnership between Shell and Nexus Fuels focuses on converting plastic waste into feedstock for chemical production. Through pyrolysis, they transform hard-to-recycle plastics into high-quality chemicals that can be used to manufacture new plastics, ultimately reducing reliance on fossil fuels.
- Startup GSF Upcycling has developed graphene-based nanomaterials—commonly known as carbon-nanotubes—than can be added to a pyrolysis process and enable any municipal or industrial entity to “upcycle” the 80+% of used plastics that are currently too hard to recycle and otherwise end up in landfills, incinerators, or lost to the environment. Examples include packaging materials—about 45% of the global problem—as well as medical devices, automobile parts, circuits boards, and even degraded plastics such as marine debris.

These initiatives represent crucial steps toward a circular economy, where plastic waste is continuously recycled and repurposed, significantly reducing environmental impact.

Mr. GRIFFITH. Thank you, sir. Now I recognize Mr. Bollwage, Mayor, for your 5-minute opening statement.

STATEMENT OF J. CHRISTIAN BOLLWAGE

Mr. BOLLWAGE. Thank you very much, Mr. Chairman Griffith, I appreciate it.

Ranking Member Tonko, it is good to see you again.

And thank you very much, Congressman Menendez and Congressman Pallone, for your kind words.

I have been before this committee, Chairman, numerous times since the 1990s on the topic of brownfields, and I represent the U.S. Conference of Mayors. But I would like the committee to know that we are also working closely with the National League of Cities and the National Association of Counties on this important issue.

I also want to thank this committee for incorporating our recommendations into the brownfields law in 2018, including the multipurpose grants, the increasing of the cleanup grant amounts, and we were very pleased at that time to see additional funding of \$1.5 billion that—and the higher funding caps that were included in the Infrastructure Investment and Jobs Act.

Previous testimony, cities have been doing brownfields, as all of you know, for years. But we have hit roadblocks on those efforts. And the legislation that you mentioned in your opening remarks, Chairman, in 2002 was a game changer on many of those roadblocks, providing liability protections for innocent parties, codified the Brownfields Program, and made a difference throughout many communities in this entire country.

The results are impressive. For every Federal dollar that are awarded in this Brownfields Program, \$20.45 has been leveraged; 13.9 jobs were leveraged per \$100,000 of EPA funding. The only downside is, you know, Mr. Chairman and members of this committee, are that the grant applications far outnumber the resources that are available.

And although many of the easier-to-develop brownfield field sites have been tackled, communities still struggle to develop more difficult sites. The changes that were incorporated in the 2018 reauthorization bill as well as the Jobs Act have assisted with cleanup and redevelopment of more complex sites.

EPA brownfields has consistently been one of the most useful Federal programs at the local level, and it is a bipartisan program supported by Congress.

Brownfields are a neighborhood eyesore that the neighborhood sees. But for cities, they represent unutilized potential. We see redevelopment as a chance to create jobs, revitalize neighborhoods, increase the tax base, and reutilize existing infrastructure.

I want to thank Congress for the—including 1.5 billion in brownfields redevelopment in the Job Acts as well as providing higher grant levels.

EPA was hesitant towards larger grants because they only had \$90 million. However, with the increased funding and additional flexibility, EPA provided larger grant amounts of \$500,000 for assessments and 5 million for cleanups. In my community, we have developed the Jersey Gardens, the Harbor Front Villas, Elizabeth Port HOPE VI, and they are all included in my written testimony.

The former landfill became a 200-acre shopping experience. A former industrial waterfront is now home to mixed-use development that includes luxury homes as well as affordable housing. This is what the great brownfield—the Brownfields Program is all about. Each community is different. They have their own needs and their own vision, and the program provides them with the tools they need.

Regarding the next reauthorization bill, we would like to recommend, on behalf of the Conference of Mayors, naturally, additional levels of funding of 250 to 300 million per year for the next 5 years; multipurpose grant programs, increasing the grant amounts to 5 to 10 million—we would also ask the EPA to allow the broadest application of the area to cover these grants; support of our original recommendation of increasing the cleanup grant cap to 1 million, with the flexibility to go up to 10 million in certain instances; raise the administrative caps to a higher level—this will help smaller communities; and finally, we would like to work with you to develop recommendations on potential tools that can be implemented.

The changes that Congress has made in the last reauthorization bill improve the program. And significantly, the Jobs Act built on that progress. Our organizations are asking Congress for a simple reauthorization package with change in the effective dates. But if possible, we ask for additional resources such as those that were allocated in the Jobs Act.

This is a program that I think all of us are proud of, where—whatever side of the aisle, and I urge this committee for reauthorization.

Thank you, Mr. Chairman, for this opportunity.

[The prepared statement of Mr. Bollwage follows:]



**THE UNITED STATES
CONFERENCE OF MAYORS**

**Written Testimony of
The Honorable J. Christian Bollwage
Mayor, Elizabeth, New Jersey
On Behalf of The U.S. Conference of Mayors
Before the House Energy and Commerce**

**Subcommittee on Environment
2123 Rayburn House Office Building
March 11, 2025**

INTRODUCTION

My name is Chris Bollwage and I have had the honor to serve as the Mayor of Elizabeth, NJ since 1993. I also serve on the Executive Board for The U.S. Conference of Mayors and I Chair the Conference's Brownfields Task Force for the past 30 years.

I have testified before this committee numerous times on the important topic of brownfields. And while I am speaking on behalf of the Conference of Mayors, I will mention that we work very closely and are aligned with our other local government organizations - the National League of Cities and the National Association of Counties - on this important issue.

First, I want to sincerely thank this committee for listening to the recommendations that our organizations put forth during the last reauthorization and incorporating them into the Brownfields law in 2018. Those included the creation of the multi-purpose grants and increasing the cleanup grant amounts. We were even more excited to see the additional funding of \$1.5 billion and higher funding caps of \$10 million that were included in the Infrastructure Investment and Jobs Act or IIJA.

As mentioned in my previous testimony, cities have been doing brownfields redevelopment for decades (even before the first Brownfields law was passed) but we hit many roadblocks that hindered our efforts. The legislation that was passed back in 2002 was a game changer. It finally provided the much needed liability protections for innocent parties who wanted to redevelop these sites but were too nervous to get potentially entangled in the Superfund liability issues. And it also codified EPA's Brownfields program which is one of the most popular and successful programs that EPA has and it has made a significant difference in communities all across the country.

How can you not like a program that cleans up the environment and puts a piece of land back into productive use whether it be for new economic development, new housing, or even a much-needed greenspace in a run-down part of town? It is simply a community game-changer.

And the results have been impressive -

According to EPA, through fiscal year 2024, on average, \$20.45 was leveraged for each EPA Brownfields dollar awarded and 13.9 jobs were leveraged per \$100,000 of EPA Brownfields funds through assessment, cleanup, multipurpose and revolving loan fund agreements.

The only downside is that the majority of grant applications that make it to EPA Headquarters are not funded due to lack of resources. And while communities, like mine, have received brownfields grants in the past, we tend not to apply for additional funding knowing the fact that EPA, rightly so, likes to distribute the money to many communities throughout the nation.

As I also mentioned previously, many of the easier to develop brownfield sites have been tackled. However, many communities continue to struggle with harder to develop sites due to either more complex cleanups or their locations face additional challenges that make them harder to develop. The changes that were incorporated in the last reauthorization bill as well as IIJA have assisted us with cleanup and redevelopment of these more complex brownfields sites.

EPA's Brownfields program has consistently been one of the most useful federal programs at the local level. It supports the revitalization and redevelopment of vacant and abandoned properties that blight communities across the country, and I hope, like in the past, it continues to be one of the most bipartisan programs supported by Congress.

Brownfields redevelopment can play a crucial role in infrastructure development, revitalizing communities, creating jobs, and even assisting with local climate change mitigation, energy, and resiliency needs.

For many people, brownfields are just the neighborhood eyesore or the former industrial site, but for cities, they also represent unrealized potential. Local leaders see the redevelopment of brownfields as a chance to bring back jobs to a community, revitalize neighborhoods, increase the tax base, and reuse and enhance already existing infrastructure in a more sustainable way.

HISTORY

Since the early 1990s, local governments have made the redevelopment of brownfield properties a top priority. At that time, the Government Accountability Office estimated there were somewhere between 400,000 to 600,000 brownfield properties. Brownfields are defined as abandoned or underutilized property whose redevelopment is hindered due to real or perceived environmental contamination. In our research, we determined that every Congressional District had at least one brownfield site, but most had many more. Brownfields can occur anywhere - from an abandoned gas station or dry cleaner or a former industrial site that is no longer in use.

In the 1990s, developers, business owners and banks were unwilling to touch these properties out of fear of liability. These concerns were the result of the joint, several and strict liability provisions in the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), a 1980s law more commonly known as Superfund, which made an innocent

developer or lender just as responsible for the cost of cleanup as the actual polluter. As a result, developers would seek out “greenfields” rather than take a risk on a brownfield property. This unfortunately contributed to urban sprawl, more air pollution due to increased vehicle miles traveled, and hundreds of thousands of abandoned or underutilized sites in almost every community in the United States.

As the great mayor of Chicago, Mayor Richard M. Daley once said, “As a nation, we recycle aluminum, glass, and paper, but we don’t recycle our most valuable commodity, our land.” I would like to add to that: by recycling our land, we are also taking advantage of existing infrastructure and in many cases, upgrading that infrastructure to support new development. This is a much more sustainable path of utilizing infrastructure than continually building new infrastructure that will also need to be maintained.

Back then, we worked closely with Congress and EPA to formulate legislation and a program that provided some liability relief for innocent developers, as well as money to do assessments and cleanup.

I testified before the House and Senate numerous times between 1994-2001 on the importance of this legislation and was pleased that the bill had such strong bipartisan support. In 2001, the Small Business Liability and Brownfields Redevelopment Act passed the Senate with a 99-0 vote, was put on the unanimous consent calendar in the House, and signed by President George W. Bush, demonstrating the vast bipartisan appeal of this program. And you can understand why - the program is a win for local governments, the environment, businesses, and communities.

When the Brownfields program came up for reauthorization, our local government organizations and others made a series of recommendations on how to improve the program. It took nine years, but eventually Congress passed a reauthorization bill in 2018. I am seriously hoping that it won’t take another nine years for the next reauthorization to occur, but we are cutting it kind of close.

Infrastructure Investment and Jobs Act (IIJA)

I again want to take this opportunity to thank Congress for including \$1.5 billion for brownfields redevelopment in the IIJA. Given that historically only around \$90 million is appropriated every year for grants to local governments and nonprofits, the extra \$300 million per year was extremely beneficial in funding more worthwhile projects.

The infrastructure bill also allowed for higher grant amounts in the areas of assessments, cleanup grants, multipurpose grants and job training. We know that, in the past, EPA had been somewhat hesitant in awarding larger grant amounts due to the fact that they only had \$90 million to distribute nationally and they wanted to help out as many communities as possible. However, with this increased funding and additional flexibility, EPA did take advantage of this opportunity

and utilized some of the infrastructure money to provide larger grant amounts of \$500,000 for assessments and \$5 million to communities with brownfields that need extra assistance.

The other item that proved very helpful is that while there is typically a 20 percent matching requirement for most of these types of grants, because of other IIIA money, it helped subsidize this requirement which really helped many communities who may be struggling to find matching funds.

BROWNFIELDS REDEVELOPMENT IN ELIZABETH

Since I first became Mayor of Elizabeth, I have worked to redevelop many brownfield sites that were once eyesores in my city. Attached to my testimony is a summary of some of the most notable brownfield redevelopment projects in my community including the Jersey Gardens Mall, the Harbor Front Villas, and our Elizabethport/Hope VI project to name just a few.

These former brownfield sites include a former landfill that became a 200-acre shopping experience, a former industrial waterfront property which is home to mixed use development that includes both luxury homes as well as affordable housing.

That is what is great about the brownfields program. Each community has their own needs and their own vision and this program provides them with the tools they need to make that vision a reality.

The EPA Brownfields program has a proven track record of leveraging private sector investment, creating jobs and protecting the environment. The original law provided some liability relief for innocent purchasers of brownfield properties and provided resources to conduct environmental assessments and cleanups. After the original law passed, the challenge that many communities faced is that while there were tools to help with the so-called “easy” brownfield sites that are most attractive to developers, there were not enough tools or resources to assist with the more difficult brownfield sites—what we like to refer to as the medium to dark brown, brownfield sites—that are more complex to redevelop.

I would like to make some comments regarding the improvements that were made in the 2018 Brownfields Reauthorization and in the IIIA that we would like to see continued in your version of a reauthorization bill.

Full Funding of the Brownfields Program – The 2018 reauthorization maintained the existing authorization level of \$250 million annually although only about \$140- \$150 million is regularly appropriated. Please note that the states get their \$50 million annually and around \$90 million goes directly to local governments and nonprofits for the tools that I have mentioned - monies for assessments, cleanups, multi-purpose, and job training.

The IIJA provided \$1.5 billion over 5 years or \$300 million per year. We are extremely grateful for that huge influx of money. Given the huge number of brownfields that remain and how successful this program is, it will never be a bad investment to put more money into this program. *We believe that this new money is being well utilized and could justify additional appropriations in the future and respectfully ask that higher funding levels are included in this new authorization bill.*

Creation of a Multi-Purpose Grant – The 2018 reauthorization specifically authorized for the first-time multi-purpose grants up to \$1 million and IIJA provided up to \$10 million. The way the program previously worked was that a city had to apply for a specific type of grant for a specific property. This process works in many cases, but for cities with multiple brownfields sites that have different needs, the process was not flexible enough for real market-place situations. For example, a city may have multiple developers and businesses who are interested in several brownfield properties and may need different tools. A multi-purpose grant allows a city to use the money where and how it is most needed. Communities could do an assessment on property x or clean up on property y without reapplying for a specific category of funding. It was a hindrance to apply for a specific grant for a specific site and then wait six months to a year to see if you were awarded the funding when there was a very good chance that a potential developer moved on or changed their mind on that particular property. Local governments have been asked to be more “business-like,” and the creation of this additional tool has added to our efficiency in working with the private sector on these vital projects.

EPA seems to have a more restrictive view of the uses of multi-purpose grants than we originally envisioned. We were hoping that a city would NOT have to identify a particular neighborhood or site for where the money could be spent but to use it more broadly, potentially even city-wide. If this is too broad, an applicant should be able to use that money with as much flexibility as possible, in our opinion. And so maybe identify multiple areas where the money could be used.

We would like to see the multi-purpose grants continued and the dollar amounts increased. We would also ask the EPA to allow for the broadest application of the area covered by this grant.

Increased Cleanup Grant Amounts – As mentioned, many communities have been able to tackle the so-called “easy” brownfield sites. While that work still needs to keep going, there are still many additional brownfield sites that are more complicated due to the level of cleanup that is needed, the current market conditions, the location of the site, or a combination of these factors.

We are happy that Congress recognized this need and in your 2018 reauthorization bill raised the cap on cleanup grant amounts from \$200,000 to \$500,000, with the flexibility to go up to \$650,000 based on the anticipated level of contamination, size or ownership status of the site.

Under IIJA, there was an allowance for up to \$10 million of cleanup money per site. We do not think any \$10 million grants were awarded but we did find several clean up grants for \$1- \$5 million to clean up multi-acre sites that are along waterfronts and other key areas that can help these communities revitalize themselves and bring in economic development and other amenities.

That opportunity could be a real game changer. *We would like to ask that in the next authorization bill that you support our original recommendation of increasing the cleanup grant cap to at least \$1 million, with the flexibility for up to \$2 million in certain instances.* Of course, if you decide to authorize appropriation levels that are closer to IIJA levels, we may want to bump that up to \$5 -\$10 million.

Allowed Reasonable Administrative Costs - The 2018 reauthorization allowed Brownfield grant recipients to use up to 5 percent of grant amounts for administrative costs, such as for rent, utilities and other costs necessary to carry out a brownfields project. This is an important improvement to the original law, which prohibited use for administrative costs entirely. This change is particularly important for smaller communities and nonprofits that previously may not have even applied for grants due to the cost burdens associated with taking a federal grant. *We ask the committee to consider raising this cap higher which will particularly help smaller communities.*

Matching Funds - There is a 20 percent match for the multi-purpose, cleanup, and revolving loan fund grants. Under IIJA, there was additional funding that could be used as a match so, in a way, it was like there was a zero-matching requirement. We understand that Congress likes for a community to have some “skin in the game” but this does make it more difficult for smaller and poorer communities to be competitive. *We ask that you consider allowing a certain number of grants to not have a matching requirement to assist these harder hit communities.*

Removal of Barriers to Local and State Governments Addressing Mothballed Sites – Local governments throughout the country have long recognized the harm abandoned and underdeveloped brownfield properties can pose to their communities. Properties that lie idle because of fear of environmental contamination, unknown cleanup costs and liability risks can cause and perpetuate neighborhood blight, with associated threats to a community’s health, environment, and economic development. These are called “mothballed” properties and they can be detrimental to a community or neighborhood’s vitality. While this has not been a major problem in Elizabeth, it is in many other communities.

The 2018 reauthorization provided more redevelopment certainty for governmental entities by addressing the liability concerns for the “voluntary” acquisition of properties, as well as “involuntary” acquisition as the original law allowed.

But additional tools may be necessary to convince owners of mothballed properties that it is safe to turn over, sell or redevelop these properties. *We would like to work with Congress to develop a list of recommendations or potential tools that could be implemented to help address this problem.*

CLOSING

The changes that Congress made in the last reauthorization bill improved the program significantly and the IIJA built on that progress. I again wish to thank you for supporting those changes and this investment. *At this time, our organizations are asking Congress for a simple reauthorization package with a change in the effective dates but, if possible, we would love to see additional authorization resources, such as those in the IIJA, provided for this very successful program.*

I wish to thank the subcommittee for inviting me to testify today. This is a program that you all should be proud to support. It has a proven track record of creating jobs, cleaning up contamination and protecting public health. It is a pro-business and pro-environment law and I urge you to support reauthorization. Thank you again for this opportunity and I look forward to your questions.

Attachment**City of Elizabeth - Brownfield Summary*****1. The Mills at Jersey Gardens***

Within the City of Elizabeth, the *Jersey Gardens Mall* was built upon a former landfill in 1999. Through strong private/public partnerships on the County, State and Federal level, this innovative project transformed a former brownfield into a thriving shopping experience - with more than 200 stores and an AMC Loews movie theater located next door.

Conveniently located off Exit 13A of the New Jersey Turnpike, the conversion of this former eyesore into a shopping center had numerous positive effects on the health of the neighborhood. It created new employment opportunities, assisted in the stabilization of property taxes through a new tax ratable and continues to improve the overall quality of life within the City.

Jersey Gardens Mall became *The Outlet Collection - Jersey Gardens* and was renamed *The Mills at Jersey Gardens* when it was acquired by Simon Malls in January 2015. The Mall continues to flourish after another successful year, with business up 10% and international visits up 37% - from top markets including Brazil, Germany and Israel.

In collaboration with Union County College, the Retail Skills Center, which has evolved into the Workforce Innovation Center, provides job placement, soft skills training and ESL education to residents - and is located right within the The Mills at Jersey Gardens. In addition We Are One New Jersey-Union County, which is an initiative spearheaded by the County of Union, is located within *The Mills* and provides assistance to individuals as they prepare for the United States Citizenship Test.

The Mills at Jersey Gardens also features a 4.8-megawatt SunPower rooftop solar system. The project, which is among the largest rooftop systems in North America, broke ground in June 2011 and began producing power in February 2012. Consisting of more than 15,000 high efficiency SunPower panels, this project generates approximately the amount of power required for 564 New Jersey homes.

Adjacent to the Mall is an eight-story Embassy Suites Hotel with 82 rooms and an 87,200 sq. ft. restaurant. Additional hotels at this site include: Country Inn and Suites by Carlson, Elizabeth Courtyard by Marriott and Residence Inn by Marriott Newark/Elizabeth Liberty International Airport. Restaurants such as Ruby Tuesday and IHOP are also available on the property.

The IKEA Furniture store, which is also easily accessible from Exit 13A of the New Jersey Turnpike, also completed a \$40 million renovation, which included a reconfiguration of its operations and an increase in showroom space to help meet the growth of its business.

2. The HOPE VI Project

Before Jersey Gardens, City Officials had embarked upon an impressive renewal effort in the City's oldest neighborhood, which was located adjacent to the transformed landfill. Economic development expansion and citywide revitalization efforts inspired the removal of public housing structures and the implementation of new housing initiatives.

Hundreds of affordable housing units were completed, with a portion on former brownfields. The tremendously successful federally funded HOPE VI program assisted in the removal of public housing complexes and replaced them with new townhouses in Elizabethport.

Individuals previously residing in the old, dilapidated facilities had the unique opportunity to become homeowners. Living in a new community setting not only physically transported these low to moderate income residents, it transformed their quality of life.

Removing the stigma of public housing, the HOPE VI program assisted in instilling a sense of pride, self-sufficiency and homeownership in a residential neighborhood that included beautiful landscaping and open space. Through this program, hundreds of residents also participated in services including but not limited to: resume and interviewing workshops, job training and placement, computer classes, youth oriented programs, child care programs, business development and health care. Identifying neighborhood potential and implementing a strong vision made critical initiatives such as HOPE VI possible.

The HOPE VI program is administered by the Housing Authority of the City of Elizabeth through the United States Department of Housing and Urban Development.

3. Area Surrounding Midtown Elizabeth Train Station

The Midtown Train Station is a designated New Jersey Transit Village and is located among brownfields. The City is seeking a NJ DEP Brownfield Development Area (BDA) designation for the area within and around the Midtown Redevelopment Area, which includes a 20-acres surrounding the Midtown Train Station. The Midtown Elizabeth Train Station is already a New Jersey Department of Transportation designated Transit Village.

NJ TRANSIT has committed \$70 million dollars for the design and reconstruction of the Elizabeth Midtown Train Station, which will include a new two-story station building with a street-level ticket office, waiting room as well as new office and retail space. The location will also feature new, extended high-level train platforms that will accommodate longer, 12-car trains and the platforms will feature covered, heated and air conditioned waiting areas for its users.

The Station will have new elevators and stairs, upgraded passenger information and security systems. The westbound plaza entrance will be highlighted by a marquee façade, new stairs and new vendor space. NJ TRANSIT and the City of Elizabeth is working together to incorporate art into the design of the station. The project will be funded through a combination of state and federal sources.

Enhancements to the Midtown Elizabeth Train Station are not limited to the current facility. These additional brownfield properties surrounding the Station have also begun the revitalization process. New housing, retail and offices will complement a modern Train Station and provide the services residents, commuters and visitors expect and deserve.

4. Harbor Front Villas

The City of Elizabeth's Waterfront underwent a transformation, creating luxury housing on a former brownfield site. Harbor Front Villas is a \$15 million townhouse development that features market-rate units, which would attract the most demanding buyer.

Homeownership coupled with luxurious amenities and a Waterfront view is what Harbor Front Villas offers its clientele. Located minutes away from Exit 13A off the New Jersey Turnpike, the site is easily accessible from major roadways and is minutes away from New York. From master bathrooms, cathedral ceilings and fireplaces to granite entrance halls, central air conditioning, terraces and private parking, this new townhouse community provides the comforts of home with a beautiful view on the water.

With wide market appeal, Harbor Front Villas offer an exciting alternative to individuals who work in the tri-state area and are looking to immerse themselves in the beauty, culture and community of an urban municipality.

Mr. GRIFFITH. I thank the gentleman, and now recognize Ms. Stoneham for her 5-minute opening statement.

STATEMENT OF CHRISTA STONEHAM

Ms. STONEHAM. Chairman Griffith, Ranking Member Tonko, and members of the subcommittee, thank you for the opportunity to testify today.

As chief executive officer and president of the Houston Land Bank, America's largest geographic land bank, our mission as a quasigovernmental nonprofit is to turn vacant, abandoned, and underutilized properties into thriving community assets. However, I also serve as a steering committee member for the National Brownfields Coalition and a board member for the Center for Community Progress, both organizations dedicated to ensuring that brownfields are opportunities for redevelopment and economic progress.

As the energy capital of the world, Houston is on track to become the third-largest city in the United States. Yet hundreds of brownfields and acres remain barriers to housing, jobs, and economic prosperity. But unlike many major cities, Houston has no zoning laws, meaning that industrial sites often sit directly next to homes, schools, and community centers. This creates health and safety risks, drives down property values, and makes redevelopment complicated, especially when absentee landlords, legal barriers, and contamination costs prevent private investment from stepping in. But that is where land banks step up. We take on the toughest properties, the ones that market won't touch, and position them for community-driven revitalization. But we can't do this work alone.

One example of Federal support in action is Project Yellow Cab, a 6.8-acre brownfield site in Houston's near north side. Once a vital transportation hub, the former taxi headquarters quickly became an illegal landfill, a crime hotspot, and an environmental hazard. But since 2019 the Houston Land Bank has secured \$5 million in local government grants for site acquisition, leveraged \$7.3 million in ARPA funds to gain full site control with Harris County, demolished abandoned warehouses, and prepared the land for redevelopment. But most importantly, we partnered with the community to plan 40 affordable single-family homes and 120 affordable multi-family units. In addition, we secured over \$200,000 to ensure these homes are energy efficient and disaster ready, a critical need in Houston, where storms and hurricanes are a constant threat.

But Project Yellow Cab is just one example of a bigger need. To expand our impact, we also secured a \$600,000 assessment grant for over 40 acres to conduct infrastructure analysis, facilitate reuse planning, and to engage community leaders, environmental experts, and policymakers to drive new funding and partnerships. Today we are working with a \$500,000 citywide brownfield assessment grant and a \$5 million cleanup grant to transform a 60-year abandoned trash incinerator site into a public green space.

But without sustained Federal investment, these projects and many like them may never happen. Land banks across the country rely on governmental partnerships to take on sites that private developers cannot do alone. But we need continued success in order

to align with Congress to ensure long-term funding stability; expand eligibility for small, community-driven projects; strengthen public-private partnerships; and expand reuse planning support.

Because at Houston Land Bank we don't see brownfields as problems, we see them as possibilities: homes where families can build wealth, parks where children can play, and storefronts where businesses can grow. But this progress depends on sustained Federal investment. Houston, like so many cities, cannot afford to lose a single square foot of opportunity. We have the tools, we have the partnerships, we have the momentum. Now we need the resources to amplify our mission.

Thank you for your time and service and attention. I welcome any questions you may have.

[The prepared statement of Ms. Stoneham follows:]



Testimony of Christa Stoneham

Chief Executive Officer & President, Houston Land Bank
Before the U.S. House Committee on Energy and Commerce
Subcommittee on Environment

Hearing on *Maximizing Opportunities for Redeveloping Brownfield Sites: Assessing the Potential for New American Innovation*

March 11, 2025

Chair Griffith, Ranking Member Tonko, and members of the Subcommittee,

I am honored to testify before you today as the Chief Executive Officer & President of the Houston Land Bank (HLB), a quasi-governmental nonprofit dedicated to transforming underutilized, environmentally compromised properties into thriving community assets. I also represent the National Brownfields Coalition and the Center for Community Progress, two organizations committed to ensuring brownfields are opportunities for redevelopment and economic progress, not barriers to growth.

Houston's history is one of American innovation and resilience. Founded on the banks of the Buffalo Bayou, our city grew rapidly at the turn of the 1900s with the discovery of oil, propelling Houston to becoming known as the "Energy Capital of the World." Housing the second oldest port in the United States, thousands of people settled in Houston near factories, railyards, and industrial corridors, fueling the city's and the Nation's economy with workers' ability to live where they worked. With a robust rail system and thriving port, Houston has led the world for over a century in the petrochemical industry and with American manufacturing. However, as the city has evolved, some neighborhoods have experienced localized decline, which has left abandoned, blighted, and hazardous conditions in former industrial or mixed-use areas of the city.

Because Houston has no formal zoning laws, many industrial sites sit adjacent to homes, schools, and community centers, exposing residents to environmental hazards, dangerous buildings, blight, and crime, including illegal dumping. Real or perceived liability and financial risk associated with these sites make attracting investment to improve their conditions difficult. Further, many of these properties are owned by absentee landlords or tangled in legal and financial complications that make redevelopment nearly impossible.

That's where the Houston Land Bank is uniquely equipped to step in. Unlike private developers, we are designed to take on complex, distressed properties and secure funding to strategically reinvest in communities that would otherwise be overlooked. To do this work, we rely on federal, state, and local partnerships—without them, the Houston Land Bank, like other land banks across the country, cannot fulfill our mission.

Leveraging Brownfield Grants and Unlocking Additional Investment

The process of transforming a brownfield site is not only long, complex, and costly, but it also requires patience, technical expertise, and deep collaboration between public and private entities. Each site comes with its own challenges—some with decades of contamination, others entangled in legal and financial complications that make redevelopment nearly impossible for private investors alone. If a property is heavily polluted, the cost of remediation often exceeds its market value, deterring private investment. This is precisely why federal funding through the EPA's Brownfields Program is indispensable—it provides the financial bridge that makes revitalization feasible.

Houston Land Bank was awarded a FY 21 EPA Brownfields Assessment Grant of \$600,000 to systematically identify and assess contaminated properties across the City of Houston. This was our first EPA brownfields grant, and with this funding, we have worked with community stakeholders, developers, and local and regional government agencies to identify 100s of brownfields ready for investment, investigated over 20 sites owned by HLB or our partners, and have conducted reuse plans for over 50 acres of urban land, ensuring these properties will be ready for reuse once assessed and/or remediated.

But what makes brownfield programs so powerful is not just the initial funding for these investigations and planning activities—it's the ability to leverage those dollars into larger, long-term investments. That \$600,000 grant became the foundation for securing over \$13 million in additional funding, multiplying its impact by over 2,000%.

Through strategic partnerships and cross-sector collaboration, we leveraged the initial EPA grant to bring in:

- \$850,000 from the City of Houston to expand environmental assessment and predevelopment activities.
- \$5 million in EPA Cleanup Grant funds for full-scale remediation.
- An additional \$500,000 with FY24 EPA community-wide assessment funding to continue our brownfields program for the next three years
- \$7.3 million from the American Rescue Plan Act (ARPA) in partnership with Harris County for brownfield redevelopment projects.
- \$237,000 from Fannie Mae, Auburn University, and the Finding Home Initiative to support innovative approaches to reuse planning and housing integration.
- Over \$100,000 in direct EPA technical assistance from the Office of Brownfields and Land Revitalization for reuse planning in the form of site-specific market studies.

Brownfields redevelopment does not just address a single parcel of land—it raises property values, generates local tax revenue, and creates new economic opportunities for the entire region. With these resources, HLB has transformed some of Houston's most challenging brownfield sites into spaces that serve their communities. The following case studies demonstrate how brownfield funding—leveraged strategically—turns long-abandoned sites into places where people can live, work, and thrive.

Case Study: Project Yellow Cab – A Four-Year Journey from Blight to Housing

For decades, the Yellow Cab headquarters was a critical part of Houston's transportation network—a hub where drivers fueled their vehicles, received dispatches, and kept the city moving. However, as the transportation industry evolved with the rise of ride-hailing services, traditional taxi operations declined. Eventually, Yellow Cab shuttered its doors, leaving behind a 6.8-acre property riddled with environmental hazards and structural decay. The once-busy site quickly deteriorated into a public safety and environmental concern. Illegal dumping surged, with contractors and individuals using the property as an unauthorized landfill, discarding everything from tires to hazardous materials. The vacant warehouses became magnets for criminal activity, further destabilizing the surrounding Near Northside community. Residents voiced their concerns, but the site's contamination, ownership complexities, and lack of private investment left it in limbo for years.

Recognizing both the challenges and the potential, the Houston Land Bank (HLB) took on the task of reclaiming and repurposing the property in 2020. This was no small undertaking—it required a multi-year, multi-agency effort to assess contamination, remediate the site, and plan for its transformation into a safe, vibrant residential community. The redevelopment took place in three phases.

Phase 1: Acquisition, Environmental Assessment & Remediation

The transformation of the Yellow Cab site would not have been possible without critical public-sector support. The City of Houston, recognizing the importance of land banking and redevelopment, provided a \$5 million acquisition grant from the local Tax Increment Reinvestment Zone (TIRZ). This investment allowed HLB to acquire two of the three tracts and secure a contract on the remaining portion, setting the stage for environmental remediation and future housing development. As part of the acquisition deal, Phase I and Phase II Environmental Site Assessments (ESAs) were completed to determine the extent of contamination. Those assessments found serious challenges, including petroleum waste and underground storage tanks that had to be removed and 20 feet of contaminated soil that had to be excavated and disposed of before any new development could occur. They also included testing of groundwater and surrounding areas to ensure that contamination did not spread beyond the site. Without these public investments, the environmental risks and financial burdens of remediation would have left this property unusable for years, if not decades.

Phase 2: Securing Funding & Strategic Partnerships

Environmental cleanup is only the beginning of the process—securing the necessary funding for redevelopment is equally crucial. Leveraging the initial \$600,000 grant, HLB worked with a cross-section of partners to attract over \$13 million in additional funding. This included:

- \$60,000 of EPA Technical Assistance support from the Office of Brownfields and Land Revitalization to sponsor a reuse planning and market study, which would become the basis for the project's financial projections and proforma.

- \$7.3 million from the American Rescue Plan Act (ARPA), secured through a partnership with Harris County.
- \$5 million from a local affordable housing Tax Increment Reinvestment Zone (TIRZ) for site acquisition
- \$237,000 from HLB's Finding Home Initiative and other funding sources to support affordability and resilience in the redevelopment process. The Finding Home Initiative integrates resilient and energy-efficient housing designs, sustainable construction materials and energy-efficient features, and affordable financing solutions to help support affordability

This financial collaboration turned an environmental liability into a real estate opportunity, allowing HLB to develop housing rather than leaving the land vacant and underutilized.

Phase 3: Community Engagement & Visioning

A key principle of redevelopment is ensuring that the end result reflects community priorities. HLB engaged local residents through a visioning process led by Perkins & Will Architects to ensure the site was developed in a way that reflected community priorities. This community engagement and visioning were amplified by our \$600,000 EPA Brownfields grant, which enabled HLB to extend the engagement and visioning timeline through the environmental cleanup process to ensure the public understood the environmental cleanup conducted on-site and confirmed their vision for redevelopment. The community's message was clear—they did not want another industrial development; they wanted to reclaim this site for homes, green spaces, and safety. This input shaped the project's master plan, ensuring that the site would serve longtime Near Northside residents rather than be sold to investors.

Impact and National Recognition

Today, the Yellow Cab site is on its way to becoming a thriving residential community, demonstrating the power of brownfield funding and strategic reinvestment. The site's total property value has increased by nearly \$3 million, generating new tax revenue supporting local infrastructure and public services. On the site, HLB is developing 40 single-family homes, ensuring working families can achieve homeownership in a redeveloped, formerly blighted area. Harris County is funding the development of 120+ multifamily units, increasing access to housing for families earning up to 120% of the area's median income. The project has gained national attention, and has been featured in major urban development publications such as *Next City*, *The Kinder Institute for Urban Research* at Rice University, and the *Center for Community Progress*, a leading national organization dedicated to transforming vacant properties into community assets.

Case Study: From Waste to Worth – The Transformation of the Velasco Incinerator Site

The Velasco Incinerator site is 4.56 acres of vacant land located along the banks of the Buffalo Bayou, just west of the Port of Houston and Houston Ship Channel. The site was formerly operated as a municipal incinerator facility by the City of Houston from the 1930s through the late-1960s. Municipal waste from across the city was brought to this site for incineration. The

byproduct of incineration is ash and fill material that did not burn, such as glass, brick, and metals. This ash and fill material was spread on the property during its more than forty (40) years of operation, resulting in the deposition of up to thirty-five (35) feet of incinerator waste on approximately two-thirds of the site. Due to the high cost of cleaning up environmental contamination, the site has been vacant for nearly sixty (60) years since the City abandoned it in the late-1960s.

In 2023, HLB stepped in to take on the cleanup of this site and unlock its potential to be incorporated in the transformation of Houston's industrial waterfront. For the past few decades, the city, Harris County, and local community organizations have been working diligently to transform Houston's East End waterfront into a park space interconnected to the larger Houston park system. With the award of a \$5 million Brownfields Cleanup grant from EPA in FY24, HLB will be able to finally clean up the former Velasco Street incinerator to integrate its reuse into the Buffalo Bayou East Sector park system and East End community revitalization plans. Once completed, this project will not only remove a major health hazard and blighted lot that has long attracted crime and illegal dumping but also create a public green space for families to enjoy.

America's Growth & Why Federal Investment in Brownfields is Critical

Houston is on track to become the third-largest city in the U.S., yet hundreds of brownfield sites remain obstacles to development, slowing down housing production, job creation, and economic growth. Cutting federal brownfield funding now would stall progress, delay redevelopment, and leave contaminated land untouched—hindering the potential of communities across the country. The potential loss or delay of \$5 million in EPA Cleanup Grant funding for Velasco, combined with the \$500,000 EPA Assessment Grant awarded in FY24, could significantly slow down remediation efforts, leaving the site in limbo for years and preventing it from contributing to the local economy. The economic impact of stalled brownfield redevelopment would be far-reaching:

- Without brownfield funding, sites like Yellow Cab and Velasco would still be vacant, hazardous, and underutilized—dragging down property values and limiting investment.
- Without federal support, cities struggle to restore property values, which in turn suppresses local tax revenue needed for schools, infrastructure, and essential community services.
- Without EPA grants, which often serve as the first money in and the catalyst for further investment, contaminated properties remain untouched, delaying economic growth and limiting opportunities for businesses and families to thrive.

The Yellow Cab redevelopment is a testament to why sustained federal investment in brownfields is essential. This project took four years, multiple agencies, and over \$13.89 million in funding to bring to life. Without the EPA's initial investment, the site would have remained an environmental liability—yet another example of a contaminated property too complex and costly for the private sector to redevelop alone.

The lessons learned from Yellow Cab extend far beyond Houston. Every city in America has vacant, underutilized sites waiting for reinvestment that can be transformed into housing, health centers, grocery stores or any number of other assets to meet the unique needs of the

communities they are in. The land bank model, cross-sector funding opportunities, and public-private partnerships used to bring this site back to life provide a roadmap for cities nationwide. This redevelopment demonstrates the direct economic benefits of brownfield revitalization—from increasing property values to expanding housing availability and creating new tax revenue for local communities.

I urge Congress to protect and expand federal funding for brownfield redevelopment. The return on investment is not only in financial terms but in transforming communities that were once written off as lost opportunities. I strongly encourage this committee to safeguard and strengthen the EPA Brownfields Program and its grant funding by:

1. Ensuring long-term funding stability – Uncertainty stalls redevelopment. Cities need multi-year commitments to plan and execute large-scale revitalization projects effectively.
2. Expanding eligibility for small, community-driven projects – Not every brownfield site is a massive industrial complex. Smaller grants must be made accessible for local revitalization efforts that uplift neighborhoods.
3. Strengthening public-private partnerships – Federal funding is a powerful tool for attracting private investment. Programs incentivizing co-investment accelerate economic growth, making redevelopment faster and more impactful.
4. Expanding reuse planning—Often, the most difficult part of brownfield redevelopment is acquiring the land and reuse planning. In recent years, EPA has extended federal funding to support reuse activities with tremendous success. HLB has taken full advantage of these opportunities, using market studies, feasibility models, and infrastructure analysis to unlock the potential in properties like Yellow Cab and Velasco.

At Houston Land Bank, we believe that brownfield redevelopment is not just about restoring land—it's about honoring our city's past while building a stronger, more resilient future. With continued federal support, we can create more opportunities, open more doors, and ensure that every Houstonian—regardless of their zip code—has a place to live, work, and thrive. The impact of brownfield investment is real, measurable, and transformative. We have the tools, the partnerships, and the momentum—we just need the resources to keep going.

Thank you for your time and attention. I welcome your questions.

Mr. GRIFFITH. I thank you so much, and now recognize Mr. Miller for his 5-minute opening statement.

STATEMENT OF DUANE A. MILLER

Mr. MILLER. Good morning, Chairman Griffith, Vice Chairman Crenshaw, Ranking Member Tonko, and Ranking Member Pallone. Thank you for the opportunity to speak today on the critical role of EPA's Brownfields Program in revitalizing rural coal communities.

I represent voices from the communities of southwest Virginia that have powered this Nation for generations, towns built around coal mines, processing plants, and industries that once thrived but have since faced economic downturn and environmental challenges. The Brownfields Program is a lifeline for these communities. It transforms once-contaminated, underutilized properties into productive sites for economic development, public use, and community restoration. The program does not just clean up land, it restores hope, attracts investment, and paves the way for a new economic future.

One of the most significant benefits of the Brownfields Program is its role in economic development. Rural, coal-impacted communities often struggle to attract new businesses due to environmental concerns tied to former mining and industrial sites. Brownfields funding changes that equation. By assessing and remediating contamination, these sites—often the only developable flat acreage in a locality of very mountainous and sloped terrain—become viable locations for manufacturers, small businesses, and even a plethora of possible renewable energy and data center projects. We have seen direct results. For every Federal dollar invested in brownfields cleanup, communities see an average return of \$20 in economic development activity. Also, it is estimated that brownfields redevelopment creates over 10 jobs per \$100,000 spent, jobs that stay in the community and provide opportunities for displaced coal workers and younger generations alike.

Beyond job creation, brownfields funding enables rural communities to repurpose land for critical infrastructure projects. Many former coal-related sites are being transformed into modern industrial parks, and—it is our hope—future housing developments to meet growing community needs. Without this Federal support, many of these sites would remain abandoned, limiting the region's ability to attract new residents, industry, and businesses.

The Brownfields Program is not just about industrial economic growth, it is also about promoting the resurgence of downtown communities. Many downtown districts' brownfield sites contain legacy contaminants that pose risks. Brownfields funding allows localities to clean up these sites and create prime locations for downtown district resurgence, further improving the livability and quality of life in these communities.

Many rural dependent communities are seeking ways to diversify their economies while maintaining their identity. Brownfields funding is playing a critical role in repurposing former mine land and industrial sites for new energy data center development, including battery storage facilities and even small modular reactor possibili-

ties to meet ever-growing domestic data center development power needs.

I am thankful for Chairman Griffith as well as Governor Youngkin, for making SMR and energy generation priority in our region. LENOWISCO, the agency I work for, completed an SMR site feasibility study and identified seven possible sites. Six of those seven were brownfield locations. I also would note all seven of those locations scored very high in the siting tool for advanced nuclear development, the STAND requirement.

These projects align with Federal and State goals for energy security while ensuring that rural areas remain key players in America's emerging data center and energy future. The EPA's brownfield program is one of the most successful examples for Federal investment sparking local revitalization. It empowers rural communities to turn environmental liabilities into economic assets.

In my experience, when a former coal site is cleaned up and put back into productive use, it does more than remove contamination. It restores local pride, creates economic opportunity, and provides a pathway for the next generation to stay and thrive in their hometowns.

I urge this committee to continue its support for the Brownfields Program, ensuring that rural, coal-impacted communities have the resources needed to reclaim their land, rebuild their economies, and create a more sustainable future.

Thank you, and I look forward to your questions.

[The prepared statement of Mr. Miller follows:]

*Duane Miller Talking Points House Subcommittee on Environment
March 11, 2025, 10:15 a.m.*

**Duane Miller (VA) Remarks for Congressional
Environment Subcommittee Hearing on the
Benefits of the EPA Brownfields Program in
Rural, Coal Communities.**

**Good Morning – Chairman Guthrie, Chairman
Griffith, Vice Chairman Crenshaw, Ranking
Member Tonko and Members of the
Subcommittee,**

Thank you for the opportunity to speak today on the critical role of the EPA's Brownfields Program in revitalizing rural, coal communities. I represent voices from the communities of Southwestern Virginia that have powered this nation for generations—towns built around coal mines, processing plants and industries

that once thrived but have since faced economic downturns and environmental challenges.

The Brownfields Program is a lifeline for these communities. It transforms once-contaminated, underutilized properties into productive sites for economic development, public use and community restoration. The program does not just clean up land—it restores hope, attracts investment and paves the way for a new economic future.

Economic Revitalization and Job Creation

One of the most significant benefits of the Brownfields Program is its role in economic development. Rural, coal-impacted communities often struggle to attract

new businesses due to environmental concerns tied to former mining/industrial sites. Brownfields funding changes that equation. By assessing and remediating contamination, these sites, often the only developable flat acreage in a locality of sloped terrain, become viable locations for manufacturers, small businesses and even plethora of possible renewable energy and data center projects.

We've seen direct results: For every federal dollar invested in Brownfields cleanup, communities see an average return of \$20 in economic activity.

Moreover, it is estimated that Brownfields redevelopment creates over 10 jobs per \$100,000 spent, jobs that stay in the community and provide opportunities for displaced coal workers and younger generations alike.

Infrastructure and Housing Development

Beyond job creation, Brownfields funding enables rural communities to repurpose land for critical infrastructure projects. Many former coal-related sites are being transformed into modern industrial parks (Project Intersection), and it is our hope, future housing developments to meet growing community needs. Without this federal support, many of these

sites would remain abandoned, limiting the region's ability to attract new residents, industry and businesses.

Environmental and Public Health Benefits

The Brownfields Program is not just about industrial economic growth—it's also about promoting the resurgence of downtown communities. Many downtown district brownfield sites contain legacy contaminants that pose risks. Brownfields funding allows localities to clean up these sites and create prime locations for downtown district resurgence — further improving the livability and quality of life in these communities.

A Foundation for the Energy Transition

Many rural, coal-dependent communities are seeking ways to diversify their economies while maintaining their identity. Brownfields funding is playing a critical role in repurposing former mine lands and industrial sites for new energy/data center development, including, battery storage facilities and even small modular reactor possibilities to meet ever growing domestic and data center development power needs. These projects align with federal and state goals for energy security while ensuring that rural areas remain key players in America's emerging data center and energy future.

Closing Thoughts

The EPA's Brownfields Program is one of the most successful examples of federal investment sparking local revitalization. It empowers rural communities to turn environmental liabilities into economic assets. In my experience, when a former coal site is cleaned up and put back into productive use, it does more than remove contamination—it restores local pride, creates economic opportunity and provides a pathway for the next generation to stay and thrive in their hometowns.

*Duane Miller Talking Points House Subcommittee on Environment
March 11, 2025, 10:15 a.m.*

I urge this committee to continue its support for the Brownfields Program, ensuring that rural, coal-impacted communities have the resources needed to reclaim their land, rebuild their economies and create a more sustainable future.

Thank you, and I look forward to your questions.

Mr. GRIFFITH. Thank you very much, and I thank all of our witnesses. We will now begin questioning by the Members.

I would ask that Members remember not to ask a new question to our witnesses just as your 5 minutes is expiring. We do have—yes, that happens. We do have the opportunity for you to submit written questions for the record subsequent to the hearing, and I would encourage you to do so.

That being said, I will now recognize myself for 5 minutes.

Mr. Miller, Duane, as you know, I represent a large district. It is larger than nine States by land mass. And so while today we are focusing on LENOWISCO and the southwest corner with the mines and so forth of the district, I have brownfields in all of the 28 different geopolitical subdivisions that I represent, from Martinsville to Pennington Gap and Lee County, which is part of your service area. And it is—from those two locations, it is about 220 miles, no matter where you are in the district, to get from one side to the other. It is about 4 hours and so many minutes, depending on exactly where you are located. So I don't want to—it is not that we are ignoring them, it is just that I couldn't focus on everybody.

But I am proud to have you here talking about the work that you have done in the LENOWISCO area. Could you talk more about how your organization has successfully utilized the brownfields grant program in our part of Virginia? And I know in your testimony you mentioned Project Intersection, so you may want to get into that.

Mic.

Mr. MILLER. Sure, Mr. Chairman. Yes, Project Intersection actually is on a brownfield site in the City of Norton in Virginia.

As the chairman mentioned, I would say probably 80 percent of any acreage we have in the district where I work that is more than 5 to 10 acres is going to be some form of a brownfield site. If it is something that can't be developed, it is because of the slope or the mountainous terrain that is in the region where we are.

Project Intersection was an abandoned mine land site, and we were able to develop those 200 acres into an industrial park just over the last 5 years, utilizing brownfield money for assessment in the early stages and then able to turn those funds into AMLER funding through OSM.

Mr. GRIFFITH. And AMLER is Abandoned Mine Land Economic Revitalization. That is a separate program from your traditional abandoned mine land program, correct?

Mr. MILLER. Correct.

Mr. GRIFFITH. All right.

Mr. MILLER. And it is a wonderful program.

Mr. GRIFFITH. Yes, it is.

Mr. MILLER. Yes, we have certainly utilized that program and secured over \$30 million to develop that industrial park, and also have recruited two prospects that, at full capacity, will have 350 jobs within our region. Three hundred and fifty jobs may not sound like a whole lot to some of the Members—or members of the committee here, but 350 jobs in our region is what we like to refer to as a big lick. So we are really happy to be able to do that.

Mr. GRIFFITH. And you couldn't have done that without several programs, but particularly also the Brownfields Program. Is that correct?

Mr. MILLER. Absolutely. There is really no development we can do, whether it is in downtown districts or larger economic development projects within our region, without reaching into the brownfield pot in one form or another, whether it is an assessment or actual implementation.

Mr. GRIFFITH. All right. Can you tell us what barriers, if any, your organization has faced in receiving and making use of cleanup grants and revolving loan fund grants?

Mr. MILLER. The biggest issue, and what I would like to leave with you all today in terms of that, is what can we do for redevelopment? The brownfield money is wonderful for assessment. It is also wonderful for cleanup. But in rural, small areas like where we are, with an aging population and, of course, a dropping tax basis is—with that older demographic—is where can we find the funds for redevelopment?

I mean, we struggle to find the funds just for the assessment. And what we have had to do is pool a lot of our localities together, go to EPA for a collaboration fund grant, and then use those funds. Because our communities—you remember some of our towns—I am fortunate to work for 15 towns, 1 city, and 3 counties. And we have, actually, the smallest town in the Commonwealth of Virginia, Duffield, which has 50 residents, going up to our largest town of those 15, which is about 3,500. So very rural, small area.

So, you know, we will get—I kind of like—I won't use an analogy, but we really don't have the funds in our small localities to really get past—we will do—or we will do, you know, the assessment, and then we will get into the cleanup on implementation. But there is really nothing to go that next step in redevelopment.

I am not asking for EPA and brownfields to fund all of that, but maybe some type of matching program, where you could access some of those funds in the form of a grant for redevelopment of some of those areas. And again, not 100 percent by any means, but at least something that we could do.

And I would be remiss if I didn't plug, too, certainly anything we could do that would help specifically coal-reliant communities, I think, would be wonderful.

Mr. GRIFFITH. I appreciate that. And you mentioned Duffield, and I am out of time so I will just say that Duffield has a lot of brown sites—brownfield sites, even though it only is a town of—how many people did you say?

Mr. MILLER. There's 50 in Duffield.

Mr. GRIFFITH. All right, I appreciate it.

Mr. MILLER. Well, 54 to 50 in the last census.

Mr. GRIFFITH. I yield back and now recognize Mr. Tonko, the ranking member, for his 5 minutes of questions.

Mr. TONKO. Thank you, Mr. Chair, and thank you to the witnesses again. I absolutely want this program to be able to continue working, and working effectively. And after the enactment of the Infrastructure Investment and Jobs Act we have some new data points that Congress might want to consider for adjusting the program moving forward.

So, Mayor Bollwage, do you and the local government groups you are representing believe that those IIJA funds have been used effectively?

Mr. BOLLWAGE. When we can get them, yes.

Mr. TONKO. And, Ms. Stoneham, do you or any of the other witnesses share the view that the IIJA has resulted in Federal dollars being well utilized?

Ms. STONEHAM. Absolutely. It provided an opportunity to work directly with the communities to imagine what they would like to see, and then directly implement the solution as well.

Mr. TONKO. OK. Anyone else on that?

[No response.]

Mr. TONKO. Those IIJA dollars included some tweaks to the program's requirements. Mayor Bollwage, I know you have made the point that many of the easier brownfields have already been addressed through the program, which has left sites that are more complex, costly, or otherwise less attractive for redevelopment. But, of course, those sites also deserve the chance to spark a locally driven revitalization effort. Those IIJA dollars sought to address this by increasing the maximum award amount.

Mr. Mayor, was this an effective policy change to better address more complex sites?

Mr. BOLLWAGE. Yes, Mr.—Vice Chairman—Ranking Member. It helps in a way that it affords flexibility for the municipalities, and that is the important part of that question.

Mr. TONKO. Thank you. And did EPA strike the right balance between award amounts and the overall number of awards?

Mr. BOLLWAGE. It depends on the municipality. It could work, the balance. In my city it has always worked.

Mr. TONKO. And do other witnesses have an opinion on the merits of larger award amounts?

Mr. Connaughton.

Mr. CONNAUGHTON. Yes, Ranking Member Tonko. The projects I have been—I am focused on—are these big innovation infrastructure projects, which tend to be larger and be a—have a much more complex physical infrastructure, but then have all these spillover effects into then the smaller brownfields that will support them and supply them. So think of building submarines in Mobile, Alabama. You have the big redevelopment that occurs just at the facility for building, but then you have all these zones around the shipyard that can now be restored and redeveloped. So it is a combination of anchor and then lots of lots of smaller supporting. And now you could have a systematic redevelopment that brings lots of value to the community.

Mr. TONKO. Thank you. The bipartisan brownfields reauthorization that was recently marked up by the Senate EPW Committee also included a statutory increase to the maximum award amount. And while the Senate hasn't gone as far as the IIJA's maximum awards, the inclusion of this provision is an acknowledgment that some future sites may require additional flexibility in the size of awards.

Mayor Bollwage, based on the IIJA experience, is this a change we should consider in the program's reauthorization?

Mr. BOLLWAGE. We believe the new money that is being provided by the Jobs Act is utilized and justify any appropriations in the future. Higher funding levels are, naturally, extremely important and could be included in this new authorization bill.

Mr. TONKO. Thank you for that.

And from our other witnesses, any comments on that effort being made?

Mr. MILLER. I would have to agree. And anything we could do to raise the amount. And one of the things—again, I am in a very rural location, you know, so some of our projects may be as simple as redevelopment of an old school building, not a high cost in terms of the grand scheme of things. But then we are also focusing now on really trying to take some of this rural property that is in a remote area and market it for data centers and also small modular reactors and looking at other energy projects.

And as most of you all know, when you are talking about data centers or small modular reactors, you are talking about huge price tags. So anything we could do to increase a—I think we would certainly ask.

Mr. TONKO. OK. Ms. Stoneham, I think you wanted to say something too.

Ms. STONEHAM. Yes, the \$5 million cleanup grant for the trash incinerator that I mentioned was the largest in our region. If we had more dollars, we could have considered additional uses outside of a green space, considering the site currently has over 40 feet of incinerator ash currently on that site. So if we had a larger funding amount, then maybe we can incorporate other community benefits, but we were very grateful to receive that grant award to produce that result.

Mr. TONKO. OK. With seconds remaining, I heard the Chair earlier today, so with that I will yield back.

How is that for support?

Mr. GRIFFITH. Absolutely. I thank the gentleman and now recognize Mr. Crenshaw for his 5 minutes of questions.

Mr. CRENSHAW. Well, thank you, Mr. Chair, and thank you all for being here.

Thank you, Ms. Stoneham, for being here and telling us about some of these successful brownfield site cleanups in our hometown of Houston. Before I get to Mr. Connaughton on a few other questions, on some of these Houston-based projects, you know, in your testimony you stated that the initial brownfield grant of, I think, \$600,000 opened up \$13 million. But does—but I—but when we look at those, those are also mostly EPA—well, mostly Federal funding that it opened up.

Where is—where does the State come in in projects like these? I saw some from City of Houston. Does the—what is the State agency that would be matching or cost sharing?

Ms. STONEHAM. So currently we have not had any matches, match requirements, or received any direct funds from the State. Now, we did coordinate with the TCQ in terms of the compliance and the reporting and the testing, but we did not receive any funding as of yet.

Mr. CRENSHAW. OK. I was just curious. Thank you.

Mr. Connaughton, you mentioned many ways to make this just a more efficient process in general. Could you maybe elaborate on that and on ways to increase private investment interest in brownfield sites, and also just the efficiency of the program and permitting and just getting it going? We keep hearing this stuff in terms of years. How do we make those months?

Mr. CONNAUGHTON. Yes. So many of the projects that have been in the program are smaller, more—located near cities, rebuilding communities. And, you know, we are talking about grants and the 1 to 10 million. What I want to talk about is the opposite of funding. These—those are what I call assess to attract. So you are funding to clear the site so hopefully somebody will develop it in the future. What I want to talk about is attract to assess, where there is not an outlay of money.

The main obstacle to building out large innovation infrastructure—and I have lived it and have the successes and the scars to prove it—the main obstacle is speed to project completion. So if I know I am going to build a \$200 million data center project, which I have done, and I know that I can actually turn it on in under 2 years, which is impossible, I will pay anything to assess the site to make it clean for redevelopment, OK? That will be on my budget. But if I am looking at a brownfield, and it is—I am not sure of its assessment status, and I don't know if I can get my permits, and I don't know that I can build, my project is going to cost two to three times more, right? I am going to have all this uncertainty, and I am not going to get my investors or my insurers to sign off.

So the biggest risk to brownfield redevelopment are all the projects that never get built that we don't talk about, OK, because they die on the vine. That is why these permitting reforms are so vital. And I want to underline I am not talking about changing any environmental standards; I am just talking about reversing the process step like we do in most other sectors, which is let's let developers with their third-party experts actually build and be subject to an enforcement for noncompliance, which, by the way, in the modern age almost never happens now. The rules are strict. The enforcement is harsh. You know, you have huge damages, liabilities.

So the beauty of rebuilding in a brownfield is you can take that brownfield and turn it into an environmental greenfield. And that is why you can support all these activities. But you need this—it is a three-legged stool, and the three-legged stool is you have got to get the site assessments cleared fast, OK? I can pay my expert to do it in, you know, weeks—actually, months. But then I sit around and wait for a year and a half for the government clearance, right? I can do all my NEPA. I did a NEPA in California. We did it in 3 months, and it took me 3½ years to get it signed off on. I mean, that is nuts.

And then the environmental permits, once I was finally able to apply for them—which I couldn't do until my NEPA was done, OK, that took another year, right? You know, my project is now three times more than it was, very hard to—especially as a startup, to get investment.

So if we don't go after all of these pieces, they run in parallel. Any one doesn't solve the problem.

Mr. CRENSHAW. And when you testify about automatic signoff processes, is that what you are talking about?

Mr. CONNAUGHTON. Yes, we do that in so many other sectors, you know, where we have third-party certified professionals signing off to government-set standards. In the brownfield program, I mean, the mayor and others have created a 30-year record of how to do this right. We know how to do it, we have the practices, we have the standards. We know what is clean, we know what is not clean. The remediation methods are really well established.

So where all of this is well established, we just—we should just have a process where the professionals sign off, and then they can be inspected and reviewed, you know, if they screw up. But it almost never happens anymore.

Mr. CRENSHAW. Got it. Thank you. That is an interesting thing for the committee to think about as we look at reauthorization.

I yield back.

Mr. GRIFFITH. I thank the gentleman for yielding back. I now recognize Mr. Pallone, the chair—ranking member of the full committee, for his 5 minutes of questions.

Mr. PALLONE. Thank you, Mr. Chairman. Let me go to Mayor Bollwage.

In your testimony you say—and I quote—“It will never be a bad investment to put more money into this program.” Obviously, I agree. But as we start to think about reauthorizing brownfields, what authorization levels should we consider for the program?

Mr. BOLLWAGE. Thank you, Mr. Pallone. I recommended in the testimony that we do 300 million per year for the next 5 years, and that the caps are set at 10 million for cleanup, multipurpose, and job training grants—\$500,000 for assessments is what is in my written testimony.

Mr. PALLONE. All right, thank you. And, I mean, the Bipartisan Infrastructure Law had 1.5 billion. That was a big boost to the program. And, you know, I don't want to slow down that momentum, because brownfield sites are getting harder to remediate and clean up. So I think the authorization levels need to reflect that, if you will. But let me go to Ms. Stoneham.

From your perspective, how important is it for Congress to reauthorize the Brownfields Program, and particularly for the planning of important projects that are in the pipeline?

Ms. STONEHAM. Absolutely. Thank you for that question.

So for the reuse planning aspect of brownfields assessment, that is one of the first lines of implementation, of just being able to have a feasibility study to have the reuse planning. And then, of course, obviously, doing the phase one and phase two testing. So having additional appropriation so we can figure out what—not just what the vision is, but do they also match the performance analysis of whatever development is trying to take place would be extremely helpful so we can move forward with additional money needed for the capital stack as we are partnering with the public, nonprofit, and private sectors.

Mr. PALLONE. Did you want to add anything to that, Mayor, about the planning of projects and the pipeline and brownfield?

Mr. BOLLWAGE. I agree with my colleague over here. I mean, as you know, Congressman and on both sides of me, when we did the

Jersey Gardens Mall, getting the money and the assessments on the brownfields was relatively easy. Then getting signoff became much more difficult. And so I would only add that part to the answer to the question.

Mr. PALLONE. Okay. You know, obviously, to provide certainty for local and private-sector investments we have to ensure the program is reauthorized in a timely manner as well. I am going to ask both of you, the mayor and Ms. Stoneham, the next question.

Has the Trump administration's illegal funding freeze impacted the development and operation of your brownfields projects, and how so?

I will start with the mayor, if you will.

Mr. BOLLWAGE. So we have a \$500,000 grant under the Jobs Act for brownfields, for job training, and it was held up 2 weeks ago, or a month ago. We are waiting. We can't even get a hold of anybody to talk to them. And just recently I was told on a train on the way here this morning that we would know an answer in the next 2 weeks, and that is a tough way to deal with a grant that you got.

Now, keep in mind the Groundworks association in Elizabeth has put in a lot of upfront effort when it comes to dollars and training for this, and now they are being told you can't access the money.

Mr. PALLONE. Well, I—first of all, let me say I learn a lot on the train back to New Jersey as well.

[Laughter.]

Mr. PALLONE. But, you see, this is the problem. We had the freeze. The courts said you can't freeze the money. But what I find more and more is that, even though in theory the Trump administration has recognized that they can't freeze this money—not just for brownfields, but for so many other things—that, practically speaking, in many cases this freeze continues only because there is nobody to send out the money, the portal doesn't work, you know, whatever it happens to be.

So let me ask Ms.—

Mr. BOLLWAGE. I would just add to you, Mr. Congressman, that if you don't answer the phone on the other end—

Mr. PALLONE. Yes, I mean, that is a problem.

Mr. BOLLWAGE. Yes.

Mr. PALLONE. So you got 50—if—can I add, Ms.—if you wanted to add to that, Ms. Stoneham.

Ms. STONEHAM. Yes, so it significantly impacted our timeline planning of what we needed for the procurements for the cleanup grant for 5 million that I mentioned earlier. Definitely, just having the risk of us being a nonprofit and this being a reimbursement grant, I don't feel comfortable even publishing it not knowing if we will have the opportunity to pay our contractors.

So we needed to meet the compliance measures, obviously, of this particular grant, but we also have other people that we have to report out to, including the community, the local government. So definitely, the instability makes it difficult in order for us to enact the development that we said we were going to do.

Mr. PALLONE. Well, thank you.

Thank you, Mr. Chairman. I yield back.

Mrs. MILLER-MEEKS [presiding]. The gentleman yields back. The Chair now recognizes the chair of the full committee, Representative Guthrie, for 5 minutes.

Mr. GUTHRIE. Thank you. Thank you. Thanks to all the witnesses for being here.

Last year, Congress passed the ADVANCE Act, which required the Nuclear Regulatory Commission, or the NRC, to modernize its efforts to develop domestic advanced nuclear energy. The ADVANCE Act included the Nuclear for Brownfield Sites Preparation Act, which directed the NRC to identify and report on regulations, guidance, or policy necessary to license and allow nuclear facilities at brownfield sites as well as other sites with retired fossil fuel facilities.

So Mr. Connaughton, in your testimony you discussed the need to “deliver on the proven promise of brownfield-driven industrial innovation,” which requires, “a significant modernization of governmental approval processes for site assessment, permitting, and interconnecting.”

So Mr. Connaughton, could you discuss, in your view, what improvements to the Brownfields Program could be made to deliver on that promise?

Mr. CONNAUGHTON. Thank you, Mr. Chairman. Now, let’s start with nuclear.

The key for nuclear is the stringent safety regulations that the NRC is entrusted to implement, to be sure that these projects are built in a—in the manner, historically, that has been proven to be quite safe for our communities and providing tons of zero-emission power. That is the critical path to making these projects work.

If you think about the billions of dollars that go into these projects, environmental compliance is a necessity. And the work of certified professionals—the lawyers, engineers, biologists, what have you—is conducted by the project proponent, OK? Meaning so that they meet at the highest standards before they ever go to talk to a regulator.

If we could have brownfield sites assessed and ready to go, and you have these new, more modular construction in particular, but also conventional, and we had a system where you actually built and submitted your paperwork demonstrating compliance, OK, if you would—if we could just allow the project to get built, OK, we would cut the cost by two-thirds, and that is a direct pass-through to consumers. It lowers your cost of capital for investment. It means we can have three times more for the same price for our communities.

Brownfields are great for that, and in the appropriate NRC-identified locations the siting is critical. You still want to 100 percent defer to local concerns and interests on the siting process, but the permitting process and connecting to the grid, if we don’t fix it we are not going to get it.

Mr. GUTHRIE. Thank you, I appreciate that. So Mayor—Mayor Bollwage, as I said, I spent a lot of time in the New York-New Jersey border there, so it is beautiful town that you have, and a beautiful area. So I just want to say—so in your testimony you note that “additional tools may be necessary to convince owners of mothballed properties that it is safe to turn over or sell or rede-

velop those properties.” Would you talk about what tools you suggest would be necessary, or may be necessary?

Mr. BOLLWAGE. Well, one of the tools that we have locally would be eminent domain in order to take the property, and that creates a liability issue, on who is going to be responsible if the city takes it over. The other tools would be financial incentives in order to attract the developer, whether it be through local tax abatements or through other tax incentives. Tools that this committee or the Congress could give us would naturally mean more dollars moving towards the redevelopment process.

Mr. GUTHRIE. Thank you.

And then—so Mr. Connaughton, in your testimony you asked rhetorically, shouldn’t we be doing more to put brownfield sites “back to work with renewed deployment of modern, large-scale industrial innovations”? Do you want to kind of expand on that?

And then maybe also Mr. Mayor and Mr. Miller, as well, want to expand on that?

Mr. CONNAUGHTON. In the decades following World War II we built this massive physical footprint for the massive industrialization that unfolded. And then we have basically, you know, given most of it away to, you know, overseas and moving into more of a services and small tech-based economy. Now we are facing—we are paying the price for that, which is now we got to rebuild it all. And the brownfield footprint is there, it is efficient, it has got communities, it has got all the amenities, it has got the schools, the churches. So putting those communities back to work in the new, modern form of infrastructure is an opportunity we just—we have to go after.

Mr. GUTHRIE. OK, thanks.

Mayor, I had you answer questions, so I will just skip over it because I am about out of—Mr. Miller, shouldn’t we be doing more to put brownfields back to work for the large-scale industrial—you want to expand on that—innovations?

Mr. MILLER. No, absolutely, Mr. Chairman. As I mentioned in my comments—and kind of—kind of switching, but in terms of SMR feasibility site studies that we did in our region, we identified seven possible sites. Six of those seven are in brownfield areas.

And kind of to your point to some of the other committee members, I mentioned six of those seven sites are on brownfield sites, and all seven sites scored above average on a nationwide average in the siting tool for advanced nuclear development, or the STAND criteria that is utilized for that. So that kind of goes back to your point, I mean, about what we can do for new types of projects.

And I would love to talk to you more about this, I—

Mr. GUTHRIE. I look forward to it. Yes, my time has expired, but I will look forward to following up with you. Thank you.

Mr. GRIFFITH [presiding]. The gentleman yields back. I now recognize Ms. Schakowsky for her 5 minutes of questioning.

Ms. SCHAKOWSKY. Thank you, Mr. Chairman. I want to ask questions just of Ms. Stoneham and Mr. Bollwage—am I saying that right?

My questions, of course, deal with this issue of the, you know, what is going on in our communities. And it is so important that we have clean places for our children, for our community, for our

merchants to have. And we know that in Illinois, seven of the counties definitely have places that need to be cleaned up and have not been so far.

But I wanted to raise the question that seems to defer the ability—or could defer the ability to clean up. And one of them, an important one that we see right now, is that there are monies that are being taken away right now, and that there is going to be fewer amount—less amount of money to be able to clean up these brownfields. And I am just wondering how you see the problem that is going to be emerging when the money is not available to do the cleanup.

And I mentioned the two people I am hoping would answer that.

Ms. STONEHAM. So definitely not having the funding we need, especially with Houston and the significant amount of brownfields throughout the city and across our Nation, would have an economic decline. I strongly believe in public-private partnership, and it is just too much for a private investor to take on solely on their own, especially with all of the compliance measures that need to take place. And having those funds will ensure the stability to have continued—contiguous change for the different developments needed across our Nation, whether it is housing or green space or solar activity.

Really, just having that consistency is absolutely necessary, in addition to the staff needed to make sure that the paperwork and the compliance measures are moving forward accordingly as well.

Ms. SCHAKOWSKY. Well, I really feel concerned that people who have been doing this work—that the money is shrinking, that it has been taken away through the Trump administration, and I am just concerned that who is going to be able to have the money if the people who are working on these projects are out of a job.

Ms. STONEHAM. I strongly agree and echo your sentiments as well.

Ms. SCHAKOWSKY. Well, we have to watch that the—when there are dollars being taken away, because then, you know, we need to have all the resources that we have in our communities. We know in the Chicago area itself this is a real problem.

And I am wondering if Mr.—let me get the name right. Boll—

Mr. BOLLWAGE. “Bowl-wage”?

Ms. SCHAKOWSKY. Yes.

Mr. BOLLWAGE. OK.

[Laughter.]

Mr. BOLLWAGE. Thank you, Congresswoman. Many communities are still going to do the easy ones. They are still going to do the ones that are simple in the brownfields. And, you know, Congress recognized this in 2018 in the reauthorization bill, raising the cleanup grants to—200 to 500 thousand dollars with the flexibility to go up to \$650,000, based on the anticipated level of contamination.

But in answering your question, we also need people in the EPA to answer the phones.

Ms. SCHAKOWSKY. Thank you so much.

I yield back.

Mr. GRIFFITH. The gentlelady yields back. I now recognize Mr. Latta for 5 minutes of questioning.

Mr. LATTA. Well, thank you, Mr. Chairman, and thanks very much for our witnesses for being with us today. It is a very important topic.

And if I could, Mr. Connaughton, if I could ask you, because you—I am sorry I had to step out for a couple of meetings, but you mentioned something that is kind of near and dear to everybody's heart as we are watching what is happening today with data centers going up across the country, and there is a real question of, you know, where they are being placed, you know, and the amount of space that is needed for them.

And I would get your opinion as to what do you see the—what we could be doing on brownfields and data centers, because this is absolutely a massive need that we are going to be having in this country, not just the massive amount of power we are going to have to have, but just the siting and some of the issues we have there.

Mr. CONNAUGHTON. Just to put things in perspective: If we were sitting here 10 years ago, a 5-megawatt data center would be big. And then, very quickly it was 20 megawatts. Just 2 years ago, 100 megawatts was a gigantic data center. We are involved, my former company where I worked with Nautilus Technologies, we are involved with a project at a coal-fired—old coal-fired power plant that shut down in Portugal, 1.2 gigawatts, so 1,200 megawatts of power that that data center will use.

And in America you are seeing these 250, 500-megawatt projects that want to be built and can't find the places that they can build to get access to the power or the time to be able to build their own power in anything that represents, you know, the demand. I describe this as we need to build at the speed of the need, and we have got too many obstacles to getting there.

The thing I want to underline is these data centers are essential to our daily lives. And the beauty is they are out of sight, you know, and they are in big warehouses, but they don't clutter our world. They don't clutter our world. Our world shows up like this. And so they are really, really valuable pieces of infrastructure.

And then, of course, with AI, they are going to be defining the, you know, the industrial, you know, the fourth Industrial Revolution. And America kind of owns that right now. We could give it up. Ireland, for example, has no process for siting any new data centers of any size. They just killed the goose that laid the golden egg. Ireland was a hub for information technology companies, and it is over in Ireland. I do not want to see that happen here.

OK, we have the ability to use brownfields to make these data centers—

Mr. LATTA. You know, the problem is, you know, if we think about what we always talk about in this committee—and hopefully we are going to get something done in this Congress—like on permitting, you will be able to, you know, get into these brownfields and say, you know what? It is safe to put these in.

And so where do you see on the permitting side—what do we need to be doing on permitting to move things along, get things along faster?

You know, the great thing about this committee, the broad jurisdiction we have, I have never heard anybody ever testify before

saying that they were against all regulations. Just give us regulations that we can live with. But what do you see on the permitting side that we ought to be doing right now?

Mr. CONNAUGHTON. You know, what is interesting, we had all the big infrastructure projects, data centers, semiconductors—by the way, even shipbuilding today, they actually don't have a big outward environmental footprint. There is a lot of things to comply with, OK, but all the methods of controlling to prevent environmental contamination are, you know, are well known and are in place.

And so if we could simply change the default to yes, with inspection and enforcement of noncompliance, which almost never occurs, that solves the problem. And you do it in site assessment, you do it in permitting, and you do it with interconnection. You have to create an automated system. We live in a modern age.

When I got my car this morning, I did not call the police to get permission to leave my home, promising I would—you know, I am certified, I have my license, I have my insurance, I am trusted to comply. And if I don't comply, they come, they come and get me. We should be doing the same for our infrastructure builders because they are really skilled and they spend—you know, we are talking about billion-dollar projects, \$10 billion projects.

You know, we are in a whole new world in America, you know, putting in physical infrastructure again. We have got to match that opportunity.

Mr. LATTA. Well, in my last 45 seconds, you know, let me ask this because, again, when you are talking about going to brownfields, especially when you're going to, let's say, coal-fired plants, what is the real—the difficulty for saying, "I am going to go into that facility to put that data center in there," where these plants want to be there?

And I only have about 28 seconds left.

Mr. CONNAUGHTON. State or Federal environmental review process, which is 4 to 5 years, and a parallel or overlapping State and Federal permitting process, which causes me to have to know that I can't build and complete anything in less than 8 or 10 years.

There are some exceptions to that, by the way, and they are really good. Like in Memphis, the big AI data center there was built in 6 months, with just 6 months of—they had a lot of support—6 months of clearances. They have set the benchmark. We should be able to do this in a year. If Memphis can do it in a year, the rest of the country should be able to do it in a year.

[Laughter.]

Mr. LATTA. Well, thank you very much, and my time is expiring. I will give the balance of my questions written to our witnesses.

Thank you, Mr. Chairman.

Mr. GRIFFITH. The gentleman yields back. I now recognize Dr. Ruiz for his 5 minutes of questions.

Mr. RUIZ. Thank you, Mr. Chairman.

Today's topic is about the critical importance of the Brownfields Program and its impact on communities across the country. As we all know, the Brownfields Program provides funding and resources to clean up and redevelop contaminated sites, transforming them

into safe, usable spaces that drive economic growth and environmental restoration.

There is bipartisan consensus that the brownfield program is essential for community revitalization. Cleaning up contaminated sites and transforming them into economic engines benefits everyone: businesses, workers, and families across America.

The Environmental Protection Agency's Brownfields Program is a proven solution. By providing grants and resources to assess, clean up, and revitalize these sites, we can turn blighted, polluted lands into thriving community spaces, whether it is new housing, small businesses, or parks. And since the program's inception, it has helped create hundreds of thousands of jobs and leveraged billions in private investment nationwide.

Mr. Bollwage, could you share how does the Brownfields Program contribute to local economies, particularly in terms of job creation and attracting private investment?

Mr. BOLLWAGE. So we had a former landfill in the City of Elizabeth of almost 200 acres. We transformed that with an initial grant of assessment into a mall that is about 200 stores, 2 million square feet, 4 hotels on the waterfront, providing hundreds of jobs, plus 5,000 construction jobs. That site generated \$63,000 a year to the City of Elizabeth. And now, with the State incentives and others, it generates over \$7 million a year to the City of Elizabeth.

Mr. RUIZ. That is incredible. In my district, we see firsthand the consequences of abandoned contaminated properties, sites that once held promise but have instead become environmental and economic burdens. And these brownfield sites, many of which are former—former—former industrial facilities, gas stations, or landfills, pose risks to public health, drive down property value, limit economic development in already underserved communities.

[Slide shown.]

Mr. RUIZ. For example, in 2019 the City of Raleigh facilitated the sale and redevelopment of this CEQA property. Once an unusable contaminated site, as you see in this photo, that sat vacant for years and was a hardship on the community—and thanks to the EPA's brownfield remediation efforts, that property has been transformed into a thriving car repair shop not only—that not only improves the area's appearance but also provides good-paying jobs and brings economic activity to the district. So this is a perfect example of how strategic investment in brownfields cleanup leads to real, tangible benefits for our communities.

Ms. Stoneham, how does brownfield redevelopment contribute to broader environmental and sustainability goals, such as reducing urban sprawl and promoting green infrastructure?

Ms. STONEHAM. Absolutely. With the Project Yellow Cab case study that I mentioned earlier, just that being in the urban core and producing an urban typology for the single family homes is providing an opportunity for people to live, work, and play.

But also, additionally, the trash incinerator site, which is transforming into a green space, connects to a bigger Bayou master plan of how affordable housing and just being able to walk on the bayou and the different environmental measures and preservation components that we are evaluating as well.

Mr. RUIZ. Thank you. You know, we must remember that this is also about community investment. Too often, historically underserved neighborhoods like those in my district face the greatest challenges from contamination and neglect. The EPA's Brownfields Program helps revitalize these areas by driving redevelopment, creating jobs, and bringing much-needed economic opportunities to the communities that need them the most.

Oh wait, did I say bringing much-needed economic opportunities to the communities that need them the most? That is equity. That is equity. And rural communities like those from my Republican colleagues on the other side need these funds just as well. That is why we must continue supporting these programs.

Investing in brownfield remediation is not just about cleaning up land. It is about building healthier communities, creating jobs, and ensuring that all Americans, no matter their ZIP Code, have access to clean air, safe water, and economic opportunity.

That is why I urge my colleagues to join me in strengthening and fully funding the Brownfields Program and the EPA staff who make this program work so we can continue turning environmental liabilities into safe economic opportunities for families across the country.

I yield back.

Mr. GRIFFITH. I thank the gentleman for yielding back. I notice that we have a group of students who have joined us.

This is the Environment Subcommittee of the Energy and Commerce Committee. We welcome you here today. We are discussing brownfields, and we have four experts from across the country who are giving us different ideas. We anticipate that this will occur, that we will reauthorize the Brownfields Program, but perhaps with some suggestions that our witnesses have brought to our attention.

With that, I now recognize Mr. Carter of Georgia for his 5 minutes of questions.

Mr. CARTER OF GEORGIA. Well, thank you, Mr. Chairman, and thank each of you for being here. And I am glad the students are here too. I hope you are learning a lot. I know I am, because brownfields are important. Brownfields—in fact, we got over 450,000 brownfields here in the United States, and every one of them represents a unique opportunity for us. And I hope that we take those opportunities, and certainly what we are discussing today is important.

On this committee, Energy and Commerce, we talk a lot about energy needs. We know that we are going to need more energy in the future, and our growing energy needs—and we also talk about the need for more businesses. So we ought to be looking at brownfields as places where we can grow.

My own State of Georgia has over 50 major data centers, and many of the brownfields have the potential to house future data centers, and for good reasons. And a lot of these sites have electrical existing power delivery infrastructure, which is a common challenge for data centers.

Mr. Connaughton, let me ask—"Con-a-tin"?

Mr. CONNAUGHTON. "Con-a-tin," perfect.

Mr. CARTER OF GEORGIA. "Con-a-tin," OK. "Con-a-tin." Your company specializes in creating data center-related technologies. I have visited many data centers, and they use a lot of energy, a whole lot of energy. Do you feel that brownfields represent an opportunity for building out more data centers in America?

Mr. CONNAUGHTON. Yes, I certainly do, and I will give you the example of my company, Nautilus, where we have invented an approach to cool data centers the same way you cool a coal-fired power plant or an industrial processing facility, and that is taking naturally cold water running through the data center and returning it unchanged, just a little bit warmer, back to the water body it came from. That is how we do power plants, industrial facilities. It is how we cool ship engines.

So imagine all of these old thermal power plants, these old manufacturing centers that already have that intake and the discharge infrastructure. It has already been permitted in the past. The regulators know and understand what—you know, what the dynamics of this are. They tend to be located close, by the way, to water treatment facilities and other big infrastructure, so the workforce is there. And the communities are familiar with and accept that kind of activity.

So we could, you know, immediately be repurposing these old energy centers and these old manufacturing centers if we were able to deal with permitting, OK? I went to a site——

Mr. CARTER OF GEORGIA. Well, how is permitting holding you up? Tell me that.

Mr. CONNAUGHTON. So our technology results in a process that does not trigger any environmental controls or regulatory standards. And yet, in building that at a brownfield at the Port of Stockton, right, which is a community that really would benefit from this investment, and even though our State NEPA review—it is called CEQA—our State——

Mr. CARTER OF GEORGIA. Right.

Mr. CONNAUGHTON [continuing]. Review, we got through it in 9 months because we had no impacts, we had no negative impacts, it still took us 3½ years to get signed off on—of the NEPA. We then had to wait——

Mr. CARTER OF GEORGIA. Three and a half years?

Mr. CONNAUGHTON. Yes. And then we had to wait to file all our regular environmental permits until that process was done.

Mr. CARTER OF GEORGIA. OK.

Mr. CONNAUGHTON. Because the permittees don't want to get into their work until the NEPA is done. And then for them—remember, we had no environmental things, nothing to regulate. That still took a year for them to agree with us that there was nothing to regulate.

Mr. CARTER OF GEORGIA. OK.

Mr. CONNAUGHTON. And in one case we still got additional requirements, even though it wasn't required by law. So that is the challenge. That is just one example of the, you know, thousands of them out there.

Mr. CARTER OF GEORGIA. All right. Well, and I want to get to two more things, and one of them—Mr. Miller, he just described an area that I think could help us.

These brownfields are in rural areas just as well as urban areas. So this is an example where you could actually use the brownfields in rural areas as well, correct?

Mr. MILLER. Correct. That is what we want to do. We actually, in the—I guess we refer to it as a green room—back earlier we were talking and made sure we traded contact with one another to put focus on this. I mean, yes, I mean, rural areas should really be—

Mr. CARTER OF GEORGIA. You got water supplies, you got everything—

Mr. MILLER. You got—

Mr. CARTER OF GEORGIA [continuing]. That you need.

Mr. MILLER. Right.

Mr. CARTER OF GEORGIA. Good, good.

Mr. MILLER. One thing—

Mr. CARTER OF GEORGIA. So this sounds win-win.

Mr. MILLER. One thing that we do lack in some of our rural areas is the power supply for those data centers. But yet again, brownfields are also very attractable to alternative types of energy, whether it is small modular reactors, microhydrogen, or any of those other types of forms that you could then, you know, use those for behind-the-meter power to these data centers.

Mr. CARTER OF GEORGIA. OK, all right. The chairman has already warned us about asking questions with little time remaining, but I will—I got to get to this because I represent the coast of Georgia, two major seaports.

Shipyards, Mr. Connaughton. What about the infrastructure—shipyard—how can we upgrade shipyard infrastructure and the importance of building new classes of vessels, much of which will take place on brownfield sites?

Mr. CONNAUGHTON. The locations are there. We just need to say yes to building, and we need to extend the Opportunity Zone law to these infrastructure locations to bring in and leverage, you know, on a, you know, 9-to-1 or 20-to-1 basis, private-sector capital.

Mr. CARTER OF GEORGIA. Great, great, good. Well, thank you all very much. This sounds like a win-win situation, something we should be—all be interested in.

Thank you, Mr. Chairman, and I will yield back.

Mr. GRIFFITH. I thank the gentleman for yielding back, and I now yield for a point of personal privilege to Mr. Tonko.

Mr. TONKO. I see our former colleague Congressman Butterfield is in the audience, and a faithful Member in the House, and led a lot of good fights on the environment.

So good to see you, Congressman, and always a pleasure to introduce you. Welcome.

Mr. GRIFFITH. Welcome, and we appreciate you being back.

I now recognize Representative Peters for his 5 minutes of questioning.

Mr. PETERS. Thank you, Mr. Chairman.

Mr. Connaughton, a lot of us have expressed concern about the delays in permitting for getting stuff built. We have worked really hard on clean energy, in particular on this committee. And even the Biden administration recognized that. Last year they took some steps to expedite permitting under the National Environmental

Policy Act, or NEPA, for clean energy on disturbed, developed, or lower-conflict areas. So we are all in this permit reform game.

I wanted to ask you about something—a distinction you drew in your testimony about limiting the scope of NEPA review to unquantified impacts. Can you tell me what that means, versus quantified? What is an example of that?

Mr. CONNAUGHTON. Yes, so if you take the original NEPA law—so read it, the second page—it says the agency, you know, shall consider unquantified impacts. Because in 1970 we didn't have this modern body of environmental law. So it was a good idea, OK? And I am a big defender of NEPA, by the way, and I think NEPA is important.

But over 50 years we now have environmental laws covering everything, quantifying everything.

Mr. PETERS. For example, the Clean Air Act—

Mr. CONNAUGHTON. Air, water, endangered species.

Mr. PETERS. Right.

Mr. CONNAUGHTON. You know, dust, you know, you name it, we have a law that covers it. And then State and local laws that do, on a fine-grained basis, at the local level. And so all project developers have to comply with all of that, and they do. That is the great thing. We should be celebrating that. They do comply with it.

And so this idea for NEPA is—you know, I had a 160-page NEPA document I had to do for my first data center, and all it talked about was all the stuff the other agencies were going to regulate. But I couldn't get to them until I got through my CEQA process. And so this is my point. It is redundant.

Mr. PETERS. So what is the unquantified impact in that case? You have the—in other words, you have the Clean Water Act that says you can release a certain amount of pollution but not over that amount without a permit. So we know that is covered. What is the unquantified impact you look at under NEPA?

Mr. CONNAUGHTON. So what would be left is actually uniquely local circumstances like, you know, proximity to a school, what kind of traffic flows there will be, right? There will be a whole bunch of unregulated things that are of social and environmental interest and concern.

Mr. PETERS. OK.

Mr. CONNAUGHTON. And you want to capture that, which is what the—you know, what the idea originally was for NEPA and for the State versions of it. So you will have a—you know, I think you would have a much-reduced NEPA document that would be highly relevant to what matters locally while still getting all the work done through the regulatory process.

Mr. PETERS. A lot of people on my side of the aisle express concern that that would limit public input into these decisions. So give me an example of why that is not a concern for one of these quantified impacts you won't be analyzing under NEPA anymore.

Mr. CONNAUGHTON. So you would have a public comment related to the zoning of the site. So that is the first and most important place. So the community speaks about site suitability through zoning. And you have got to preserve that, and that is good.

If it is a Federal project, Federal lands, or the stuff the FERC sites, then you have a national process for that in which there is extensive public provision for public engagement, and they can sue. So you still—you also have the public being able to participate in lawsuits. So that will occur.

In the unquantified NEPA piece, the community will participate in the development of the unquantified analysis. So they will have that.

And then, with respect to the regulations, there is, you know, six, seven layers of public participation in the original legislation, and the development of the regulation, in the development of the standards, in the permits there that are provided for those activities.

And then, the public participation in enforcement. You could have citizen enforcement—

Mr. PETERS. Yes.

Mr. CONNAUGHTON [continuing]. And they can participate in lawsuits.

Mr. PETERS. So by a long shot—

Mr. CONNAUGHTON. So—

Mr. PETERS [continuing]. NEPA is not the only point of public impact, whether it is quantified or unquantified.

Mr. CONNAUGHTON. Well, arguably it is actually the least—

Mr. PETERS. Right, right.

Mr. CONNAUGHTON [continuing]. Important in terms of environmental compliance. It is the most important in terms of local suitability.

Mr. PETERS. Right. A lot of folks have also suggested that we don't need to change the process. What we need to do is really staff up the agencies. I know the Biden administration led an effort to provide \$1 billion to do that, and we—that may be under some question. Is that an answer in this case, or do we have to have process reforms?

Mr. CONNAUGHTON. Well, we have a gross mismatch between the scale of what we need to get done and the number of officials we have to do it. And it is a gross mismatch.

Mr. PETERS. Right.

Mr. CONNAUGHTON. And there is no addition of staff that will change that. Here is—let me tell you why.

Let's just assume it is 100,000 projects. It is more like 200,000, but let's assume it is 100,000 projects. That is 100,000 projects. Each project developer is hiring lawyers, environmental consultants, and engineers. Their banker is doing it too, and their insurance company is doing it too, OK? So that is a lot of professionals per project—nine, at a minimum—to sign off on the project.

Then it goes to the Federal, State, and local regulators, 5 to 25 permits, OK, times all the districts and States.

Mr. PETERS. Right.

Mr. CONNAUGHTON. OK? So you end up with sort of thousands of offices involved in doing all this permitting times 100,000 projects, each one of which then has another permit bundle for connecting to the grid and another permit bundle for doing digital connection. So that is several hundred thousand review—requirements. That is millions of reviews. We are not built, as a nation, to handle what we now want.

Mr. PETERS. Right, right.

Mr. CONNAUGHTON. As a matter of process.

Mr. PETERS. Well, I am out of time. I do appreciate all your work on permitting and helping us get back to building stuff again.

And Mr. Chairman, thank you for the hearing. I yield back.

Mr. GRIFFITH. The gentleman yields back. I now recognize Representative Joyce for his 5 minutes of questioning.

Mr. JOYCE. First, I want to thank Chairman Griffith for holding today's hearing on EPA's Brownfields Program, and the witnesses for joining us.

In Pennsylvania we are proud of our industries, the coal, the steel, and allied industries that were mined and forged in our cities and in our towns. Sadly, many of these legacy industries have fallen on hard times and gone out of business, leaving behind land in need of environmental cleanup and communities with limited resources to invest in that necessary redevelopment. This is where EPA's Brownfields Program has been useful to ensure that these are areas that are not left behind and economic development can occur.

Across the Commonwealth of Pennsylvania, counties like Cambria and Blair have used brownfields to leverage public and private funding to create family-sustaining jobs. This program is a great example of how, instead of Federal Government getting in the way with burdensome regulations, it can work with local stakeholders to spur lasting redevelopment.

I have seen how successful these efforts have been in my own hometown of Altoona, Pennsylvania, where a brownfield grant helped encourage downtown redevelopment by jump-starting investment. In Johnstown, brownfields funds were used to build the Greater Johnstown High School. Another brownfields grant in Johnstown redeveloped the Cambria Ironworks, repurposing older industrial buildings into an area that can attract visitors and residents, while creating opportunities for new manufacturing jobs.

In the last few years, three new brownfields grants have been awarded in my district by the EPA. Two are in western Pennsylvania, in Cambria and Somerset Counties, and one in central Pennsylvania that helps capitalize a \$1 million brownfields revolving fund that covers Mifflin, Perry, and Juniata counties. Across my district I could go on and on about different success stories of local communities taking advantage of this program to bring their towns back to life.

Mayor Bollwage, in your written testimony you discussed some of the benefits of the multipurpose brownfield grants created in the 2018 reauthorization of the program. You also noted that it would be helpful for cities to be able to use the funding for wider areas. Are there any limitations on the funding that make it challenging to redevelop cities or maximize the value of these properties?

And if so, do you have any recommendations on how the EPA could be more helpful for economic redevelopment?

Mr. BOLLWAGE. Well, thank you, Mr.—thank you, Congressman.

The first thing is, naturally, resources, and the maximum or the minimum amount of resources. We would like to use the multipurpose grants—continue. We want to see it included in the reauthorization, as well as the dollar amounts increase. We would also like

to ask the EPA to allow for the broadest application of the area to be covered by this part of the grant.

Mr. JOYCE. Mr. Connaughton, similarly, do you have any suggestions for Congress or the EPA on how the current program could better facilitate a variety of uses on brownfield sites or allow the applicants to redevelop properties with unique aspects?

And can you explain why all stakeholders need to have skin in the game?

Mr. CONNAUGHTON. Thank you. I think, as I mentioned previously, we have this opportunity to take the big old sites and convert them into big new sites. And in that instance you are going to be able to leverage a lot of private-sector capital as long as you, you know, have them see the capital go into completing a project in a reasonable period of time. That is why the permitting reform is necessary.

We have some great programs, like I mentioned, the Opportunity Zone law, which is quite popular and doing well. The big complaint with Opportunity Zones is it is not going to build big infrastructure projects. Why? Because you have to put your money in in 6 months, and a project has to be ready to go. And the problem is there aren't big infrastructure projects ready to go if—and then you need the site to be designated as an Opportunity Zone.

I think a lot of Governors did good designations but didn't think about these big industrial locations or shipyards, so I really recommend doing another designation round under that law, and I think you will bring forward hundreds of billions if not trillions of dollars of new private-sector money. And that is serious skin in the game, Congressman.

Mr. JOYCE. Mr. Miller, have you or others in your organization identified any limitations on acceptable uses of brownfields funding or lack of flexibility with any of the funding streams with the Federal Brownfields Program?

Mr. MILLER. Not necessarily with the funding streams, but as much dealing with issues with the complexity of the application process itself for smaller, rural areas.

I mentioned in my opening comments, you know, we have had to pool resources together with our localities, kind of with the approach stronger as a whole, weaker as pieces, and going in for those funds.

The other item is strengthened provisions for rural, distressed coal communities and what we could do because, again, those localities—I am sure in your district as well—struggle for funds, not for any other reason than just because of their small size.

Mr. JOYCE. And I thank you for emphasizing the need in rural areas. That is indeed my district.

Mr. Chairman, my time has expired. I yield back.

Mr. GRIFFITH. I thank the gentleman for yielding back and now recognize Representative Barragán for her 5 minutes of questioning.

Ms. BARRAGÁN. Thank you, Mr. Chairman and to our witnesses for being here.

I appreciate the bipartisan support we have on this committee for the Brownfields Program at the Environmental Protection Agency. However, the EPA's budget and the staff it needs to imple-

ment its programs are under attack from the Trump administration. President Trump and EPA Administrator Zeldin have talked about a 65 percent cut on the EPA's budget. This would gut the very programs that keep our air clean, our water safe, and our children healthy. This threatens every program at EPA, including the Brownfields Program. And House Republicans have been silent on these cuts to EPA.

Mr. Miller, would massive cuts to the EPA funding harm the Brownfields Program and the work of your organizations, yes or no?

Mr. MILLER. It comes down to efficiency.

Ms. BARRAGÁN. So you are telling me that if there is a 65 percent cut to EPA, that you don't think there could be an impact to the Brownfields Program? Is that what you are saying?

Mr. MILLER. I don't know—

Ms. BARRAGÁN. OK.

Mr. MILLER [continuing]. Until that reduction was —

Ms. BARRAGÁN. Thank you.

The Honorable Connaughton, have—what is your thought? If there is a 65 percent cut to EPA budget, do you think—

Mr. CONNAUGHTON. If they are cutting the funding for the Brownfields Program, then it will have an impact on the Brownfields Program, and that is why I am trying to advocate we need to—in this budget environment and in this political environment, we should be looking at the funding sources and we should be looking at the leverage that the—at the leverage. Because even with the current brownfield funding, it doesn't come close to matching the opportunity that we have got to achieve here.

Ms. BARRAGÁN. So—

Mr. CONNAUGHTON. I would want to look at all of it.

Ms. BARRAGÁN. So would it be safe for you to say there shouldn't be a single penny cut to the Brownfields Program?

Mr. CONNAUGHTON. No.

Ms. BARRAGÁN. That there should not be? Or no, you are not saying that?

Mr. CONNAUGHTON. I am not saying that. I am saying—

Ms. BARRAGÁN. OK.

Mr. CONNAUGHTON [continuing]. We need to take a look at the program to leverage the dollars to do even more, in which case it could justify increasing. And as we have been discussing today, there could be good reason to increase the money if we are getting 20 times the benefit.

Ms. BARRAGÁN. OK.

Mr. CONNAUGHTON. That would be a good deal, in my view.

Ms. BARRAGÁN. OK, thank you.

Mr.—Mayor Bollwage, many brownfield sites are in rural areas, low-income communities, and communities of color. How would funding cuts impact efforts to clean up contaminated land in disadvantaged communities?

Mr. BOLLWAGE. I can only speak to what is going on in Elizabeth right now. We have a \$500,000 grant for job training, and there is no one picking up the phone at EPA.

Ms. BARRAGÁN. Ms. Stoneham, do you have any thoughts on this?

Ms. STONEHAM. Yes, I would say that cutting staffing by 65 percent would significantly impact the Brownfields Program in Houston. Just the regional coordination that we experience with them on a recurring basis, which is monthly and sometimes weekly, depending on the projects, would slow us down significantly, in addition to the progress happening in the communities that we impact, which are majority underserved and low income.

Ms. BARRAGÁN. Great, thank you.

Mayor Bollwage, as Congress discusses the reauthorization of the Brownfields Program, are there any improvements or incentives you recommend to better direct grants to disadvantaged communities?

Mr. BOLLWAGE. In my written testimony I talk about the cleanup grants and I also talk about the ability to access the dollars and to draw down the money as quickly as possible.

Ms. BARRAGÁN. OK. Ms. Stoneham, how do brownfield grants leverage private-sector investment?

And what happens to those investments if Federal funding disappears?

Ms. STONEHAM. So having access to Federal funding makes us—makes it easier to attract more private investment, especially with the land bank taking that on. It saves the developer, frankly, time and money because we are willing to take on that responsibility as opposed to having them solely do this by themselves.

Ms. BARRAGÁN. Thank you. The EPA Brownfields Program is an important program for communities, even in my district—actually, quite a bit in my district. In Carson, California, we received \$1.8 million in grants to clean up a former oil refinery site so that the Los Angeles Sanitation can build a recycled water treatment facility on the property. This grant was made possible because of the increased Brownfields Program funding in the Infrastructure Law, a law that Democrats fought for and passed and that I will remind folks not a single Republican that is currently on the Energy and Commerce Committee voted for.

So as we fight back against devastating cuts to the EPA, I urge my Republican colleagues to speak up and to defend the good work that EPA does for all our communities.

I yield back.

Mr. GRIFFITH. The gentlelady yields back. I now recognize Representative Pfluger for his 5 minutes of questioning.

Mr. PFLUGER. Thank you, Mr. Chairman.

And Mr. Connaughton, I want to talk to you about streamlining. But before I do that, I just want to give a shout out to Director Zeldin for the good work that he is doing to find the fraud, waste, and abuse in these slush funds that have gone to fund NGOs and other organizations. And I appreciate your answer there previously, you know, on the fact that, no, we can still fund brownfield projects and look to more efficiently operate our Government, and that is something that we are focused on.

So in your testimony you talked about approve, build, and comply, which I think offers a pretty intriguing solution. Can you expand on that concept and talk about the streamlining of permitting and other issues that will help us with this topic that we are talking about today?

Mr. CONNAUGHTON. Yes, Congressman. The concept is actually very well-practiced but in a small scale in—under the banner of permit by rule. There are lots of examples where Congress has looked at a very specific issue and legislatively approved, you know, the activity to go forward while still requiring compliance.

Again, it may be a controversial area, but the border wall is an example of that. Bipartisan legislation in 2006 provided for that, and it allows the Secretary of Homeland Security to certify construction and to waive permitting—again, not compliance, but waive permitting. And each administration—or President Obama, President Trump, and then President Biden, each of their Homeland Security Directors used that authority.

Recently you had the Congress—for the sake of, I think, one semiconductor plant, and it was critical—legislatively waiving NEPA, OK? Now, the plant is still complying with all the environmental laws. It is still subject to all the permitting. It is not just—it is not subject to 5 years of waiting around for the environmental review to get done. They are just getting on with compliance.

So that has happened in Congress. And at the administrative level, at the Federal and State level, including in your State and your Congressman from Pennsylvania, there is actually well-established procedures for automatic permitting, OK? And Texas is the king of the States when it comes to that. And things move, investments happen.

Mr. PFLUGER. Well, thank you. I may come back to you on the State and local coordination there. I want to go to Mr. Miller.

When it comes to rural issues, obviously, this is important to me, I represent a very rural district but one that has a tremendous amount of energy, one that could benefit very, very greatly. But we see, you know, more of a, I guess, an urge to show some—to do urban projects rather than rural. So maybe talk to me a little bit about some of the barriers that have impacted us in the rural community.

Mr. MILLER. I am a big believer in our rural areas. We have—kind of view them as a blank canvas. And a lot of people, you know, at least in the Commonwealth of Virginia and more urban areas because of urban sprawl and, for instance, data centers and construction of them taking up a property that could be used for other things that those people think would be of more benefit, I think it is an amazing opportunity for rural areas, for recruitment of data centers and to bring them to those rural areas.

A lot of data centers prefer to be in an area that is kind of away, especially when you are talking about Department of Defense and in more sensitive-type data centers. So I really think a concise effort should be put on the recruitment of data centers to rural areas. And even, you know, through this brownfield funding, you know, maybe a set-aside for data centers, preferably for rural data centers, but especially for rural or for data-center-type projects.

I think that is the future. I mean, I think we all know that, and we have to have the power generation for those data centers, which—again, brownfields present an excellent opportunity for that, especially in rural areas.

Mr. PFLUGER. So whether rural or urban, these projects are beneficial. They help us in a number of ways. But specifically on the

rural areas, can you talk to us about maybe some of the challenges they face when it comes to not being able to match funds because we have small communities or—you know, how do they overcome that?

Mr. MILLER. Well, and that is one of the items I mentioned, of course, with the EPA brownfield fund specifically. You know, we talked about more funding from a grant standpoint for redevelopment. Not necessarily—I think they do a wonderful job with the assessment, I love this approve, build, comply method that is being discussed. But we just need to figure out a way to—we can utilize matching funds, but we need redevelopment funds from EPA in rural areas. We are really good to have a certain pot of money, especially State money, for some of this development. But you have to have those matching funds.

So again, I mentioned in my opening remarks if we could create something maybe that, you know, with some of this brownfield funding for rural areas—and it can even have a match requirement to that, I think everybody is fine with that because we can stack. That is what we all do, I think, it is what everybody does to make projects work, especially at the cost we are looking at for these type of projects.

Mr. PFLUGER. Thank you.

My time has expired. I yield back.

Mr. GRIFFITH. The gentleman yields back. I now recognize Mr. Auchincloss, Representative Auchincloss, for his 5 minutes of questions.

Mr. AUCHINCLOSS. Thank you, Chair.

Mr. Connaughton, I appreciate your proactive and prescriptive set of policy proposals for this, and I think it might help me to bring it to life to use a specific example with you. I represent Massachusetts. We have a lot of brownfield sites in Massachusetts, many of them prime spots for redevelopment. We also have a big shortage of housing in Massachusetts, and challenges with local zoning and land use restrictions that make it hard to build the housing that we need.

Imagine a circumstance where there was a major brownfield site, State owned—or that the locality granted to the State—and the State came to you and said, “We want to develop this, we want to really build a huge amount of housing on this site. We got a big shortage of housing, and because it is a brownfield it is—we can bypass local zoning.”

In this—in the future that you are envisioning in your written testimony, talk me through like what that would look like, how you would advise them and how you would stack private and public capital to make it happen.

Mr. CONNAUGHTON. So first you need the zoning, OK, so it is clear that this is for housing. OK? That is the first gate. So now you have the local suitability.

Second gate, you got to do the assessment. Assessment is not that—is not expensive, and it doesn’t take a lot of time, and everyone—and people know how to do it now. These professionals are sitting here.

Mr. AUCHINCLOSS. The EPA can pay for that, or do you think the State would pay for that?

Mr. CONNAUGHTON. Well, actually, if I knew as the developer that I could actually get through the permitting process then—

Mr. AUCHINCLOSS. Right.

Mr. CONNAUGHTON [continuing]. And get the project up and running in under 2 years, I will pay for the assessment.

Mr. AUCHINCLOSS. Got it.

Mr. CONNAUGHTON. OK? Because it is—I am not at risk now.

Mr. AUCHINCLOSS. Yes.

Mr. CONNAUGHTON. That is the key. If I am a developer, I know that I am—only 1 in 20 is going to pay off. I can't do 20 assessments, but I will pay for the one if I know I will actually be able to develop on it. That is the key to this process.

Mr. AUCHINCLOSS. What do you mean by not at risk for it? I mean, that is true now, isn't it, that they are not at risk for it?

Mr. CONNAUGHTON. So what happens is I get the zoning, OK? I then do the—I then wait for the assessment, and that takes longer than it should. And then, when the assessment is done, then I go in and I still don't know if I am going to get all of my other permits.

Mr. AUCHINCLOSS. Oh, I see what you are saying.

Mr. CONNAUGHTON. That is what I—the environmental permits. So I distinguish siting and assessment from permitting. I still don't know that somebody is not going to come in and shut me down, you know, two-thirds of the way through my development 2½ years later. That is the big problem. That is why—again, it is the sites you don't see investors show up for that are the ones you should be worried about.

Mr. AUCHINCLOSS. Right.

Mr. CONNAUGHTON. Because investors will go where they can get the return on their investment fastest. And for data centers, that is certainly the case. If I can't get it up and running under a year, I am not interested, OK? And so that is the critical step.

Mr. AUCHINCLOSS. And if the assessment came back as showing contaminants—again, in your ideal scenario, what happens next, provided that the developer and the State are still on board with wanting to develop housing?

Mr. CONNAUGHTON. Well, actually, these great professionals have put together—I mean, there is just a cookbook for that.

Mr. AUCHINCLOSS. Yes.

Mr. CONNAUGHTON. And it is cookie cutter. Everyone knows what they need to do. They know what the thresholds are. They know how to do—whether you have to cap the site or do some soil removal or put industrial, not housing, so you put the industrial on the lightly—

Mr. AUCHINCLOSS. Sure.

Mr. CONNAUGHTON [continuing]. Contaminated locations, and the housing on the clean ones.

So that process is now really well—I mean, they are great at it. And so my view is let the professionals do a good job, let them do what they know how to do already.

Mr. AUCHINCLOSS. And the friction that you identify in our current system is that there is not enough preapproval of those professionals to just go out and do it?

Mr. CONNAUGHTON. Yes, just go out and do it. And here is the issue. If you imagine that we actually have to do 20 to 100 X, right, there is no growth of the professional government class to be able to keep up with all that requirement.

Mr. AUCHINCLOSS. Right.

Mr. CONNAUGHTON. We need to let each government professional—I don't want to lose the government professionals. I just want them looking over 100 sites, right, and moving 100 sites along, rather than focusing on 1 or 2, right?

And more importantly, I want them inspecting and enforcing against, you know, against the bad guys, who are rare, rather than have them focusing on the good guys who actually know what they are doing.

Mr. AUCHINCLOSS. Mayor, did you want to speak to that?

Mr. BOLLWAGE. I just want to reinforce his point. We had an old plastics factory, and we did the assessment with brownfield dollars. And the assessment said you have to clean away 3 feet of the soil and remove that soil, and then you could put a Little League field there. If we didn't remove the 3 feet of soil, we would have to put pavement there. So we chose to remove the 3 feet of soil, build two Little League fields. And actually, we took the bad soil and brought it to the site that I described that was the mall, where we are preventing the leachate from going into what is called the Arthur Kill, the waterway there. So it was a win-win for everyone involved.

But once the assessment was done and the plan is there, then you can leave it to the mayors or the economic development directors to follow up on the next process.

Mr. AUCHINCLOSS. I yield back, thank you.

Mr. GRIFFITH. The gentleman yields back. I now recognize Representative Miller-Meeks for her 5 minutes of questioning.

Mrs. MILLER-MEEKS. Thank you, Chairman Griffith and Ranking Member Tonko, for holding this important hearing today, and I also want to thank our witnesses for testifying before this subcommittee.

Iowa, like other States, has abandoned, idled, or underutilized industrial and commercial properties where real or perceived environmental contamination hinders redevelopment. The Brownfields Program is essential to helping communities address these challenges, turning what were once underutilized and potentially hazardous sites into spaces for economic growth, environmental protection, and public health improvements.

Mr. Connaughton, your testimony calls for leveraging private market forces and certified professionals to enhance the impact of government programs. How can the EPA better integrate private-sector involvement into brownfield redevelopment efforts?

And what role can private investment play in accelerating the cleanup and redevelopment of these sites?

Mr. CONNAUGHTON. When it comes to certified professionals, the analogy I like to use is taxes. So I don't go to my CPA and then tell them what I am expecting to earn next year and having the CPA evaluate it, and then go to the IRS and get the permission for me to earn the money before I am allowed to pay my taxes.

I earn the money, I talk to my CPA, the CPA assesses, you know, what the taxes should be. I then send that to the IRS, OK? And then, if I cheated or lied, they come after me.

And so I see this the same way. We have this incredible class of private-sector professionals now who have—you know, who are—almost all of whom are certified to do the legal work, the biological work, the engineering work to provide full assurance of environmental and public health and safety, just like OSHA. By the way, OSHA doesn't give you permits. You build your plant, and OSHA comes in and inspects and enforces afterwards.

So if we apply the same thing to the environmental regime, this is what can unleash speed. When you unleash speed, you unleash money, OK? You know, if I have got a dollar to spend and I can get that dollar back in a year, I am going to go there versus I have a dollar to spend and I get 20 cents back in 5 years, OK? It is just economics. And speed is everything. And if I can put my—if I am going to put my money into a software company and I am going to see it in 2 years, and I know my same money in an infrastructure project is 7 or 8 years away, where is my money going to go? It is going to go to the software company.

Mrs. MILLER-MEEKS. Thank you. And you addressed permitting and approval, so I won't ask that question.

Mr. BOLLWAGE, you mentioned in your testimony the use of multipurpose grants and the restrictive view the EPA has taken of their use. In past hearings, witnesses have testified on the benefits of using this program to revitalize economic opportunity or construct affordable housing. Is flexibility a strength for the program?

And can you explain how the restricted view EPA has regarding these grants has made it more difficult for communities with several brownfield properties?

Mr. BOLLWAGE. Well, the multipurpose grants, as you said, creates flexibility, and that is something we pushed for in the 2018 reauthorization. And we are extremely grateful for that. And it also helps with some of the other witnesses we are talking about with rural communities and those communities with a lot less population. And those grants, the multipurpose grants, clearly gives a leg up to those communities.

Mrs. MILLER-MEEKS. Mr. Miller, you mentioned that for every Federal dollar invested in brownfields cleanup, communities see an average return of \$20 in economic activity. Can you elaborate on how these economic returns are measured?

And are there specific success stories from southwestern Virginia or other rural areas that highlight the long-term economic benefits of the Brownfields Program?

Mr. MILLER. Absolutely. I mentioned, I believe, earlier to a previous question Project Intersection, which is in Norton, Virginia. We were able to, you know, turn a small amount of brownfield funding into close to \$35 million in investment to develop that industrial site. So that number is actually an EPA figure.

And I would probably say, at least in the coal fields, it would be a whole lot higher in terms of what the return is that we receive.

Mrs. MILLER-MEEKS. Thank you. You also highlighted that the brownfield redevelopment creates over 10 jobs per 100,000. And how are these jobs being allocated? And what steps can be taken

to ensure that displaced rural workers, to Representative Pfluger's comment, as well as younger generations in these communities are able to access these opportunities?

Mr. MILLER. And that is an issue we deal with. It is a nut we haven't cracked yet because of limited population of a working age.

You know, we will create new job opportunities. A lot of times people in their current position will move, as we all would, to a position with better compensation. So that is an issue we are dealing with.

What we are hoping to see and what we have started to notice to see in our rural area, especially after COVID, is we are finally seeing for the first time, though a small amount, at least some immigration coming into our rural areas from more urban areas. And so we certainly, when those people do come to the area, we want to be able to have things in place that they can make a living and prosper.

Mrs. MILLER-MEEKS. Thank you.

My time has expired. I yield back.

Mr. GRIFFITH. The gentlelady yields back. I now recognize Mr. Menendez for his 5 minutes of questioning.

Mr. MENENDEZ. Thank you, Chairman. Thank you, Ranking Member.

Mayor Bollwage, as I mentioned earlier, I am grateful for your national leadership on the Brownfields Task Force as well as your work back home in Elizabeth. In your tenure as mayor, you have taken on the challenges posed by Elizabeth's industrial history head on, and you serve as a national leader in advancing brownfield remediation.

Mayor, can you share some examples of how the Brownfields Program has supported Elizabeth's economic development and environmental well-being, especially those examples that you are most proud of?

Mr. BOLLWAGE. Well, Congressman, thank you very much. Thank you for your kind comments as well.

The one that we are all familiar with that I testified here is the mills at Jersey Gardens, which I spoke about earlier, a 200-acre landfill that is—now has 2 million square feet of economic development with hotels and restaurants, as well as the 5,000 construction jobs.

Another one is the HOPE VI program. In 1999 we took two outdated public housing projects and recreated them into new HOPE VI housing—not only some market rate housing, but also some mostly affordable housing.

We are currently developing around the train station, which you visited not long ago, where we have taken a lot of vacant land and have developed housing, part of the—working with the Brownfield Development Association—New Jersey Brownfield Development. New Jersey Transit committed \$70 million to a new train station that has helped the economic development as well.

Harbor Front Villas was another project on the waterfront that has created market-rate housing. So those are three of the projects, plus the Little League field that I just mentioned as well, and we developed some neighborhood gas stations now into small public uses.

Mr. MENENDEZ. So in short, you—it is fair to say that the Brownfields Program has helped transform Elizabeth.

Mr. BOLLWAGE. Well, it has created an awful lot of economic development as well as jobs and tax ratables.

Mr. MENENDEZ. I appreciate that, because I want to talk about, in addition to all the projects that you just mentioned, last year Groundwork Elizabeth received a \$500,000 job training grant from the Brownfields Program to train 75 students and place 40 environmental jobs. I think you have alluded to it earlier. But Mayor, can you provide an update on Groundwork Elizabeth's grant?

Mr. BOLLWAGE. So the Groundwork Elizabeth grant would go towards—well, as you know, Congressman, we are a densely populated community, and we have worked diligently to identify resources in order to address brownfields and economic development. The mills at Jersey Gardens is one area.

But getting into this specific issue, Groundwork Elizabeth has worked with the housing authority in our city, they have worked with other nonprofits, they have worked to develop job training for young people. This proposal generated almost \$1 million award from the National Science Foundation for air quality monitoring walks that we are doing in partnership with Rutgers University.

I say this, that not only is the brownfields grant responsible for that, but it has generated money from Rutgers University and other areas in order to work on air pollution issues, being a hub of transportation where the City of Elizabeth sits in the State of New Jersey.

Mr. MENENDEZ. Yes, absolutely. And Groundwork—and I appreciate you having me in with Senator Booker to speak with them directly about the work that they are doing.

And with respect to that specific grant, my understanding is that it is currently being delayed, the funding that was appropriated, the \$500,000. Is that accurate?

Mr. BOLLWAGE. So actually, as I told Congressman Pallone earlier, I was on the train on the way here this morning at 6:40, and I was informed that the grant has been held up based on chaos.

Mr. MENENDEZ. Yes, it is disappointing, because it would have put students to work, it would have helped facilitate the remediation of New Jersey's brownfields, and it would have connected folks to good-paying jobs, which I think is such a bipartisan set of accomplishments that we could have been doing right now, but is held up because of President Trump's unconstitutional funding freeze, preventing congressionally authorized grants from reaching the communities that we all represent. And it is obviously disruptive to the things that we all want to make progress on.

So Mayor Bollwage, just—if I could ask you a yes-or-no question. In your experience has EPA staff provided Elizabeth and other communities with valuable technical assistance related to brownfield remediation?

Mr. BOLLWAGE. In my 33 years as a mayor, we have worked very closely with the EPA under Democratic and Republican administrations in order to benefit my community.

Mr. MENENDEZ. Yes, I mean, they—the staff does an incredible job. We need to fund the EPA and make sure that we don't have staffing cuts so we can continue the incredible work that you have

testified here today. Thank you for your leadership. It is a real privilege to call you a partner and a friend.

And with that, I yield back.

Mr. GRIFFITH. The gentleman yields back. I now recognize Mr. Evans for 5 minutes of questioning.

Mr. EVANS. Thank you, Mr. Chairman, and thank you to the ranking member and, of course, to our witnesses for taking the time today. My first question is actually to Ms. Stoneham.

In a previous life I was the code enforcement supervisor for a local municipality. And in that capacity one of the biggest headaches that I had to deal with was either abandoned or defunct commercial or industrial properties within the city that attracted just a lot of—you know, in local parlance they were problem properties. We had one particular one where it became the de facto dumping ground for anybody that didn't want to pay to dispose of a sofa. And so in 1 week we had 46 different sofas that were dumped behind this building that the city had to go pay to remove.

And in your testimony you mentioned that many of these properties that are either in the Brownfield Program or potentially viable for that program are owned by absentee landlords or tangled in legal and financial complications that make redevelopment nearly impossible. And so that was something that I personally interacted with, trying to, again, police up these—some of these abandoned properties.

And so the first question to you is, Is there any way in how the EPA administers the brownfield program that we could address some of these obstacles to redevelopment for those properties where you have either an absentee landlord or it is tangled up in some sort of legal proceedings because it is a defunct company, and potentially that property and that building is the most valuable asset that that entity still owns?

Ms. STONEHAM. Thank you for acknowledging that statement, and for your previous service.

For that particular portion of my testimony, I was referring to one of the powers that land banks have, which makes this unique and special, which is clearing up some of those clouded title issues, some of the heirship property issues. But also, most of the time those properties are abandoned, tax delinquent, or nontax-generating properties that are also brownfields.

So I am not sure exactly if the EPA can get involved with that particular lane, but I was just sharing that the land bank makes us unique in being able to address additional powers outside of just the typical contamination or the assessment with the Brownfields Program.

Mr. EVANS. So the land banks do have some special play in spaces where you have a property that is tangled up in some of those issues?

Ms. STONEHAM. Correct. Different land banks have different powers. Specifically in Texas, we have the ability to request foreclosed properties at any point in the process, and we are currently navigating that process with our county and our city leadership so we can help to intervene some of those problems, in addition to the contamination potential issues as well.

Mr. EVANS. Awesome, got it. Thank you.

Mr. Mayor, thank you for coming. Next question to you. You mentioned mothballed properties. Again, in our city we call them problem properties. I am just curious, can you speak to any barriers that you have seen between this program and then actually getting those boots-on-the-ground resources to local governments?

Mr. BOLLWAGE. First of all, I really appreciate your story, by the way, because I live that every day with staff members.

So the mothball properties usually is dealing with absentee landlords, and people aren't involved in the property, and that is probably the bigger struggle. The brownfields and the incentives, if we can get site control, we can move some of these mothballed properties back to the tax rolls.

Mr. EVANS. Thank you.

And then, Mr. Miller, a question for you kind of going off of that same vein, just the liability concerns that exist in these spaces. Can you talk about ways that we might be able to either reduce the liability or assuage some of the concerns for the landlords to be able to get additional properties into a program like this to be able to revitalize for additional industry or commercial uses?

Mr. MILLER. Sure. In our region, most of the brownfield development is at a much larger scale for economic development projects.

But in our downtowns—and keep in mind, most of our towns are a population between 50 and 1,000, so small. And most of those towns maybe have one—in the downtown district one land or one person that owns a lot of that property. So what we have been able to do with that, though is through assessment and then through the implementation of, essentially, tearing down a lot of the facilities, and then creating an opportunity for them to rebuild a better structure.

Mr. EVANS. And so that is intriguing to me. The district that I represent, my largest municipality is almost 150,000 folks, and then I go down, same thing, to small municipalities that don't even have their own police department. So can you speak to—specifically to anything that you have seen in that space with those smaller localities that is working for you?

Mr. MILLER. People working together. I mean, really, I mean, that is one of the things—a lot of times, especially in a rural area, people may be uncomfortable even with the word “brownfield” because they are not familiar with it. So really, essentially, people working together, the landowner, people in the position that you once found yourself in, you know, some of the building officials, and everybody working together.

And again—

Mr. EVANS. Thank you.

Mr. MILLER [continuing]. That is probably a difference between a small, rural area and a larger, urban area.

Mr. EVANS. Thank you.

I yield back.

Mr. GRIFFITH. The gentleman yields back. I appreciate that and now recognize Mr. Landsman for his 5 minutes of questions.

Mr. LANDSMAN. Thank you, Mr. Chairman, and thank you for this hearing. Incredibly important, the Brownfield Program has been a huge game changer for folks and communities back in

southwest Ohio. We have done so much redevelopment work with this program.

And so I—three sets of questions as we are sort of wrapping up here, and I will ask them across the board. Answer them as you see fit.

But one is a question about, as we look to reauthorize, what are the big changes? I have heard a few of them, but I am just—I am curious if you had to, you know, pick the top two or three, what are the top two or three big changes that you want us to focus on?

Two, the State's role has come up, and I am curious what that looks like, or what it should look like. And I—Mr. Miller, in particular, when we have these communities that struggle to get the private investment, is that a role for the State to play? I mean, is—I am jumping to the wrong conclusion? I am just curious in terms of what role the State is or isn't playing but should be playing.

And then, finally, it—we just can't not talk about the EPA stuff, because it is a huge problem. If you would just talk a little bit about the funding freeze and the cuts and how you would want us to approach this, you know, what you would like to see the United States Congress do as it relates to this program and the withholding of grants.

So three questions. We will start with the big changes, the role of the State, and then the EPA cuts and funding freezes.

Mr. CONNAUGHTON. The most important thing you can do is look at this opportunity at scale. The program has crept its way up to tens of thousands, but it is 100,000—you know, a hundreds-of-thousands opportunity. So I would work backwards from how do we get almost all of it redeveloped and put together a suite of programs of which the EPA piece is just one—one important, but just one—aspect.

Speed. So automatic permitting, however you come up with it., legislative so we are not tied up in courts forever. The money will flood into these communities, believe me, because the sites are so great.

And then, for States, States are—

Mr. LANDSMAN. I would call it—just because I think this came up—presumptive permitting, which is that you get it, and then—

Mr. CONNAUGHTON. Yes.

Mr. LANDSMAN. Yes, OK. Sorry, keep going.

Mr. CONNAUGHTON. That is right. And then, for States—as it turns out, States, by the way, do most of the permitting, including delegated programs, and States want this freedom because they know what they want to do, they are close to their communities. That is why Texas is so good at this, OK? And you know, if it works, it works. And they still have—

Mr. WEBER. Could you say that again? Texas is what?

[Laughter.]

Mr. CONNAUGHTON. Texas is so good at this, and they ensure environmental compliance.

Mr. LANDSMAN. Yes.

Mr. CONNAUGHTON. So, you know, we should be competing with them.

Mr. LANDSMAN. Yes.

Mr. BOLLWAGE. Congressman, naturally, more money has got to be the top of the category. And, you know, we talked about caps set at \$10 million for cleanup and multipurpose grants.

One of our Congress Members, Mikie Sherrill, has introduced a bill along with Mike Turner, who is in Ohio. Mike used to be a co-chair with me on the U.S. Conference of Mayors Brownfields Task Force way back when. And, you know, they have a bipartisan tax incentive bill. That bill would be helpful along with reauthorization of this. It is called H.R. 815. It allows companies to expense their cleanup costs in the year that it incurred. So those issues would be important and helpful.

As far as the State goes, you know, I have worked really well with the State of New Jersey, and I think that often depends on the relationship between mayors and Governors.

Mr. LANDSMAN. And the freeze.

Mr. BOLLWAGE. And the freeze, of course, yes.

Mr. LANDSMAN. I mean, is there something you want this Congress to do?

Mr. BOLLWAGE. Well, I am curious to know why—and I don't mean to be a smartass, but why are we spending 4 hours here if we are not going to have any funding and people to eventually execute what we are doing here?

Mr. LANDSMAN. That is a good question.

Ms. STONEHAM. In terms of the changes, I absolutely will echo more resources.

But also, could there be more flexibility for acquisition funds? We can't even use the assessment dollars or cleanup dollars if you don't have site control. So if there could be a line item to where you can also use dollars for acquisition, it would be a game changer.

In terms of the States' role, Texas is awesome. But I would also say if there could be a streamlined approach to make sure we are not working in silos—because depending on if you are talking to the TCEQ, the Texas Railroad Commission, it kind of just depends on which program is applicable.

And then, of course, just making sure that we are able to access the technical experts to help us spend the dollars.

Mr. LANDSMAN. I am out of time. And out of respect to the Chair and the rest of the committee, I yield back. Sorry.

Mr. GRIFFITH. We will get Duane's answer later, when the Texas delegation is talking again.

I now recognize Mrs. Fedorchak for her 4—for her 5 minutes of questioning.

Mrs. FEDORCHAK. Excellent. Well, good afternoon. I think it is afternoon now. Thank you all for your expertise. This is a fascinating subject, and I would love to spend 10 minutes talking to each of you about this, but we have a very limited time, so I am really going to zero in on the AI issues here.

I agree with Mr. Connaughton that this could—AI could drive or power the fourth Industrial Revolution in our country. But in order to do that, we need to power AI. And meeting the energy demands of this business are—that is a substantial challenge for our country. It is why I launched an AI and Energy Working Group this

week, and invite you all to participate. We initiated an RFI seeking information, so I hope you all will participate in that.

Mr. CONNAUGHTON, you have particularly piqued my interest with your thoughts on permitting reform. I spent 12 years permitting on the—as an environmental permitter in my State, as a State utility commissioner, and so I have a decent amount of experience in that. You mentioned this idea of certifying a third-party expert's site assessments. That is brilliant. What is preventing this from happening more broadly?

Mr. CONNAUGHTON. What is preventing it is not accepting the fruits of their labor.

Mrs. FEDORCHAK. In law, Federal law?

Mr. CONNAUGHTON. In law.

Mrs. FEDORCHAK. OK.

Mr. CONNAUGHTON. Because they do the work, they certify it, they are liable, you know—

Mrs. FEDORCHAK. Yes.

Mr. CONNAUGHTON [continuing]. Professionally, if they are cheating or lying, like CPAs. And then we spend 5 years working to agree with them.

Mrs. FEDORCHAK. OK.

Mr. CONNAUGHTON. So my view is, let's put the private-sector professionals that we have trained to work, and let's accept the fruits of their work.

Mrs. FEDORCHAK. Great. I love that. In my State, once an area has been permitted or certified to be safe for construction, you can rebuild in that same site without going through permitting again. So it is kind of the same type of—

Mr. CONNAUGHTON. You had also mentioned—because you are a former regulator—when we have a major storm, the utilities are incredible at rebuilding as fast as humanly possible.

Mrs. FEDORCHAK. True.

Mr. CONNAUGHTON. It is the same process. It is the same people. They know what they are doing. They know how to comply. And we are so overjoyed when the electricity system is stood back up in 48 hours. If we want to build new infrastructure—4 years, 5 years, 6 years—

Mrs. FEDORCHAK. Right.

Mr. CONNAUGHTON [continuing]. Why don't we take the example of our emergencies, and make that standard practice?

Mrs. FEDORCHAK. Mm-hmm, and the same on your NEPA idea, on the unquantified environmental impacts. So I will be following up on those, and I am sure many of my colleagues will be as well.

I wanted to zero in a little bit more on your interconnection proposal, the 6-month window. That is the only area where I think you might be a little overly optimistic, having gone through a lot of that on the MISO level, the interconnection queues and the studies required. So talk a little bit more about what you envision there and how much your vision is tied to actual experience trying to go through those interconnection processes.

Mr. CONNAUGHTON. So having suffered through this wearing many different hats over 35 years, there is only a technological solution to the interconnection problem. So we have to get on with applying the AI and the hardware systems, and the RTOs currently

aren't funded and their business model isn't set up to do it that way.

So I really believe that is the only way through this, and our target has to be 6 months because we have to build at the need of speed.

Mrs. FEDORCHAK. So using AI to help them run their studies faster when they are—

Mr. CONNAUGHTON. Yes, because they are operating 12, 15, 16 different spreadsheet models. And it was one thing when you were, like, you know, attaching dozens or hundreds of projects. We are going to be attaching thousands or tens of thousands of projects. Just the raw—just the labor of doing that, we can't keep up. The technology is going to solve our problem, but we are 10 years behind in applying it.

Mrs. FEDORCHAK. And have you talked to any of the grid—

Mr. CONNAUGHTON. Yes.

Mrs. FEDORCHAK [continuing]. Any of them? Which ones are open to this?

Mr. CONNAUGHTON. Stay tuned for an interesting announcement that is coming. I can't say anything further on that.

Mrs. FEDORCHAK. OK, very good. Then just with my remaining 1 minute, I would like you—and others, if they have time—to elaborate on what else should we be doing to stay ahead? Because I am really worried that we are going to be falling behind China in our ability to really meet the energy demands of this industry.

So Mr. Connaughton, if you could start.

Mr. CONNAUGHTON. Really focus on the communities that actually want to build. So let's put a priority where people actually want to do something. We spent a lot of time trying to work in areas where people just don't want to see the construction, so I would start there. Start with yes, and create a competition for outcomes rather than work with all the problem children.

Mrs. FEDORCHAK. Twenty seconds. Anybody else?

Mr. GRIFFITH. Duane Miller wants to say he will take all those places.

Mr. MILLER. You actually read my mind. Any rural area with specific interests in southwest Virginia, yes.

Mrs. FEDORCHAK. And North Dakota.

Mr. MILLER. Yes. Yes, ma'am.

Mrs. FEDORCHAK. All right, thank you.

I yield back.

Mr. GRIFFITH. The gentlelady yields back. I now recognize Mr. Carter for his 5 minutes of questioning.

Mr. CARTER OF LOUISIANA. Thank you, Mr. Chairman, and thank you to all of our witnesses for being here today.

The EPA Brownfield Program revitalizes communities by transforming contaminated properties into economic assets. It attracts private investment, creates jobs, and boosts local tax revenues through funding and technical assistance for the assessment, cleanup, and redevelopment of potentially contaminated former commercial industrial sites. This transformation eliminates environmental hazards and stimulates economic activity, benefiting businesses and residents. This is critically important.

A prime example of this type of development is the recent \$2 million award of an EPA brownfield cleanup program grant for the City of New Orleans to support the environmental remediation of the former Naval Support Activity Complex in the downtown Bywater neighborhood. This vast, now vacant complex, completed in 1919 by the United States Navy, formerly served as a logistics station for the Port of New Orleans and the military training site. Deactivated and sold to the City of New Orleans in 2011 for redevelopment, it comprises some 84,000 square-foot 6-story buildings and on about a 1.5 million square-foot site.

Thanks in large to the EPA brownfield funding, the complex is now being redeveloped to create mixed-use development with 295 affordable residential units and ground-floor retail space, including a grocery store and—as the primary retailer.

Ms. Stoneham, since taking office, President Trump has pledged to cut funding to EPA by 65 percent, undertaking significant indiscriminate staff firings, and terminated congressionally appropriated EPA grant funding to local recipients. Can you tell us how the current atmosphere of the uncertainty impacts the EPA Brownfield Program's awards and projects now underway in your home of Houston?

Ms. STONEHAM. Absolutely. It has significantly impacted our project timeline and us being able to release procurement opportunities. It also reduces the potential for more training opportunities not just for my staff and the contractors that we work with but also community members who directly want to better understand how they can receive access to funding allocations and just being able to see how they can amplify what they want to directly do in their neighborhoods.

And then just the relationships that we built of working with our grant officer, the chemist that we talked to that reviews the reports on a regular basis just so we can continue the work that we are doing and also continue to pursue more funding opportunities.

Mr. CARTER OF LOUISIANA. Mayor Bollwage, I began my career in local government serving on the New Orleans City Council many years ago. So I understand and appreciate the incredible job that you have to do as a mayor and your employees do with limited resources. What would gutting our career workforce at EPA, including those at the Brownfield Program who provide technical assistance, mean to your municipal employees in the City of Elizabeth who partner with EPA to carry out these projects?

Mr. BOLLWAGE. So we are a very urban, dense community. And taking the EPA away from our city, which has the largest port on the East Coast, the second-largest in the country—air pollution issues, brownfield issues, economic development issues, without having the EPA as a partner we run the risk of higher pollution and less availability of vacant land to develop.

Mr. CARTER OF LOUISIANA. Ms. Stoneham, without the EPA Brownfields Program, would the projects listed in your testimony still be vacant, blighted eyesores in our community?

Ms. STONEHAM. Absolutely. The trash incinerator site was abandoned for 60 years, and I strongly believe it would continue to still be abandoned and wouldn't have a partner to step up to take on

the complex measure of having over 40 feet of trash incinerator site currently still there.

Mr. CARTER OF LOUISIANA. Mr. Mayor Bollwage, in your opinion, should we keep the funding of EPA brownfield in its current level? And without it, what happens in your communities?

Mr. BOLLWAGE. Well, I am always looking for more.

Mr. CARTER OF LOUISIANA. So cutting it is not—

Mr. BOLLWAGE. Cutting is not—cutting it should not be an option.

Mr. CARTER OF LOUISIANA. Would you agree that it is counter-productive in that we actually lose money and not gain money by making these kind of ill-thought cuts?

Mr. BOLLWAGE. We heard testimony from Mr. Miller earlier that every dollar of the brownfields generates \$20 in additional funding.

Mr. CARTER OF LOUISIANA. And that doesn't sound very efficient, and we are talking about an effort from DOGE to be more efficient, to cut waste, fraud, and abuse. If you are putting in a dollar but you are getting 20 back, that seems pretty efficient to me.

Mr. BOLLWAGE. It is extremely efficient for local governments because we have the ability not only to generate tax revenue, but also jobs, which then creates more income tax, et cetera.

Mr. CARTER OF LOUISIANA. Thank you, Mr. Mayor.

My time is exceeded, Mr. Chairman. Thank you.

Mr. GRIFFITH. The gentleman yields back. I now recognize the gentleman from Texas for his 5 minutes of questions.

Mr. WEBER. About time.

[Laughter.]

Mr. WEBER. OK. So we are going to have fun here. So how many sites, total sites, in the country? We will start down here on the left. Is it—say—Connaught?

Mr. CONNAUGHTON. Connaughton, thank you.

Mr. WEBER. Connaughton. I can do this. How many sites in the United States would you say there are, brownfields?

Mr. CONNAUGHTON. More than 400,000.

Mr. WEBER. Four hundred thousand. Would you agree, Mr. Connaughton, that when we have got almost a \$37 trillion deficit, that we ought to be focused on reducing that in as many ways as possible?

Mr. CONNAUGHTON. Addressing the deficit is one of the most—that and national security are the two most important priorities for America, in my personal view.

Mr. WEBER. Would you agree with that, Mayor?

Mr. BOLLWAGE. You know, I—in a way, yes, but we recycle everything else. We need to start recycling our land.

Mr. WEBER. Ms. Stoneham, would you agree?

Ms. STONEHAM. Yes.

Mr. WEBER. We need to work on—Mr. Miller?

Mr. MILLER. Yes.

Mr. WEBER. OK. So the average—looking at sites—and you all may know the answer to this question or not. What is the—do we know the acreage of every single site? Do we have that in our database, the size of the site, of the brownfield site?

Mr. BOLLWAGE. If I may, Congressman, I believe the local governments and the State governments would have that information.

Mr. WEBER. Right.

Mr. BOLLWAGE. I am not aware of a national database.

Mr. WEBER. Sure. Well, Texas's Commission on Environmental Quality says there is 207 brownfield sites in Texas. In my home district along the Gulf Coast we have 10 sites. So the EPA is working with getting the word out.

So, Mr. Connaughton, I think you talked about businesses being willing to get in there and redo this as quickly as possible if we can get the permitting process low. Does the EPA send out regular emails, letters? How do they get the word out to potential businesses?

Mr. Connaughton, I will come back to you if you know that, about—there was some—there—is that possible, you know, business to be done here?

Mr. CONNAUGHTON. I think the answer is there's hundreds of different ways all of this gets communicated—Federal, State, and locally—and it is a hodgepodge. But it is now coalescing into this understanding of 400,000 sites at different points.

And maybe to get a jump on your point, which is we can and should sustain the EPA contribution to this effort, but I want to see all 400,000 addressed.

Mr. WEBER. Yes, but we have to do them in order of ones that yield the most economic benefit.

Mr. CONNAUGHTON. Exactly, exactly.

Mr. WEBER. Do we do that, Mayor? Has that been your experience?

Mr. BOLLWAGE. In my experience, yes, Congressman. I mean, the landfill was causing health issues in our community. And not only did we take away the health issue, we generated economic development through jobs, as well as open space.

Mr. WEBER. And you see that in Houston. I grew up in Houston, lived in a 20-mile radius, 71 years. September of 2023—I brought this up at the last hearing on brownfields, I would be remiss if I don't bring it up again. The cleanup site of the site that Daikin or—Daikin Park, formerly known as Minute Maid, right, Minute Maid Park, now sits on the home of the Astros, a success story. Not every brownfield site will be lucky in something like that. But would you hazard a guess—or how long have you been doing this? Let me ask you that, Ms. Stoneham.

Ms. STONEHAM. I have been president for 3 years. Formerly I was a board member, so I have been in this industry—

Mr. WEBER. OK.

Ms. STONEHAM [continuing]. For about 15.

Mr. WEBER. So what was the impact of the redevelopment of that for the Houston—town of Houston? Do you have those figures, when they went—

Ms. STONEHAM. I don't necessarily have the numbers, but I am happy to follow up with that. But I will say just the resurgence of downtown with significant developments such as the former Minute Maid Park—

Mr. WEBER. Right.

Ms. STONEHAM [continuing]. Has created more housing opportunities, job opportunities, and just overall commercial redevelopment.

Mr. WEBER. I am going to assume—and Mr. Miller, you—I think you said something earlier about maybe it being—those being prime areas for nuclear in some instances in your comments, or did I miss that?

Mr. MILLER. No, that is correct. We actually—as I mentioned, we identified seven sites in our region. Six of the seven were brownfields, and all seven scored very highly in the industry standard.

Mr. WEBER. Now, that is in your Commonwealth of Virginia, correct?

Mr. MILLER. That is just within southwest Virginia.

Mr. WEBER. Southwest Virginia, OK.

Is there a rating—I am sure there is—of severity of these sites, some that have—are you familiar with the site, Ms. Stoneham, in the south part of Houston, over toward Dixie Farm, south of Hobby Airport about 10 miles? It has been a long time since it was an issue.

Ms. STONEHAM. I am not familiar with that specific site.

Mr. WEBER. Yes, it probably predated you, but the severity—OK, well, good enough. I will leave it there.

Mr. Chairman, I yield back.

Mr. GRIFFITH. Thank you very much for yielding back, and I now recognize Mr. Soto for his 5 minutes of questioning.

Mr. SOTO. Thank you, Mr. Chairman, and thank you to our witnesses. I know it has been a long day. You are almost through it.

You know, we are here talking about brownfields, polluted lands that we see throughout all of our districts, even in Florida, where a lot of the areas in central Florida are very new. We see that brownfields are bad for public health, they are bad for business, they are bad for communities.

When you look at places like downtown Kissimmee or downtown Orlando, you will see gas stations that were around 10, 20 years ago, and now it is just sitting there, abandoned, in the middle of downtown. These are areas that, when they are restored, bring huge economic growth to areas.

I am thrilled that, through the infrastructure law, we saw over \$1 billion in investment in these Brownfields Programs. When you look at Florida itself, in Florida's 9th Congressional District we have 45 sites in Orange County, where Orlando is one of the most urban areas of our district, 4 in Osceola, and 31 in Polk County—a lot of old citrus sites, and helping out with mining in that area. And then, since 1997, we have seen in Florida over 235 contaminated sites cleaned up in Florida, almost 90,000 jobs. So we know that this can be helpful.

So—which is—when I saw the 65 percent cut to EPA spending, I was deeply concerned about that. Now it looks like it won't be staff alone, it will be spending cuts. And obviously, we want to be mindful that this isn't strategic and it could hurt programs like the brownfield.

Mayor Bollwage, how could a reduction in 65 percent spending or a huge reduction in staff affect brownfield projects that you are working on?

Mr. BOLLWAGE. Well, it happens all at once. It will create chaos, and that seems to be what is going on at the moment. I would not

like, as a mayor of the fourth-largest city in New Jersey, to not be able to rely on EPA and EPA funding.

Mr. SOTO. You know, a long time ago I lived in New Jersey and worked in Jersey City, and—

Mr. BOLLWAGE. Where? Oh, Jersey City?

Mr. SOTO. The Lackawanna Building in Jersey City, and then in—for Prudential, and I saw the important reuse through these brownfield programs. Like many New Jerseyans, I am a Floridian for over half a lifetime now, and work very closely with our ranking member, Frank Pallone, and others. And we see this in central Florida in areas that, even though they may be a little newer, there still are already brownfields, and it is just leaving economic growth on the table.

Do you think this would affect the number of years it takes to put these projects forward?

Mr. BOLLWAGE. Absolutely. I mean, you have heard an awful lot of testimony from Mr. Connaughton about the process. And if you eliminate the people who are reviewing the process, then the mathematical equation is it takes even that much longer.

Mr. SOTO. And then how important is consistency in getting investment and raising bonds to help match some of these funds?

Mr. BOLLWAGE. Well, being the fourth-largest city, unlike the rural and the small towns, we have the ability to raise money through bonding issues, and that is helpful in redeveloping a brownfield site. But if you don't have the people to review it and you don't have the assessments done properly, then it takes that much longer, and the bonding agency is going to give you a more difficult rate to borrow that money.

Mr. SOTO. Mr. Connaughton, I did appreciate your comments about the need to try to streamline these, so I am trying to find what is that careful balance to have an efficient review, where it is not dragging on and on and on, but we are not just rubber-stamping even a well-qualified private-sector's plan without at least some review. So where do we find that balance with something so sensitive as brownfields?

Mr. CONNAUGHTON. Well, the great advantage of the way we have constructed our modern environmental laws is they all have reporting, monitoring, self-reporting of noncompliance, auditing, inspection, and enforcement. And very different from when I started in my career—and then many of you—we now have a culture of compliance when it comes to the environment.

In fact—and so noncompliance is very rare, and especially with respect to the kinds of big infrastructure projects that I have been talking about, OK? They can't afford not to comply. So my view is, can we please let them? And they still have to do all of the—all the mandatory things with the judicial review behind that and citizen suits. So there is still risk if you screw up. We are just putting 99 percent of our effort on the people that don't screw up.

And this goes to the resources issue you are raising. I really want to see—our quite capable environmental professionals that are in these agencies, I want them working on the hard problems. I don't want them working on the easy problems.

Mr. SOTO. Sure.

Mr. CONNAUGHTON. I think we can find a really good outcome here.

But also I would just note we have 400,000 to work on, and there is no amount of increase in the brownfields budget, which—again, I want money there, but there is no amount of increase that is going to get the rest of the 400,000. We have only done, you know, tens of thousands in 25 years. So I want to be sure that—I hope you will look bigger and say let's go after all of them because we need them, of which EPA is one contributing part.

Mr. SOTO. Which is why we need to keep EPA funding steady to keep these projects going.

Thanks so much, and I yield back.

Mr. GRIFFITH. The gentleman yields back. I am going to take a point of personal privilege, since he mentioned Osceola and Orlando.

My constituent who lives not too far from Mr. Miller is Mac McClung, who plays for a 2-way contract with the Orlando Magic and the Osceola Magic and is a threepeat winner of the dunk contest, and——

Mr. SOTO. Mr. Chairman?

Mr. GRIFFITH. Both Mr. Miller and I know his family, and we wish him well.

Mr. SOTO. If I may, I saw him jump over Shaq to dunk last year to win the championship. We are going to claim impartially, if that is OK with you, sir, since he——

Mr. GRIFFITH. We will share, we just want to make sure the Orlando Magic pick him up full-time. And that being said——

Mr. SOTO. I support that. We will get the petitions going. We are doing it right here in the Energy and Commerce Committee.

Mr. GRIFFITH. There you go. That being said, we have the policy in our committee of anyone who is on the committee being able to waive on. Mrs. Dingell considers this an important matter and has sat here for some time so that she can waive on to the committee. We welcome her and now recognize Mrs. Dingell for her 5 minutes of questions.

Mrs. DINGELL. Thank you, Mr. Chairman, for letting me be here and for this important hearing, EPA's Brownfield Programs. And thank you to all of the witnesses. I have—for a long time we have worked together on things. We agree most of the time, and it is great to be with all of the witnesses.

As we have heard today, the Brownfield Programs have a long history of empowering States, local communities, and stakeholders to work together to clean up contaminated sites, protect public health, and restore land for productive use. It has enjoyed strong bipartisan support in this committee, and I am hopeful that it will continue in this Congress.

In my district and across southeast Michigan, the Downriver Community Conference operates one of the most successful programs in the country, as Jim knows. Serving 20 communities across 3 counties and over 900,000 residents, the DCC has secured and distributed more than \$21 million in grants for site cleanups and their assessments. It has revitalized 200 sites, generating more than \$700 million in investment, creating jobs and strengthening the tax base of our Downriver communities.

Through the Brownfield Program, the DCC has made Michigan a more vibrant, sustainable, and attractive place to live, work, visit, and raise a family, and we need to make sure this success continues. We must fully reauthorize and fully fund the program. And if you think people don't care, it continues to be an issue that brings many people that—to townhall meetings every quarter that I hold that want—we are a heavy industrial area, we have a lot of places that need to be cleaned up. So the Brownfield Program delivers real results, and we must ensure it remains a priority.

Mayor Bollwage, a lot of people have asked you the same questions I was going to, so I am going to ask you the same question, but a different way.

[Laughter.]

Mrs. DINGELL. If the Brownfields Program—it is set to become insolvent in 2026. What will be the impact on your community if these resources are allowed to lapse?

Mr. BOLLWAGE. So we have identified 57 brownfield properties, of which we have developed about 15 to 18 properties. Without the ability to have assessment dollars or cleanup dollars, then our efforts to revitalize that property would be put off for another day or years.

Mrs. DINGELL. Or may not get cleaned up.

Mr. BOLLWAGE. Ever.

Mrs. DINGELL. You know, when we are revitalizing a community through Brownfields Programs, it is imperative that we center said community in the planning and implementation process, assuring that we are serving their needs first and foremost.

Ms. Stoneham, you emphasized that a key part of redevelopment is ensuring to—that end product is reflective of the priorities for your community. Can you talk about—more about how you accomplished this when you were administrating your brownfield grants in Houston?

Ms. STONEHAM. Happy to. We have a brownfields activation committee, which is comprised of local community leaders, policy experts, professionals, and anyone who just cares whether you are doing air quality, soil quality, water quality. We convene them on a quarterly basis in order to discuss our projects and to directly listen to what they would like to see.

But we also host community visioning sessions with our architects so we can discuss what housing solutions can be placed, whether it is a duplex, a town home, or whatever typology that may be.

We also incorporated in the Houston Land Bank policy a neighborhood advisory council. So regardless if it is a brownfield or not, they have a scoring portion of our criteria so when we procure land and give it to a builder, we actually gave them 15 out of the 50 points.

Mrs. DINGELL. Thank you. You know, what is important—I am going to say this to all of you—is to remember that brownfield sites usually consist of multiple hazards that pose threats to the public health of their local communities. They are aware of it. They are scared of it. And that is the issue that drives a lot of this wanting to be cleaned up. Revitalization of a brownfield does not only mean

an economic recovery but the removal of threats that will contribute to the protection of our people's health.

Ms. Stoneham, during your testimony you mentioned that —significant threats to brownfield sites present to the communities you work with in Houston. Can you speak more to the specific health challenges you have tackled through your work with the Houston Land Bank?

Ms. STONEHAM. Sure, and I also want to share a saying that I have adopted from one of my colleagues from Adapta, which is everything is a brownfield until proven not guilty, and we take that approach to everything that we look at when we are assessing the opportunities.

Now, I am not an environmental scientist, but I will say for our Project Yellow Cab we removed about 20 feet of soil, some underground storage tanks. We found levels of dioxin, and just made sure that we are very transparent also with the findings that we found and publicly share that on our website so we are also educating the community about what a brownfield is, what these contaminants are, and they can directly talk to our consultants so they can better understand what solutions we are proposing to move forward with them.

Mrs. DINGELL. Thank you. I must yield back.

Mr. GRIFFITH. I thank the gentlelady for yielding back.

Seeing no further witnesses, I ask unanimous consent to insert into the record the documents included in the staff hearing documents list.

Without objection, so ordered.

[The information appears at the conclusion of the hearing.]

Mr. GRIFFITH. I remind Members that they have 10 business days to submit questions for the record. I am already thinking of some, and I ask the witnesses to respond to those questions promptly.

Without objection, the committee is adjourned.

[Whereupon, at 12:57 p.m., the subcommittee was adjourned.]

[Material submitted for inclusion in the record follows:]

U.S. House Committee on Energy and Commerce
Subcommittee on Environment
“Maximizing Opportunities for Redeveloping Brownfields Sites: Assessing the Potential for
New American Innovation.”
March 11, 2025
Documents for the Record

1. Report from the Aspen Institute Energy and Environment Program, submitted by the Majority.



BUILDING CLEANER, FASTER

Final Report

The Aspen Institute, Energy & Environment Program
Spring 2021

On March 31, President Biden announced “The American Jobs Plan” as part of his Build Back Better agenda to accomplish two important missions: (1) decarbonizing the nation’s economy to address the challenges of climate change and the energy transition; and (2) growing jobs and the economy while simultaneously making the nation’s infrastructure more resilient. The White House announcement focused on fiscal, policy, and regulatory goals. This paper solves for the critical missing link: the need to address the challenges of delay, uncertainty, and cost of our current environmental review and permitting system that threatens the build out of decarbonization infrastructure. As described below, there is well established precedent for both Congress and the Executive Branch introducing regulatory tools for streamlining the approval process for environmental projects that will bring net benefits and otherwise comply with strict requirements.

Anticipating the Administration’s bold proposals for urgent economy-wide action on climate change, the Aspen Institute Energy & Environment Program convened a group of policymakers, experts, and practitioners to consider solutions to expedite climate action. Over a series of threeroundtable conversations in the winter months between 2020 and 2021, these professionals focused on the following problem:

Achieving net-zero emissions by 2050 is ecologically essential, technologically feasible, economically achievable, but procedurally impossible.

The discussions led to a unanimous conclusion: to truly succeed in decarbonizing the economy, we must take bold action to modernize and reform our environmental review and permitting processes to implement decarbonization projects with the scale, speed, and predictability that confronting the climate crisis requires. Strong funding and the best intentions to invest in infrastructure will otherwise be met with years of delay and uncertainty that will hinder progress and threaten the viability of projects needed to solve the problem.

The group endorsed four critical paths to success:

1. **Immediate approvals:** For categories of decarbonization projects where environmental impacts are well understood, either due to the nature or location of the project, Congress should establish approval criteria that enable project clearance without delay.
2. **Accelerated approvals:** For decarbonization projects that may cause unique or significant negative local environmental impacts, Congress should establish a bifurcated

process that documents the categories of climate-beneficial projects at the outset, and then focuses environmental review and permitting on any uniquely local conditions of a project on an accelerated timeline.

3. **Accelerated adjudications:** Once a project is approved, any adjudications for decarbonization projects must include a final decision timeline of well under one year to ensure that protracted litigation does not undermine project viability.
4. **State and local conformity:** Eligibility for any federal infrastructure or climate-related funding, tax incentives, or grants shall be conditioned on a state or locality conforming to the same framework and timeline for fast approval and adjudication of projects.

The ideas outlined below reflect our consensus that we must seize this moment of wide-spread support for decarbonization of infrastructure to accelerate project approval and adjudication to well under a year, while preserving good government principles of public participation through legislative and administrative processes. Such reforms should broadly encompass all sectors and technologies that can deliver emissions reductions at the gigatons of scale (either per project or with respect to a technology capable of being scaled) needed to confront the climate crisis and eliminate the inequitable public health burden of disproportionate environmental harms once and for all.

Opportunity Statement: The Benefits of Speed and Certainty

Realizing the President's goal of net zero emissions by 2050—and net zero for the energy sector by 2035—will need more than just fiscal and policy support to succeed. Even with significant resources and strong policy direction, speed and certainty of project approvals will be critical to success.

Speed is essential to realizing climate objectives given the still growing trajectory of emissions, the increasing severity of climate change, and the lack of action since the signing of the Paris Agreement. A ton of carbon reduced today delivers 30 tons more cumulative abatement benefit than a ton reduced in 2050. A ton of air pollution reduced today improves the health and prolongs the lives of more people than a ton reduced in 2050. Speed also lowers the costs of achieving the objective. A clean infrastructure project with certainty of deployment in less than a year incurs substantially lower financing costs and produces jobs, revenues, and taxes a lot sooner than a project that is hung up for 3 to 10 years. Finally, speed produces more projects sooner to meet the objective. Prompt permitting and adjudication reduces the number of projects that are otherwise abandoned due to delay.

Certainty is also critical to realizing climate objectives. Only with final and durable decisions can public and private investors make commitments to secure funding, hire workers, mobilize supply chains, and initiate the complex logistics to rapidly complete the large scale infrastructure projects and deploy the innovative support technologies needed for decarbonization plans.

Unfortunately, speed and certainty are not the hallmarks of our present environmental review and permitting system at the federal, state, and local level, even when the net environmental outcomes of a project are clearly favorable. The environmental review and permitting system

now takes years and, in many cases, more than a decade to approve and adjudicate hundreds of major infrastructure projects. Delay and uncertainty cause cancellation of countless others along the way.

For decarbonization infrastructure projects intended to have net environmental benefits, this situation is particularly counterproductive since, during every stage of construction, operations, and ultimate decommissioning, every project must fully comply at all times with the world's most stringent federal, state and local environmental protection, natural resource conservation, and health & safety regulations. All of these regulations were developed through extensive legislative and administrative processes embodying critically important concepts of good government and the rule of law including record-based decision making, public participation, transparency, and judicial review. Project sponsors and owners face harsh civil penalties and even criminal liability for any noncompliance.

Understood in this context, the permitting system provides an up-front assurance of regulatory compliance prior to project construction and operation. The environmental review process, in turn, ensures project sponsors consider environmental factors other than what is already subject to regulatory compliance to better inform project siting and design choices. For projects intended to advance environmental goals, these processes of compliance assurance should have improved substantially over time to handle current infrastructure approval workloads with greater agility and finality, particularly given advances in science and information technology. But unfortunately, the situation has worsened and environmentally beneficial projects that are already subject to heavy regulation face the same delays, risks, and uncertainty as other projects whose environmental impacts are less certain.

Decarbonization of the economy is projected to require trillions of dollars in new investment and tens of thousands of increasingly distributed and interconnected energy, transportation, industrial and agricultural infrastructure. The goal of these projects first and foremost is to improve the environment and promote a more sustainable planet. But federal, state, and local agencies do not currently have the workforce, resources, processes, or adjudication capacity to handle the forthcoming volume of necessary activity. Accordingly, even if we get everything else right on the road to net-zero in terms of fiscal support and strong policy, our current permitting system threatens to be an insurmountable barrier to success.

To succeed, we must bring the same bold thinking to the environmental review and permitting process as we are to fiscal investments and to infrastructure and climate policy. In other times and places, national leadership and nationwide determination combined to overcome such obstacles to achieving critical objectives. For example, in just 15 years, the US delivered rural electrification to 80% percent of farmers and not much longer than that to reach almost 100%. In just 15 years, France built an 80 percent independent and emissions free electricity system using nuclear and renewable energy, and not much longer than that to essentially achieve net zero electricity sector emissions by becoming a clean energy exporter. These efforts required national, regional, and local leadership, a dramatic acceleration of development and investment, and the removal of needless procedural barriers to construction and deployment.

Similarly, for projects that are intended to solve climate change and advance decarbonization

and the energy transition, we must commit to realizing the principles of record-based decision making, public participation, transparency, and adjudication within a reasonable time period and well under a year. The ideas below are intended to address the problems associated with both speed and uncertainty.

Importantly, in putting forth the ideas described here to fix our current system of progress-preventing processes and deliver fully reviewed and permitted clean infrastructure projects in one year or less, as noted above, we can be assured that all such projects will be as environmentally protective as our laws and regulations require. We recognize that some environmental impact analyses may need to extend beyond a year (for example, for local analyses of migratory patterns or seasonal water flows), but these should be the exception, not the rule. Similarly, community engagement and public participation are a must and time is needed fully to build partnership with neighbors of the proposed project (see more on this topic below). The thought here is that much of such analysis and engagement would occur before a project is proposed for permitting. It is the permit review process and time that we are addressing here. With appropriate upfront planning, engagement, and analysis we believe needed reviews can and should be completed in the timeframes described here.

Accordingly, a dramatically faster and certain process of clean infrastructure permitting can be established with full confidence that our highest levels of protection of public health and the environment will be assured, with full respect for and partnership with local communities and without having to put the project sponsor through years of having to preliminarily prove the sponsor will comply with the law. Federally legislated carbon emission reduction requirements could provide further confidence of a positive environmental outcome.

Step 1: Immediate Approvals for Critical Projects with Well Documented Net Environmental Benefits

Every president since Jimmy Carter has sought to improve the cumbersome and inefficient process for siting and reviewing major infrastructure projects, mainly through complex, ad hoc efforts to improve administrative management, consolidate decision-making, and coordinate more closely with state and local officials making most of the decisions. None of these efforts have resulted in lasting, large scale improvements. The imperative to quickly construct thousands of low carbon energy, industrial, transportation and agricultural systems and to address the risks posed by our nation's crumbling infrastructure demands a policy outcome proportionate to the imperative. That is why legislating automatic approval of certain qualifying projects and qualifying locations is the best and most consequential action that could be taken for categories of projects where the opportunity for greenhouse gas abatement is high, and the net beneficial impacts are well understood. Precedent exists for such action, such as legislated categorical exclusions under NEPA and state equivalents, national security waivers, and general permits. The international and domestic urgency of the climate crisis is equally or more compelling justification for adopting such measures.

Pre-Qualified Projects

Legislation should authorize all categories of projects where the opportunity for greenhouse gas abatement is the highest and other potential environmental impacts are well understood and documented. For example, projects to improve the resilience of the energy ecosystem and grid to accommodate more renewable energy and abate threats due to weather events, such as the recent Texas storms, are overdue and deploy technologies and methods that have well understood impacts that do not require repetitive, boilerplate re-analysis.

Another example are projects that, de facto, deliver substantial net climate and environment benefits by replacing existing infrastructure with new infrastructure which has less impact than what is already permitted. A good example is the conversion of coal-fired plants, either through repowering to natural gas, retrofit for CCUS, or repurposing the site for renewable energy, green data centers, and other projects that can take advantage of the existing electrical and mechanical infrastructure. Absent automatic permitting, these complex and heavily regulated locations may be among the last to see meaningful redevelopment, when they could and should be among the first in order to enable a meaningful and equitable transition.

Identification of such clean infrastructure project categories and particular projects that qualify for pre-approval should be embodied in legislation to the extent possible, which would enable both expedited approvals and avoid the potential for protracted judicial review where Congress has deemed such projects pre-qualified. Such categories can be linked to existing federal, state, and local processes of categorization of projects as clean infrastructure driving decarbonization. These could include projects that: 1) qualify for federal, state, or local tax credit, such as the ITC, PTC or 45Q; 2) recipient of a DOE loan guarantee, USDA grants/loans, or similar public funding programs established to reduce emissions; 3) subject to a Clean Energy Standard, Renewable Energy Standard, or equivalent mandatory legislation.

A further variation on the theme and additional approach would have Congress establish a non-discretionary presumption of project approval so long as a project satisfies certain predefined criteria. Congress could require an agency to review and approve or reject such an application within 90 days, and then allow public comment only as to whether the application meets the criteria specified by Congress, with judicial deference afforded to the agency's initial determination.

Pre-Qualified Locations

Identification of locations that qualify for pre-approval should be embodied in federal, state, and local legislation for the same reason as pre-qualified projects, and likewise could take advantage of already existing federal, state, and local processes of priority. Recent bipartisan Opportunity Zone legislation provides a particularly compelling example and alignment of constituent interests. Each state has already worked with local communities to prioritize specific economically disadvantaged areas for substantially tax incentivized private sector

redevelopment, including infrastructure. A very substantial portion of these areas are ideal for clean infrastructure investment, not only supporting good construction and operations jobs, but also local ownership of valuable new community infrastructure that can attract new business. This program is ripe for a second round of designations which could include specific attention to urban and rural areas particularly well suited to green infrastructure investment enabling (as noted above) conversion of Environmental Justice communities into Environmental Opportunity communities.

Both in this context and separately, other already established categories should be considered for pre-approval such as: 1) federal and state designated Brownfields that have been cleared for redevelopment; 2) former military bases; 3) local enterprise zones and their equivalent; 4) dam sites where hydro-power generation can be added; 5) pre-zoned BLM, Forest Service, and other public lands.

Step 2: Accelerated Approvals for Projects with Documented Impacts but Local Analysis

As part of the push toward clean energy infrastructure, some projects will have a high sense of urgency and need but less documented environmental impacts. For example, an automatic approval process may not be feasible for particularly complex or novel projects such as new advanced designed nuclear energy plants, hydrogen production and distribution facilities, or for “linear” infrastructure such as smart highways, natural gas pipelines, CO2 pipelines and repositories for CCUS, and certain intrastate and interstate transmission, and supporting digital infrastructure. In such cases, there is an opportunity to ensure permitting is still accountable for timelines and certainty and achieve thorough government and public review on the fastest rather than the most protracted timeline achievable. The way to accomplish this is to do as much of the work in advance as possible.

Here, a bifurcated approach could be used in which agencies would prepare environmental reviews and permit templates for certain types of complex and linear projects that analyze the pertinent impacts of such projects generally. The public would be provided three months of review and comment before finalizing the general framework. A specific permit application would then incorporate by reference that review and focus specifically on local or unique impacts of the project, with a period of no more than three months of public comment limited to the local and unique aspects under consideration. Modern communication and information technology makes possible such substantially more efficient processes, focused and transparent exchange and evaluation of such information. Precedent for this approach exists in the context of programmatic environmental impact statement under NEPA and in various general permit programs and permits-by-rule at the federal and state level.

This bifurcated approach enables the opportunity for record-based decision making, public participation, transparency, and adjudication while promoting timeliness and certainty for projects. The bulk of the impacts among a category of projects would be assessed in advance,

enabling the review of a specific project to be tailored to local and specific impacts. When combined with accelerated adjudication (Part III below) this would achieve the dual goals of public participation and project approval within a year of application for critical clean energy infrastructure projects.

Development and adoption of local ordinances to establish standards for siting and permitting various clean energy and infrastructure systems ahead of individual project permit applications could also be considered in order to expedite needed consultations and reviews. State efforts to adopt uniform siting and permitting standards with specified deadlines for action are already emerging, with examples in New York and Minnesota. Federal leadership will be necessary to accelerate nationwide adoption of responsible siting and permitting ordinances with fixed time limits for permitting decisions at the state and local level where permitting occurs. The tools range from development of model ordinances (similar to federal government development of model building efficiency codes) to funding, and could involve joint industry resources and personnel working with local officials to put ordinances in place.

To ensure success in these initiatives, we recommend considering coalescing or collocating into a single location on a regional basis, or even into a single federal agency, the policy, regulatory and permitting initiatives needed to quickly approve and build clean infrastructure to support a net-zero carbon emissions future. An excellent example of this is the National Interagency Fire Center in Idaho, which houses multiple federal, state, tribal and private agencies to coordinate fire response on lands under their respective management.

Step 3: Rapid Adjudication to Enable Review and Certainty for Critical Clean Energy Projects

Both immediate and faster approvals are of no value if there is not a correspondingly speedy and certain process of adjudicating disputes over permitting decision. In other contexts, Congress has established extremely fast adjudication processes where a prompt and definitive outcome was deemed to be among the highest national priorities. For example, in the area of federal procurement, Congress established a very aggressive 100-day time limit for administrative resolution of contract award disputes with the GAO, and similarly limited timelines for any appeal, limited to the jurisdiction and expertise of the Federal Court of Claims, with very limited grounds for review of the administrative decision. The rationale for such a process is straightforward: the government cannot function if the procurement of the technology, equipment, systems and services for defense and other vital government services is held up in years of litigation. In a related context, Congress broadened the scope of the interagency Committee on Foreign Investment in the United States (CFIUS) review of such investments to determine whether they undermine national security. Concerned about the significant economic consequences to US business from prolonged delay in clearing transactions through CFIUS, Congress expressly created a new streamlined process of only 30 days for CFIUS to provide clearance—a process available for all transactions. In rare situations, a more intensive review may be required, but even then Congress limited full investigation and final decision to no more

than 105 days. The urgency of the climate crisis warrants the same adjudicatory speed as that provided for government contracting and foreign investment in US companies.

For infrastructure projects identified as leading to decarbonization (described above), a process for review can be created that provides appropriate adjudicative review while avoiding the risk to important projects due to uncertainty and delays associated with conventional final agency action review in the federal courts. Many Executive Branch agencies—including those in the environmental and resource agencies—have an administrative review board comprised of subject matter expert administrative law judges and magistrates who review permitting decisions and other federal actions. A similar board should be created, or adapted from an existing board, with adequate resources to provide for timely reviews of appeals within 120 days. Within 30 days from a decision, a petitioner would carry the burden in their opening appeal to identify “clear error” and “arbitrary and capricious” decision making by either failing to assess a significant harmful impact or by misapplying a legal/regulatory standard in the review. This already is a common standard of review for such appeals. If no petition is filed, the decision shall be deemed complete and not subject to further review. In the case of a petition, the government and interested parties shall have 21 days to respond, with petitioners’ reply papers due 7 days later. The appeals board shall issue an opinion no later than 120 days from the date of the original decision. The scope of review shall be limited to the clear error and arbitrary and capricious standard above. To the extent the panel issues a remand under this standard, the permitting agency must respond to amend the record within 60 days.

Addressing Environmental Justice

Important work is underway to address the historic injustices suffered by disadvantaged communities—including communities of color, low income, children, and elderly—as it relates to hosting heavily polluting sources of energy. We strongly support the proposals in the President’s announcements to address environmental justice more broadly. In the context of accelerating decarbonization infrastructure and addressing environmental justice, we find two complementary approaches to be particularly compelling.

First, disadvantaged communities need a seat at the table in considering, helping to shape, and reaping economic opportunity from new, clean energy and infrastructure projects. We must both avoid the risk of new projects harming disadvantaged communities and ensure that we are creating opportunities to remedy past harms as the nation builds its decarbonization infrastructure. As described above, the process of designating a second round of Opportunity Zones to support clean infrastructure development near disadvantaged communities is one example of how this could be accomplished on a nationwide basis.

In the District of Columbia and elsewhere structured, time-bound processes are proposed that enable (1) inclusion; (2) equity ownership and (3) decision-making measured in months, not years or decades. Crucial elements of the approach include identification of a neutral arbitrator; selection of a group representative of the community by the arbitrator; creation of an equity

participation vehicle to ensure community financial benefit; access by the representative group to needed technical support resources; and a firm agreed timeline for decision-making. Resources for these activities would be provided by the project developer and these activities would be concluded before the project is submitted for the accelerated approval options discussed above.

Second, an additional way to promote environmental justice and benefit communities that continue to live in the shadow of harm could be to add a surcharge on all infrastructure projects qualifying for expedited consideration that would accelerate access to clean energy for disadvantaged communities—communities of color, low income, children, and the elderly. These communities are readily identifiable based on census tract information. An initiative of this kind would be similar to the surcharge on phone bills administered by the FCC to support the build out of internet infrastructure in disadvantaged communities. We know that fossil fuel infrastructure has historically been situated in or near low-income communities and communities of color. We also know that solar access is deeply skewed based on race. According to a recent study, majority black communities (normalized for income and home ownership) have over 61% less rooftop solar installed than those communities with no racial or ethnic minority. A surcharge could create funds needed to level the playing field and enable low income and communities of color to participate in and benefit from the many health, environmental and economic benefits of clean energy resources. The recent Biden Administration infrastructure proposal would substantially amplify this objective through a large appropriation and prioritization of funding directed into these communities.

Finally, it is important to make cost effectiveness for ratepayers a pillar of environmental justice platform for clean energy. Properly conceived, the clean energy transition will save people on fixed income a lot of money. If not properly conceived, ratepayers who are least well positioned to absorb cost impacts will bear a disproportionately high burden.

Aligning state and local processes

Acceleration only works if the federal, state, and local government are fully aligned on fast and certain permitting and adjudication. To this end, we propose that eligibility for any federal infrastructure or climate-related funding, tax incentives, or grants should be conditioned on a state or locality conforming to the same framework and timeline for fast approval and adjudication of projects. The best way to secure this alignment is for Congress to prohibit states from receiving federal clean infrastructure funds and incentives, unless they adopt permit acceleration measures equal to or better in speed and certainty than the federal standards.

Transmission siting and approval present particularly well-known challenges that significantly impede necessary speed and call for federal-state-local coordination to achieve decarbonization goals.

Assuming more rapid permitting can be established, a number of measures can further accelerate outcomes, including:

- Create a “supergrid authority” inside of DOE or elsewhere to purchase capacity on long haul transmission lines under certain criteria. Because generation gets built when transmission is built, there is little risk that the government will be able to sell off its transmission rights before the lines complete construction.
- Have the supergrid authority fund grid enhancing technologies to maximize the efficiency and capacity of existing grid at a cost in the low billions of dollars.
- Provide ITC to the billions of dollars of transmission projects that are ready for construction today for which there is no need for the government to purchase capacity.
- Provide a short-term fix to tax equity markets via full or almost 100% “direct pay” for tax credits from renewables.
- Require FERC to incorporate carbon emissions in all transmission planning processes.
- Require FERC to order NYISO, PJM, and ISO-NE to work together to come up with an offshore grid to handle offshore renewable resources in the Northeast.

Signatories

Co-Chairs:

Jim Connaughton, CEO, Nautilus Data Technologies

Katie McGinty, Vice President & Chief Sustainability, Government & Regulatory Affairs Officer, Johnson Controls

Participants:

Brent Alderfer, Co-Founder & Director, Community Energy, Inc.

Roger Ballentine, President, Green Strategies, Inc.

Donnel Baird, Founder, BlocPower

Dan Esty, Hillhouse Professor of Environmental Law and Policy, Yale University

Roger Martella, General Counsel, Environment, Health & Safety, General Electric

Manisha Patel, Vice President for Environmental Policy Practice, WSP USA

Nancy Pfund, Founder & Managing Partner, DBL Partners

Rich Powell, Executive Director, ClearPath

Gov. Bill Ritter, Founder & Director, Center for the New Energy Economy, Colorado State University

Emily Schapira, Board Member, President & CEO, Philadelphia Energy Authority

Michael Skelly, CEO, Grid United

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Disclaimer: This report seeks to capture the essence of participant conversations, but individual participants may not agree with every aspect of the report. Rather, in affixing their name as a signatory, a participant is signaling support for the overarching concept of the series and the broad outcomes discussed herein.

Hon. James L. Connaughton Response to Questions for the Record

Subcommittee on Environment Hearing, Tuesday, March 11, 2025

“Maximizing Opportunities for Redeveloping Brownfields Sites: Assessing the Potential for New American Innovation.”

The Honorable H. Morgan Griffith

Under your preclearance permitting proposal for brownfields, would a cursory endangered species habitat review, for species like the blue crawdad or the peaks of otter salamander, be a part of the preclearance?

ANSWER: Yes, and it would likely be more than cursory. For pre-cleared projects in pre-cleared brownfield locations that are zoned for such projects, the “automatic” provisions of the preclearance proposal would legislatively authorize a project to proceed without the need to go through any prolonged environmental permitting or environmental review, including for incidental take permits for endangered species, and without being subject to judicial review. Importantly, the project would still have to comply with all substantive environmental performance requirements and remain subject to reporting, inspection, enforcement and judicial review of any non-compliance during construction and operations. So that means the project sponsor would still hire its own experts and undertake a normal, not cursory, endangered species habitat review. If endangered species are identified the project sponsor would manage the project in accordance with typical practices to avoid take of endangered species. If anything is in doubt, the project sponsor would remain free to speak with the relevant natural resource agency experts for guidance as needed. In addition, the “automatic” preclearance proposal would not apply to and expressly exclude any locations that have been designated as critical habitat. In such cases, the “accelerated” permitting review provisions of the preclearance proposal would apply which would also entail a normal, not cursory, endangered species review.

The Honorable Nick Langworthy

Whether it’s a new energy generation project, like advanced nuclear, or an energy load such as a manufacturing facility or data center, brownfield sites often already have transmission infrastructure in place.

1. Mr. Connaughton, given the existing transmission infrastructure on many brownfield sites, how can we better incentivize businesses—whether in energy generation, manufacturing, or data centers—to prioritize brownfield redevelopment to reduce delays in project timelines and take advantage of quicker interconnection to the grid? The Tax Cuts and Jobs Act (TCJA) prioritized Opportunity Zones, driving investment into distressed areas. Many brownfield sites fall within these zones and are ideal for high-power industries like AI infrastructure and high-performance computing. However, despite these advantages, permitting obstacles often delay or complicate projects, hindering their ability to fully realize the potential of brownfield redevelopment. This can have a toll of years and years of red tape just to get a project up off the ground.

ANSWER: Existing transmission and other infrastructure I should be a big advantage for brownfields. Enabling speed to project development and completion is the most valuable incentive you can provide to entice project developers to these brownfields. Passing legislation that allows for immediate and for accelerated project approvals in brownfields will significantly lower project costs, lower the cost of project finance, start delivering revenues sooner, and start producing taxes, jobs, consumer, and community benefits a lot sooner. This includes 1) establishing clear zoning designations for new development, 2) the ability to privately undertake site assessments using certified private experts, without waiting for prolonged government review and approval of assessments that are below specified thresholds of concern, 3) legislative approval of precleared categories of projects in precleared locations as outline in my testimony, 4) implementation of both technology and management improvements to enable either immediate or very rapid electricity system interconnection approval by regional transmission operators and utilities. I agree that the Opportunity Zone law is extremely valuable in this context, but the original designations have proved to be incomplete, in some cases designating the census tract where people live, but not the nearby census tract (often a brownfield) where they work. So I recommend amending the Opportunity Zone law to 1) allow brownfield census tracts that are directly contiguous to existing Opportunity Zones to automatically qualify for OZ incentives and 2) allow Governors to amend existing designations and add new “Infrastructure” designations for brownfield census tracts that support critical infrastructure including for energy, water, military, critical minerals mining and processing, data centers, and semi-conductor manufacturing and supply chain (e.g. equipment and component manufacturing).

2. Mr. Connaughton, given the significant delays caused by these permitting obstacles, especially in New York State, such as the lack of clarity on wetland jurisdiction following the Sackett vs EPA decision, what steps can be taken to streamline the permitting process for brownfield redevelopment projects? For example, you discuss developing a list of “pre-cleared projects” or critical infrastructure. Do you have any suggestions for Congress in directing the creation of this type of list or criteria?

ANSWER: I and some colleagues (including former federal, state, and local policymakers) have prepared a legislative framework and a draft of legislative text recommendations that lay out the specific steps needed to accomplish the “Approve, Build, and Comply” proposal that I highlighted in my testimony. I would be pleased to share this with you and your staff, brief you on its various elements, and answer specific questions you may have.

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TOM COCHRAN



THE UNITED STATES CONFERENCE OF MAYORS

Elizabeth Mayor J. Christian Bollwage's response to Questions for the Record from the Subcommittee on Environment Hearing - March 11, 2025

Question from The Honorable Nick Langworthy

It's my understanding that one of the most promising ways to repurpose these brownfield sites is by converting them into data centers. Data centers, which support the backbone of our digital economy, require large spaces and stable infrastructure, making these sites ideal candidates for redevelopment. In NY-23, these data center projects could be located in areas like the Southern Tier that have long struggled to attract new industries.

1. Mayor Bollwage, could you elaborate on the potential for job creation from redeveloping brownfield sites and how these projects can generate lasting employment opportunities in regions that have lost industrial jobs?

Answer from Elizabeth Mayor J. Christian Bollwage, USCM Trustee and Chair, USCM Brownfields Task Force:

Brownfields redevelopment creates jobs in a wide variety of ways. Initially, there are the temporary, but usually highly paid, jobs of assessing, remediating, and eventual construction on these sites. There are also the permanent jobs created if an economic development plan is placed on the site such as a factory or industrial site, an office building, a new store, etc. But even if the brownfield is turned into additional housing, there are the third types of jobs - the ones that support the redeveloped site such as new restaurants, coffee shops, stores, and even day care facilities that naturally spring up because the opportunity for further economic development is supported.

For example, in my own community, The Mills at Jersey Gardens was built on a former landfill in 1999. It is now a thriving shopping experience - with more than 200 stores and an AMC Loews movie theater located next door. Although the name has been changed, the Mall continues to flourish and attract visitors from all around the world. Because of its popularity, an eight-story Embassy Suites Hotel with 82 rooms and an 87,200 sq. ft. restaurant was built as well as the Country Inn and Suites by Carlson, Elizabeth Courtyard by Marriott and Residence Inn by Marriott Newark/Elizabeth Liberty International Airport. Restaurants such as Ruby Tuesday and IHOP are also available on the property.

So by redeveloping this former landfill, we were able to create thousands of jobs during construction and thousands of current employees throughout the mall, hotel, restaurants and other supporting business.

According to the US Environmental Protection Agency, since the inception, the Brownfields program has created over 130,000 new jobs and leveraged anywhere from \$16-\$19 for every \$1 spent by the federal government.

And you mentioned data centers as a possible reuse for brownfield sites and that is probably a good idea for many communities especially those that have former industrial sites that have been difficult to redevelop. While I don't have any experience in my own city of locating data centers on brownfield sites, it is my understanding that if you have access to both energy and water, data centers can employ anywhere from 30-200 employees in such jobs as facility managers, computer programmers, IT specialists, security, and administrative to name a few. I think one issue you may have to deal with for some of these communities is possibly providing job training to help the people who live in these communities get a job at the facility. I would assume that is also a factor when deciding on where to locate a data center.

At the brownfield site that I just described, we worked in collaboration with Union County College, the Retail Skills Center, which has evolved into the Workforce Innovation Center, which provides job placement, soft skills training, and ESL education to residents - and is located right within The Mills at Jersey Gardens. This has helped people who live in my community get the skills they need to work there and for The Mills to have a trained workforce. It is a win-win all around.

My final note is that currently data centers would be eligible to locate on brownfield sites so it may prove useful to talk to a few of these companies and find out what would make these sites more lucrative? In most cases the infrastructure is already there, so do they need a cheap and reliable energy supply (that doesn't spike the costs for area residents), adequate water supply, a trained workforce, or something else that might be holding them back from utilizing these sites currently? Since more data centers are needed and will be needed for the foreseeable future, it would be a worthwhile conversation to have.

Thank you for this opportunity to respond.

