

# CLEANING UP THE PAST, BUILDING THE FUTURE: THE BROWNFIELDS PROGRAM

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(119-19)

HEARING  
BEFORE THE  
SUBCOMMITTEE ON  
WATER RESOURCES AND ENVIRONMENT  
OF THE  
COMMITTEE ON  
TRANSPORTATION AND  
INFRASTRUCTURE  
HOUSE OF REPRESENTATIVES  
ONE HUNDRED NINETEENTH CONGRESS

FIRST SESSION

—————  
MAY 7, 2025  
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Committee on Transportation and Infrastructure  
U.S. House of Representatives  
Washington, DC 20515

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MAY 2, 2025

**SUMMARY OF SUBJECT MATTER**

TO: Members, Subcommittee on Water Resources and Environment  
FROM: Staff, Subcommittee on Water Resources and Environment  
RE: Subcommittee Hearing on “*Cleaning Up the Past, Building the Future: The Brownfields Program*”

I. PURPOSE

The Subcommittee on Water Resources and Environment of the Committee on Transportation and Infrastructure will meet on Wednesday, May 7, 2025, at 10:00 a.m. ET in 2167 Rayburn House Office Building to receive testimony at a hearing entitled, “*Cleaning Up the Past, Building the Future: The Brownfields Program*.” The hearing will provide Members with an opportunity to hear local and National perspectives on the Environmental Protection Agency (EPA) Brownfields program.

At the hearing, Members will receive testimony from witnesses representing the National Association of Counties, the Ohio Environmental Protection Agency, the Congressional Research Service, and the Goldstein Environmental Law Firm.

II. COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION, AND LIABILITY ACT (CERCLA)

CERCLA, administered by the Environmental Protection Agency (EPA), is the Federal Government’s principal law for addressing the cleanup of sites contaminated with hazardous substances, pollutants, or contaminants, through immediate removal or long-term remedial actions.<sup>1</sup> CERCLA establishes a framework for the EPA to seek out and compel potentially responsible parties (PRPs) to clean up contaminated sites or recover cleanup costs from PRPs.<sup>2</sup>

Liability for PRPs under CERCLA is triggered if there has been an actual or threatened release of a hazardous substance that causes the incurrence of response costs.<sup>3</sup> Section 107 of CERCLA identifies four categories of PRPs: (1) any current owner or operator of a contaminated facility; (2) any past owner or operator of a contaminated facility; (3) any person who arranged for the disposal or treatment of a hazardous substance, and; (4) any person who transported hazardous substances for disposal or treatment.<sup>4</sup> There are liability protections provided under the statute

<sup>1</sup>DAVID M. BEARDEN, CONG. RSCH SERV. (R41039), COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION, AND LIABILITY ACT: A SUMMARY OF SUPERFUND CLEANUP AUTHORITIES AND RELATED PROVISIONS OF THE ACT, (June 14, 2012), available at <https://www.crs.gov/reports/pdf/R41039/R41039.pdf> [hereinafter CRS REPORT R41039].

<sup>2</sup>*Id.*

<sup>3</sup>40 C.F.R. § 302.4 (2025).

<sup>4</sup>42 U.S.C. § 9607.

for individuals in certain circumstances, such as innocent landowners,<sup>5</sup> contiguous property owners,<sup>6</sup> persons who contributed only very small quantities of waste to a site,<sup>7</sup> or bona fide prospective purchasers, which are individuals who knowingly acquire contaminated property and adhere to certain statutory criteria.<sup>8</sup>

Courts have consistently interpreted liability under CERCLA to be retroactive, strict, and joint and several in nature.<sup>9</sup> Specifically:

- *Retroactive Liability*: Courts have held that CERCLA liability applies to the release or disposal of hazardous substances occurring prior to the statute's enactment on December 11, 1980.<sup>10</sup>
- *Strict Liability*: Courts have attached strict liability regardless of fault; a party may be liable under CERCLA even if it exercised due care and did not act negligently.<sup>11</sup>
- *Joint and Several Liability*: Courts have imposed joint and several liability where the harm caused by hazardous substances cannot be reasonably divided among multiple parties.<sup>12</sup>

If PRPs can be identified and are able to finance a cleanup, the Federal Government can enforce liability through CERCLA in several ways, by: (1) a judicial or administrative order; (2) cost-recovery actions through administrative or judicial proceedings; or (3) voluntary settlement agreements.<sup>13</sup> Alternatively, EPA may clean up “orphan sites” when PRPs are not identified, or when they fail to act.<sup>14</sup> These Federal response actions are generally funded by the Hazardous Substance Superfund Trust Fund.<sup>15</sup>

### III. EPA BROWNFIELDS PROGRAM

#### BACKGROUND

A brownfield site is defined as “real property, the expansion, redevelopment, or reuse of which may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant.”<sup>16</sup> Brownfields are properties that are typically abandoned, underutilized, or idle with either known or suspected contamination. The possibility of contamination is often a deterrent for many prospective investors and developers because of potential CERCLA liability.<sup>17</sup>

Types of brownfields can include inactive factories, gas stations, salvage or scrap yards, or abandoned warehouses.<sup>18</sup> However, many other commercial, industrial, and agricultural, and even some residential areas may be contaminated due to current or past uses at the site.<sup>19</sup> Brownfield sites are generally less contaminated than those listed on the National Priorities List,<sup>20</sup> but still may require remediation work to make them suitable for reuse and redevelopment.<sup>21</sup> For example, according to EPA, lead, asbestos, volatile organic compounds, petroleum, polycyclic aromatic hydrocarbons, arsenic, and other heavy metals are the most reported contaminants found at brownfield sites.<sup>22</sup>

<sup>5</sup> 42 U.S.C. § 9607(b)(3).

<sup>6</sup> 42 U.S.C. § 9607(q).

<sup>7</sup> 42 U.S.C. § 9607(o).

<sup>8</sup> 42 U.S.C. § 9601(40).

<sup>9</sup> See, e.g., CRS REPORT R41039, *supra* note 1.

<sup>10</sup> See *United States v. Northeastern Pharmaceutical & Chemical Co. (NEPACCO)*, 810 F.2d 726 (8th Cir. 1986).

<sup>11</sup> See *United States v. Bestfoods*, 524 U.S. 51 (1998) (CERCLA imposes strict liability on “covered persons” without a requirement to prove negligence or intent).

<sup>12</sup> *United States v. Chem-Dyne Corp.*, 572 F. Supp. 802 (S.D. Ohio 1983).

<sup>13</sup> EPA, *Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) and Federal Facilities*, available at <https://www.epa.gov/enforcement/comprehensive-environmental-response-compensation-and-liability-act-cercla-and-federal>.

<sup>14</sup> E.g., CRS REPORT R41039, *supra* note 1.

<sup>15</sup> *Id.*

<sup>16</sup> 42 U.S.C. § 9601(39).

<sup>17</sup> CRS REPORT R41039, *supra* note 1.

<sup>18</sup> EPA, *What is a Brownfield?*, available at [bf-101.1-with-voiceover-what-are-brownfields.pptx](https://www.epa.gov/brownfields/what-is-a-brownfield).

<sup>19</sup> EPA, *Environmental Contamination at Brownfield Sites*, available at <https://www.epa.gov/brownfields/environmental-contamination-brownfield-sites>. [hereinafter *Environmental Contamination*].

<sup>20</sup> 42 U.S.C. § 9605 (requires the EPA to list National priorities for Superfund sites based on the Hazard Ranking System (HRS). This list, known as the National Priorities List (NPL), identifies sites that warrant further investigation and potential remediation under CERCLA).

<sup>21</sup> CRS REPORT R41039, *supra* note 1.

<sup>22</sup> *Environmental Contamination*, *supra* note 15.

Brownfield sites drive down property values, provide little or no tax revenue to the local area, and contribute to community blight.<sup>23</sup> EPA reports that an estimated 450,000 to one million brownfields sites exist within the United States.<sup>24</sup> The EPA Brownfields Program aims to support states, Tribal Nations, local communities, and other stakeholders in their efforts to prevent, assess, remediate, and reuse brownfield sites.<sup>25</sup> The cleanup and redevelopment of these abandoned sites and blighted properties can increase local tax bases, promote economic development, revitalize neighborhoods, facilitate job growth, enable the creation of public parks and open space, or preserve existing properties.<sup>26</sup>

EPA's Brownfields program supports land revitalization by providing grants and technical assistance to help communities identify, clean up, and develop brownfield sites. The program distributes funds that are appropriated annually by Congress through technical assistance, competitive grants, and non-competitive funding.<sup>27</sup> Specifically, the program offers the following types of funding assistance:

- *Brownfields Assessment Grants*: which provide funding for brownfield inventories, planning, environmental assessments, and community outreach. There are several different types of assessment grants available.<sup>28</sup>
- *Brownfields Cleanup Grants*: which provide funding to carry out cleanup activities at brownfields sites owned by the applicant. An applicant may request funding to address either a single brownfield site or multiple sites within the same application.<sup>29</sup>
- *Brownfields Multipurpose Grants*: which allow communities that have identified a geographic area with one or more brownfield sites to carry out a variety of eligible assessment and cleanup activities in the area, such as inventorying brownfields sites, conducting environmental assessments, and developing an overall plan for revitalization.<sup>30</sup>
- *Brownfields Revolving Loan Fund (RLF) Grants*: which allow eligible entities (as defined in section 104(k)(1) of CERCLA) to capitalize revolving funds for the remediation of brownfields, subject to the same funding limitations as direct grants.<sup>31</sup>
- *Brownfields Job Training Grants*: which provide funding to nonprofits, local governments, and other eligible organizations to provide training for residents impacted by brownfield sites in their communities. Students develop skills needed to secure employment in the hazardous and solid waste management field.<sup>32</sup>
- *State and Tribal Response Program*: which provides non-competitive funding through cooperative agreements to states and Tribes to establish or enhance their non-Federal environmental response programs.<sup>33</sup> States, Territories, and Tribes are responsible for developing brownfields cleanup standards and policy and conducting or overseeing the assessment, cleanup, and reuse of brownfield sites within their jurisdictions.<sup>34</sup> EPA supports these state and Tribal programs through this funding.

A wide range of eligible entities can apply for the competitive grants, including local government, quasi-governmental entities, redevelopment agencies, states, Federally recognized Tribes, Alaska Native Regional Corporations, nonprofit organizations and certain limited liability corporations and partnerships with nonprofit af-

<sup>23</sup> *Id.*

<sup>24</sup> See, EPA, *Brownfields—About*, available at <https://www.epa.gov/brownfields/about>.

<sup>25</sup> *Id.*

<sup>26</sup> *Id.*

<sup>27</sup> EPA, *Brownfields Program Grants*, available at <https://www.epa.gov/resilient-investments/brownfields-program-grants>. [hereinafter *Brownfields Program Grants*].

<sup>28</sup> EPA, *Brownfields Assessment Grants*, available at <https://www.epa.gov/brownfields/brownfields-assessment-grants>.

<sup>29</sup> EPA, *EPA Brownfields Cleanup Grants: Interested in Applying for Funding?*, available at [https://www.epa.gov/system/files/documents/2022-08/Program%20Overview\\_Cleanup.pdf](https://www.epa.gov/system/files/documents/2022-08/Program%20Overview_Cleanup.pdf).

<sup>30</sup> EPA, *EPA Brownfields Multipurpose Grants: Interested in Applying for Funding?*, available at [https://www.epa.gov/system/files/documents/2022-08/Program%20Overview\\_Cleanup.pdf](https://www.epa.gov/system/files/documents/2022-08/Program%20Overview_Cleanup.pdf).

<sup>31</sup> EPA, *Brownfields Revolving Loan Fund RLF Grants*, available at <https://www.epa.gov/brownfields/brownfields-revolving-loan-fund-rlf-grants>.

<sup>32</sup> EPA, *EPA Brownfields Job Training Grants: Interested in Applying for Funding?*, available at <https://www.epa.gov/system/files/documents/2024-01/bjft-program-overview.pdf>.

<sup>33</sup> 42 U.S.C. § 9628.

<sup>34</sup> EPA, *EPA Brownfields and Land Revitalization CERCLA Section 128(a) State and Tribal Response Program Funding*, available at [https://www.epa.gov/system/files/documents/2023-09/updated\\_128a\\_fact\\_sheet\\_final\\_080422.pdf](https://www.epa.gov/system/files/documents/2023-09/updated_128a_fact_sheet_final_080422.pdf)

filiations.<sup>35</sup> For-profit organizations, individual entities and nonprofit organizations exempt from taxation under section 501(c)(4) of the Internal Revenue Code that lobby are not eligible to receive grants through the Brownfields program.<sup>36</sup>

#### LEGISLATIVE AND FUNDING HISTORY

Using existing CERCLA authorities, EPA originally established a program in 1993 to provide federal assistance to support the cleanup of brownfields properties.<sup>37</sup> In 2002, the Small Business Liability Relief and Brownfields Revitalization Act (P.L. 107–118) amended CERCLA to provide explicit statutory authority for the EPA to provide Federal grants to assist in the cleanup of brownfields properties. It also established new—and clarified existing—targeted CERCLA liability protections. Because CERCLA has far-reaching liability implications, these protections play an important role in facilitating the redevelopment of brownfields by clarifying and reducing potential liabilities for property owners and developers.

In 2018, Congress further amended the program through the Brownfields Utilization, Investment, and Local Development (BUILD) Act, enacted as Division N of the Consolidated Appropriations Act, 2018.<sup>38</sup> The BUILD Act reauthorized the Brownfields program through fiscal year (FY) 2023 and made several changes to the program, including increasing certain per-project funding limits, providing new granting authorities, and modifying the definition of a “bona fide prospective purchaser.”<sup>39</sup>

In 2021, the Infrastructure Investment and Jobs Act (IIJA) provided a total of \$1.5 billion for the program from FY 2022 through FY 2026.<sup>40</sup> EPA has reported that of the \$1.5 billion provided by IIJA, \$1.2 billion is allocated for direct grants and technical assistance to communities and \$300 million is allocated for state and Tribal Response programs.<sup>41</sup>

For FY 2024, the Brownfields program received a total of \$170 million.<sup>42</sup> This included \$25.7 million for program administration, \$98 million for state and Tribal Response programs, and \$46.3 million for categorical grants (which includes funding for assessment, cleanup, multipurpose, RLF, technical assistance, and job training grants).<sup>43</sup>

#### PROGRAM SUCCESSES AND CHALLENGES

The Brownfields program has been generally well received by EPA, states, communities, investors, and developers. According to EPA, since its inception, the program has made over 10,800 sites ready for productive reuse, leveraged more than \$40.4 billion in additional cleanup and redevelopment funding, and helped to create or leverage more than 270,000 jobs.<sup>44</sup>

The Office of the Inspector General (OIG) completed two reports on the Brownfields Revolving Loan Fund (RLF) Grant program in August 2017<sup>45</sup> and March 2022.<sup>46</sup> These reports focused on EPA’s monitoring of the program income of RLF grants. The OIG found in the 2017 report that—of the 20 RLF agreements that were reviewed—approximately \$10.9 million in Federal funding was sitting idle instead of being revolved back into other brownfields projects. This is contrary to the goal of RLF grants, which are intended to provide an ongoing source of capital within a community for brownfields projects. The 2017 report also identified several inconsistencies in program application across the different EPA regions and RLF grant recipients.

<sup>35</sup> *Brownfields Program Grants*, *supra* note 23.

<sup>36</sup> *Id.*

<sup>37</sup> CRS REPORT R41039, *supra* note 1.

<sup>38</sup> Consolidated Appropriations Act, 2018, Pub. Law No. 115–141, 132 Stat. 350.

<sup>39</sup> *Id.*

<sup>40</sup> Infrastructure Investment and Jobs Act, Pub. L. No. 117–58, 135 Stat. 1169.

<sup>41</sup> *Id.*

<sup>42</sup> Consolidated Appropriations Act, 2024, Pub. Law No. 118–42, 138 Stat. 252.

<sup>43</sup> *Id.*

<sup>44</sup> EPA, FISCAL YEAR 2025 JUSTIFICATION OF APPROPRIATION ESTIMATE FOR THE COMMITTEE ON APPROPRIATIONS TAB 05: ENVIRONMENTAL PROGRAMS AND MANAGEMENT (Mar. 2024) available at <https://www.epa.gov/system/files/documents/2024-04/fy25-cj-05-epm.pdf>.

<sup>45</sup> EPA OFFICE OF INSPECTOR GENERAL, IMPROVED MANAGEMENT OF BROWNFIELDS REVOLVING LOAN FUND PROGRAM IS REQUIRED TO MAXIMIZE CLEANUPS (Aug. 23, 2017) available at [https://www.epaog.gov/sites/default/files/2017-08/documents/\\_epaog\\_20170823-17-p-0368.pdf](https://www.epaog.gov/sites/default/files/2017-08/documents/_epaog_20170823-17-p-0368.pdf). [hereinafter OIG REPORT 17–P–0368].

<sup>46</sup> EPA OFFICE OF INSPECTOR GENERAL, BROWNFIELDS PROGRAM-INCOME MONITORING DEFICIENCIES PERSIST BECAUSE EPA DID NOT COMPLETE ALL CERTIFIED CORRECTIVE ACTIONS (Mar. 31, 2022) available at [https://www.epaog.gov/sites/default/files/documents/2022-03/\\_epaog\\_20220331-22-p-0033.pdf](https://www.epaog.gov/sites/default/files/documents/2022-03/_epaog_20220331-22-p-0033.pdf).

The 2022 report found that of the 17 recommendations addressed to the Office of Brownfields and Land Revitalization (OBLR) in the 2017 report, OBLR did not fully complete the agreed-to corrective actions for five recommendations, despite certifying that those actions were completed.<sup>47</sup> EPA recently reported to the Committee that OBLR has committed to nine of the corrective actions in response to six recommendations outline in the 2022 OIG report.<sup>48</sup>

#### IV. WITNESSES

- Hon. Terry M. Wilbur, Clerk, Oswego County, New York, *on behalf of the National Association of Counties*
- Ms. Lisa Shook, Assistant Chief, Division of Environmental Response and Remediation, Ohio Environmental Protection Agency
- Mr. Lance Larson, Analyst in Environmental Policy, Resources, Science, and Industry Division, Congressional Research Service
- Mr. Michael R. Goldstein, Esq., Managing Partner, Goldstein Environmental Law Firm, P.A.

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<sup>47</sup>*Id.*

<sup>48</sup>EPA to Staff, H. Comm. on Transp. and Infrastructure, (Apr. 22 at 6:32p.m.) (on file with Comm.).



## **CLEANING UP THE PAST, BUILDING THE FUTURE: THE BROWNFIELDS PROGRAM**

**WEDNESDAY, MAY 7, 2025**

HOUSE OF REPRESENTATIVES,  
SUBCOMMITTEE ON WATER RESOURCES AND  
ENVIRONMENT,  
COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE,  
*Washington, DC.*

The subcommittee met, pursuant to call, at 10:01 a.m., in Room 2167, Rayburn House Office Building, Hon. Mike Collins (Chairman of the subcommittee) presiding.

Mr. COLLINS. The Subcommittee on Water Resources and Environment will come to order.

I ask unanimous consent that the chairman be authorized to declare a recess at any time during today's hearing. Without objection, so ordered.

I also ask unanimous consent that Members not on the subcommittee be permitted to sit with the subcommittee at today's hearing and ask questions. Without objection, so ordered.

As a reminder, if Members wish to insert a document into the record, please also email it to DocumentsTI@mail.house.gov.

I now recognize myself for the purpose of an opening statement for 5 minutes.

### **OPENING STATEMENT OF HON. MIKE COLLINS OF GEORGIA, CHAIRMAN, SUBCOMMITTEE ON WATER RESOURCES AND ENVIRONMENT**

Mr. COLLINS. I want to first thank the witnesses for joining us this morning to discuss EPA's Brownfields Program. As we review the program, last authorized in 2018, I am looking forward to learning from our witnesses about their experiences with the program, suggestions for program improvements, as well as the tangible impacts it has had on the ground.

All of us here throughout our travels have seen abandoned warehouses, dilapidated gas stations, or vacant factories. Often, these blighted properties, which are eyesores in our communities, are considered brownfields. Brownfields are properties that are abandoned or underused due to concerns about environmental contamination, and the EPA has estimated that there are more than 450,000 brownfield sites across the United States. Their redevelopment and reuse can help increase local tax bases, create jobs, and encourage additional development.

According to EPA, since its inception, the program has made over 10,800 sites ready for productive reuse, leveraged more than \$40.4

billion in additional cleanup and redevelopment funding, and helped to create or leverage more than 270,000 jobs. However, property owners and developers are often hesitant to finance the redevelopment of these sites because of possible liability under CERCLA.

CERCLA liability is no joke. CERCLA has extremely stringent liability standards that could result in a current property owner being held responsible for cleanup costs at a site, even if there was no negligence on their part or if other parties had previously caused the contamination.

This program provides commonsense liability relief to folks who want to improve a degraded site. The EPA Brownfields Program helps communities assess and evaluate contamination at these sites and provides funding to help clean up and promote their redevelopment.

For example, in my district in Georgia, the program assisted the city of Greensboro in addressing contamination in an old cotton mill. As part of this project, approximately 2,600 tons of contaminated soil were removed from the property, and the mill was ultimately redeveloped and converted into a 71-unit apartment complex.

Federal funding through the Brownfields Program helped attract other non-Federal project funding for assessment, remediation, and redevelopment efforts. But we know that just throwing hard-earned taxpayer money at problems doesn't make them go away. That is why I also want to underscore the importance of programmatic efficiencies and regulatory relief when it comes to redevelopment and timely project completions.

For far too long, the EPA has placed unattainable regulatory and bureaucratic burdens on hard-working Americans that cost them time and money. That is why I am working with my colleagues here in Congress and with the Trump administration on efforts to reduce redtape and streamline the permitting processes.

At the end of the day, these types of improvements will help important projects get done more efficiently, whether it's redeveloping brownfield sites or constructing an Army Corps project. And that benefits all Americans.

[Mr. Collins' prepared statement follows:]

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**Prepared Statement of Hon. Mike Collins, a Representative in Congress from the State of Georgia, and Chairman, Subcommittee on Water Resources and Environment**

I want to first thank our witnesses for joining us this morning to discuss EPA's Brownfields Program. As we review the program, last authorized in 2018, I'm looking forward to learning from our witnesses about their experiences with the program, suggestions for program improvements, as well as the tangible impact it's had on the ground.

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and redevelopment funding, and helped to create or leverage more than 270,000 jobs.

However, property owners and developers are often hesitant to finance the redevelopment of these sites because of possible liability under CERCLA.

CERCLA liability is no joke. CERCLA has extremely stringent liability standards that could result in a current property owner being held responsible for cleanup costs at a site, even if there was no negligence on their part or if other parties had previously caused the contamination.

This program provides commonsense liability relief to folks who want to improve a degraded site. The EPA Brownfields Program helps communities assess and evaluate contamination at these sites and provides funding to help clean up and promote their redevelopment.

For example, in my district in Georgia, the program assisted the city of Greensboro in addressing contamination at an old cotton mill. As part of this project, approximately 2,600 tons of contaminated soil were removed from the property, and the mill was ultimately redeveloped and converted into a 71-unit apartment complex.

Federal funding through the Brownfields Program helps attract other non-federal project funding for assessment, remediation, and redevelopment efforts. But we know that just throwing hard-earned taxpayer money at problems doesn't make them go away.

That's why I also want to underscore the importance of programmatic efficiencies and regulatory relief when it comes to redevelopment and timely project completions.

For far too long, the EPA has placed untenable regulatory and bureaucratic burdens on hard-working Americans that cost them time and money. That's why I am working with my colleagues here in Congress and with the Trump Administration on efforts to reduce red tape and streamline permitting processes.

At the end of the day, these types of improvements will help important projects get done more efficiently—whether it's redeveloping Brownfields sites or constructing an Army Corps project. And that benefits all Americans.

Mr. COLLINS. I now recognize Ranking Member Wilson for 5 minutes for an opening statement.

**OPENING STATEMENT OF HON. FREDERICA S. WILSON OF FLORIDA, RANKING MEMBER, SUBCOMMITTEE ON WATER RESOURCES AND ENVIRONMENT**

Ms. WILSON OF FLORIDA. Thank you.

Thank you, Mr. Chairman, for hosting today's discussion on how Federal brownfields investments help to revitalize our communities.

EPA's Brownfields Program has, on most accounts, been successful in redeveloping abandoned or underutilized properties throughout the Nation. According to EPA, roughly half of the U.S. population lives within 3 miles of a brownfields site that receives EPA funding, which includes sites in rural, Tribal, and economically disadvantaged communities.

As of December 2023, EPA brownfields grants have prepared over 10,800 properties for productive use and leveraged over 270,000 jobs and over \$40.4 billion in private investment.

I have heard questions on whether all communities have equally benefited from this critical redevelopment investment or whether this investment has actually benefited those who have had to suffer with legacy contamination for decades. But those questions do not undermine the fact that the program is making a difference in revitalizing neighborhoods.

Many States and local governments, such as my home State of Florida and Miami-Dade County, have been leaders in the implementation of the Brownfields Law.

In its brief history as a State-delegated Brownfields Program, Miami-Dade County has successfully assessed and remediated 31 brownfields sites, with an additional 74 sites under active review.

I hope to learn more about these efforts from our witness, Mr. Goldstein—welcome, Mr. Goldstein—who worked on projects at contaminated sites in over 90 jurisdictions across the State of Florida.

Continued success in brownfields redevelopment depends on continued Federal partnerships with, and funding for, States, local governments, redevelopment interests, and community leaders. Yet, this success is undermined by the chaos that the President and his Republican allies in Congress continue to create with their management of the Government and the economy. This economic chaos created by the President and rubberstamped by Republicans in Congress continues to push up inflation and the cost of groceries and other commodities, and push down consumer confidence.

In just over 100 days, American families are paying more and getting less, and this trend continues.

States have already testified that the President's disruption in water infrastructure financing was having an impact on local redevelopment projects, resulting in project delays, increased costs, and the potential abandonment of local projects.

This uncertainty is equally felt within the brownfields community and made worse by the President's proposal to cut the Environmental Protection Agency's investment by a minimum of 65 percent. This Republican economic chaos threatens the jobs of laborers, manufacturers, and brownfields redevelopers, and threatens to decimate our national, regional, and local economies.

Our communities cannot withstand further setbacks caused by the Republicans' efforts to drive our economy into the ground. We cannot allow the President and his allies to hurt American families and increase costs and public health risks.

I stand with our communities who are trying to affordably meet their local needs and keep our families safe, healthy, and prosperous.

I yield back the balance of my time.

[Ms. Wilson of Florida's prepared statement follows:]

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**Prepared Statement of Hon. Frederica S. Wilson, a Representative in Congress from the State of Florida, and Ranking Member, Subcommittee on Water Resources and Environment**

Thank you, Mr. Chairman, for hosting today's discussion on how federal brownfields investments help to revitalize our communities.

EPA's Brownfields Program has, on most accounts, been successful in redeveloping abandoned or under-utilized properties throughout the nation.

According to EPA, roughly half of the U.S. population lives within three miles of a brownfields site that receives EPA funding—which includes sites in rural, Tribal, and economically-disadvantaged communities.

As of December 2023, EPA brownfields grants have prepared over 10,800 properties for productive use and leveraged over 270 thousand jobs and over \$40.4 billion in private investment.

I have heard questions whether all communities have equally benefited from this critical redevelopment investment or whether this investment has actually benefited those who have had to suffer with legacy contamination for decades.

But those questions do not undermine the fact that the program is making a difference in revitalizing neighborhoods.

Many States and local governments, such as my home state of Florida and Miami-Dade County, have been leaders in the implementation of the brownfields law.

In its brief history as a state-delegated Brownfields Program, Miami-Dade County has successfully assessed and remediated 31 brownfields sites, with an additional 74 sites under active review.

I hope to learn more about these efforts from our witness, Mr. Goldstein, who worked on projects at contaminated sites in over 90 jurisdictions across the state of Florida.

Continued success in brownfields redevelopment depends on continued federal partnerships with, and funding for, states, local governments, redevelopment interests and community leaders.

Yet, this success is undermined by the chaos that the President, and his Republican allies in Congress, continue to create with their management of the government and the economy.

This economic chaos created by the President, and rubber stamped by Republicans in Congress, continues to push up inflation and the costs of groceries and other commodities, and push down consumer confidence.

In just over 100 days, American families are paying more and getting less—and this trend continues.

States have already testified that the President's disruption in water infrastructure financing was having an impact on local redevelopment projects—resulting in project delays, increased costs and the potential abandonment of local projects.

This uncertainty is equally felt within the brownfields community and made worse by the President's proposal to zero out EPA investments in brownfields and other critical grant programs.

The President's indifference to the needs of everyday Americans is striking. The economic chaos he creates, and that my Republican colleagues' silence seems to encourage, threatens the jobs of laborers, manufacturers and brownfields redevelopers and threatens to decimate our national, regional and local economies.

Our communities cannot withstand further setbacks caused by the Republicans' vainglorious efforts to drive our economy into the ground.

We cannot allow the President and his allies to burden American families with increased costs and public health risks.

I stand with our communities who are trying to affordably meet their local needs and keep our families safe, healthy and prosperous.

I yield back the balance of my time.

Mr. COLLINS. Thank you.

I would now like to welcome our witnesses, and thank you for being here today. We have the Honorable Terry Wilbur from Oswego County, as the Oswego County clerk, on behalf of the National Association of Counties.

There, I didn't butcher it.

Mr. WILBUR. You did good.

Mr. COLLINS. We also have Ms. Lisa Shook, assistant chief of the Environmental Response and Remediation Division of the Ohio EPA; Mr. Lance Larson, analyst in environmental policy at the Congressional Research Service; and Mr. Michael Goldstein, managing partner at The Goldstein Environmental Law Firm.

Briefly, I am going to take just a moment to explain our lighting system. As you know, there are three lights there, the green is when you begin to talk. The yellow will light up as it gets near the end of the time, and of course if it turns red, then go ahead and please wrap up so that we don't have to bang the gavel on you.

I also ask unanimous consent that the witnesses' full statements be included in the record. Without objection, so ordered.

I ask unanimous consent that the record of today's hearing remain open until such time as our witnesses have provided answers to any questions that may be submitted to them in writing. Without objection, so ordered.

I also ask unanimous consent that the record remain open for 15 days for any additional comments and information submitted by Members or witnesses to be included in the record of today's hearing. Without objection, so ordered.

As your written testimony has been made part of the record, the subcommittee asks that you limit your oral remarks to 5 minutes.

With that, Mr. Wilbur, you are recognized for 5 minutes for your testimony.

**TESTIMONY OF HON. TERRY M. WILBUR, CLERK, OSWEGO COUNTY, NEW YORK, ON BEHALF OF THE NATIONAL ASSOCIATION OF COUNTIES; LISA SHOOK, ASSISTANT CHIEF, DIVISION OF ENVIRONMENTAL RESPONSE AND REMEDIATION, OHIO ENVIRONMENTAL PROTECTION AGENCY; LANCE N. LARSON, ANALYST IN ENVIRONMENTAL POLICY, CONGRESSIONAL RESEARCH SERVICE; AND MICHAEL R. GOLDSTEIN, ESQ., MANAGING PARTNER, THE GOLDSTEIN ENVIRONMENTAL LAW FIRM, P.A.**

**TESTIMONY OF HON. TERRY M. WILBUR, CLERK, OSWEGO COUNTY, NEW YORK, ON BEHALF OF THE NATIONAL ASSOCIATION OF COUNTIES**

Mr. WILBUR. Thank you, Chair.

Chair Collins, Ranking Member Wilson, and distinguished members of the subcommittee, thank you for the opportunity today. My name is Terry Wilbur, and I serve as the county clerk for Oswego County, New York. Today, I am here on behalf of the National Association of Counties, which represents all 3,069 counties, parishes, and boroughs throughout the country, including all 62 in my home State of New York.

Today's hearing is of great importance to counties as we are responsible for protecting the environment, ensuring public health, and strengthening the economic vitality of our communities. The EPA Brownfields Program is a highly effective Federal program that helps counties redevelop underutilized, contaminated sites to reinvigorate communities and their economies, as well.

There are over 450,000 brownfield sites, and 63 percent of counties have at least 1 brownfield site. However, many counties have more than 1 brownfield site, including my county, Oswego County, where we have 125 sites.

As many of you know, a brownfield site is an abandoned or vacant property that has been exposed to hazardous substances or contaminants. Brownfield sites range from former industrial complexes to older public buildings and even smaller properties such as former gas stations.

While the presence of brownfield sites can present land-use challenges and negatively impact property values, redevelopment can spur economic growth and revitalize the surrounding environment.

Oswego County is a rural county located in upstate New York that borders Lake Ontario, with a population of 118,000 residents. Oswego County has received two brownfields assessment grants, one in 2004 and another in 2022. This funding has been used to identify the 125 brownfield sites that we have and conduct the en-

vironmental assessments necessary for redevelopment at several sites.

Some completed brownfield assessments and projects in Oswego County include two housing developments on the Oswego riverfront—the Stevedore Lofts and Harbor View Apartments—that together created 108 housing units and 5 commercial leasing spaces, with a total investment of \$30 million.

We were also able to leverage brownfield assessment funding to receive grant funding from the State to restore the historic Oswego Lighthouse, which is now open for public tours in the heart of our major city.

The Federal investment from the Brownfields Program is crucial for both urban and rural counties. In Oswego County, we would not have been able to complete this work without the brownfields funding we received.

To that end, counties have the following recommendations for the committee. Our first recommendation is to reauthorize the Brownfields Program. Congress should reauthorize the Brownfields Program to ensure that this critical source of Federal funding remains available to counties for brownfields assessments, cleanup, and redevelopment, as well as providing incentives for private investment in our communities.

Our second recommendation is to increase funding levels for the Brownfields Program. Congress should increase the overall authorization level for the Brownfields Program to allow more counties to address brownfield sites. In many States, counties are severely constrained in our ability to both raise and collect tax revenues. However, counties must still deliver essential services to our residents and visitors despite these limitations.

Counties are very grateful for the additional funds provided by the Infrastructure Investment and Jobs Act for the Brownfields Program. However, there is still a clear need for increased funding as thousands of sites are still waiting to be redeveloped.

Additionally, NACo recommends increasing the cleanup grant ceiling to \$1 million and the flexibility to award up to \$2 million due to complexity of the cleanup process and to allow communities to clean up more sites.

Our third and final recommendation is to increase the administrative cap on Brownfields Program grants. Congress should allow counties to use a small portion of their brownfield funding to cover reasonable administrative costs. Many rural counties face difficulties in accessing Federal funds as they have limited staff, expertise, and financial resources available to complete these complex grant applications or to comply with the burdensome reporting.

In conclusion, counties recognize the Brownfields Program is a vital component of the intergovernmental partnership to drive economic development, address environmental concerns, and protect public health.

I would also like to thank the U.S. Conference of Mayors and National League of Cities who have been great partners in our joint efforts to reauthorize the Brownfields Program.

Thank you for your attention to this critical issue, and I urge your support for reauthorization of the Brownfields Program. And

I want to thank you again for the opportunity to testify today. I look forward to answering any questions you may have. Thank you.  
[Mr. Wilbur's prepared statement follows:]

**Prepared Statement of Hon. Terry M. Wilbur, Clerk, Oswego County, New York, on behalf of the National Association of Counties**

INTRODUCTION

Chair Collins, Ranking Member Wilson, and distinguished members of the Subcommittee, thank you for the opportunity to testify today on the Environmental Protection Agency's (EPA) Brownfields Program. I also want to thank Chairman Graves and Ranking Member Larsen for their leadership and support of the Brownfields Program at the full committee level.

My name is Terry Wilbur, and I serve as the County Clerk for Oswego County, New York. Today I am here on behalf of the National Association of Counties (NACo), which represents all 3,069 counties, parishes and boroughs throughout the country, including the 62 counties in my home state of New York.

Today's hearing is of great importance to both urban and rural counties as we are responsible for protecting the environment, ensuring public health and strengthening the economic vitality of our communities. The EPA Brownfields Program is a highly successful and effective federal program that helps counties redevelop underutilized, contaminated sites to reinvigorate entire communities and their economies.

As many of you know, a Brownfields site is an abandoned or vacant property that has been exposed to hazardous substances or contaminants. Brownfields sites range from former industrial complexes to older public buildings and even smaller properties such as former gas stations. EPA estimates there are over 450,000 brownfield sites throughout the country and 63 percent of counties have at least one Brownfield site in their boundaries. However, many counties have more than one Brownfield site, including Oswego County, with 125 identified sites. While the presence of Brownfield sites can present land use challenges and negatively impact property values, redevelopment can spur economic growth and revitalize the surrounding environment.

ABOUT NACO

Founded in 1935, NACo is the only national organization that represents county governments in the United States and brings together county officials to advocate with a collective voice on national policy, exchange ideas, build new leadership skills, pursue transformational county solutions, enrich the public's understanding of county government and exercise exemplary leadership in public service.

ABOUT AMERICA'S COUNTIES

Counties employ more than 3.6 million Americans who support 1,900 local public health departments, 900 hospitals, 700 long-term care facilities, 750 behavioral health centers and 91 percent of local jails. Counties also maintain 44 percent of America's roads, 38 percent of bridges, a third of airports and 40 percent of the nation's public transit systems. We are responsible for emergency operations, 911 services, public safety and protective services for vulnerable populations. Counties are also environmental stewards responsible for protecting local water, air and land resources. Annually, counties invest nearly \$743 billion in our communities, including more than \$146 billion in public infrastructure and facilities.

Counties are highly diverse and vary immensely in natural resources, social and political systems, cultural, economic and structural circumstances, and public health and environmental responsibilities. Counties range in area from 26 square miles (Arlington County, Virginia) to 87,860 square miles (North Slope Borough, Alaska). The population of counties varies from Loving County, Texas, with just under 100 residents, to Los Angeles County, California, which is home to nearly ten million people. Of the nation's 3,069 counties, approximately 70 percent are considered "rural," with populations less than 50,000, and 50 percent of these have populations below 25,000. At the same time, there are more than 120 major urban counties, which collectively provide essential services to more than 130 million people every day.

Many of our responsibilities are mandated by federal and state governments. Although counties cover a wide range of responsibilities, most states require counties to carry out a range of critical services and support for our residents. These responsibilities include construction and maintenance of roads, bridges and other infrastructure, assessment of property taxes, record keeping, administering elections and overseeing jails, court systems and public hospitals. Land use planning, environmental protection and local and regional economic development are critical components of these responsibilities and often converge around the reuse of Brownfields.

#### ABOUT OSWEGO COUNTY

Oswego County is a rural county located in upstate New York that borders Lake Ontario. The total population of the county is 118,000 people, most of which is concentrated in the cities of Oswego and Fulton that border the Oswego River. Oswego County has 125 Brownfield sites, many of which are former industrial facilities. Between 1980–2010 the county's industrial base declined as major companies such as Nestle, Hammermill and Miller Brewing closed their doors. Many of these once prosperous facilities with prime waterfront locations became vacant properties contaminated with hazardous substances.

Oswego County is also home to the Port of Oswego, the first U.S. port of call and deepwater port on the Great Lakes from the St. Lawrence Seaway. Located on Lake Ontario on route to the interior of North America, we are accessible from any international port in the world. The historical port is also home to Oswego Marina, Goble Marina, the H. Lee White Marine Museum, and historic maritime district. The Port of Oswego's strategic location at the crossroads of the Northeastern North American shipping market, puts us less than 350 miles from 60 million people. Extend that to 750 miles and we reach half of the United States and Canadian population, and half of their business and manufacturing facilities. The Port of Oswego is New York State's only Grain Export Center on Lake Ontario and home to 14 companies that utilize the Port for both their domestic and international operations. A 2023 U.S./Canadian research study shows that the Port of Oswego Authority makes a \$513 million impact on the local and regional economy and supports 2,229 jobs by its maritime activity.

Oswego County has received two Brownfields Assessment grants, \$400,000 in 2004 and \$500,000 in 2022. This funding has been used to identify the 125 Brownfield sites and conduct the environmental site assessments necessary for redevelopment at several sites. The Brownfields assessment grants are critical to our ability to repurpose Brownfield sites and turn these once blighted properties into tax revenue generators for the county. We would not be able to do this work without the assessment grants we have received.

Some completed Brownfields assessment and redevelopment projects in Oswego County include:

- *The Stevedore Lofts*—a multi-use historic building located on the Oswego River featuring apartments, office, and retail space ideal for commuters to and from Syracuse and convenient access to SUNY Oswego.
- *The Harborview apartments*—a vacant lot that now hosts an apartment complex of four buildings. The former blighted condition and underutilization of the property negatively impacted downtown, the waterfront, and the gateway to the waterfront. The redevelopment of the site plays an integral role in the creation of the waterfront corridor by connecting the downtown business district to the western waterfront district. Together these two housing developments have added 108 housing units and 5 commercial leasing spaces with a total investment of \$30 million.
- *The Oswego West Pierhead Lighthouse*—the Brownfield assessment grant funded a Phase I assessment which allowed the State to ultimately provide grant funding for the exterior restoration of this historic site. As a result, this ultimately saved this historic gem which is iconic to the historic landscape of the port city. Now there are historic tours that are offered, and the site is saved for future generations.
- *Former Columbia Mills Superfund site*—this site is located in the city of Minetto on the Oswego River. The Phase I assessment for this site was recently completed and we are currently in talks with a potential developer for up to 96 housing units.
- *Lake Ontario Industrial Park*—a 50 acre facility within an Oswego Opportunity Zone located one mile from the Port of Oswego and 12 miles from the Oswego County Airport, is prime for future expansion for commercial purposes or hous-

ing. The Phase I assessment is completed and a Phase 2 assessment is needed to continue working toward the future of this property.

- *Former Nestle Building*—a Phase I assessment has been completed, and we are working on a Phase II assessment to work toward the safest way to remove the hazardous chemicals that are still present on the property.

As you can see from these examples, the Brownfields Program has been very successful in Oswego County. However, with 125 brownfield sites throughout the county there is still much work to be done.

#### IMPACT OF BROWNFIELDS ON COUNTIES

While the presence of Brownfields sites can negatively impact county governments from both an economic and environmental perspective, there are multiple benefits associated with redeveloping these sites. By providing funding for redevelopment, the EPA Brownfields Program benefits counties by both spurring economic growth and protecting public health and the environment.

Economic development is important for counties because it helps to retain and grow jobs and investment within a community. The tax base that is created through this growth and investment is used by counties to provide essential services such as police and fire, road and bridge construction, transit operations, senior services, parks and recreation, library services and more. In many states, counties are severely constrained in their ability to raise and collect tax revenue. Forty-two states limit county property tax authority, and restrictions have expanded extensively in recent decades. In New York counties are subject to an annual statewide property tax growth cap of 2 percent and must receive permission from the State to levy a sales tax greater than 3 percent. Despite limitations and unfunded mandates placed on counties from both federal and state governments, counties must still deliver essential services to our residents and visitors.

The EPA Brownfields Program is a critical tool for counties to bolster our economic development by providing support for cleaning up and reusing Brownfields sites which, in turn, strengthens the local economy, creates new jobs and increases the tax base. Brownfields redevelopment has been an indispensable component of our economic development in Oswego County. Any changes to the federal program and its requirements would directly affect our residents and our local economy.

County governments play a critical role in addressing environmental and public health concerns at Brownfield sites. While these sites are generally not considered “highly contaminated,” the types and levels of contaminants present can vary and may directly or indirectly impact groundwater and the surrounding land and buildings. Types of contaminants include lead, asbestos, petroleum products, treated wood, industrial chemicals and diesel fuel. To fully protect human health, safeguard the environment and foster economic development, cleanup and redevelopment of these sites are necessary. The EPA Brownfields Program helps counties achieve these goals.

#### RECOMMENDATIONS FOR THE REAUTHORIZATION OF THE EPA BROWNFIELDS PROGRAM

The federal investment from the Brownfields Program is crucial for both urban and rural counties by providing funds needed for the cleanup and redevelopment of contaminated sites, which helps to attract new business and provide new economic development opportunities for our communities. The Brownfields Program has historically been a highly successful federal program and should be reauthorized and properly funded by Congress.

Counties offer the following recommendations to Congress regarding the Brownfields Program:

##### 1) *Reauthorize the Brownfields Program*

Congress should reauthorize the Brownfields Program to ensure that this critical source of federal funding remains available to counties for Brownfields assessment, cleanup, and redevelopment, as well as providing incentives for private investment in our communities. Brownfields exist in rural as well as urban and suburban counties and redevelopment of these abandoned or underutilized sites is vital in stimulating economic revitalization in these areas in counties across the United States.

It is essential that federal resources remain available for counties. As such, NACo urges Congress to reauthorize the EPA Brownfields Program.

##### 2) *Increase funding levels for the Brownfields Program*

Many Brownfield sites remain underutilized because of the limited availability of funds to identify and clean up contaminated sites. It is difficult for counties to fund

Brownfields projects without federal support due to high remediation costs and associated regulatory issues.

Congress should increase the overall authorization level for the Brownfields Program to allow more counties to address Brownfield sites. Counties greatly appreciate the \$1.5 billion provided for the Brownfields Program by Congress in the bipartisan Infrastructure Investment and Jobs Act (IIJA). However, the previous Brownfields reauthorization legislation, the Brownfields Utilization, Investment, and Local Development Act of 2018 authorized the Brownfields Program at \$200 million per fiscal year which is the same level of funding that was authorized in 2002. While authorized funding has remained stagnant, the cost of addressing and effectively remediating these sites has grown significantly. NACo urges Congress to increase the funding authorizations in Brownfields reauthorization legislation.

Additionally, counties recommend increasing the cleanup grant ceiling to \$1 million with the flexibility to award up to \$2 million in special circumstances in recognition of the complexity of the cleanup process and provide greater certainty for long-term project financing, as well as increased flexibility.

*3) Increase the administrative cap on Brownfields Program grants*

Congress should increase the cap on administrative costs in future reauthorization legislation. This would allow counties to use a small portion of their Brownfields funding to cover reasonable administrative costs that are necessary for carrying out the functional purpose of the grant. Many rural counties face difficulties in accessing federal funds as they have limited staff, expertise and financial resources available to complete complex grant applications or to comply with burdensome reporting requirements. Counties support increasing this cap to provide additional flexibility for administrative costs so that rural counties can continue to take advantage of this critical program.

#### CONCLUSION

Chair Collins, Ranking Member Wilson and distinguished subcommittee members, thank you for the opportunity to testify today on the positive impact of the EPA's Brownfields Program on America's counties. I would also like to thank U.S. Conference of Mayors and National League of Cities, who have both been great partners in our joint efforts to modernize and reauthorize the Brownfields Program.

Counties recognize the Brownfields Program as a vital component of the intergovernmental partnership to drive economic development, create good jobs, address environmental concerns, and protect public health. The Brownfields Program has proven incredibly successful and will continue to be successful if reauthorized and properly funded.

Thank you for your attention to this important issue. We urge you to reauthorize the Brownfields Program and look forward to working together.

Mr. COLLINS. Thank you.

Ms. Shook, you are recognized for 5 minutes for your testimony.

#### **TESTIMONY OF LISA SHOOK, ASSISTANT CHIEF, DIVISION OF ENVIRONMENTAL RESPONSE AND REMEDIATION, OHIO ENVIRONMENTAL PROTECTION AGENCY**

Ms. SHOOK. Good morning, Chairman Collins, Ranking Member Wilson, and members of the committee. Thank you for the opportunity to appear before you today to share Ohio's perspective on the reauthorization of U.S. EPA's Brownfields Program.

Across Ohio and the United States, thousands of former industrial and commercial sites sit idle, tainted by environmental contamination. These brownfields become urban blights and contribute to economic decline, public health risks, and neighborhood stagnation.

The Brownfields Program administered by U.S. EPA offers a consistent and effective solution. The program facilitates the identification, assessment, cleanup, and reuse of these properties, revitalizing communities and stimulating economic growth.

State and Tribal assistance grants are noncompetitive grants authorized under section 128(a) of the Comprehensive Environmental Response, Compensation, and Liability Act, as amended. These grants are the foundation of States' Brownfields Programs.

U.S. EPA allows States flexibility to design their Brownfields Programs to benefit each State's needs, while also providing consistency by requiring that all grantees meet four elements. The first is a survey and inventory of brownfield sites. Second is oversight and enforcement authorities to ensure that cleanups are protective of human health and the environment. Third is mechanisms for meaningful public participation, and fourth is mechanisms for approval of cleanup plans and verification or certification that cleanup is complete.

With these four elements, the section 128(a) funds have a wide variety of uses, including providing funds to complete environmental assessments to properties to meet all appropriate inquiry or voluntary cleanup program requirements, phase 2 sampling, and asbestos and lead inspections.

Last Federal fiscal year, Ohio funded 20 assessments through our standard allocation and 63 through our supplemental allocation provided by the Infrastructure Investment and Jobs Act.

The grant enables the State to incorporate local input into redevelopment planning, including infrastructure evaluations and site reuse assessments. This effort aims to help communities reinvent their lake and riverfronts, main streets, and industrial corridors, creating parks, housing, mixed-use development, and commercial centers to stimulate job creation, tourism, and tax revenues.

This community-driven approach ensures that redevelopment serves the people most affected by these long neglected properties. For example, in Shadyside, Ohio, we are working with the community to develop a brownfield vision plan that includes a brownfield inventory, market study, community outreach and survey, brownfield site reuse renderings, and a resource roadmap of how to move forward with the selected projects.

We recently completed a brownfield vision plan in Bellaire, Ohio, where we are now working on a reuse assessment to create viable reuse scenarios for their downtown corridor.

Our program supports local officials in preparing grant applications for the competitive brownfield grants by providing workshops to further build their capacity to apply for and hold Federal grants. And for the last round of grant applications, we supported 14 communities in applying for their own brownfield grants. These workshops also educate local communities about the many brownfield issues and incentives that are available at the State and Federal level.

We routinely meet with community officials and others to assist them in working through the assessment and cleanup of brownfield properties and provide much needed grant-funded technical support and recommendations. Last Federal fiscal year, Ohio brownfields staff met with 60 communities, gave 12 presentations on brownfield issues, and provided 18 communities with grant-funded technical assistance.

The grant also supports the State's voluntary cleanup programs which provide the foundation for setting cleanup goals and imple-

menting institutional controls. In Ohio, our voluntary cleanup program was created in 1994. We call it the Voluntary Action Program. To date, the Voluntary Action Program has achieved cleanup at 750 sites, allowing over 17,000 acres to be reused across Ohio. The grant allows us to fund long-term oversight activities to ensure these sites remain protective of human health and the environment.

The Infrastructure Investment and Jobs Act provided an additional \$50 million through a competitive communitywide assessment grant for States and Tribes. In Federal fiscal year 2022, Ohio was awarded nearly \$2 million to conduct additional assessments. With these funds, Ohio's Brownfields Program has completed another 62 assessments within the award period, for a total of 145 assessments over our 3 grants.

Since 2023, Ohio's section 128(a) funds and communitywide assessment grant have leveraged \$54 million in additional State-funded brownfield assessment and cleanup dollars, and prior evaluations by U.S. EPA show that over \$20 was leveraged for each dollar of EPA brownfield funds spent on assessment and cleanup activities.

The Brownfields Program is a great example of how environmental cleanup and economic revitalization are not competing priorities, but complementary goals that can help build a stronger future for all Americans.

Thank you for the opportunity to share my thoughts today, and I look forward to your questions.

[Ms. Shook's prepared statement follows:]

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**Prepared Statement of Lisa Shook, Assistant Chief, Division of Environmental Response and Remediation, Ohio Environmental Protection Agency**

Good morning, Chairman Collins, Ranking Member Wilson, and members of the committee. Thank you for the opportunity to appear before you today to share Ohio's perspective on the reauthorization of U.S. EPA's Brownfield Program.

Across Ohio and the United States, thousands of former industrial and commercial sites sit idle, tainted by environmental contamination. These brownfields become urban blights and contribute to economic decline, public health risks, and neighborhood stagnation.

The brownfield program administered by the U.S. EPA offers a consistent and effective solution. The program facilitates the identification, assessment, cleanup, and reuse of these properties, revitalizing communities and stimulating economic growth.

State and tribal assistance grants are noncompetitive grants authorized under Section 128(a) of the Comprehensive Environmental Response, Compensation, and Liability Act ("CERCLA"), as amended. These grants are the foundation of states' brownfield programs. U.S. EPA allows states flexibility to design their brownfield programs to benefit each state's needs while also providing consistency by requiring that all grantees meet four elements:

1. A survey and inventory of brownfield sites,
2. Oversight and enforcement authorities ensure that cleanups are protective of human health and the environment,
3. Mechanisms for meaningful public participation, and,
4. Mechanisms for approval of cleanup plans, and verification or certification that cleanup is complete.

Within these four elements, the 128(a) funds have a wide variety of uses, including providing funds to complete environmental assessments of properties to meet all appropriate inquiry or voluntary cleanup program requirements, Phase II sampling, and asbestos and lead inspections. Last federal fiscal year, Ohio funded 20 assess-

ments through our standard allocation and 63 through our supplemental allocation provided by the Infrastructure Investment and Jobs Act.

The grant enables the state to incorporate local input into redevelopment planning, including infrastructure evaluations and site re-use assessments. This effort aims to help communities reinvent their lake and riverfronts, main streets, and industrial corridors, creating parks, housing, mixed-use development, and commercial centers to stimulate job creation, tourism, and tax revenues. This community-driven approach ensures that redevelopment serves the people most affected by these long-neglected properties. For example, in Shadyside, Ohio, we are working with the community to develop a Brownfield Vision Plan that includes a brownfield inventory, market study, community outreach, and survey, brownfield site reuse renderings, and a resource roadmap of how to move forward with the selected projects. We recently completed a brownfield vision plan in Bellaire, Ohio, and we are now working on a downtown reuse assessment to create viable reuse scenarios for their downtown corridor.

Our program also supports local officials in preparing grant applications for the competitive brownfield grants providing workshops to further build their capacity to apply for and hold federal grants. For the last round of grant applications, Ohio's program supported 14 communities in applying for their own brownfield grants. These workshops also educate local communities about the many brownfield issues and the incentives that are available at the state and federal level.

We routinely meet with community officials and others to assist them in working through the assessment and cleanup of brownfield properties and provide much-needed grant-funded technical support and recommendations. Last federal fiscal year, Ohio brownfields staff met with 60 communities, gave 12 presentations on brownfield issues, and provided 18 communities with grant-funded technical assistance.

The grant also supports the state's Voluntary Cleanup Programs (VCP), which provide the foundation for setting cleanup goals and implementing institutional controls. In Ohio, our voluntary clean-up program was created in 1994; we call it the Voluntary Action Program. To date, the Voluntary Action Program has achieved clean-up at 750 sites, allowing over 17,000 acres to be reused across Ohio. The grant allows us to fund long-term oversight activities to ensure these sites remain protective of human health and the environment.

The Infrastructure Investment and Jobs Act provided an additional \$50 million through a competitive Community-Wide Assessment Grant for States and Tribes. In federal fiscal year 2022, Ohio was awarded nearly \$2 million to conduct additional assessments. With these additional funds, Ohio's brownfield program has completed another 62 assessments within the award period, for a total of 145 assessments over our 3 grants.

Since 2023, Ohio's 128(a) funds and Community-Wide Assessment Grant have leveraged \$54 million in additional state-funded brownfield assessment and cleanup dollars, and prior evaluations by U.S. EPA showed that \$20.13 was leveraged for each dollar of EPA brownfield funds spent on assessment and cleanup activities.

The Brownfield program is a great example of how environmental cleanup and economic revitalization are not competing priorities but complementary goals that can help build a stronger future for all Americans.

Thank you for the opportunity to share my thoughts today, and I look forward to your questions.

Mr. COLLINS. Thank you.

The Chair now recognizes Mr. Larson for 5 minutes for your testimony.

**TESTIMONY OF LANCE N. LARSON, ANALYST IN ENVIRONMENTAL POLICY, CONGRESSIONAL RESEARCH SERVICE**

Mr. LARSON. Thank you.

Chairman Collins, Ranking Member Wilson, and members of the subcommittee, my name is Lance Larson. I am an analyst in environmental policy with the Congressional Research Service. Thank you for inviting me today to testify on behalf of CRS regarding the Federal Brownfields Program.

In serving Congress on a nonpartisan and objective basis, CRS takes no position on these issues. I have been asked by the sub-

committee today to provide a broad overview of the Federal Brownfields Program, including a brief history of the program, liability considerations, and other policy matters for Congress.

Enacted in 1980, the Comprehensive Environmental Response, Compensation, and Liability Act, or CERCLA, otherwise known as the Superfund Law, authorizes environmental cleanup and enforcement actions to respond to actual or threatened releases of hazardous substances, pollutants, or contaminants into the environment.

Under CERCLA, the U.S. EPA, in coordination with the States, prioritizes the cleanup of contaminated sites on non-Federal lands under the Federal Superfund Program.

In 1993, EPA established a pilot initiative under the Superfund Program to assist communities with the remediation of certain lower risk contaminated sites to encourage or facilitate economic redevelopment or reuse. EPA referred to these properties as “brownfields,” to distinguish them from both higher risk contaminated sites designated on the National Priorities List under the Superfund Program and from other sites where Federal response actions were taken to address emergency situations.

In 2002, Congress amended CERCLA to authorize EPA to administer a dedicated Brownfields Program separately from the Superfund Program.

In 2018, Congress enacted the BUILD Act, which amended CERCLA to reauthorize the Brownfields Program. The BUILD Act extended the authorizations of appropriations through fiscal year 2023, among other statutory changes to the program.

As it functions today, the Federal Brownfields Program provides grant assistance to State, local, Tribal governments, and nonprofit organizations for the assessment and cleanup of potentially contaminated sites.

CERCLA defines eligible brownfield sites as “real property, the expansion, redevelopment, or reuse of which may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant.”

CERCLA generally excludes sites from brownfields grant eligibility that are addressed under the Superfund Program or under other related Federal cleanup programs and authorities.

Subject to the availability of appropriations, the Federal Brownfields Program provides two types of grants: those that EPA awards on a competitive basis for assessment and cleanup of eligible brownfield sites, and those that are awarded on a formula basis to assist States and Tribes in carrying out their own cleanup programs.

Congress funds these grants annually through the discretionary appropriations process.

The Brownfields Program statutory authorities do not have a sunset date; however, authorization of appropriations for the Brownfields Programs grants expired at the end of fiscal year 2023, and Congress has continued to appropriate funding annually to implement the Brownfields Program. Annual appropriations have been less than authorized amounts and have remained relatively constant, in nominal terms, since fiscal year 2003.

In addition to prior appropriations, Infrastructure Investment and Jobs Act provided an additional total of \$1.5 billion over a 5-year period through fiscal year 2026.

CERCLA provides a mechanism to compel potentially responsible parties to pay for the cleanup of hazardous substances. CERCLA established financial liability for those parties, which may include current or former owners and operators of a site; generators and parties that arrange for the transport, disposal, and treatment of hazardous substances; and transporters of hazardous substances to a facility.

These categories of parties are generally prohibited from obtaining a brownfields grant. However, Congress amended CERCLA to provide certain liability exemptions designed in tandem to work with the Brownfields Program.

If Congress considers reauthorization in this session, as it has done in the past, Congress may consider certain elements of this Brownfields Program, such as the duration of reauthorization, statutory caps on grant amounts, criteria for assessing grant applications, and past and future expected program outcomes.

This concludes my prepared statement. Thank you for the opportunity to appear before the subcommittee today. I would be happy to address any questions you may have.

[Mr. Larson's prepared statement follows:]

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**Prepared Statement of Lance N. Larson, Analyst in Environmental Policy,  
Congressional Research Service**

Chairman Collins, Ranking Member Wilson, and Members of the Subcommittee, my name is Lance Larson. I am an Analyst in Environmental Policy for the Congressional Research Service (CRS). Thank you for inviting me to testify on behalf of CRS regarding the federal Brownfields program.

In serving Congress on a non-partisan and objective basis, CRS takes no position on these issues. I have been asked by the Subcommittee today to provide a broad overview of the federal Brownfields program, including a brief history of the program, some liability considerations, and other policy matters for Congress. CRS remains available to assist the Subcommittee with these and related issues.

HISTORY OF BROWNFIELDS PROGRAM

Enacted in 1980, the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA),<sup>1</sup> otherwise known as the “Superfund Law”, authorizes environmental cleanup and enforcement actions to respond to actual or threatened releases of hazardous substances, pollutants, or contaminants into the environment. Under CERCLA, the U.S. Environmental Protection Agency (EPA), in coordination with the states, prioritizes the cleanup of contaminated sites on non-federal lands under the federal Superfund Program.

In 1993, EPA established a pilot initiative under the Superfund program to assist communities with the remediation of certain lower risk contaminated sites to encourage or facilitate economic redevelopment or reuse. EPA referred to these properties as “brownfields” to distinguish them from both higher-risk contaminated sites designated on the National Priorities List under the Superfund program and from other sites where federal response actions were taken to address emergency situations. In 2002, Congress amended CERCLA to authorize EPA to administer a dedicated Brownfields program separately from the Superfund program.<sup>2</sup>

In 2018, Congress enacted the BUILD Act, which amended CERCLA to reauthorize the Brownfields program.<sup>3</sup> The BUILD Act extended the authorizations of appro-

<sup>1</sup> P.L. 96-510.

<sup>2</sup> Title II of the Small Business Liability Relief and Brownfields Revitalization Act of 2002; P.L. 107-118.

<sup>3</sup> Consolidated Appropriations Act, 2018, P.L. 115-141; Division N—“BUILD Act.”

priations through FY2023, expanded the eligibility criteria for non-profit organizations, and increased the maximum dollar limit for individual remediation grants, among other statutory changes to the program.

#### OVERVIEW OF BROWNFIELDS PROGRAM

As it functions today, the federal Brownfields program provides grant assistance to state, local, and tribal governments and non-profit organizations for the assessment and cleanup of potentially contaminated sites. CERCLA defines eligible brownfields sites as “real property, the expansion, redevelopment, or reuse of which may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant.”

CERCLA generally excludes sites from Brownfields grant eligibility that are addressed under the Superfund program or other related federal cleanup programs or authorities. These exclusions generally are intended to avoid potential overlap or duplication of cleanup resources.

Subject to the availability of appropriations, the federal Brownfields program provides two types of grants—those that EPA awards on a competitive basis for the assessment and cleanup of eligible brownfields sites and those that are noncompetitively awarded on a formula basis to assist states and tribes in carrying out their own cleanup programs. Congress funds these grants annually through the discretionary appropriations process.

The Brownfields program’s statutory authorities do not have a sunset date. However, authorization of appropriations for the Brownfields program grants expired at the end of FY2023, and Congress has continued to appropriate funding annually to implement the Brownfields program. From FY2019 to FY2024, annual appropriations were generally less than the authorized amounts of \$200 million for competitive grants and \$50 million for state and tribal formula grants. Appropriations have remained relatively constant in nominal terms since FY 2003. In addition to prior appropriations, the Infrastructure Investment and Jobs Act<sup>4</sup> provided a total of \$1.5 billion over a 5-year period from FY2022 through FY2026. Of that amount, \$1.2 billion would be provided for the competitive grants and \$300 million for state and tribal formula grants.

#### LIABILITY

CERCLA provides a mechanism to compel “potentially responsible parties” (PRPs) to perform or pay for a cleanup of hazardous substances. CERCLA established financial liability for PRPs, which may include the current or former owner or operator of a facility; generators and parties that arranged for the transport, disposal, or treatment of hazardous substances; and transporters of hazardous substances to a facility. PRPs are generally prohibited from obtaining a Brownfields grant in order to hold liable parties responsible for the costs of cleanup and to minimize burden on the federal taxpayer.

In response to CERCLA liability concerns over acquiring and redeveloping certain properties, Congress amended CERCLA to provide certain liability exemptions designed to work in tandem with the Brownfields program. For example, Congress provided a liability exemption for “bona fide” prospective purchasers if the property is acquired in a contaminated condition, the purchaser is not otherwise a liable party at the site, and the purchaser conducted “All Appropriate Inquiries” into the prior uses of the property prior to the acquisition to determine whether contamination may be present. Additionally, Congress clarified that state or local governments that acquire a property involuntarily through bankruptcy, tax delinquency, abandonment, or other circumstances are exempt from owner or operator liability under CERCLA, so long as the state or local government did not cause or contribute to the contamination.

#### CONSIDERATIONS FOR CONGRESS

Congress may consider whether funds going towards the Brownfields program have achieved the intended purpose of the program. If Congress considers reauthorization in this session, as it has done in the past, Congress may consider certain elements of the Brownfields program, such as the duration of reauthorization, statutory caps on grant amounts, criteria for assessing grant applications, and past and future expected program outcomes.

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<sup>4</sup>P.L. 117–58.

This concludes my prepared statement. Thank you for the opportunity to appear before the Subcommittee today. I would be happy to address any questions you may have.

Mr. COLLINS. Thank you.

I now recognize Mr. Goldstein for 5 minutes for your testimony.

**TESTIMONY OF MICHAEL R. GOLDSTEIN, ESQ., MANAGING PARTNER, THE GOLDSTEIN ENVIRONMENTAL LAW FIRM, P.A.**

Mr. GOLDSTEIN. Thank you.

Good morning Chairman Collins, Ranking Member Wilson, and members of the committee. My name is Michael Goldstein. I am the managing partner of The Goldstein Environmental Law Firm, a principal of Goldstein Kite Environmental, a past president of the Florida Brownfields Association, and past chair of the National Brownfields Coalition's Public Policy Committee.

It is a distinct honor to participate in this hearing and share suggestions on how to build on what has been the most important, impactful, and results-producing Federal program in my 33 years of practice.

While Congress and every State government in the Nation, including the great State of Florida, have supported brownfields work since the mid-1990s, the hundreds of thousands of brownfields across the country require additional Federal resources.

My remarks today are informed by over three decades of assisting local governments, developers, growers, manufacturers, schools, and capital providers navigate the risks of cleaning up and redeveloping contaminated land. I also invest in them personally and, accordingly, have a 360-degree view of what aspects of the Federal Brownfields Program have worked well and where opportunities remain to overcome persistent challenges. The private sector wants to do more, but we need more help from Congress.

I would like to speak first to Florida's Brownfields Program, which was an early leader nationally in encouraging environmental redevelopment.

Florida's program was enacted on July 1, 1997, and in the ensuing 28 years, has sparked the creation of 90,000 indirect and direct jobs and the investment of over \$3.18 billion. Through February of this year, local governments have designated 613 brownfield areas, totaling 290,000 acres. Over 530 voluntary cleanup agreements have been executed. Over 235 brownfield sites have been cleaned up.

Florida has accomplished this outstanding result with a mix of economic incentives, including tax credits and tax refunds, a loan guarantee fund, liability protection at the State level, and a streamlined regulatory review process.

It is with this model in mind that the following seven specific recommendations are made.

First, as part of a forthcoming bipartisan tax bill, renew the Federal brownfield tax incentive, which was passed in 1997 to allow parties who voluntarily investigate and remediate contaminated properties to deduct all cleanup costs on their Federal income tax return in the year they spend money on cleanup.

Second, create a brownfields loan guarantee program. This program would combine aspects of the Department of Energy Loan

Guarantee Program with a New Markets Tax Credit Program to leverage billions of private-sector dollars for early-stage bridge financing of redevelopment projects that are considered too risky for conventional lenders.

Third, prioritize affordable housing built on brownfield sites by amending section 42 of the IRS Code to increase the Low-Income Housing Tax Credit to 12 percent, the stepped-up basis to 150 percent, and to create a new, one-time LIHTC in the amount of 80 percent of the cost of land acquisition and demolition.

Fourth, dramatically increase flexibility for EPA grant program users by eliminating the match requirement, expanding allowable expenses to include demolition and environmental insurance, and for the first time ever, making all such grants available to for-profit developers of affordable and workforce housing. That would be a game changer.

Fifth, increase the maximum grant awards to local governments and not-for-profit applicants to expand the amount of work and magnitude of cleanup that each grant awardee can accomplish.

Sixth, increase the CERCLA 128 grants to State Brownfields Programs. Since inception of Florida's Brownfields Program, the Department of Environmental Protection has been awarded \$17.2 million in section 128(a) grant funds. The awarded moneys have allowed DEP to conduct targeted assessment and remediation at over 116 of the highest priority sites.

Speaking from personal experience as a section 128(a) grant recipient, these grants are powerful, effective, and catalytic. In our situation, Goldstein Kite Environmental partnered with DEP to conduct assessment and remediation of chlorinated solvents at a former chemical storage and distribution site that impacted a public school.

Our investment in this ostensibly contaminated site, and DEP and EPA's co-investment with \$400,000 in section 128(a) grant funds, is facilitating construction of 515 units of affordable housing and a \$217 million capital expenditure in the Overtown neighborhood of Miami by one of the largest builders in the country.

A final recommendation. PFAS is commonly referred to as "the forever chemical." It is really "the everywhere chemical," and it is having a monumental impact on brownfields development where the listing of PFAS as a CERCLA hazardous substance raises the specter of possible EPA-led cleanups under the National Contingency Plan over decades at a great expense.

Congress should consider a statutory exemption to CERCLA where a party has voluntarily entered into a brownfield cleanup agreement with a State agency to remediate PFAS contamination under State law. The exemption would provide immunity from CERCLA cost recovery and contribution claims, a hold on NPL status, immunity from RCRA citizen suits, and express immunity from lenders.

Thank you so much for this opportunity to present my comments.  
[Mr. Goldstein's prepared statement follows:]



**Prepared Statement of Michael R. Goldstein, Esq., Managing Partner, The Goldstein Environmental Law Firm, P.A.**

Good morning, Chairman Collins, Ranking Member Wilson, and Members of the Committee. My name is Michael Goldstein. I'm the Managing Partner of The Goldstein Environmental Law Firm, a principal of Goldstein Kite Environmental, a past president of the Florida Brownfields Association, and past Chair of the National Brownfields Coalition's Public Policy and Redevelopment Incentives Committee.

It is a distinct honor, and career highlight, to participate in this hearing and to help our Country's elected officials improve on what has been the most important, impactful, and results-producing federal program in my 33 years of practice. While Congress, U.S. EPA, and every state government in the nation, including the great state of Florida, have supported brownfields work since the mid-1990s, the hundreds of thousands of brownfields across the country require additional resources to tackle. And so do Superfund sites, let's not forget about those either. They, too, present tremendous opportunities for redevelopment. EPA's track record in both arenas—brownfield redevelopment and Superfund redevelopment—is long and distinguished.

My remarks today are informed by over three decades of assisting local governments, neighborhood groups, developers, farmers, growers, manufacturers, energy companies, schools and school systems, entrepreneurs, investors, lenders, and capital providers navigate the complexities, risks, regulations, and expenses of cleaning up, redeveloping, repurposing, and reusing contaminated land—from Brownfields to Superfund Sites to all points in between. I also invest in them personally and, accordingly, have a 360 degree view of what aspects of the federal brownfields program have worked well and where opportunities remain to overcome persistent challenges. Unlike my fellow witnesses, all of whom are deeply credentialed, experienced, and accomplished and who present necessary perspectives, the view I am sharing today is a private sector view and one that is purposefully intended to recommend to this Committee the specific steps Congress can take during reauthorization to move many billions of additional dollars in private capital off the sidelines and reverse decades of disinvestment and despair. The private sector wants to do more—much more—but we need more help from Congress.

First, though, I would like to speak to Florida's Brownfields Program, which was an early leader nationally in encouraging, investing in, and responsibly managing environmental redevelopment. Florida's Brownfield Program was enacted on July 1, 1997, and in the ensuing 28 years has sparked the creation of approximately 90,000 projected direct and indirect jobs and the projected investment of over \$3.188 billion in capital investment in designated brownfield areas. Through February 20, 2025, local governments, upon their own initiative or at the request of developers or other applicants, have designated 613 Brownfield Areas totaling 292,865.41 acres. Over 530 voluntary cleanup agreements have been executed with the Florida Department of Environmental Protection or one of their amazing local partners, Miami-Dade County DERM, Broward County RED, and Hillsborough County EPC. Over 235 brownfield sites have completed cleanup since inception of the program. Florida has accomplished this outstanding result with a mix of economic incentives, including tax credits and tax refunds, a loan guarantee fund, liability protection at the state level, and a streamlined processing for regulatory review and approvals with lots of love and care from specially appointed brownfield coordinators at the state and local level. The Florida model has resulted in a broad portfolio of cleaned up and reused sites but, in my experience, there has been a particular level of success in the category of affordable and workforce housing. Florida has put its thumb on the scale, and appropriately so, for builders of this segment of the market, which is in crisis. I know that's true nationwide. And it's with this in my mind that many of the following recommendations are made. I'm confident, based on the Florida experience, that, if implemented, they will accelerate construction of affordable housing across the country by giving developers and communities the financial and regulatory tools needed to safely and responsibly cleanup and repurpose a sad, vast landscape of abandoned, underutilized contaminated properties.

On the financial side, I recommend three new funding opportunities:

First, as part of a forthcoming tax bill, renew the Federal Brownfield Tax Incentive, which was first passed in 1997 to allow parties who voluntarily investigated and remediated contaminated properties to deduct all cleanup costs on their federal income tax return in the year they spent the money on cleanup. By allowing for expensing rather than requiring remediation deductions to be spread out over ten years, the tax incentive was a powerful driver of private investment in environmental redevelopment. Before it expired in 2012, this deduction was used more than 625 times in more than 40 states. There is already bipartisan support for the restoration of this incentive. The Brownfields Redevelopment Tax Incentive Reauthor-

ization Act of 2025, H.R. 815, was recently reintroduced by Rep. Sherrill (D–NJ) and Rep. Turner (R–OH).

Second, I recommend the creation of a Brownfields Loan Guarantee Program. This program would combine aspects of the DOE Loan Guarantee Program with the New Markets Tax Credits Program to leverage many billions of private sector dollars for early stage, bridge financing of redevelopment projects that are considered too risky for conventional lenders. In my professional experience, there are countless projects that fail in the concept stage because they are caught in an unwinnable position—they’re not loan-worthy until the environmental risks are cleared but the environmental risks can’t be cleared until loan funding becomes available.

Third, as I noted earlier in my testimony, the brownfields model is a proven vehicle to incentivize and expand affordable housing. Congress has many tools at its disposal to improve the model. To that end, we would like to see:

- an increase of the 4% and 9% Low Income Housing Tax Credit under § 42 of the IRS Code to 6% and 12% for affordable housing built on brownfield sites;
- a stepped-up basis under § 42 of the IRS Code of between 130% to 150% for affordable housing built on brownfield sites; and
- a new, one-time LIHTC in the amount of 80% of cost of the land acquisition and demolition to develop affordable housing built on brownfields.

As Congress seeks to reauthorize the federal brownfields program, there are a handful of other key priorities to consider:

- Meaningfully increase resources and ensure robust staffing at EPA offices. Increasing resources allows what has been a universally recognized and lauded program of success to reach more communities and address more contaminated sites. Robust staffing at EPA program offices and regional offices that keeps projects moving through the remediation process. Delays cost time and money, and adequate staffing helps improve timelines and makes more projects possible.
- Increase maximum grant awards to local government and non-profit applicants to expand the amount of work that each grant award can be used to complete. Many sites require multiple streams of financing to complete remediation, which slows down the timeline for redevelopment. Higher maximum funding levels would allow for faster remediation, and the faster sites can be closed out, the quicker redevelopment can occur, sites can be made safer, more jobs can be created, including in the construction sector, and more tax revenues can be raised increasing services. It’s a virtuous circle. Specific grant funding recommendations consist of the following:
  - \$500,000 for the Community Wide Assessment Grant
  - \$1.5 million for the Coalition Assessment Grant
  - \$1 million for the Brownfields Cleanup Revolving Loan Fund Grant
  - \$1.5 million for the Multipurpose Grant
  - Assessment and Remediation Grants at increasing tiers from \$500,000 to \$10 million
- Vastly increase the CERCLA 128(a) grants to state brownfield programs. Since the inception of Florida’s Brownfields Program in 1977, the Department of Environmental Protection has been awarded \$17.2 million in 128(a) grant funds. The awarded monies have allowed the Department to continue to build and enhance the Brownfields response program capabilities, as well as to conduct target assessment and remediation work at over 116 sites. Speaking from personal experience as a 128(a) grant recipient, these grants are powerful, effective, and catalytic. In our situation, Goldstein Kite Environmental partnered with FDEP to assess and conduct assessment and remediation of chlorinated solvents contaminated soil and groundwater at a former chemical storage and distribution site that had migrated offsite and impacted a public school. Our investment in this risky site, and FDEP and EPA’s co-investment with \$443,648.09 in 128(a) grant funds, is facilitating construction of 515 units of affordable housing and a \$217 million capital expenditure in the southwest Overtown neighborhood of Miami by one of the largest builders in the country, Richman Group. Your state brownfields agencies know where the greatest needs are and how to get the greatest bang for the buck for the American people. They should be entrusted with more resources to do so.
- Increasing flexibility for program users. Eliminating the match requirement for these grants, expanding allowable expenses to include demolition and environmental insurance, and for the first time ever making all such grants available to developers of affordable and workforce housing. That would be a game changer.

And two final recommendations today to contribute to the deliberations in Congress on how to address the seemingly intractable scourge of PFAS in the country's groundwater, drinking water, surface water, soils, sediments, and air. PFAS is commonly referred to as the forever chemical. It's really the *everywhere* chemical, and it's having a monumental impact on brownfields development where the listing of PFAS as a CERCLA hazardous substance raises the specter of possible EPA led cleanups under the National Contingency Plan over decades at great expense.

So, first, I would like to recommend that Congress consider a statutory exemption to CERCLA where a party has voluntarily entered into a brownfield cleanup agreement with a state agency. Such an exemption could provide the assurances described below and, in doing so, reduce the anxiety level that developers, investors, local governments, and community stakeholders might otherwise have when considering the voluntary acquisition, cleanup and redevelopment of a PFAS impacted site:

- (i) immunity from cost recovery claims under CERCLA;
- (ii) immunity from contribution claims under CERCLA;
- (iii) a hold on NPL status for sites being cleaned up under a state brownfields program;
- (iv) immunity from citizen suits under RCRA; and
- (v) and express immunity for lenders who hold indicia of ownership in, or have foreclosed on, a PFAS impacted facility.

Second, Congress should direct EPA to expand its strategic roadmap, which is founded on key goals and objectives—Research, Restrict, and Remediate—by adding a fourth key goal—Redevelop. Objectives within this goal could consist of the following:

- engaging brownfields stakeholders on redevelopment-focused enforcement discretion policies;
- brownfields planning, assessment, remediation, and job creation and training grants specifically targeting PFAS impaired sites;
- administrative initiatives that further defer federal enforcement authority to state environmental officials where responsible parties have entered into binding, enforceable voluntary cleanup agreements; and
- cross-agency collaboration to encourage other federal brownfield partners to allocate human and financial resources to support cleanup and redevelopment of PFAS impaired sites, such as the Department of Energy, Department of Housing and Urban Development, Department of Transportation, Department of Defense, and the Economic Development Administration.

Thank you for your consideration of these remarks, and I look forward to responding to any questions.

Mr. COLLINS. Thank you.

And thank you all for providing your testimony. We will now turn to questions for the panel. I recognize myself for 5 minutes for questions.

I kind of like to give you an idea of the way I look at things, especially from a chairman's standpoint. And the way I look at it, in November, the American people spoke loud and clear. First of all, they need to save taxpayer dollars.

The second thing that we need to do up here, especially from a chairman's standpoint, is make sure that the Federal Government is very productive and efficient. And if we can do that, then we will save taxpayer money.

You all had testimony, and as you were giving your testimony, I started changing my questions as each one of you went through. So some of this may be a little choppy.

But I want to make sure that whatever we do, if you think of it, and what can we do to be more efficient, how do we save money, and in this case, when we make an investment, what is the return on the dollar for that investment, because a lot of this I look at as an investment instead of just grant money.

So, Mr. Larson, I think this may be best for you. If it is not, if somebody else wants to weigh in or not. The IIJA, \$1.5 billion extra over 5 years, over the normal allocation, if I have got that right—and if I am wrong, correct me—how was that doled out among the States? Was that on a first come, first served basis, large States got this, small States—or how did that work?

Mr. LARSON. So, thank you for the question. So, the IIJA funding was divided. Of that total \$1.5 billion, \$1.2 billion was allocated for the section 104 grants—the 104(k) grants, or the competitive grants.

So, those grants were administered in the same/similar fashion as in the similar criteria that EPA uses toward their annual competitive grants. So, that's the grants that go to eligible applicants through the normal process or that normal—

Mr. COLLINS [interrupting]. So, that money goes to the States. So—

Mr. LARSON [interrupting]. That is the money that goes directly to the applicants.

Mr. COLLINS. Okay. So who actually primarily provides the funding? Is it local, State, Fed, what?

Mr. LARSON. So, there's the competitive grants, which are appropriated to EPA, and the EPA administers that on a competitive basis. So, there is a collection of eligible entities all over the country that will put in various grant applications for those grants.

And so, EPA will look at all the grant applications that will come in, and based upon the criteria that is in statute, they have this ranking prioritization process. And as part of that, they will administer those grants to those eligible entities.

Mr. COLLINS. Yes, I am just trying to figure out, if we doubled the money essentially over 5 years, and I hear it consistent that it is not funded at the level—and of course, in my opening statement, I said just throwing money at a problem is not going to solve the problem. We have always figured that out. There is usually something else in there.

And, Honorable Wilbur, you said that—I think it was you. Who is it that said “burdensome reporting”?

Mr. WILBUR. Didn't hear you on that.

Mr. COLLINS. That said it was—burdensome reporting was one of the problems.

Mr. WILBUR. Yes. So—

Mr. COLLINS [interrupting]. Is that on the Fed or the State level or the local level? Where is that burdensome reporting?

Mr. WILBUR. We had that for the brownfields assessment program that we had. That came from the Feds. And what it is, is we just have a small staff. I mean, we have a small county with under 1,000 employees, and we are actually, I would say, probably one of the larger rural counties, if you will.

Mr. COLLINS. Yes.

Mr. WILBUR. And as you get smaller and smaller, there is less staff to be able to put the time to devote to this.

Mr. COLLINS. And to me, I think that gets to the crux of the problem—of a lot of the problems we hear up here, especially with rural counties. A lot of my district is very rural. They don't have stacks of accountants and lawyers sitting around to apply for

grants. They have to go out and pay for the grant, which costs them, I don't know, 30, 40 percent of the money, whatever they can get away with.

And so I have always been a bigger proponent of, we just block grant money and get out of the way, and that is what I am getting at. Is it a Federal issue on what—because a lot of times, when the Feds give out money, they've got strings attached. A lot of times they are around your neck.

So, if that is the case, then is there an issue with the Feds getting in the way?

Mr. WILBUR. If I may, I would say that I think we have proven it in Oswego County over the two rounds of grants that we received, \$900,000. Out of those two particular parcels that I mentioned, that is a \$30 million investment of basically wasteland on an environmental protected area, meaning it was on a river, in our downtown area is where it was at.

Mr. COLLINS. Right. And I want to bring that up real quick. So that \$30 million investment that the Fed—that taxpayers made, what was the return on the dollar taxwise?

Mr. WILBUR. Let me just correct that. That wasn't a \$30 million taxpayer investment.

Mr. COLLINS. Yes, sir.

Mr. WILBUR. That was a private investment.

Mr. COLLINS. Okay.

Mr. WILBUR. So we used the \$900,000 to leverage the \$30 million investment from private.

Mr. COLLINS. Okay. But there again—okay. So the \$900,000. What was the tax advantage—what did it do to generate taxpayer—did you all look at that, how much more taxes it generates? Obviously, it wasn't doing much of anything when it was a brownfield.

Mr. WILBUR. Well, I don't have the exact figures on what those buildings are assessed at right now, but we are definitely—they are back on the tax rolls. Those properties are—

Mr. COLLINS [interposing]. Yes.

Mr. WILBUR [continuing]. Generating thousands in tax revenue.

Mr. COLLINS. Yes. And that is the type of stories I like to hear, is if we make an investment somehow, how long does it take for us to get our return, and what has our return been. Because anytime we can generate more taxpayers out there, then it generates revenue to replace what we spent out.

All right. I am out of time. I yield back.

The Chair now recognizes Ms. Wilson for 5 minutes.

Ms. WILSON OF FLORIDA. Ms. Shook, last Friday, the Environmental Council of the States wrote a letter to EPA Administrator Zeldin, that I would ask unanimous consent to enter into the record. Enter into the record.

Mr. COLLINS. Without objection, so ordered.

[The information follows:]



**Letter of May 3, 2025, from the Environmental Council of the States to Hon. Lee Zeldin, Administrator, U.S. Environmental Protection Agency, Submitted for the Record by Hon. Frederica S. Wilson**

MAY 3, 2025.

The Honorable LEE ZELDIN,  
Administrator,  
U.S. Environmental Protection Agency, 1200 Pennsylvania Ave NW, WJC Building  
North/South Room: 1448K, Washington, DC 20460.

DEAR ADMINISTRATOR ZELDIN,

Yesterday, the Office of Management of Budget (OMB) sent the White House recommendations for discretionary funding to the United States Senate for fiscal year (FY) 2026. In response, the Environmental Council of the States (ECOS) Officers urgently request an in-person meeting with you to discuss the fiscal implications of the FY2026 recommendations for states.

As we understand the recommendation, the White House recommended elimination or cuts to categorical grant programs that will devastate economic development, critical infrastructure, and environmental protections across the nation.

States carry out more than 90% of the nation's federal environmental programs in communities around the United States, and states, state legislatures, and the business community depend on Congress to fund our efforts through grants and partnerships with the U.S. Environmental Protection Agency (EPA). Such dramatic budget cuts to states will incapacitate state environmental programs while creating significant uncertainty for state legislatures and businesses across the United States. Further, the proposal to dramatically shrink the Clean Water and Drinking Water State Revolving Funds will also hurt the heretofore unified effort to address the nation's water infrastructure needs, which is necessary not only to protect human health and the environment, but also to grow the economy.

If Congress were to adopt the White House recommendation for discretionary spending, states may be required to terminate primacy, delegation, or authorization agreements and return full program implementation to EPA. This would overwhelm EPA and have detrimental impacts to economic development. In addition, state primacy, delegation, or authorizations were approved by EPA and published in the Federal Register following public notice and comment. Such primacy, delegation, or authorization agreements are predicated on commitments that include a federal and state cost share. A reduction or elimination of the federal cost share will create implementation issues resulting in legal liabilities that may contribute to a state's decision to return a program to EPA for implementation within a state.

Pursuant to principles of cooperative federalism, EPA and states working in partnership through regular discussions would greatly benefit our organizations and we stand ready to have such discussions.

Thank you.

JAMES KENNEY,  
*New Mexico Environment Department, ECOS President.*

CHRIS WELLS,  
*Mississippi Department of Environmental Quality, ECOS Vice President.*

LEAH FELDON,  
*Oregon Department of Environmental Quality, ECOS Secretary-Treasurer.*

MYRA REECE,  
*South Carolina Department of Environmental Services, ECOS Past President.*

cc:

REGION 1, MARK SANBORN.  
REGION 2, MIKE MARTUCCI.  
REGION 3, AMY VAN BLARCOM-LACKEY.  
REGION 4, KEVIN McOMBER.  
REGION 5, ANNE VOGEL.  
REGION 6, SCOTT MASON.  
REGION 7, JIM MACY.

REGION 8, CYRUS WESTERN.  
REGION 9, JOSH COOK.  
REGION 10, EMMA POKON.  
ASSISTANT DEPUTY ADMINISTRATOR,  
TRAVIS VOYLES.  
ASSOCIATE ADMINISTRATOR, SARAH TAL-  
MAGE.

Ms. WILSON OF FLORIDA. In this letter, the executive board of State environmental leaders expressed deep concern with the President's budget proposal to eliminate or drastically cut most categorical grant programs within the Agency, including the Clean Water State Revolving Trust.

The States warned that these cuts would hurt efforts to reinvest in our Nation's infrastructure, damage our public and environmental health, and threaten our economy.

While EPA's Brownfields Program was not specifically mentioned in the President's budget, it is conceivable that funding for this program is equally as targeted by the administration for reduction or elimination.

Ms. Shook and then Mr. Goldstein, what would be the consequences for the State of Ohio and the State of Florida if all EPA brownfields grant funding were eliminated?

Ms. Shook.

Ms. SHOOK. Thank you—

Mr. GOLDSTEIN [interrupting]. Thank you, Congresswoman Wilson, for the question.

In many instances—in most instances, EPA brownfields funding is existential. Without that seed money, thousands of environmental redevelopment and reuse projects all across the country would come to a grinding halt, and those that are in the planning process wouldn't even get out of the gate.

These are projects that help to accelerate remediation to quickly reduce public health risks that result in a tremendous amount of job creation, economic revitalization, and additional tax revenues to local governments that can then provide more services and also increase redevelopment in the surrounding area. They turn engines of disinvestment into productive engines of investment. And without continued funding, even expanded funding through EPA, all of that work would come to a halt.

Ms. WILSON OF FLORIDA. Ms. Shook.

Ms. SHOOK. I would agree with Mr. Goldstein. It would negatively impact almost every community in Ohio. Our State funding supports a lot of our smallest and most rural communities because they have the least capacity to hold their own grants, whereas our larger communities use this as a catalyst to get other Federal funds, other State dollars—Ohio has a robust cleanup program themselves—to partner for matching dollars for those funds, they use Federal funds, and to incite additional private investment.

It is much easier. There is plenty of green space in Ohio for companies to come in and to keep those investments in our communities where the infrastructure already exists and to preserve our farmland. It is nice to have a robust Brownfields Program to keep that development in our more populated areas.

Thank you.

Ms. WILSON OF FLORIDA. Thank you.

Mr. Goldstein, our home county, Miami-Dade, has highlighted the successes it has seen with the Brownfields Program. They talked about the efforts at Thermo Fisher and how the brownfield designation helped create new jobs. They also spoke about the Poinciana Industrial Center effort and how a brownfield pilot helped address remediation needs in the community.

Can you discuss the importance of continued support for the Brownfields Program and how this funding will help address brownfield sites like the corner of Northwest 37th Avenue and Northwest 183rd Street in Miami Gardens?

Mr. GOLDSTEIN. Yes, Ranking Member Wilson. That part of Miami-Dade County has long been subject to disinvestment, economic blight, and, unfortunately, historically civil unrest, related to the lack of economic opportunity.

A significant component of that is driven by the environmental uncertainty and risk associated with a long history of industrial activities like pesticide distribution plants that have left a significant amount of soil and groundwater contamination that has, candidly, provided a tremendous disincentive to lenders and other investors to imagine what that area could be, which is surrounded by working families who love their community and want an opportunity to raise their families there and have good jobs.

With EPA's investment and the continued oversight of the Florida Department of Environmental Protection and the Miami-Dade County Department of Environmental Resources Management, utilizing Federal resources, there is an opportunity for developers to come in, create jobs, create affordable housing, and turn that part of the community into a very vital portion of Miami-Dade County that generates a tremendous amount of economic activity.

Ms. WILSON OF FLORIDA. Thank you, Mr. Goldstein.

And thank you, Mr. Chair, for the time.

Mr. COLLINS. Yes, ma'am. Sorry I wasn't—I was wanting to—I should have stopped then.

If you all get a chance, just please remember to cut your mic off. When we had that noise that crept in, somebody—there were two mics open. So if you will make sure it is off if you are not talking, we won't have that.

The Chair now recognizes the vice chair of the subcommittee, Mr. Taylor from Ohio, for 5 minutes.

Mr. TAYLOR. Thank you, Chairman Collins and Ranking Member Wilson, for holding this hearing today. And thank you to our witnesses for being here to share their insight and for the sacrifices you made to be here.

I want to especially welcome Ms. Shook who is here to talk about how Ohio has succeeded in turning contaminated land into residential and economic growth.

Toxic materials such as asbestos and lead in old buildings can cause significant harm to those exposed over long periods of time. That is why the Brownfields Program exists, to turn older toxic sites into productive and beneficial areas in the community.

In southern Ohio, the main brownfield sites include schools, children's homes, and other public buildings. It should be obvious that small rural communities face massive challenges when addressing brownfield sites in their region, such as constrained local budgets, fewer people available to manage brownfield projects, and limited access to technical expertise.

Ms. Shook, can you elaborate on how the Ohio EPA has worked with rural communities to alleviate these challenges?

Ms. SHOOK. Thank you. The State's program works significantly with our smaller and more rural communities. As I said earlier,

they have less capacity to hold their own grants and to be competitive in the 104(k) competitive rounds of grants.

So we are often sort of the front door for them to the brownfields space. They can use our funding for planning purposes, as well as the initial assessments, and we can work with them, and do work with them, very closely to help prepare them to potentially apply for either another State grant or a Federal grant as they get ready.

So we have done everything from helping them develop their own brownfield inventories, to doing phase 1 environmental assessments for them, to helping set up community meetings and do community surveys on what they would like areas to look like after a brownfield redevelopment is completed.

So that is a variety of ways we work with them, but they are a primary customer of ours.

Mr. TAYLOR. Got you. Is there more that Congress could do to remove barriers that create these challenges for rural areas?

Ms. SHOOK. Yes. So the competition process is very competitive. We have heard numbers around only about 30 percent of applicants get approved for their grants. So finding ways to provide more funds to more communities would make it easier for them to hold.

Our regional brownfield staff that manage those assessment grants do a very nice job of helping those communities follow all the regulations and reporting requirements, as well as they assist us in making sure we are aware of any new requirements that we have to meet for our three grants that we hold.

So we have a great working relationship with region 5 staff that help us with that, but there are always more tools in the toolbox for small communities who don't have the staff to hold grants, or allowing States to hold larger grants so that we can do more work for them, and we bear the responsibility for the reporting requirements.

Mr. TAYLOR. Thank you. With Congress and President Trump vowing to rein in Government spending, it is important that Congress evaluates how we fund these existing programs.

Mr. Goldstein, in your testimony, you highlighted how public-private partnerships benefited local communities in cleaning up brownfield sites. Can you elaborate on the benefits of public-private partnerships and how that speeds up brownfield sites being cleaned up?

Mr. GOLDSTEIN. Absolutely. Many times—most times, local governments and local government entities own contaminated assets: old landfills, public utility facilities, wastewater treatment plants. They are sitting on these assets. They cost a tremendous amount of money to maintain, and the funds aren't there to clean them up and repurpose them.

And so what they do is they reach out to the private sector for a public-private partnership opportunity. The private entities are beneficiaries of the EPA grants that come in, but those dollars, while important, aren't always directly available to the private-sector entities, and frequently, they are not enough to complete the cleanup and put the site on a level playing field with greenfield sites.

So, what would be most important is to, A, expand the grant opportunities in terms of the dollars that are available. That is number one.

Number two, make them available directly to the private sector who are operating in areas that the Government wants to see, like public-private partnerships, like affordable housing. That is number two.

And number three, utilize some of the other tools that Congress has available to it to increase the likelihood of success of public-private partnerships, like creating more liability exemption opportunities, for example, with respect to PFAS, or providing this Federal income tax deduction to private-sector entities which results in more dollars that can go into the redevelopment side.

Mr. TAYLOR. Thank you.

And thank all of you for being here today.

And, Chairman, I yield back.

Mr. COLLINS. The Chair now recognizes the ranking member of the full committee, Mr. Larsen, for 5 minutes.

Mr. LARSEN OF WASHINGTON. Mr. Chair, I am good with no questions.

Mr. COLLINS. Sir?

Mr. LARSEN OF WASHINGTON. I am good with no questions.

Mr. COLLINS. Oh, okay.

Mr. LARSEN OF WASHINGTON. Move on to the next Democrat.

Mr. COLLINS. The Chair now recognizes the gentlewoman from Ohio, Mrs. Sykes, for 5 minutes.

Mrs. SYKES. Thank you, Mr. Chair. And thank you, Ranking Member, for yielding your time for me to ask questions.

It is certainly Ohio week in the Transportation and Infrastructure Committee. So good to see you, Ms. Shook. Thank you for being here today. And thank you to the chair and ranking member for holding this hearing.

Ohio has long been a leader in industrialization for generations, and for many folks in my district, that has meant investment in our communities and good-paying jobs. And my hometown Akron is known as—or may be formerly known as the rubber capital of the world.

But, unfortunately, it has also left our State and my district with far too many derelict and dangerous sites, especially in the absence of environmental regulations, and industries have shifted over the years.

Following some of these, we have been fortunate to have the identification and support around brownfield sites and the properties' damage to the environment, and dangerous for families, and clearly unsuitable for business, which makes some of these properties unavailable for productive use.

There are more than 4,200 brownfield properties across the State of Ohio, and every single one of our 88 counties have at least 1 brownfield property. And my district is no exception. There are 110 properties that have been identified as brownfield sites in Ohio's 13th District alone.

Of these sites, one of them is the Landmark Building in Akron, Ohio. It is right downtown. Actually, our district office is almost directly across the street from it. It was a significant part of our

downtown skyline, previously the home to Akron Savings and Loan, but this building has been abandoned. But in 2011, the Department of Development received a brownfield cleanup grant from the EPA and was able to leverage some funding. And now fast-forward to 2025, it is a productive property, Akron's new Bowery District development and home to apartment buildings, restaurants, and productive land use, which is exactly what we want these programs to do.

Additionally, Rolling Acres Mall, if you have ever seen mall wastelands, Rolling Acres is one of those. It is now an Amazon distribution site. Again, another way in which we have been able to use brownfield development to encourage job growth and development and economic opportunity in our communities.

Ms. Shook, in your testimony, you talked about you have identified and worked with just under 100 communities and brownfield sites across the State. I just mentioned that I have 110 in my district alone, so, obviously, that means that there is a lot of demand and not enough support around it.

But the Bipartisan Infrastructure Law did provide a much needed boost for remediating some of these sites. So if you could talk a little bit more about what this investment and increased investment could do across the State of Ohio, specifically, and how this can increase and encourage economic development and productive land use in our State.

Ms. SHOOK. Thank you. Yes, the standard allocation that we were getting prior to the IIJA Act, we were able to complete about 20 assessments per year, in addition to our planning activities and the technical assistance and grant-funded technical assistance we were providing throughout the cleanup process.

With the additional funding we received, we were able to go up to 145 assessments over those grants, so that is a significant increase in actual assessment and some cleanup work done in our communities. And it prepared them to apply for full cleanup grants from both our State program and the Federal program.

We have both the staff and the contractors available to do more work. It is only a matter of how many dollars we get per year. Our standard allocation has been dropping slightly every year as more entities have been applying, and it was a great benefit to the State.

The State program is very robust. There is about \$125 million in State cleanup dollars awarded the last 4 years, I believe, and it is oversubscribed every year. So there is a significant need in the State, and our program is small in comparison—the State EPA Brownfields Program is small in comparison to our State development's Brownfields Program. But we are there to help all the communities that need that extra assistance, the ones that need to find a first step, need the roadmap that helps them match dollar for dollar. And that is where our program really shines is being kind of the matching dollars for other programs.

Mrs. SYKES. Well, thank you very much for that.

And if I can help lift up some of the testimony I have heard from all of you, this is not just about the environment and cleaning up sites, which is very important, but this is about economic development, putting people to work, making sure that we are using our land productively, and giving people an opportunity throughout our

country, and particularly in Ohio's 13th and across the State. So thank you very much for your testimony.

Mr. Chair, I yield back.

Mr. COLLINS. Thank you.

The Chair now recognizes Mr. Knott for 5 minutes.

Mr. KNOTT. Thank you, Mr. Chairman. To all the witnesses, thank you all for your testimony.

Mr. Larson, I want to start with you. In regards to your experience and observations, what is the greatest impediment to having an efficient, I would say, remediation program for some of these environmentally sensitive sites in the Brownfields Program? Is it local bureaucracy, is it local permitting, is it Federal bureaucracy, is it funding? If there is one thing you could point to, what would that be?

Mr. LARSON. So, regarding the cleanup duration or complexities at any given site, it is going to be highly dependent upon site-specific circumstances.

Mr. KNOTT. Sure.

Mr. LARSON. So, I would say it is going to be very challenging to point to a single factor, whereas there may be multiple factors, including the ones that you have listed, even from like a technical or scientific standpoint.

Many of these properties, the conditions may be unknown—

Mr. KNOTT [interposing]. Yes.

Mr. LARSON [continuing]. With respect to the environmental contamination that may or may not be present. And so as this process proceeds of investigating the contamination, investigating the site, if it turns out to be the contamination presents more of a risk than was originally envisioned, that could present more complications with respect to both the cleanup and what could be suitable reuses for the site. So, there are various factors even as the process proceeds that can complicate this.

Mr. KNOTT. Right. I mean, one of the concerns that I am bringing to the table is, from North Carolina, there is a \$2-per-ton municipal waste disposal fee that really is aimed at cleaning up these—they are called prerregulatory landfills. I don't know if you are familiar with that term.

Mr. Goldstein, you are shaking your head. But, basically, it is a period of time where landfills were utilized and anything went in there, and many of them have been deemed hazardous. And the North Carolina Department of Environmental Quality monitors these landfills, but I think there are 700 of them, but only 1 has been cleaned up or 2 have been cleaned up in the last 20 years, roughly. And that is a trend that I have heard about throughout the country, that cleaning these up, putting them back into the marketplace is a real problem.

Mr. Goldstein, I would defer to you in terms of, if there is a way that we can efficiently identify, manage, and clean up these, or cap them, remediate, however you want to phrase it, is there a model that you have seen at a local and State level that is efficient and provides the necessary certainty to move these quickly?

Mr. GOLDSTEIN. Thank you, Representative Knott. That is a great question. And I want to invoke a suggestion that the chairman made, the concept of rethinking, reenvisioning the grant pro-

gram to provide community block grants, like community block grants to State government so State governments can get the money to where it needs to go more quickly.

If there is a single limiting factor that makes these projects less efficient than they need to be, it is time. And the time associated with waiting for the grant window to open and to prepare and submit a grant application on a competitive basis and then get the money, that time is too long. There is too much delay.

If we were to have that money go to the States and have the State agencies allocate those dollars to where they are needed, where the greatest need is, those dollars would get to the communities more quickly and they would be spent more efficiently with less oversight and administrative bureaucracy.

Mr. KNOTT. Is there a way to incentivize local and State government to move on these sites? Because, for instance, in North Carolina, a lot of county and State operators are the ones who polluted the sites. And so in some ways they are not incentivized to, whether it is undertake cleanup costs or to remediate, because that could expose them to further liability, but is there a way to really expedite this process using the Federal leverage at hand? I don't know if that makes sense or not.

Mr. GOLDSTEIN. It absolutely makes sense. We have done something like that in the State of Florida, which I know Ranking Member Wilson is aware of. In Florida, recently, we passed a law that essentially gives grace to local government entities that may have caused contamination to a site, provided that they bring it into productive reuse quickly and promptly and that they find a public-private partnership opportunity to invest private-sector dollars in the cleanup. That gives them, as I mentioned, grace and a runway without exposure to liability under the State's CERCLA analog.

Mr. KNOTT. Do you think that is replicable federally?

Mr. GOLDSTEIN. Absolutely, it could be replicable on the Federal level. There could be an exemption under CERCLA for exposure to costs under, for example, PFAS that arise out of PFAS contamination, provided that the local government finds a private-sector party to invest in redevelopment.

Mr. KNOTT. Thank you, sir.

Mr. Chairman, I yield back.

Mr. COLLINS. Thank you.

The Chair now recognizes Mr. Garamendi for 5 minutes.

Mr. GARAMENDI. Thank you, Mr. Chairman.

This program is a very good one. The recommendations that have been made are very helpful and useful, and hopefully, we will put forth a reauthorization this year. I think we have done it at least once in the past 4 years, and perhaps we will be successful this year on a reauthorization. The recommendations that have been made by the witnesses are all good, and so as we write this legislation, good for us.

However, I have a problem. No. We have a problem. All of this runs through the EPA. And the President put forth a budget proposal, which I would hope the Congress of the United States, Senate and House, would thoroughly and completely reject, but nonetheless, his proposal is to reduce the EPA budget to its lowest level,

which happened to be its first budget. Now, just how is that going to work?

This committee has a very serious responsibility. This program, and the CERCLA program also, are critically important to our communities, to the health of the communities around it, and in some cases, to the larger regional areas. However, unless we have the courage—we have the courage to push back on what the administration is proposing, this is an interesting exercise, and we will undoubtedly write a good reauthorization bill, and it will be of no consequence whatsoever.

Now, I wish all the committee members were here, and when I talk to them individually, I am going to say, yes, it is nice, we will do our work as we did before, we have a model, and we will use that, and we will update it, given the suggestions of the witnesses. It will be an interesting exercise of no purpose whatsoever if the administration has its way to gut the EPA. So, I would hope all of us would keep this in mind while we work through this. Good for us.

However, unless we are willing to fight the fight to fund the EPA at a level that would allow these programs and others to proceed, I guess we will feel good about the work we have done, but it will have no consequence, no utility, and, actually, cause severe problems throughout the United States as we attempt to deal with this particular set of issues and dozens of others.

So, the fight is not here. The fight is on the proposals being made by the administration to gut the EPA and to reduce its funding to a level that is equal to what it was on its very first day of existence.

Now, I happen to support the Brownfields Program. It is useful. We have in the city of Vallejo a \$600,000 EPA grant for Mare Island, the first and oldest naval base on the west coast, and you can kind of imagine the kind of contamination that has existed there over the last century and a half. So, that is useful in making progress. It also allows for the downtown waterfront.

The city of San Pablo, another one, a rail yard that dates back to the 1800s. Yes, there is a bit of a problem there, but the cleanup of that will allow the city to bring in housing into a historic area that has been—well, all of you know this. We all have these; 435 of us have problems, and the Brownfields Program helps our districts. So, each of us ought to be not only working on the reauthorization legislation and whatever changes are appropriate to improve it, but we are going to have to fight the big fight. Otherwise, why bother?

I am going to let it go at that. I thank the witnesses for their specific suggestions on how to improve the existing authorization which now expired 2½ years ago. So, we have work to do. But I don't want this committee and each and every one of us to forget what is the principal battle at hand, and that is in fact the existence of the EPA in a meaningful way.

So, with that, I am going to yield back, Mr. Chairman. And I would hope to have your support in helping all of us or making all of us aware of the problem that the administration is creating with its proposed budget cut for the EPA and work with all of us to re-

store the funding to an appropriate level so this program and others can proceed. With that, I yield back.

Mr. COLLINS. The Chair now recognizes Mr. Burlison for 5 minutes.

Mr. BURLISON. Thank you, Mr. Chairman.

Mr. Goldstein, am I correct in saying you have over three decades of experience in helping local communities navigate the process of these cleanups of brownfields?

Mr. GOLDSTEIN. Yes, sir, and I feel every single one of those days.

Mr. BURLISON. Given that experience, could you walk me through the process that a local county or community goes through when they are applying for assistance for a brownfield?

Mr. GOLDSTEIN. Sure. The process typically starts with a developer or a not-for-profit who, either working on their own or with a local government, identifies a site that would make a wonderful redevelopment project for whatever their mandate is, for whatever their constituents are telling them needs to be done.

They will conduct some due diligence, that typically doesn't take a lot of money, to have a consultant perform what is called a phase 1 environmental site assessment audit, which is a noninvasive study of the history of the site on the regulatory status. And more often than not, whether you are in a rural area or an urban area, you will identify a legacy of chemical contamination, and all of the warning bells will go off and the costs will be identified related to cleanup, related to third-party liability, related to the incremental things that you have to do to safely build on a contaminated site. And then people will take a beat and say, well, how are we going to pay for all of this.

And at that point, many projects simply expire because the risk is too high and the costs are too uncertain. But in other instances where they are aware of the Brownfields Program, they work with the local government or a not-for-profit. For-profit entities are not eligible for brownfield grants. And they get in the queue to receive EPA funding. Sometimes it is for assessment. Sometimes it is for assessment and cleanup. Sometimes it is for cleanup only.

In many instances, those grants provide important seed money but not enough to complete the job, because more often than not, these problems, as mentioned by a number of your colleagues, are very complex. They are not problems that can be solved with \$100,000 or \$200,000 or \$300,000 or \$400,000 in grant funding. Sometimes they take millions of dollars in grant funding. And sometimes grant funding—all of the money in the world wouldn't solve the problem. There need to be more liability protection tools, more regulatory tools to expedite cleanup, et cetera.

But from identification of an issue through award of grant and the money becoming available, that window can take 9 to 12 to 18 months, and many projects don't have that time available to them.

Mr. BURLISON. Regarding the nonprofits, how does that relationship work? Are there just nonprofits that exist that this is their mission, they accept these grants, they work the process, and then they kind of align with a business?

Mr. GOLDSTEIN. There are a variety of not-for-profits. Some are involved in the arts, some are involved in affordable or workforce

housing, and some are involved in providing urban farming opportunities. It really spans the gamut of what not-for-profits are interested in, and we have seen it all in a brownfields context going back to 1995. Many times they can't go it alone, they don't have enough money, so they partner with local governments and seek these grants.

Mr. BURLISON. Thank you.

Mr. Wilbur, this Congress, this committee plans to consider reauthorization of the Brownfields Program. In the reauthorization, we will have the opportunity to consider whether the funds given to the Brownfields Program have achieved their intended purposes of the program.

In your opinion, have the funds put towards this program achieved the intended purposes and the goals of the program?

Mr. WILBUR. I believe that they have, taking what I have seen in my county alone with the investment that was made. We definitely have identified and assessed the brownfields that we know are there.

Mr. BURLISON. And given the funds that—we are spending money, we are stewards of taxpayer dollars, are there examples or are there any opportunities where we can make sure that those dollars are used to their fullest extent? Are there any opportunities that we can make it better?

Mr. WILBUR. Well—

Mr. BURLISON [interrupting]. Make it more efficient with the dollars we have?

Mr. WILBUR. Well, I would say that the administrative aspect of it, the burdensome reporting and all of that has definitely been an added chore for most rural counties. They have a small staff, like the Chair noted before. I mean, we have one county attorney to work on this, and we have one chief accountant in the whole county. So, the work is a lot and the staff is limited. So, the administrative duties are definitely a little burdensome for us.

Mr. BURLISON. Appreciate it. Thank you. I yield back.

Mr. COLLINS. The Chair now recognizes Ms. Norton for 5 minutes.

Ms. NORTON. Thank you, Mr. Chairman.

I strongly oppose the Trump administration's attack on the Environmental Protection Agency. The Agency has suggested it will return to staffing levels from the 1980s, and President Trump's fiscal year 2026 budget would cut the Agency's budget by 55 percent. These cuts to staffing and funding levels are grave threats to human health and the environment.

I support the Brownfields Program. The program is a win-win-win. It helps protect the environment and human health, and spurs economic development.

Mr. Goldstein, how would reduction in funding for the Brownfields Program affect environmental justice efforts?

Mr. GOLDSTEIN. Well, without brown—in Florida, they would go away completely, because Florida doesn't have any funding for environmental justice directly. The Florida Brownfields Redevelopment Act mentions environmental justice, but there has never been a funding mechanism.

I agree with you, Representative, the people at EPA are dedicated. They are hard-working. They are exceedingly efficient, both in the Brownfields Program, and we haven't mentioned it, but the Superfund Redevelopment Program. Brownfields and Superfund redevelopment pray in the same pew. They are both important objectives and both tremendous opportunities for economic revitalization, public health protection, and environmental justice.

If we are going to take money out of the Brownfields Program, all of these efforts are, as I mentioned earlier, going to come to a grinding halt. But I do want to say this. Brownfields has always been bipartisan. It has received a lot of bipartisan love. The money that gets allocated by Congress to Brownfields goes through EPA but doesn't stay in EPA. It goes to the communities where that money is needed and where, over the past 35 years, it has made all the difference in the world.

If you look at the leveraging data published by EPA—and I am sure that Mr. Larson has looked at this as well—every dollar invested by Congress creates a return on investment of \$20 in private-sector investment. I have actually seen that order of magnitude be 40 to 60 times. I mentioned a project in Ranking Member Wilson's district where EPA allocated \$400,000 in section 128(a) grant funding and the developer is putting in \$217 million.

But separate and apart from that, there are things that Congress can do, that this subcommittee can do, in terms of liability protection and process that will also make private capital more likely to go into brownfield sites, even if the level of brownfields funding isn't what it has historically been, until it can come back. Create CERCLA liability exemption for PFAS cleanups, for example, where the cleanup is being conducted at the State level. Increase the amount of Low-Income Housing Tax Credits available for affordable housing and pass the Federal brownfield tax incentive as part of the tax bill.

Ms. NORTON. Thank you.

Ms. Shook, based on the success of the Brownfields Program in Ohio, how can cities best leverage partnerships among governments, the private sector, and communities to maximize the program's benefits?

Ms. SHOOK. Many of our communities do just that. They work with both the State to get initial assessments done, leveraging the funding we have with our State Brownfields Program, and then they go on to apply for their own grants themselves, relieving the burden of these cleanups.

We have a robust land bank program in Ohio, so our counties take on a big lift in getting these cleanup dollars and getting the cleanups done so that they can attract the businesses and the private development. Sometimes they are working in partnership with private developers. Sometimes they are ahead of the game and are cleaning up these sites in advance of having a known end user. So, they have all the work done, they have done the environmental work, and then they can advertise it and bring in new jobs to their communities with all of the funds that they have leveraged over the years.

Ms. NORTON. Finally, Mr. Larson, how would an extended reauthorization of the Brownfields Program improve its effectiveness?

Mr. LARSON. Well, you have, to the extent that Congress would decide to reauthorize the program, you potentially—you can revisit some of the programmatic elements that were amended in prior re-authorizations. So, it gives Congress the opportunity to look at potentially revisiting or considering certain legislative options to amend the program, to change or modify how it is currently operating, or if they want to change other aspects.

Ms. NORTON. Thank you. I yield back.

Mr. COLLINS. The Chair now recognizes Mr. LaMalfa for 5 minutes.

Mr. LAMALFA. Thank you, Mr. Chairman.

Appreciate the panelists today here. Thank you for weighing in on this.

I want to go with Mr. Wilbur. Under the CERCLA policy, the issue of strict liability, how much of a chilling effect does that have on future owners, people that might want to come in and make something out of one of these problem areas, one of these brownfields, for something that they didn't do in the past or heaven forbid that they bought something without knowledge of it and then all of a sudden are left holding the bag? Talk a little bit about what kind of chilling effect that—to the extent that the liability goes these days for the effort to develop and up the pace on cleanup of an area.

Mr. WILBUR. Well, to the extent of my experience with this program, I haven't really been into the liability end of this. I know Mr. Goldstein had a lot to say on that in the beginning.

When we administer these grant programs that have been given to our county from the Federal Government, we go out and we identify and assess the properties. We acknowledge that those are the brownfield sites. And then at that point in time, if we are successful in getting a phase 2 grant and we are able to remediate, then it is basically, they go through the assessment again and make sure that it is clear to be put back on the market or be developed.

Mr. LAMALFA. What I am getting at, though, is overall the way the strict liability is interpreted, is it too much of a chilling effect on people wanting to do work other than just leave it static? Or is there something—I guess let me ask, should something be done legislatively to make a stronger incentive and less of a negative on taking on one of these projects, one of these areas?

Mr. WILBUR. Well, it is definitely—

Mr. LAMALFA [interrupting]. For development.

Mr. WILBUR. Yes. It is definitely a deterrent, I would say, for developers in our area. And I honestly, I don't know too much more, other than as a person that would be looking to develop myself, I wouldn't want to be taking on some of the—

Mr. LAMALFA [interrupting]. Can you think of any steps Congress could do to make it better?

Mr. WILBUR. I couldn't hear that question, sir.

Mr. LAMALFA. Can you think of any steps Congress could do to make it better?

Mr. WILBUR. Off the top of my head, I cannot, but I can talk to some of my people and submit after.

Mr. LAMALFA. Okay. Thank you. All right.

Mr. Larson, how much success have we had on—if you have these stats or an idea of—recovering brownfields and other problem areas like that? We have got them in northern California where certain activities went on in the sixties and seventies and such, and there is a groundwater problem. But it is an idle field right now and you hope the remediation is making it work out as far as cleaning the water, cleaning the land.

How much success have we had with the various Federal programs since this has really become conscious in recovering many across the country?

Mr. LARSON. Yes. So, regarding kind of the success or success metrics, as you have probably heard from a variety of different points today, there are a variety of different metrics that are commonly cited regarding both acreage under the Brownfields Program that have been recovered or jobs created. So, certainly in the Brownfields Program, when they are talking about a success metric, it is something where it has to do with recovered acres or completed sites.

Mr. LAMALFA. Can you cite—I don't expect you to have an exact statistic, but have there been many successful recoveries that these lands are now going from useless to something—

Mr. LARSON [interrupting]. Regarding the Federal brownfields grants, so the 104(k) competitive grants, to my understanding, the most recent data that I was able to find for fiscal year 2024, I believe it was somewhere around 12,000 properties that have been—or sites under that program specifically that were recovered for reuse, and some are in the ballpark of 40,000 site assessments performed with those specific grant programs.

Certainly, the State programs may have different numbers or different numbers for some of the sites that they have assessed, but that is just talking about the Brownfields Program and not other authorities like Superfund or other types of cleanups.

Mr. LAMALFA. Is primarily the conversion from a useless brownfield site, are they mostly going for industrial uses? Are we finding that it is successful to not necessarily put housing on that or obviously schools or hospitals or things, but are they primarily going into industrial use that has a low interaction with these possible problems with, like residents, let's say?

Mr. LARSON. Probably the most broadest way to answer the question is to say that typically reuse decisions and land-use decisions are largely up to local communities and local governments responsible for zoning or if you have private partnerships or private interests in those types of redevelopment or certain types of industry. So, it could depend upon the site, and it can depend on the condition of the site and what those goals are for it.

Mr. LAMALFA. I need to yield. Thank you. I yield back, Mr. Chairman.

Mr. COLLINS. The Chair now recognizes Ms. Pou for 5 minutes.

Ms. POU. Thank you.

Thank you, Mr. Chairman, Chairman Collins, and Ranking Member Wilson, for holding this hearing today.

My home State of New Jersey shoulders a heavy burden of industrial and hazardous waste. As a Member from the State with the highest number of Superfund sites and a significant number of

brownfields, I know well the importance of environmental remediation.

The New Jersey Department of Environmental Protection has identified at least 45 brownfield sites in my district alone. We must continue to support communities that transform contaminated properties into usable spaces.

For example, the Paterson Great Falls National Historic Park was tainted by centuries of industrial waste. The Brownfields Program offered a lifeline to address the former Allied Textile plant within that park and to promote public health and a cleaner environment.

The EPA's environmental funding is essential, truly essential for communities struggling with generating the tax revenue needed to redevelop abandoned or blighted properties. The program showcases the strength in a public-private partnership that benefits everyone. Federal and State partners, businesses, environmental communities, we really need to do something, and we need to make sure to preserve these very, very important communities.

New Jersey is experiencing a significant affordable housing shortage. Mr. Goldstein, in your testimony, you cite Low-Income Housing Tax Credit as one of the tools to facilitate affordable housing construction on former brownfield sites. Can you please elaborate on how smaller brownfield sites like those in densely populated States like New Jersey can be redeveloped with these particular tax credits, and if you would also share with us what are some of the challenges that are associated with brownfield developments in those particular urban areas?

Mr. GOLDSTEIN. Absolutely, and I am prepared to speak for the next 3 or 4 hours on these questions.

Ms. POU. Unfortunately, we don't have that kind of time, but I am very eager to hear your response.

Mr. GOLDSTEIN. Yes, ma'am. I will be as brief as I can.

The first challenge is really making sure that the cleanups are sufficient, that there is the proper amount of regulatory oversight and transparency, because there historically has been a lot of questions about the sufficiency of cleanups on Superfund sites and brownfield sites that have been used for housing, but many States do that well. Many local regulatory agencies do that well, and certainly EPA can and has done that well. That is number one. We want these sites to be cleaned up to the standard that they need to be cleaned up to make them safe for residential use. That is number one.

Number two, the Low-Income Housing Tax Credit program is one of the most successful financing programs that underlie and support affordable housing all across the country, but there is not enough money in LIHTC to cover the incremental cost and risk associated with environmental cleanup.

In order to perform sufficient cleanups, we need more money to affordable housing developers. One way to do that outside of the grant program is through the Low-Income Housing Tax Credit program. In my written materials, I have some very specific suggestions, but then within the context of the Brownfields Program, make these grants available to private developers who are engaged

in the development of affordable and workforce housing. Currently, grants are not available to that sector.

And then finally, referencing the question from one of your colleagues, let's amend CERCLA to mitigate the harsh impact of strict liability and joint several liability so that parties who acquire contaminated sites for affordable housing development and clean those sites up under a State Brownfields Program have a complete defense against liability under CERCLA. That is what we have in Florida, that type of liability bar. But you have to do the cleanup. It is a quid pro quo. It is not a get out of jail free card.

Ms. POU. Thank you. Thank you so very much.

Mr. Chairman, I yield back.

Mr. COLLINS. The Chair now recognizes Mr. Onder for 5 minutes.

Dr. ONDER. Thank you, Mr. Chairman. And thank you for all the witnesses being here today.

Mr. Goldstein, you have described Florida's Brownfields Program as a national model, citing its use of State-level incentives and liability protections, efficient permitting. From your experience, do you believe the Federal Government should play a role mostly by supporting and empowering States to tailor solutions rather than expanding Washington's control over brownfield projects?

Mr. GOLDSTEIN. Well, I think there remains a very vital role for EPA to play. Number one, their mere presence in connection with complicated cleanups engender a lot of public confidence, so that is number one.

Number two, they bring a lot of expertise to the table and they have a lot of experience, and all of that is valuable. They also are very efficient, in my experience both in the brownfields context and in the Superfund redevelopment context, as acting as almost concierge consultants to help local governments and neighborhood stakeholders and developers and their lenders and capital providers understand how to navigate all of the regulatory issues and where the bumps in the road are from an environmental perspective and a public health perspective.

And then in terms of actually bringing dollars to bear, well, that is an important role as well. But they should be in equal partnership with State regulators and local regulators.

Dr. ONDER. You brought something up that I was wondering about when it comes to lenders. Are lenders often hesitant to loan money where there is a brownfield redevelopment?

Mr. GOLDSTEIN. That's correct. Even the slightest whisper of a hint of a shadow, an environmental risk tends to send conventional lenders fleeing, because they don't understand these issues. They hear a lot about CERCLA and other Federal programs and State liability programs. They hear the horror stories, and it is much easier to lend on a clean site, and it is much better for job security.

So, it is an existential issue, and it is a bit of a catch-22 or catch-21, whatever the catch is, because projects need financing in order to get over the environmental hurdle, but they can't get the financing until they get over the environmental hurdle.

Dr. ONDER. Over the hurdle.

Mr. GOLDSTEIN. Which is why I have suggested a brownfields loan guarantee fund as an opportunity.

Dr. ONDER. Yes. Okay. Good. So, your support for reauthorization of the brownfields tax incentive and new loan guarantee program sounds very reasonable. But at this time of \$36 trillion debt, we want to ensure that we are not just subsidizing risk or inflating costs. What accountability measures do you support to ensure these incentives go to high-performing, results-oriented sites and not less productive projects?

Mr. GOLDSTEIN. Well, I'm a data hound, so I like data. I like reporting and oversight and auditing. Those generate important metrics, and they hold grantees' feet to the fire and make sure that cleanups are efficient and cost effective. There are other belt-and-suspenders we can add to that process, including requiring multiple bids for any particular project.

Dr. ONDER. Sure. And you advocate for increasing Low-Income Housing Tax Credits for projects built on brownfield sites. That may help with cleanup, but how do we ensure that we don't end up seeing mission creep where the Brownfields Program has just become another affordable housing vehicle as opposed to sticking to the primary mission of cleaning up brownfield sites?

Mr. GOLDSTEIN. Well, we have got a perfect storm of need in this particular public policy arena. We have a lot of sites that need to be cleaned up because they are engines of disinvestment, and they are orphan in terms of responsible parties who have money and the willingness to conduct cleanup, and they provide a significant public health risk. So, that is on the one hand. On the other hand, we have a tremendous affordable housing crisis.

Dr. ONDER. Right.

Mr. GOLDSTEIN. And so, from my perspective and my experience, what I am seeing on the ground in Florida and in Ranking Member Wilson's district is that there is almost an endless ocean of need that you could pour dollars into and not have mission creep.

Dr. ONDER. Got it. Yes. I know back home in the St. Louis metro area, I am aware of a number of brownfield sites that are just prime, prime real estate for commercial development or for housing, and they are just sitting vacant and at very low prices because of these issues. So, thank you. Thank you for your testimony.

I yield back.

Mr. COLLINS. Thank you. The Chair now recognizes Ms. Friedman for 5 minutes.

Ms. FRIEDMAN. Thank you, Mr. Chair. Really appreciate all of the witnesses being here today.

Listening to the conversation with the committee, it is very heartening to hear a conversation where you can't really tell what side of the aisle the committee members are. There seems to be a lot of, certainly, support for this program and an understanding of, I think, of the imperative to expand the program to really help these communities that have been suffering under the burden of polluted sites and to create the housing that we need, and I hope that there is an openness to expanding this program and putting the funding into it that we need.

So, the IJJA provides a total of \$1.5 billion for the program, money that has directly benefited communities in the L.A. region. In my area in Los Angeles in 2023, the city of L.A. was selected for a brownfields cleanup grant provided by the IJJA. The grant

funds are going to be used to clean up a site called Taylor Yard, which is an old railway line that sits in the middle of Los Angeles that would provide wonderful parkland for a very park-poor community.

Also in 2023, the L.A. County Sanitation District was selected for a brownfield cleanup grant, also funded through the IIJA, and these cleanups are vital to our communities. A redevelopment of previously contaminated properties not only protects the health of our communities, but stimulates our local economies and creates jobs.

I want to talk more about the housing impact, because that is the number one crisis in Los Angeles, particularly now after the devastating fires where probably about 20,000 people at least lost their homes, and that was on top of an existing housing crisis. And I was really interested in your suggestions about how to make this program stronger.

So, I am going to ask a couple of questions—because I am already running out of time—whether there is anything that you can anticipate that helps cities pay for the infrastructure that they need, maybe water, sewer, that sort of thing, on top of what the developers are putting in of their own money for these sites if we want to create the housing that we need. Sometimes we are going to have to upgrade the infrastructure going into the sites.

Also, whether you support increasing the Low-Income Housing Tax Credit under section 42 of the IRS Code to 6 percent and 12 percent for affordable housing on brownfield sites and whether you think that would have an impact. And whether a new and one-time Low-Income Housing Tax Credit of 80 percent of the cost of land acquisition and demolition to develop affordable housing would be beneficial, and just anything else that we can take home with us to look at, because we do have this huge need to create affordable housing, and we have this program, so, how do we make it work better.

Mr. Goldstein, I think I will ask you.

Mr. GOLDSTEIN. Thank you. I don't want to take all of your time, so I will try and be brief.

Yes to every recommendation you made with respect to the Low-Income Housing Tax Credit. At those levels, at those percentages, that would be a tremendous incentive to the private affordable housing development sector to invest in your area and in other similar areas across the country.

Increasing Federal funding for infrastructure, water, sewer, especially, and roads where brownfield sites and Superfund sites will be reused safely for affordable housing, that is number two with a bullet.

And number three with a bullet—and I am repeating myself—is let's drain some of the risk and anxiety out of CERCLA generally and the application of CERCLA to PFAS specifically because that is a coming storm. By creating an exemption, a blanket exemption under Federal law for developers and lenders, provided that the developer and the local government are cleaning up under a State Brownfields Program. That keeps all of these sites out of the National Priorities List and the National Contingency Plan and allows redevelopment to be more certain.

Ms. FRIEDMAN. So, I don't know if you are familiar with California's old redevelopment tax increment program that the State clawed back in about 2010. I, when I was in the California Legislature, reintroduced some tax increment programs focusing on specific sites, particularly brownfields and blight.

Is there anything that would be a similar scheme at the Federal level? And I am asking this not knowing the answer, because I have been looking for some way to help encourage more of this redevelopment. Is there anything you can think of that would work in a similar way?

Mr. GOLDSTEIN. Two things come to mind immediately. Number one, Congress could expand the New Markets Tax Credit Program to create carve-outs and expanded funded opportunities for brownfields generally and affordable and workforce housing on brownfields specifically. So that is number one, the New Markets Tax Credit Program.

And number two, expand the Opportunity Zone program specifically for brownfields and, as a subspecifically, for housing on brownfields. But I will say this, not just housing alone, because there is a mixed-use component that historically has traveled with brownfields that gives you two bites at the apple. One is housing for people who need it, and number two is job creation opportunities. That is the mixed-use component where you have commercial, retail, or industrial.

Ms. FRIEDMAN. Thank you. I yield back.

Mr. COLLINS. The Chair now recognizes Mr. Hurd for 5 minutes.

Mr. HURD OF COLORADO. Thank you very much, Chairman Collins and Ranking Member Wilson, for holding this hearing on the Brownfields Program.

I have the pleasure of serving as the chairman of the House Natural Resources Indian and Insular Affairs Subcommittee, and in that capacity as that subcommittee chair, I am interested in learning how this program benefits our Tribal communities in Indian Country. And the EPA's Brownfields Program has provided important funding in Indian Country in remediating and revising these environmental sites.

The Southern Ute Tribe in my district has used money to redevelop a brownfield site, for example, for now office space. That is one successful example of use of that program. But I have also heard that Tribes can at times struggle to attract non-Federal funding, particularly compared to counties or local governments.

And so, Mr. Wilbur, I wanted to ask you, can you talk about specific challenges that you can think of that Tribal governments face when accessing brownfields funds, and how might Congress better empower Tribal communities' efforts to redevelop their sites?

Mr. WILBUR. Well, I will take a stab at it here. Definitely, in county government, we have a lot more research than some of our Tribal partners do. And I will first preface by saying we can go back at NACo and we can reach out to some of our Tribal communities and get you that information so you will have accurate data on that as well.

But let's just go back to where I was starting that, yes, there are significant challenges, whether it be staffing to apply for these grants, and oftentimes, the reporting on those, and then it is also

trying to get developers to develop in those areas, too. Some are very, very rural, more rural than my area or other parts of the Midwest even.

Mr. HURD OF COLORADO. Do you have any ideas how Tribal communities might attract more non-Federal funding for these projects as a way that we could facilitate that while maybe respecting Tribal sovereignty? Any ideas there?

Mr. WILBUR. Off the top of my head, I would say no, but we can definitely get you some answers back on that, sir.

Mr. HURD OF COLORADO. Okay. Very good.

Mr. Goldstein, question for you. The inspector general found that millions of dollars in brownfields revolving loan fund dollars have sat idle across EPA regions. From the private-sector perspective, what are the key barriers to deploying that capital?

Mr. GOLDSTEIN. That is a great question. I have had experience with this specifically in south Florida. What we have seen is that, frankly, the RLF grantees, the revolving loan fund grantees, tend to want to put that money out at too high an interest rate. They are looking for too high of a return, which to me goes against the public policy associated with those grant funds. Purpose as I understand it, or as I would like it to be, is to get those funds into the hands of communities and developers as quickly as possible so those funds can be put to work and those sites can be cleaned up and repurposed.

Interestingly, the RLF, the revolving loan fund, grant that goes to eligible entities not inclusive of private developers, once those funds are received by the RLF grantees, they can be loaned out to private developers. And we have used those, our clients and my development company has used that funding, but it has been slow going for most RLF grantees, typically because they are asking for too much in terms of an interest rate.

So, what I would like to see, if I may, is a requirement from Congress imposing a cap on the amount of interest that can be charged. It is important that the money be paid back so that the money can be put back out on the street. That is the whole concept of revolving loan, but not at an interest factor that makes it uncompetitive or punitive. We want to lower barriers to redevelopment for private developers.

Mr. HURD OF COLORADO. What would you suggest how that cap would be formulated, just out of curiosity?

Mr. GOLDSTEIN. I am sorry?

Mr. HURD OF COLORADO. How would that cap be formulated? Any ideas what that might look like?

Mr. GOLDSTEIN. I would like—best case scenario would be a zero-percent interest loan. That money would fly out the door and would be put immediately to use.

Mr. HURD OF COLORADO. Okay. Very good. Thank you very much, Mr. Goldstein.

With that, Mr. Chair, I yield back.

Mr. COLLINS. The Chair now recognizes Ms. Scholten for 5 minutes.

Ms. SCHOLTEN. Thank you, Chair Collins and Ranking Member Wilson, and to our esteemed witnesses for joining us here today and for your incredible work on this issue.

Michigan is the beating heart of this country's manufacturing operations. And while that is an immense source of pride for our State, unfortunately, careless disposal of hazardous materials associated with that heavy manufacturing has left my home State with nearly 24,000 contaminated sites, all while being nestled right next to the largest freshwater resource in the entire world.

The first source of attack, of course, should always be holding bad actors accountable who have polluted and need to clean up their messes. But when they are not, these properties are thrust on the shoulders of taxpayers and local governments to clean up and repurpose. Fortunately, the EPA's Brownfields Program has provided communities with the resources necessary to catalyze the redevelopment and safely address these pollutants.

The Bipartisan Infrastructure Law built on this progress directing \$9 million in Federal grants funding to Michigan alone has shown just how effective these programs can be. These investments have remedied the wrongdoings of the past while preparing the State to innovate and preserve its manufacturing legacy.

My first question. In addition to encouraging environmental stewardship, the Brownfields Program is also a key tool, as I mentioned, to revitalize these communities. I share the chairman's concerns about fiscal responsibility. In fact, I stand on fiscal responsibility. It is essential that we spend our taxpayer dollars in an effective manner.

Throughout Michigan, we have seen how fiscally responsible investment in this program can be. Redeveloped properties have ushered in new jobs, increased local tax bases, and stimulated neighborhoods. These investments are an incredible use of taxpayer dollars, reinvesting money right back into these communities.

Ms. Shook, can you speak to how redevelopment of blighted properties is an effective use of taxpayer dollars and how it benefits local economies across the country?

Ms. SHOOK. Thank you. Investment in our communities really can allow the locals to reinvent how their communities have developed, whether it be built around a former auto manufacturing site—which we also have many of in Ohio—to see them think differently about how they want it to look in the future, whether it be mixed-use and housing or a new commercial development completely. They can change the health effects in the community from having dangerous contaminants available for exposure to their communities to a new productive use.

So, we have seen a variety of projects come through, especially through our voluntary cleanup program, that have created brandnew metro parks in areas that were otherwise industrial histories. You will see that on the Lake Erie waterfront and a few of our different communities.

To moving back the commercial developments a block away so that you can keep your park space available and have all those recreational and tourism aspects, and then you have new commercial, vibrant businesses opening, new office spaces, new restaurants that drive visitors to your communities. It can be a true catalyst to getting people back into your neighborhoods.

Ms. SCHOLTEN. I think your testimony speaks for itself, and it is essential to be asking as we look to these cuts, why? Why are we

saying we can't afford this right now, right. We have choices to be made in this country, and while on the one hand we are allowing massive tax breaks to major corporations, we are saying we can't afford this incredibly fiscally responsible investment back into our communities. To me it seems like we can't afford not to.

Thank you so much, Mr. Chairman. I yield back.

Mr. COLLINS. Thank you.

The Chair now recognizes Mr. DeSaulnier. I'm sorry, I butchered that.

Mr. DESAULNIER. Obviously, you took French in high school because that was great.

Mr. COLLINS. There was a McDonald's; it was called french fries.

Mr. DESAULNIER. I respond to anything close to it.

Well, thank you to all the witnesses.

Mr. Goldstein, I wanted to ask you a question. I represent an area in the San Francisco Bay area, the county I have represented for a long time at the local, State, and Federal level. I was an air regulator, but worked closely with the Regional Water Quality Board. We have the highest industrial and hazardous material sites on the west coast by concentration geographically in population because the bay area is very populated. But because of the access to deepwater ports, it is really crucial, particularly to the petroleum industry. There are five refineries. They are mostly in Mr. Garamendi's district, but have been in mine in my various service.

So, what's happening is—and also northern California is transitioning very rapidly, mostly from market rate in terms of renewable fuels and alternative energy cars.

So, we have got one refinery that just announced last week or 2 weeks ago, the Valero Refinery in Benicia, California. Now, these five refineries produce 25 percent of the CARB-certified fuel in California and 50 percent of the diesel fuel, so, the ripple effect. So there are Superfund sites, brownfield sites.

Most of the property in the bay area doesn't get deserted. We have had brownfield sites. But it is the interaction between these that I am interested in, where the liability is when venture capital companies decide to come in and buy a big hazardous material site because it's not worth what it was 10 years ago. And as they see the transition happening, largely because of the private sector, in spite of some of my colleagues saying it's regulatory; there is regulatory enforcement that I support as appropriate.

So, that's sort of my broad question is, in this case with Valero, I think they are leveraging. The local city council has been very demanding on them, but there is a lot of demand to come in and buy the property. But in that transition, whether it is brownfield, Superfund, public oversight at the State or the local level, we have had a lot of problem with the Regional Water Quality Board where the business model seems, to me, in some of these places that have been bought now and are just going—one plant that was bought, they said we bought it for spare parts because we know there is a limited timeframe of this refinery.

So, discharge petitions and what is going into the bay delta, all of that sort of intersects with brownfields. Are they going to leave the site? Prospectively they could.

So, I am just curious if you had any view—and I realize this is a specific hearing, but it intersects with the larger economic pressure where we are changing a lot of our use to hazardous material sites in areas that have concentrations of them. And it has a lot of impact on environmental justice as we have switched in California to talk about the cumulative effects.

So, back to this hearing, it is a small potential portion of the overall conversation I am trying to have with you. But if you have any thoughts in particular about this and where it might be something that we have to think about of supporting it.

And then lastly, region 9 where EPA is headquartered in the west coast has been a target in the first administration where it actually moves the Administrator out of the offices and has pushed for early buyout. So we don't have the resources we used to have in northern California and in the west coast because region 9 is being abandoned, particularly the EPA.

Mr. GOLDSTEIN. So, for these types of sites where you have a very significant history of use of acutely hazardous materials that are likely widespread creating significant public health risk and questions regarding the confidence that the public will have in the completeness and thoroughness of the cleanup, that illustrates the need for a very vital and vibrant regulatory dimension to go hand in glove with all of the economic incentives that will be necessary to encourage the private sector to do most of the heavy lifting associated with that magnitude of cleanup.

And so, if you are asking me what my view is of that type of scenario, which has played out all over the country, it is that the Brownfields Program is multidimensional. It is not just about grants. It is not just about liability protection. It is not just about private capital coming in or regulatory oversight to protect public health. It is all of that. And so there is not one particular box that this committee can or should check and expect that the momentum that has been achieved since the mid-1990s will be maintained.

Put another way to bring this answer in for a landing, we need to continue to have strong regulatory oversight at the Federal level when the issues are exceedingly complex and may have a Federal component, a multistate component. Also, the State and local regulatory oversight on the one hand, and then all of the financial tools and the liability tools on the other.

Mr. DESAULNIER. Mr. Chairman, it is really interesting to see as these big, billion-dollar assets from private sector become less of an asset and more of a liability from a financial model and where it's appropriate for us in Congress to be—and all of these refineries heretofore were very high performing in their total portfolio partially because the public demanded it.

Mr. GOLDSTEIN. One last point on your question, which is a great question, and I think this may be what you are getting at. As these billion-dollar assets transition to billion-dollar liabilities, there are funds out there, very significantly resourced funds, that will rush to fill that gap and make the safe transition, but they need the right regulatory environment in which to do that. And in that sense, while regulatory oversight to protect public health is critical, we also need the appropriate opportunities from a CERCLA per-

spective to, as I mentioned earlier, drain the anxiety out of potential enforcement.

Mr. DESAULNIER. I want to thank the chairman for indulging this. But I will just close with this. The property itself is worth a lot of money. There are developers who are interested with all liabilities, so the existing value of that liability still continues, and the local government has a lot of say because they have the land-use jurisdiction. So, it's a fascinating subject.

Thank you.

Mr. COLLINS. The gentleman yields back. You're fine. We are actually—we are going to—I was going to open it up for a second round of questioning right quick because, personally, I had a few questions of my own that I wanted to ask. So, I am going to yield myself 5 minutes for questioning.

I want to open up, Mr. Larson, can you give us the difference in a Superfund and a brownfield, and can a brownfield be a Superfund?

Mr. LARSON. Sure. I am happy to address the question and provide some points on that.

Like I mentioned in my opening statement, the Superfund Program was established in 1980, largely in response to very high-profile cases where you had a variety of hazardous waste sites and communities that were acutely exposed to various contamination along with other factors that led to that enactment.

And so, as part of that, Congress under CERCLA established a liability framework for potentially responsible parties who were responsible for leasing those hazardous substances into the environment. And so, when you are looking at the CERCLA framework under Superfund Program, it is a cleanup program that is responding to releases of hazardous substances and other pollutants and contaminants into the environment.

So, you can think of it as, it's an enforcement-first framework where EPA is looking to, under the Superfund Program, they are looking to enforce liability first against potentially responsible parties to make them pay for the cleanup of the site, whereas there are—not that we have time to get into it—but there are certain other mechanisms for sites that are elevated at the National Priorities List. You have additional Federal funding mechanisms through the Hazardous Substance Superfund Trust Fund for those types of sites.

For the Brownfields Program, it was set up and it is authorized within CERCLA, but it provides—it is primarily a grant-based program for these eligible entities and these eligible sites that is intended to both, as we have been speaking about, provide some economic assistance or financial assistance for these specific projects, but in addition to that, to provide liability exemptions so that you have—we talked about there are the current and former owners and operators of the site. You also have strict liability and joint and several retroactive to the time of release.

Mr. COLLINS. And I think that's where I want to pick up from there, and it is a good segue into my next question with Mr. Goldstein.

Can you quantify the loss of investment from private sector just because of that liability problem that they perceive or they may have?

Mr. GOLDSTEIN. I can't do it scientifically, Chairman, but I can speak from experience. I can tell you what my—I have a gut-based answer. And in Florida alone, we have probably seen close to \$1 billion in avoided transactions as a result of potential exposure to CERCLA liability. That's just one person's environmental practice over a 33-year timeframe. You could probably multiply that by several orders of magnitude.

Mr. COLLINS. Thank you.

Ms. Shook, I was listening to someone else's testimony. Are all sites to be cleaned to a residential use—or is there like a commercial, and residential—

Ms. SHOOK [interrupting]. So most—we do not clean all sites to a residential use. In our voluntary cleanup program, we have standards for both commercial sites and for residential sites.

Mr. COLLINS. Okay.

Ms. SHOOK. We allow the end user to determine which land use they are interested in. Any site could be residential with the right amount of funding.

Mr. COLLINS. Thank you. Thank you.

And one last question—I will open this up to everybody—are we adding sites continually or has it stopped? I mean, at some point, we should be able to hold people liable for messing up the land like that. I mean, I can understand things years and years ago, but are we still adding, or have we plateaued?

Ms. SHOOK. I can—I will take that. Yes, we are still adding. As businesses go under, as they file for bankruptcy, while we can try to hold them accountable, they are often overwhelmed with their liabilities and can't complete a cleanup. That is where the Brownfields Program is.

Many of our brownfields aren't massive sites. A lot of them still are mom-and-pop gas stations, a dry cleaner, a former mechanic shop. And in many of those cases, you are never going to have an entity that can fund the cleanup that they were responsible for.

Mr. COLLINS. All right. Thank you. I yield back.

Mr. DeSaulnier, did you have additional questions?

Mr. DESAULNIER. Just wanted to follow up sort of, again, on the same line. In looking at going forward, where we have such a large part of potential brownfield sites in the country, around energy transition, what could we do better so that we could avoid these liability issues, to make sure that we anticipate this huge transition—one-fifth of the economy, in my view, is happening, and I just happened to be in a region that needs it in many ways—what do you think, from your experience, Mr. Goldstein, where we could sort of go upstream and protect revenue for brownfield, but anticipate these huge transitions we are going through on hazardous material sites related to energy?

Mr. GOLDSTEIN. Thank you for the question. A few thoughts. Number one, enforcement at the Federal level and at the State level remains a critical public policy need, because without a cop on the beat, people are going to do what people tend to do, which is take shortcuts. Now, not everyone will do that, but enough peo-

ple will do that that we will continue to see the volume of impacted sites increase. And sometimes things happen not because people intend them to, but that is just the way it goes in industry and business.

But to get ahead of the game, which is I think what you are getting at, what Congress can do is a lot of what we talked about today: improve the process, shorten the timeframe from which a party applies for a grant and that money gets to where it needs to go. That's number one.

And number two, put in place more statutory tools to create broader exemptions from liability so that private capital will feel more comfortable investing in these risky sites.

The best way to get ahead of the game is to incentivize private parties to tackle these problems sooner than later, so that we don't discover 10 years down the road that we could have done something 10 years earlier.

Mr. DESAULNIER. And just a followup question. Having served at every level of Government and having started as a Republican—some of my colleagues are always shocked to hear that, but parties change—is the inefficiency of sometimes—speaking in California, although I love it, is the Federal regulators, particularly vis-a-vis region 9 that used to work closely with California and local government, what could we do to coordinate that, knowing that the modeling shows that these facilities, in places like I represent, are changing because of the private sector?

So, the coordination of the regulatory agencies is a frustration for me. They all do a good job, but their coordination is not very effective.

Mr. GOLDSTEIN. Well, in terms of environmental redevelopment, there is a model at the Federal level that is somewhat dormant. The Federal Brownfields Partnership, in theory, a number of the Federal agencies are supposed to be coordinating all of their brownfield resources—the Army Corps of Engineers, Housing and Urban Development, Department of Energy, Department of Commerce, and so on. That rarely happens, unfortunately.

Going forward, it would be wonderful to have that type of coordination, not just among the Federal partners, but among State partners as well to identify some of these larger transitional projects so that all of the agency stakeholders can collaborate with local government officials and the developers who are bringing the capital to the table.

Mr. DESAULNIER. And as far as the modeling goes, just getting DOE and Department of Transportation, EPA, resources all to have communication, at least in region 9 they were pretty good, but they still—just working across sister agencies at the Federal level, and then working with the State and the regional agencies and the local agencies, was always pretty inefficient and largely stovepiped. So, for the private sector, it was not very efficient.

So, to the degree, if there is anyone on the other side of the aisle who would like to work with someone like myself on this, I think it could be very helpful. And then we wouldn't have to use brownfield moneys because we would get far enough ahead of it that we could stop people from having a liability and walking away.

Thank you—

Mr. GOLDSTEIN [interrupting]. I think brownfields money—brownfields grants will always have an important role to play, at least at the very inception of a project.

Mr. DESAULNIER. Yes. Thank you, Mr. Chairman. Thank you, witnesses.

Mr. COLLINS. Thank you. The gentleman yields back.

Are there any further questions from any other Members?

Not seeing anyone in here, that's going to conclude our hearing for today. I would like to thank each of the witnesses for your testimony.

The subcommittee stands adjourned.

[Whereupon, at 12:06 p.m., the subcommittee was adjourned.]



## SUBMISSIONS FOR THE RECORD

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### **Prepared Statement of Hon. Rick Larsen, a Representative in Congress from the State of Washington, and Ranking Member, Committee on Transportation and Infrastructure**

Thank you, Chairman Collins and Ranking Member Wilson, for holding this hearing on the Brownfields Program.

The EPA's Brownfields Program is one of the most effective tools we have for turning the legacy of pollution into opportunities for progress.

Since its inception, this program has returned over 10,800 sites to productive reuse, leveraging more than \$40.4 billion in redevelopment funding and supporting over 270,000 jobs.

The Bipartisan Infrastructure Law delivered \$1.5 billion over five years to support assessment, cleanup, job training and technical assistance for communities across the country.

These are smart, targeted investments that turn blighted properties into engines of economic growth and environmental justice. They help build parks, revitalize neighborhoods, expand tax bases and protect public health—all while creating jobs.

In Washington's Second District, the Brownfields Program has helped transform the historic Northern State Hospital in Sedro-Woolley—once a contaminated and abandoned facility—into a thriving hub for innovation, known today as the SWIFT Center.

This 225-acre site is being repurposed into a mixed-use campus focused on technology, job creation, historic preservation, and public recreation through partnerships with the Port of Skagit and local and state agencies.

Contaminants like arsenic and chlorinated solvents have been identified and addressed through EPA and state-supported grants—nearly \$600,000 in federal funding alone.

Thanks to the Brownfields Program, the SWIFT Center now supports local employment and protects sensitive habitat like Hansen Creek while still honoring the legacy of Northern State Hospital.

However, the continued success of the Brownfields Program is now at risk. The Trump Administration's "skinny budget" has proposed cutting EPA funding by 55 percent—the largest rollback in the agency's history.

These reckless cuts would devastate the Brownfields Program and undermine communities still living with the consequences of past industrial pollution.

These cuts will also disproportionately impact rural, disadvantaged communities and working-class neighborhoods—those who can least afford the loss of targeted federal assistance.

We must continue to invest in these projects. Every dollar spent cleaning up a brownfield site is a dollar spent creating jobs, restoring communities, and building a healthier future for all Americans.

I look forward to hearing from our witnesses today about how we can protect and expand this vital work.

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