

ACM – Asbestos Containing Materials

AL – Acceptable Level

AST – Aboveground Storage Tanks

ASTM Standard E 1527-2000– American Society for Testing Methods – outlines good commercial and customary practice for conducting an ESA (Phase I) and establishing “due diligence”

ASTM Standard E 1903-97 – American Society for Testing Methods – provides a framework for employing good commercial and customary practices in conducting a Phase II ESA of property with recognized environmental conditions

BEA – Baseline Environmental Assessment – An evaluation of environmental conditions for a piece of property or facility prior to being purchased. A BEA focuses on the contamination of hazardous substances on the piece of property. The purpose is to protect the purchaser of the facility for liability from previous owners’ actions and to hold the new owner accountable for future use and contamination.

BEDI – Brownfields Economic Development Initiative – To empower localities to work with public and private stakeholders to prevent, assess, safely cleanup and sustainable reuse abandoned, idle or underused properties where real or perceived contamination has impeded development.

BF – Brownfield – vacant or underused commercial or industrial property where environmental, economic, and social obstacles hinder use and redevelopment. A Brownfield is a blighted, contaminated or functionally obsolete property where new development will not occur without financial assistance for clean up, clearing or rehabilitation of existing structures.

BRA - Brownfield Redevelopment Authority

Brownfield Redevelopment – The purpose of a Brownfield Redevelopment Program is to facilitate the redevelopment of a property classified as a “facility” of property where concentrations of hazardous substances are above the allowable limits as defined by PA Act 381.

Blighted Properties – Includes blighted properties that have been declared a public nuisance according to local building codes, an attractive nuisance to children in its physical condition, a fire hazard or otherwise dangerous to people or property, have been disconnected from necessary utilities making it unfit for its intended use, or tax-reverted property. Also includes functionally obsolete properties that can no longer be used for its intended use based on overcapacity, changes in technology, deficiencies in design, or other similar factors.

Bona Fide Prospective Purchaser – all disposal took place before the date of purchase; person made all appropriate inquiry; person exercises appropriate care with respect to any release; provides full cooperation, assistance, and access to persons authorized to undertake response actions or natural resource restoration; complies with land use restrictions and does not impede performance of institutional controls; complies with all information requests;

provides all legally required notices regarding releases of hazardous substances; person is not potentially liable or affiliated with any other person potentially liable.

Brownfield Plan – A plan prepared by the local brownfield redevelopment authority and adopted by the local governing body that meets the requirements of Section 13 of the Michigan Brownfield Redevelopment Financing Act, P.A. 381 of 1996, as amended. Such plans generally describe the responsibilities and priorities of the local brownfield redevelopment authority and outline how tax increment financing and other incentives will be used to support the costs of eligible activities for specific redevelopment projects.

CA – Corrective Action

CED – Child Eating Dirt

CERCLA – Comprehensive Environmental Response, Compensation, and Liability Act

CDBG – Community Development Block Grant – Office of Community Development (OCD) allocates Community Development Block Grant (CDBG) funding to county governments through the County Allocation Program. Most county governments use these funds to implement countywide homeowner rehabilitation programs.

CMI – Clean Michigan Initiative – A \$675 million general obligation bond approved by the voters on November 3, 1998, and implemented under the authority of Section 6(1) of Part 196, Clean Michigan Initiative Implementation, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (NREPA). The \$675 million bond is broken into several categories, with \$335 million targeted specifically for Brownfield Redevelopment.

Capture of Tax Increment Revenues – Collection of the annual amount by which the current taxable value of an eligible property subject to a brownfield plan exceeds the property’s initial taxable value or base year value after redevelopment. Such revenues may be collected by the BRA annually to support the costs of eligible activities under the adopted brownfield plan.

Core Communities – Under the Obsolete Property Rehabilitation Act, P.A. 146 of 2000, as amended, meets certain demographic and socio-economic conditions to be eligible for this “core communities” designation. Such a designation allows for the use of additional incentives to support brownfield and other redevelopment activities within such communities. The City of Ann Arbor and the City of Ypsilanti are two core communities located in Washtenaw County.

DNR – Department of Natural Resources (State of Michigan)

Due Care Activities – Means those environmental response activities identified as part of a site-specific brownfield plan that are necessary to allow the owner or operator of an eligible property in the plan to comply with the requirements of Section 20107(a) of Part 201 of the Natural Resources and Environmental Protection Act, P.A. 451 of 1994, as amended.

Due Diligence – Obligation of a potential owner or operator to make appropriate inquiry (or as it is often called, perform due diligence) as to whether environmental contamination is present of a piece of property. Initial steps include asking the seller or owner about any known environmental assessments as well as to conduct an environmental assessment.

EPA CLP – Environmental Protection Agency Contact Laboratory Program

EREA – Environmental Real Estate Assessment – conducted to rank prospective urban and rural brownfield properties regarding environmental risk and redevelopment potential. It is a part of the Phase I environmental assessment.

Environmental Site Assessments (ESA) Phase I — first stage of environmental assessments to determine if any REC’s exist. The research is done through review of property use and historical records, interviews past property owners or employees, site reconnaissance visit, and review adjacent properties

Environmental Site Assessments ESA Phase II — the second stage of assessments which is done if the Phase I identified any REC’s. These assessments determine the, location and levels of contamination through on-site soil sampling, and analysis

Eligible Activities – Includes one or more of the following: baseline environmental assessment, due care, and additional response activities. In qualified local governmental units also includes infrastructure improvements that directly benefit eligible property, demolition of structures and site preparation that is not a response activity under Part 201 of the Natural Resources and Environmental Protection Act, P.A. 451 of 1994, as amended, and lead or asbestos abatement.

Eligible Properties – Includes properties that are “facilities” with evidence of environmental contamination that exceeds the State of Michigan’s Generic Residential Cleanup Criteria as defined by Part 201 of the Natural Resources and Environmental Protection Act, P.A. 451 of 1994, as amended. May include adjacent or contiguous parcels if the development of such parcels is estimated to increase the taxable value of the property that is a “facility” and is subject to a brownfield plan. In qualified local governmental units also includes blighted and functionally obsolete properties. In Washtenaw County, must be located in a core community.

Facility – Any area, place, or property where a hazardous substance in excess of the clean-up criteria for unrestricted residential use has been released, deposited, disposed of, or is otherwise located, as defined by Section 20101 of Part 201 of the Natural Resources and Environmental Protection Act, P.A. 451 of 1994, as amended.

Federal Taxpayer Relief Act - Originally signed into law in August 1997, the Taxpayer Relief Act ([Public Law 105-34](#)) included a tax incentive to spur the cleanup and redevelopment of brownfields in distressed urban and rural areas. Under the Brownfields Tax Incentive, environmental cleanup costs are fully deductible in the year they are incurred, rather than having to be capitalized. Therefore the taxpayers may deduct those expenses that are paid or incurred in connection with the abatement or control of hazardous substances. For example, the costs of building an access road could be eligible if they were paid or incurred in connection with the abatement or control of hazardous substances, but not if they would just speed construction of a new building. In addition, these incentives can not be used if other funding sources are being used to pay for or reimburse the work being done. In October 2004, the Working Families Tax Relief Act of 2004 extended the incentive, which expired on December 31, 2003, through December 31, 2005.

GIS – Geographic Information System

HASP – Health and Safety Plan

Institutional Controls- (IC) – deed restriction

Isolation – the use of barriers to prevent exposure or migration

LUG – Local unit of government

LUST – Leaking underground storage tanks

Local Site Remediation Revolving Fund – A local revolving fund capitalized by tax increment financing revenues collected by the brownfield redevelopment authority for up to five years after project reimbursement obligations are satisfied for a specific brownfield redevelopment project. Funds may be utilized to support eligible activities on other eligible properties under jurisdiction of the local brownfield redevelopment authority.

MDEQ – Michigan Department of Environmental Quality (oversees clean-up)

MEGA – Michigan Economic Growth Authority (oversees economic aspect)

Member Municipality – Municipality whose local governing body has passed a resolution of support to be included within the jurisdiction of the Washtenaw County Brownfield Redevelopment Authority.

NPL – National Priority List

NREPA – National Resources Environmental Protection Act, P.A. 451 of 1996, as amended.

Natural attenuation – Relying on the natural capacity of the ecosystem to reduce the toxicity of a contaminated site. This is normally done with monitoring to ensure efficiency.

OCD – Office of Community Development

Obsolete Property – Includes either blighted or functionally obsolete properties as defined by the Obsolete Property Rehabilitation Act, P.A. 146 of 2000, as amended, as well as properties that are facilities as defined by Part 201 of the Natural Resources and Environmental Protection Act, P.A. 451 of 1996, as amended. These are properties that are no longer able to function as they were originally intended. Example: Silverdome in Detroit. Because a new football stadium was built for the Lions and there is no other professional football team in Detroit the Silverdome can no longer function as originally intended.

Public Act 381 – PA 381 is the legislation that enables Brownfield Redevelopment. The legislation is active for a duration of 5 years (ends 2007) – since it is a state public policy the State has to decide if it will continue after the year 2007

PNA – Polynuclear aromatic compounds

QAPP – Quality Assurance Project Plan – it is created by the environmental consultant and includes objectives and monitoring design, procedures for generating data, and data quality measurements.

RBCA – Risk Based Corrective Action

RCRA - Resource Conservation and Recovery Act

REC – Recognized Environmental Conditions

RFP – Request For Proposal

Risk – the probability of injury, disease, or death under specific circumstances

Risk Based Cleanup Criteria – Assures cleanups can be conducted in a safe but flexible and cost-effective manner.

Removal – physically transferring the contaminants to another location

SARA – Superfund Amendments and Reauthorization Act – Amended CERCLA in 1986 and stressed the importance of permanent remedies and innovative treatment technologies in cleaning up hazardous waste sites; required Superfund actions to consider the standards and requirements found in other State and Federal environmental laws and regulations; provided new enforcement authorities and settlement tools; increased State involvement in every phase of the Superfund program; increased the focus on human health problems posed by hazardous waste sites; encouraged greater citizen participation in making decisions on how sites should be cleaned up; and increased the size of the trust fund to \$8.5 billion. SARA also required EPA to revise the Hazard Ranking System (HRS) to ensure that it accurately assessed the relative degree of risk to human health and the environment posed by uncontrolled hazardous waste sites that may be placed on the National Priorities List (NPL).

Sampling and Analysis Plan (SAP) — This Plan details the procedures that will be used to conduct a Phase II site assessment.

SBT – Single Business Tax Credit (SBT) - This applies only if a developer is currently paying single business tax. The credit is 10% of the total **investment** into the project up to \$1,000,000 against your SBT liability and must be used within the five year period following the completion of the project. These credits can be used to cover demolition, construction, restoration, alteration, and improvement of the buildings or site of an eligible property. Like a TIF, a brownfield plan needs to be approved for this to be utilized. In addition, SBT is typically used to fill a gap that the TIF falls short of doing, and is only given once a project is completed.

SHWS – States Hazard Waste Sites

Site-Specific Brownfield Plan – Detailed plans that are prepared and adopted for specific redevelopment projects and include a description of the proposed land use and site redevelopment plan, environmental or other redevelopment issues of concern, a proposed plan for conducting eligible activities, the projected amount of private investment and resulting tax increment revenues, the anticipated cost of eligible activities, and the method and schedule by which tax increment financing revenues will be utilized to support such costs.

TIF – Tax Increment Financing –A TIF is for **eligible activities** related to contamination on a site. A TIF allows a developer to be reimbursed for the eligible environmental costs related to a project using the incremental increase in the taxes on the property resulting from the new development. A TIF can only be used if there is going to be an increase in property tax, otherwise there is nothing to capture to reimburse eligible activities. If a site is located within a core community as identified by the DEQ, the eligible expenses expand to cover demolition, infrastructure improvements, and site preparation. These are the incentives available but ultimately it comes down to local approval and they do not have to approve a TIF to reimburse for the costs of all of the eligible activities. If a

developer decides to go after a TIF a brownfield plan will need to be created and approved at the Local, County and State level. Any expenses incurred before a brownfield plan is approved cannot be reimbursed.

Local TIF – Must be approved at local level only (LUG, WCBRA, BOC)

State TIF – must be approved at local and state (MEGA & MDEQ) level

TSE – Targeted Site Effort

Tax Increment Financing Revenues – Means the amount of ad valorem property taxes and specific taxes attributable to the application of the levy of all taxing jurisdictions upon the captured taxable value of each parcel of eligible property subject to a brownfield plan after redevelopment and including personal property located on that property.

Technical Assistance to Brownfield (TAB) Community Program – Provided through the Center for Hazardous Substance Research in order to support community outreach efforts

Treatment -- destroying or converting the contaminants to less toxic forms. Treatment can either be in-situ (in the ground) or ex-situ (out of the ground)

UST – Underground Storage Tanks

VCP – (State) Voluntary clean-up program

VOC – Volatile organic compounds

RP Interplay – Voluntary Response Programs

WCBRA – Washtenaw County Brownfield Redevelopment Authority