

Program Overview

Program Name: Department of Energy and Environment

Summary: On June 15, 2001, the Brownfield Revitalization Amendment Act of 2000 became effective. The Act established the Voluntary Cleanup Program (VCP) and a brownfields program, and provides for long-term stewardship of sites that have been cleaned up under these programs. The Act also authorized tax and other incentives for development of contaminated property, and amended provisions of the Tax Increment Financing Authorization Act of 1998, National Capital Revitalization Corporation Act of 1998, and the District of Columbia Community Development Act of 1975 to incorporate and support the cleanup and redevelopment of contaminated property. As of June 2014, the tax incentive portion of the Act had not yet been implemented.

In late 2010, amendments to the Brownfield Revitalization Act were enacted which authorize the District to establish a program for responding to releases of hazardous substances. This Superfund-type program has hired staff and is in the process of developing work plans with stakeholders for a Remedial Investigation of the sediments in the Anacostia River. They have also begun the drafting of regulations to implement the program. <http://www.doe.dc.gov>.

Website: <http://www.ddoe.dc.gov/>

Funding Source(s) for the Program: Appropriated funds and federal grants.

Cost to enter program or fees for service: The application fee to enter the District's VCP is \$10,000.

Sites Enrolled in VCP: As of January 2017, 27 sites are enrolled in the program.

Sites Completed under VCP: As of January 2017, 14 sites have been completed since the program's inception.

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Assessment and Cleanup Funding

Participants may receive grants (subject to the availability of funds in the Clean Land Fund), loans, and tax credits to offset real property taxes and business franchise taxes.

Incentives

The District is currently analyzing the costs and benefits of implementing the tax incentive portion of its Brownfield Revitalization Act.

Liability Relief Provisions

The District of Columbia's Brownfield Revitalization Amendment Act of 2000 authorizes a civil penalty of up to \$50,000 and strict, joint and several liability for the unlawful release of any hazardous substance. It does not authorize punitive damages or retroactive liability.

Methods/Standards/Controls

The District is developing hazardous substance cleanup standards. The Department of Energy and Environment (DOEE) must publish cleanup standards for contaminated properties under the VCP that include ground water, surface water, and soil standards. Until these cleanup standards are published, the VCP will use the District's Water Pollution Control Act ground water standards and federal Regional Screening Levels (RSL). For petroleum related contaminants DOEE uses the District's Leaking Underground Storage Tank (LUST) program standards.

Related Programs

Underground Storage Tanks (UST) and Leaking Underground Storage Tanks (LUST) Program

<http://www.doe.dc.gov>