

### Program Overview

**Program Name:** Voluntary Cleanup, Oversight, and Assistance Program (VOAP) Tennessee Department of Environment and Conservation

**Summary:** The Tennessee Brownfields Redevelopment Program works with the public to assist in the re-use and revitalization of brownfields in Tennessee. The Voluntary Cleanup, Oversight and Assistance Program (VOAP) was created under Tennessee statute in 2001 and supports the redevelopment and revitalization of brownfields to protect the environment, reuse existing infrastructure, minimize urban sprawl and create economic opportunities. There are several ways the Division of Remediation works with the public to address brownfields including Voluntary Cleanup and federal Brownfields Grant Assistance.

**Website:** <https://www.tn.gov/environment/program-areas/rem-remediation/rem-brownfields-redevelopment-overview.html>

**Funding Source(s) for the Program:** VOAP General Fund, State Remedial Action Fund, and federal grants.

**Cost to enter program or fees for service:** Participants are charged a \$3000 entry fee. Additional fees are charged per report or work product

**Sites Enrolled in VCP:** As of December 2022, 2290 sites are enrolled in the VOAP.

**Sites Completed under VCP:** As of December 2022, 427 sites have received NFA letters.

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### Incentives

Tax increment financing (TIF) can be used by local governments that have jurisdiction over any part of a brownfields project. In 2010, legislation was passed allowing for a brownfield property tax credit at qualified brownfield properties. For more information, visit the website at [https://www.tn.gov/content/dam/tn/environment/remediation/documents/brownfieldsvoap/rem-brownfields\\_tax\\_credits.pdf](https://www.tn.gov/content/dam/tn/environment/remediation/documents/brownfieldsvoap/rem-brownfields_tax_credits.pdf).

### Liability Relief Provisions

Participants can receive a No Further Action letter and release of liability under any statute administered by the TDEC for investigation, remediation, monitoring and/or maintenance of contamination identified and addressed in a voluntary agreement or consent order. With certain conditions and limitations, liability protection may extend to successors in interest or in title to the participant, contractors conducting response actions at the site, developers, future owners, tenants, and lenders, fiduciaries or insurers. Third party contribution protection may be provided if certain notice requirements are met.

### Tennessee Brownfields Redevelopment Toolbox

The purpose of the Toolbox is to explain the brownfields process in straightforward terms, and provide rural and smaller city governments/entities/communities with a systematic, start-to-finish, guide to brownfields redevelopment. [https://www.tn.gov/content/dam/tn/environment/remediation/documents/brownfieldsvoap/rem\\_Tennessee-BrownfieldsRedevelopment-Toolbox.pdf](https://www.tn.gov/content/dam/tn/environment/remediation/documents/brownfieldsvoap/rem_Tennessee-BrownfieldsRedevelopment-Toolbox.pdf)

### Contaminants Managed

Petroleum, asbestos and polychlorinated biphenyls (PCBs) are covered. Lead paint is covered if other hazardous substances are present. Statute covers hazardous substances, solid waste or any other pollutant.

**Asbestos:** Yes

**Lead:** With Conditions - If other hazardous substances are present

**PCBs:** Yes

**Petroleum and Fuels:** Yes

**Other Contaminants:** Yes - Hazardous substances

### Institutional Controls

Tennessee has a long-term stewardship program for voluntary sites. The 2001 amendments to the VOAP allow for enforceable land-use restrictions.

**IC Tracking:** Tennessee does have a tracking system for ICs.

**IC Oversight:** The state reviews sites on a site-specific basis at least every five years. The results of the reviews are available to the public.

**IC Monitoring:** The state reviews sites on a site-specific basis at least every five years. The results of the reviews are available to the public.

### Related Programs

**Underground Storage Tanks (UST) Program**

<https://www.tn.gov/environment/program-areas/ust-undergroundstorage-tanks.html>