

## Program Overview

**Program Name:** Voluntary Cleanup and Property Redevelopment Program (VCPRP) Brownfields Targeted Assessment (BTA) Program Environmental Use Control (EUC) Program Kansas Department of Health and Environment (KDHE) Bureau of Environmental Remediation - Redevelopment Section

**Summary:** Under the Voluntary Cleanup and Property Redevelopment Program (VCPRP), developers and buyers who perform successful cleanups of contaminated properties that are within established criteria will be granted a "No Further Action" determination by the Department, satisfying the regulated community's need for protection from potential future liabilities. Adjacent property owners who did not contribute to the contamination could also receive protection from the Department through such determinations. The VCPRP works in conjunction with the State Brownfields Program and the Environmental Use Control Program. <https://www.kdhe.ks.gov/478/Redevelopment>

**Website:** <https://www.kdhe.ks.gov/478/Redevelopment>

**Funding Source(s) for the Program:** VCPRP & EUC: Oversight fees and federal grants. BTA: federal grants

**Cost to enter program or fees for service:** VCPRP applications - \$200 nonrefundable application fee; initial deposit - not to exceed \$5,000 is required to cover KDHE oversight costs. EUC costs are determined based on property, long-term operations & maintenance, and inspection frequency.

**Sites Enrolled in VCP:** As of Sept 2022, 288 properties were actively participating in VCPRP. Active sites are defined as being in the investigation phase or in cleanup.

**Sites Completed under VCP:** As of September 2022, VCPRP issued 405 No Further Action letters resulting in approximately 4,010 acres of land being remediated.

## Contacts

**Name:** Jorge Jacobs

**Org:** KDHE - BER

**Title:** Redevelopment Section Chief

**Email:** [jorge.jacobs@ks.gov](mailto:jorge.jacobs@ks.gov)

**Phone:** 785.296.0721

**Website:** <https://www.kdhe.ks.gov/478/Redevelopment>

## Assessment and Cleanup Funding

- ▶ Brownfields Targeted Assessment Program: <https://www.kdhe.ks.gov/488/Kansas-Brownfields-Program>
- ▶ Kansas Brownfields Cleanup Assistance Grant
- ▶ Kansas Agricultural Remediation Fund was created in July 2000 to assist in the investigation and remediation of qualifying properties with agricultural-related contaminants. The program provides direct reimbursement up to \$200,000, and low-interest loans up to \$300,000.

## Environmental Liability Relief Provisions

The Contaminated Property Redevelopment Act (K.S.A. 65-34,177-186), signed into law on May 9, 2016, authorizes KDHE to issue a Certificate of Liability Release (CELR) to certain prospective purchasers of contaminated properties. CELRs may only be issued for properties acquired after July 1, 2016. Under KSA 65-34,169 and KAR 28-71-10, stakeholders performing cleanup of contaminated properties that meet the criteria in the law (low to medium priority sites with minimal risk) can receive a No Further Action determination from KDHE to provide some protection from potential liabilities. Adjacent property owners who did not contribute to the contamination may also receive protection from KDHE through such determinations.

## Program Elements

Methods/Standards/Controls

Environmental Use Controls Program (same as institutional controls). <https://www.kdhe.ks.gov/538/Long-term-Stewardship-Brownfields-Unit>

Risk-based Standards for Kansas (RSK) Manual <https://www.kdhe.ks.gov/775/Risk-based-Standards-for-Kansas>

Bureau of Environmental Remediation Policies <https://www.kdhe.ks.gov/187/BER-Policies>

## Contaminants Managed

All contaminants and pollutants covered including lead, asbestos and polychlorinated biphenyls (PCBs).

**Asbestos:** Yes

**Lead:** Yes

**PCBs:** Yes

**Petroleum and Fuels:** Yes

**Other Contaminants:** No

## Institutional Controls

Use environmental use controls. As of September 2022, 340 EUCs have been recorded on properties in Kansas. The state's public database maintains an inventory of sites, maps sites, tracks institutional controls, and provides additional information regarding contaminated sites in the state. <https://www.kdhe.ks.gov/538/Long-term-Stewardship-Brownfields-Unit>

**IC Tracking:** All EUCs are tracked and a part of a computerized database for public viewing.

**IC Oversight:** All EUCs are enforceable by KDHE pursuant to the statute.

**IC Monitoring:** All EUCs are inspected on a regular basis to ensure compliance.

## Related Programs

### State Cooperative Program

<https://www.kdhe.ks.gov/778/State-Cooperative-Program>

### Storage Tanks Program

<https://www.kdhe.ks.gov/990/Storage-Tanks>

### Drycleaning Program

<https://www.kdhe.ks.gov/285/Kansas-Dry-Cleaning-Program>

### Superfund Program

<https://www.kdhe.ks.gov/258/Dryclean-Superfund-Unit>

## Orphan Sites Program

<https://www.kdhe.ks.gov/361/Orphan-Sites-Unit>