



WRITTEN STATEMENT FOR THE RECORD

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COUNTY COMMISSION
GREENBRIER COUNTY
WEST VIRGINIA**

ON BEHALF OF THE NATIONAL ASSOCIATION OF COUNTIES

**HEARING TITLED, "REVITALIZING AMERICA THROUGH THE REAUTHORIZATION OF THE BROWNFIELDS
PROGRAM"**

SEPTEMBER 27, 2023

INTRODUCTION

Chair Johnson, Ranking Member Tonko and distinguished members of the Subcommittee, thank you for the opportunity to testify today on the importance of the Environmental Protection Agency (EPA) Brownfields Program to counties, both urban and rural, and the critical role counties play in brownfield redevelopment projects to reinvigorate our local communities and economies. I also want to thank Chair Rodgers and Ranking Member Pallone for their leadership on this issue at the full committee level.

My name is Tammy Tincher and I serve as President of the County Commission in Greenbrier County, West Virginia. I also have the honor of serving in leadership and advocacy roles for the National Association of Counties (NACo), including as Vice Chair of the Rural Action Caucus and Chair of our Membership Standing Committee. I offer my testimony today on behalf of NACo.

Today's hearing is of great importance to my county and many others throughout the country who are tasked with protecting the environment, ensuring public health and strengthening the economic vitality of their communities. The EPA Brownfields Program is one of the most successful programs to help address vacant and abandoned sites at the local level, the redevelopment of which can reinvigorate entire communities and their economies.

Brownfields redevelopment can help bolster economic development, protect human health and the environment and create good-paying jobs. Counties, both urban and rural, view the EPA Brownfields Program as an essential catalyst for the redevelopment of these sites.

ABOUT AMERICA'S COUNTIES

Counties are highly diverse, not only in my home state of West Virginia, but across the country, 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, including my home of Greenbrier County, with 50 percent of those having populations below 25,000. At the same time, there are more than 120 major urban counties, which collectively house and provide essential services to more than 130 million people.

Many of our responsibilities are mandated by federal and state governments. Although county responsibilities differ widely, most states require us 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 tend to converge around the reuse of brownfields.

ABOUT GREENBRIER COUNTY

Greenbrier County is in southeastern West Virginia, bordering Virginia along the I-64 corridor. The county is the second largest in the state by area, with 1,020 square miles, but with a population of only 32,435. Much of the northern and western parts of the county are either national forest, coal land or private forest owned by Weyerhaeuser or CSX. In years past, the communities in this area were the commerce centers of Greenbrier County. The coal and forestry industries contributed to a robust economy in the county until their recent decline, which has left communities devastated.

Decades of natural resource extraction and little reinvestment in the communities that carried the burden of those industries have created severe economic conditions. These communities have declined like the industries that created them, causing a loss of population in Greenbrier County, as well as increased unemployment and decreased tax revenue.

One example is the town of Rainelle, which was home to the world's largest hardwood lumbermill until its closure in 1975. The fallout from this closure included a shift in the population center, leaving empty storefronts and abandoned and dilapidated buildings across the community. This is being seen across Greenbrier County and the United States.

The EPA Brownfields Program has been beneficial to Greenbrier County and counties across the country by providing funds for the cleanup and redevelopment of contaminated sites. County governments have been able to utilize this program to begin redevelopment projects, which help to attract new businesses and provide new opportunities for these once prosperous communities.

THE IMPACT OF THE BROWNFIELDS PROGRAM ON COUNTIES

Brownfields can negatively impact county governments from both an economic and environmental perspective, but there are multiple benefits associated with redeveloping these sites. By providing funding for redevelopment, the EPA Brownfields Program benefits counties in two critical ways:

1. Spurs economic development

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. The EPA Brownfields Program is a critical tool for counties to bolster their economic development by providing support for cleaning up and reusing brownfields which, in turn, strengthens the local economy, creates new jobs and increases the tax base.

The EPA Brownfields Program has been successful in generating economic benefits. Through Fiscal Year (FY) 2022, \$19.78 was leveraged for each dollar expended, and 10.6 jobs were leveraged per \$100,000 expended on EPA Brownfields Program assessment, cleanup and revolving loan fund cooperative agreements. The program produces this sort of impact by addressing cleanup costs that often make these sites financially less attractive than “greenfields” development.

These benefits have extended to counties across the country. For example, Dauphin County, Pennsylvania, which has a population of 288,800, utilized the EPA Brownfields Program to demolish and remediate The Steel Works, a site of approximately six acres that included a paved over former steel mill canal, a vacant gas station, former restaurant, a former bar and more. Post-remediation, the Steel Works

Project is projected to bring over 100 new jobs to the county and an additional \$214,202 in tax revenue. The redevelopment was funded through a mix of local, state and federal dollars, including a \$231,000 EPA Brownfields Program assessment grant.

The project broke ground in March of this year, and the mixed-use development will eventually include a national retail chain, a senior healthcare center, an apartment building with 41 units, a park and amphitheater and over 3,000 square feet of retail space.

2. Protects public health and the environment

Cleaning up brownfield properties can improve public health in several ways. For example, redevelopment focused on improving public health may increase recreational or green space to encourage physical activity or establish community gardens and public spaces that promote community interaction, projects that also reduce the impact of urban heat islands or improve stormwater management.

County governments play a critical role in addressing environmental 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.

Counties can address environmental concerns through the implementation of institutional controls (ICs), which are legal and administrative measures meant to protect human health and the environment. These can include impenetrable liners to restrict leaking, soil or other containment covers, fences and groundwater pumping and treatment systems. Counties can also monitor the sites to ensure the controls remain viable.

However, ICs are not long-term solutions to address brownfield sites and are difficult to apply when the chain of responsibility for the contamination is unclear or at a dead end. To fully protect human health, safeguard the environment and foster economic development, cleanup and redevelopment of these sites are necessary. The EPA Brownfields Program assists communities in achieving these goals.

For example, in White Pine County, Nevada, which has a population of 8,788, a \$18,000 EPA Brownfields grant provided funding for environmental site assessments at McGill Ball Park which allowed the county to move forward with redeveloping the site. Previously, the ballpark had been used in the early 1900s as a place for recreation for mining employees, then later for children of the White Pine County School District, but it was ultimately abandoned in the 1990s. Utilizing funding from the Brownfields Program, the county discovered the presence of asbestos, lead-based paint and polychlorinated biphenyls, and removed these substances.

THE IMPACT OF THE BROWNFIELDS PROGRAM ON RURAL COUNTIES

70 percent of counties are rural and residents who live in these communities are among the nation’s most underserved populations. Of the 353 counties that experience persistent poverty, 85 percent are rural and the poverty rate in rural America is 2.5 percentage points higher than the national average. These challenges are exacerbated by the fact that, in many states, counties are severely constrained in

their capacity to raise revenue due to state mandates that restrict the types of taxes counties may impose, tax rates and the amount of revenue counties can collect.

Despite these limitations, rural counties must still deliver essential services to our residents and visitors. Such services include road and bridge maintenance, law enforcement, medical care, education, water and wastewater services, emergency services, fire protection and waste management. These challenges hinder the potential of our rural communities and contribute to widening disparities between rural and urban areas.

However, federal investment in rural communities through programs such as the EPA Brownfields Program presents a key opportunity to bolster rural economic development. While brownfields are traditionally thought of as an urban feature, they are also found in most rural counties nationwide. Brownfields in rural areas can include railroad property, gas stations, agricultural buildings such as elevators, silos and pesticide storage areas, manufacturing sites, auto repair shops, former schools, abandoned buildings and others.

The EPA Brownfields Program is indispensable to revitalizing some of these sites in rural communities. For example, the program has been essential in helping to begin the renovation process for the former Rupert Elementary School in my county. This site has several auxiliary buildings that have been renovated to house MARVEL, an early learning childcare center.

The western end of Greenbrier County is a childcare desert, and this development has allowed services to be provided to those families in need of childcare. Additionally, a gymnasium has been restored to provide athletic opportunities to community members of all ages. The major redevelopment on the campus, however, is the renovation of the three-story school building which will be home to a medical clinic on the first floor and senior and low-income housing on the second and third floors. All aspects of this project will bring a new life to the Meadow River Valley and create a community center that will be central to all residents. The previous uses of the buildings on campus required Brownfields assessments and inspections, and the funding provided by the EPA Brownfields Program removed barriers to the redevelopment of this site.

RECOMMENDATIONS FOR THE REAUTHORIZATION OF THE BROWNFIELDS PROGRAM

Counties across the country are deeply invested in cleaning up and reusing brownfields sites to spur economic development and protect human health and the environment. Although it is difficult to calculate the precise number of brownfields, EPA estimates there are more than 450,000 sites nationally. These sites show evidence of at least some contamination, which can trigger environmental regulatory issues and prevent the owners from selling the site, making it difficult to secure financing or proceed with redevelopment opportunities.

To that end, counties offer the following recommendations as Congress reauthorizes the Brownfields Program:

1. Increase funding levels for the Brownfields Program

The Brownfields Utilization, Investment, and Local Development Act of 2018, or the BUILD Act, authorized the Brownfields Program at \$200 million per fiscal year, the same level of funding that was authorized for the program in 2002. Given the flat funding for over two decades, counties appreciated

the \$1.5 billion provided for the Brownfields Program by Congress in the bipartisan Infrastructure Investment and Jobs Act (IIJA), which was signed into law in November 2021. This additional funding has allowed EPA to finance more brownfield projects across the country, awarding grants to 55 percent of applicants as opposed to 33 percent prior to IIJA.

It is essential that federal resources remain available for brownfields assessment, cleanup and redevelopment, as well as to provide incentives for private investment. While authorized funding has been stagnant since 2002, the costs of addressing and effectively remediating these sites has grown significantly. As such, we recommend that Congress authorize and appropriate increased funding for the EPA Brownfields Program. Additionally, counties recommend increasing the cleanup grant and multipurpose grant ceilings to allow communities to cleanup more sites and provide greater certainty for long-term project financing, as well as increased flexibility.

2. Provide technical assistance to rural communities

Rural communities face unique challenges in applying for federal funds. Many rural counties have limited staff, expertise and funds to expend on complex grant applications or to comply with reporting requirements. While the EPA Brownfields Program is one of the simpler federal programs to participate in, rural counties still face difficulties in accessing these critical funds.

As such, we would support the technical assistance provisions included in the brownfields reauthorization discussion draft the Subcommittee is currently considering. We would also recommend extending the number of covered applicants that would receive technical assistance.

CONCLUSION

Chair Johnson, Ranking Member Tonko and distinguished members of the Subcommittee, thank you again for the opportunity to testify today. Counties recognize the importance of 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.

Counties thank you for your attention to this issue and urge you to reauthorize the Brownfields Program. I look forward to answering any questions you may have.