

REQUEST FOR GRANT SUPPORT FOR PETROLEUM SITES – GUIDELINES



Grant support for petroleum sites is provided by the Department of Toxic Substances Control (DTSC) to help EPA grant applicants and recipients access federal brownfields funding for petroleum-contaminated sites.

The Comprehensive Environmental Response, Compensation and Liability Act (CERCLA or the Superfund Law) was amended by the Small Business Liability Relief and Brownfields Revitalization Act (Brownfields Law) to include section 104(k), which provides federal financial assistance for brownfields revitalization, including grants for assessment, cleanup, and revolving loan funds.

A brownfields site is defined as real property, the expansion, redevelopment, or reuse of which may be complicated by the presence or potential presence of hazardous substances, pollutants, contaminants, controlled substances, petroleum or petroleum products, or is mine-scarred land.

For a petroleum-contaminated site, that otherwise meets the definition of a brownfield site, to be eligible for funding, EPA or the state must determine:

1. The site is “relatively low risk” compared with other “petroleum-only” sites in the state; and
2. There is no viable responsible party.
3. The site will not be assessed, investigated, or cleaned up by a person that is potentially liable for cleaning up the site.
4. The site must not be subject to a corrective action order under the Resource Conservation and Recovery Act (RCRA) §9003(h).

This support is intended for DTSC to provide a brownfields eligibility determination for petroleum-contaminated sites, under CERCLA section 101(39)(D). This is not a regulatory determination. A petroleum eligibility determination by EPA or a state under CERCLA section 101(39)(D) for the purpose of brownfields funding does not release any party from obligations under any federal or state law or regulation, or under common law, and does not impact or limit EPA or state enforcement authorities against any party.

HOW TO REQUEST DTSC GRANT SUPPORT

Please follow these instructions to request a DTSC brownfields eligibility determination for a petroleum contaminated site.

1. Complete the attached application.
2. The contact person identified in Item A2 of the application should have knowledge of the site and be able to answer questions related to background and environmental condition of the property.

3. Submit the completed application electronically to Triss.Chesney@dtsc.ca.gov.
 - a. Submitting one property at a time: In the subject line of the email, include “Petroleum Grant Support – [Applicant] – [Property Name]”.
 - b. Submitting multiple properties at a time: In the subject line of the email, include “Petroleum Grant Support – [Applicant] – [a unique Group Identifier, if planning to submit more than one groups of properties]”. Include the property name, or other unique identifier, in the file name for each application.
4. Upon receipt of the application, the sender will receive confirmation of receipt. This may be a manual reply or, if I am out of the office, an automatic reply. If you do not receive a confirmation email on or before the second work day following submittal, please contact Triss Chesney at Triss.Chesney@dtsc.ca.gov or 714-484-5419.
5. If supplemental information is needed, the contact person identified in Item A2 of the application will be contacted.
6. DTSC will forward a copy of the application with its eligibility determination (indicated at the top of the application) within 12 business days after receipt of a complete request for grant support. If supplemental information is needed, an eligibility determination will be provided within 12 business days after receipt of the requested information.
7. To obtain an eligibility determination prior to the deadline for EPA Brownfields Grant Solicitations, please submit your application one month prior to the EPA deadline. Applications received after that date may not receive an eligibility determination prior to the EPA deadline.

QUESTIONS?

For questions about petroleum grant support, or for assistance with the application, please contact:

Triss M. Chesney, P.E.

Hazardous Substances Engineer

TSI Program and Brownfields Assessment Grant Coordinator

Site Mitigation and Restoration Program

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