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NUNAMTA
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Nelson Island Consortium Response Program

Manual for How-To Record a Brownfield Site in the Communities of Nelson Island Consortium

A Brownfield is a property, the expansion, redevelopment, or reuse of which may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant.

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Overview

This manual contains the forms and steps necessary to formally identify a site within the Nelson Island Consortia (NIC) area, and of interest to the surrounding Nelson Island communities as a Brownfield, meeting federal regulation Section 128a of the Comprehensive Environmental Response, Compensation, and Liability Act (CERLCAL).

A copy of each form is included within the relevant section so that staffs can hand-write notes that will be helpful to themselves and future staff members in filling out the forms. Blank forms are included in the Appendix.

Developing an Inventory and updating a Public Record of Brownfield is a duty of the Native Village of Tununak I.R.A. (NVTI) for the NIC. Once identified, these Brownfield are eligible for government Brownfield grants and sponsored programs.

Keeping an updated, formal list of sites that fit the definition of a Brownfield assists the public in making informed choices concerning future site use, and in providing documentation in seeking funds for site cleanup.

The NVTI Environmental Department operates the Brownfield Response Program for the NIC. It houses all records, forms, and studies related to Brownfield in the area. A "white paper" file, labeled " NIC Brownfield Folder", will contain hard copies of all forms, including Inventory, Notice, and Evaluation forms for each potential and confirmed Brownfield site. An electronic folder with corresponding folder and file names will be kept on the hard drive of a NIC EPA staff computer.

All required forms are computer-programmed in Microsoft Word 2007 as document templates. The user simply needs to open up the form in MS Word (Word 2000, XP, 2003 or later edition) and type into the form fields using the cursor or return key to move from field to field. Once finished, they print out a hard copy for filing, name the file, and save it to the correct computer folder.

NIC has only a handful of sites and potential sites. To make the Inventory process as simple and accessible as possible, an electronic database was not programmed. However, the MS Word features allow the user to tabulate all Form fields, and import into a spreadsheet or relational database. See MS Word "Help" for performing this process. In the future, should the number of sites increases to where a relational database is desirable, the current system and data will be easily transferable.

Site Identification Process

The process for formally identifying Brownfield sites in the NIC's communities and subsistence areas is outlined here. Our communities are small and very close-knit, as follows traditional Yup'ik values. Our houses are adjacent. NIC villages share very similar environmental challenges that are equal to the most difficult in Alaska. Therefore, any activities that would create sites of concern cannot occur without the community's immediate knowledge, or eventual knowledge within a short-period.

After thorough research we have adopted a site identification approach which suits our community.

Procedure for Identifying a Brownfield

1. **Site is sighted** The site is noticed by, or brought to the attention of, a community member, or other person or any local entity, such as an agency, business, or utility.
2. **Notification** This local person or entity must notify the NIC Environmental Department Brownfield Response Program:
Native Village of Tununak I.R.A. Environmental Program
Attn.: Brownfield Response Program Coordinator
P.O. Box 77
Tununak, AK 99681

OR

Toksook Bay, Nightmute, Umkumiut, Newtown, Chefornek, and Kipnuk Environmental Departments (Brownfield Response Program Representatives) that is located at your environmental (or IGAP) offices.
3. **Formal Notice** A "Formal Notice of Potential Brownfield Site" is filled out by the Response Program or by the notifying person or entity. This notice form is included on the following page, and in the Appendix of Blank Forms.
4. **Classification and Public Inventory list** Once the Notice is filled out, potential sites will be entered into the Inventory within 45 days of the formal notice date, and assigned a temporary site number. To provide public via VHF informing them of this action. To enter a site into the Inventory, the Inventory form is filled out as best as possible using available information. The Inventory form does not need to be fully completed unless/until the site is later evaluated as a Brownfield.
5. **Evaluation of Potential Brownfield Sites** Sites that have the potential to cause significant harm if not addressed immediately will be evaluated as soon as logistically possible by the NVTI Environmental Program. This action will ensure that practicable emergency response efforts are placed into effect. All other sites will be evaluated for Brownfield determination when Program resources are available, and within a one-year time frame. See Page 5 for Brownfield Evaluation Worksheet.
6. **Public Notice and Inventory Form Completion** If a site is determined to be a Brownfield, a permanent site number will be assigned and the Inventory sheet will be completed. A notice will go out to the Public via VHF of this decision.
7. **Public Response** The Public may dispute the finding of Brownfield determination. They must file a written notice of the dispute to the Brownfield Response Program. It is recommended they copy it to the NVTI Councils. They will receive a response within 60 days of receipt of their dispute notice. Disputes that cannot be resolved via other means shall be resolved via joint Council decision, following a public hearing.

Formal Notice of Potential Brownfield Site Communities of Nelson Island Consortium

Date: _____
Party that is reporting site: _____
Contact post/address: _____
Contact phone #: _____
Site Descriptive Name: _____
Site Location: _____

Please attach photos, if any.

Reason to suspect that the site is contaminated: Please be specific. Note any approximate dates when the contamination might have started. Note specific types of waste and/or contaminants. Use back of form if needed:

About what size is the site? The site size should be up to where the contamination or wastes stop. You must provide the measurement unit, such as acres, feet etc.

What are the potential future uses of site?

NELSON ISLAND CONSORTIUM USE ONLY
Name of employee taking information _____ Assigned Site # _____

(Example: Assigned Site # **T**____. "**T**"-Tununak, "**TB**"-Toksook Bay, "**NT**"-Nightmute, "**U**"-Umkumiut, "**N**"-Newtok, "**C**"-Chefornak, "**K**"-Kipnuk)

Evaluation Process

Potential Brownfield are identified via the Evaluation Worksheet on the following page. Note the following:

EPA Brownfield Definition: A Brownfield is a property, the expansion, redevelopment, or reuse of which may be complicated by the presence or potential presence of hazardous substance, pollutant, or contaminant.

Reuse Definition for the communities of NIC: *Reuse* of the Brownfield may include use as "green space", and is not restricted to construction or economic development purposes. Reuse of contaminated property as a subsistence area, ecotourism corridor, community green space aesthetic, or traditional heritage or sacred site is an important contribution to the quality of life within the NIC, and thus of communities resiliency, and the sustainable development of the communities. Therefore, all of these reuse objectives meet the EPA Brownfield definition.

Contained, small-scale contamination cases: Note, if a site may be cleaned up or addressed with immediately available staff time and financial resources, this activity should be carried out, and the case dropped. For example, if contained wastes are found, these wastes should be brought back into town and stored properly until safe disposal can be arranged.

Inventory: While it is not necessary, information needed to complete the inventory form should be recorded alongside the site evaluation worksheet to save staff resources.

Evaluation Worksheet for Determining Whether a Site is a Brownfield

Site Name _____ Date worksheet started: _____

Worksheet filled out by: _____ Date completed: _____

Three conditions (notated by a " ") must be met to determine Brownfield Status. Fill out this worksheet and file it with the site file"

"1st" Is the site definitely contaminated, or is there reason to believe that the site is probably contaminated? Yes_____No_____

Answer "yes" if one of the following met. Check the boxes to note which conditions apply:

- Contaminant is visible (e.g. oil sheen in standing water or staining in soil).
- Contaminant can be strongly smelled in soil.
- Contaminant containers present, with rupture, etc., along with other observations or interviews that indicate containers were full or partially-full when discarded. (In this case, note the amount of contaminants missing by counting the containers).
- Contaminant pseudo-containers/forms present, such as batteries, transformers, computer monitors, and these are cracked, badly deteriorating/corroding to the point where contaminants have leached.
- Clearly recorded oral history account of hazardous substance, pollutant, contaminant (or product containing such) being discarded at site. In this case, supporting evidence must be presented, and/or the IRA Council can decide if the account is valid.
- Other clear indication of contamination or potential contamination.

"2nd" Is there a clearly identified and desired re-use value for NIC in cleaning up or addressing the site?

To meet the 2nd condition, answer three questions:

- ⊙ **Is this the only reasonable location for the planned use/re-use activities, considering economies, logistical, other practical issues?**

Yes_____ No_____

If "no", then the 2nd condition is **not** met, and the site **cannot** be classified as Brownfield at this time. **Do not** fill out the rest of this worksheet. **If "yes"**, then proceed:

- ⊙ Will the re-use significantly improve or contribute to the quality of life or public health of NIC? (Note, if yes, economic development will indirectly benefit, as societal health and community contentment is necessary for sustainable development.)

Yes____ No____

- ⊙ Will the re-use significantly improve or contribute to the economic development in NIC directly, or is it clearly associated with desired development in the future?

Yes____ No____

If you checked "yes" for either of the two questions just above (and "yes" to the first questions), the 2nd condition is met. Proceed to the 3rd condition.

3rd Is the re-use value not reasonably achievable without cleaning up the site, or otherwise addressing the site?

If you answer yes to each question below, the 3rd condition is met.

- ⊙ **Site size:** Is the site large enough to make a significant impact (visual, physical, intangible) on the re-use objective(s)?

Yes____ No____

- ⊙ **Known or suspected contamination level:** Is the amount of contamination significant enough to complicate, stop, or reduce the planned use/re-use of the land?

Yes____ No____

- ⊙ **Can you answer this question clearly: What is about the contamination that would hinder the re-use project?** You will need to conduct research to answer this question. An example would be: "The level of soil petroleum contamination exceeds Federal and State standards" (soil test *must* be done to make this claim). Another example is: "Our elders say that the contamination is too high for this site to be a sacred site", or "to be used for berry picking again". If elders do not allow a project to go forward, or are strongly opposed to the re-use unless the contamination is addressed, the re-use value cannot be achieved without substantial complication, Thus, the definition of "Brownfield" would be met. However, you must document all claims, and refer the reader to the documentation.

Write our the answer to the question:

Were all three conditions met? Yes____ No____

If yes, the site is a "Brownfield" for the purposes of Section 128(a) of CERCLA, and should be entered into the NIC Inventory of Brownfield sites.

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Inventory Procedure

The NIC Brownfield Inventory is a publicly-available database of confirmed and potential Brownfield sites. Its purpose is to list in one location information and/ or information sources related to the sites, including information on potential and planned activities to address the site contamination. It provides a method for the public, and commercial and non-profit businesses and utilities, to determine whether properties in the NIC area are Brownfield's.

The Inventory is housed in the NIC Environmental Department. It is in electronic file format and hard copy, with a separate inventory form for each site. All forms (formal notices, evaluation worksheet, and inventory) for each site are available to the Public in hard copy in the "NIC Brownfield Inventory and Public Record" folder, filed in the Environmental Department Office. The NIC Environmental Department is responsible for entering the site information into the computer, and printing out a hard copy for file. The Inventory form follows on the next page. Fields are typed in **bold Andy font**, and instructions and examples are written in **bold dark red comic sans font**. A blank form is provided on page 12 for staff to write in helpful notes to future staff, and a blank form for copy purposes is included in the Appendix.

NIC Brownfield Inventory **Instructions**

Date Information entered: _____ From filled out by: _____

Has a Brownfield Evaluation Worksheet been completed? **Check one.**

No In Process Yes, site determined to not be a Brownfield
For all of these options, fill out only the information that can be answered at this time.

OR Yes, site was determined to be a Brownfield.
If yes, fill out all information requested.

Assigned site number: There are two numbering systems. For sites that have been determined to be a Brownfield by going through the Evaluation worksheet, number consecutively, and start with "TUN", e.g. TUN001, TUN002, etc. This will be their permanent site number. For sites that are Brownfield's (at least not yet), the number should match the number assigned at the bottom of the Formal Notice of Potential Brownfield Site". This number is consecutive and begins with "T" (e.g. T001, T002 (for Temporary site number). If a temporary "T" site becomes a Brownfield, assign a permanent "TUN" site number, starting with the last assigned number (TUN###). For example, if there are two existing Brownfield's - - TUN001, TUN002 - - (the main dump and the boat dump), the next Brownfield that is identified will be TUN003. Note, a number of potential Brownfield's might be investigated before that time. These would all be assigned a temporary site number. So the Inventory might include T001, T002, T003, T004, T005, etc. If all of these are evaluated and found to not be Brownfield's, they will never be assigned a site number beginning with "TUN".

Site Name: (common community name if there is one, otherwise descriptive location name)

GPS Location: Approximate GPS coordinator of center of site

Descriptive Location: Provide address if available, otherwise provide directions

General site description, with brief history of use: Is the site an abandoned home, past dump, old storage yard, fish camp, etc. What does it look like? Are wastes clearly visible?

Buildings on site: List any buildings, including sheds on the property.

Approximate Site size: ___ acres OR ___ feet wide by ___ feet long
The site boundaries are where the contamination is thought to end. It is very important to note the measurement you are using - - acres or feet?. You can note how the site is shaped, or draw a sketch to help explain the size measurements.

Documented or suspected contaminants or wastes containing contaminants:

List all likely contaminants that are of significant concern to re-using the property (e.g. lead, used oil, asbestos, etc.)

Nature of Contamination: For example, "oil drums are laying on ground and oil leaked into the ground", "Lead-acid batteries were discarded on ground, and many are completely deteriorated, so the lead and cadmium and other metals have as leached to the ground", "the water in the pond here is contaminated from the fuel that was spilled"

Current Site Ownership: Write in current owner's name. Note - writing the name here has nothing to do with whether they are responsible for the cleanup.

Site Ownership during the approximate time period of when the site was being contaminated (if different): Write in past owner or owners names. Entry of names here in no way means that these same names are responsible for the contamination. They may or may not be.
Documented Potentially Responsible Parties: List any agencies or business that are documented as contributing significantly to the contamination.

Environmental Response Activities:

List all major attempts at addressing the site, including grant submittals, committee formulation, cleanup or remediation attempts, research studies

Time period	Exact Dates , if known	What was done, or is planned to be done	Status	Comments on where/how to find more information
Jan. 2005		Special IGAP 2006 submitted to clean up active part of site.	In process, unclear whether funded yet.	IGAP program submitted this. Cathy Villa Tribal Program EPA is project office/contact.
Summer 2000		Health study, assessment, soil samples performed	Done	Selawik SWM Plan
Dec. 2003		EPA Brownfield Cleanup grant submitted	Didn't get it	
Various dates		We have been trying to permit, fund the new landfill so that this site does not become an open dump again.	The road and the transfer station and Super sacks and fencing have been funded. Construction should begin Wtr 2005	Landfill road is ADOT funded to City. Transfer station is HIS funded through Open Dump grant. Envr. Dept. is overseeing both.

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Additional Comments that will assist the user in finding out about the site status:

Photos: Yes_____ No_____ Photos should be placed in the hardcopy site file, including a disc copy if digital.

Nelson Island Consortium Brownfield Inventory Form

Date information entered: _____ Form filled out by: _____

Has a Brownfield Evaluation Worksheet been completed?

No In Process Yes, site determined to not be a Brownfield

For all of these options, fill out only the information that can be answered at this time.

OR Yes, site was determined to be a Brownfield.

If yes, fill out all information requested.

Assigned site number:

Site Name:

GPS Location:

Descriptive Location:

General site description, with brief history of use:

Buildings on site:

Approximate site size: _____ acres OR _____ feet wide by _____ feet long

Documented or suspected contaminants (or wastes containing contaminants):

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Nature of Contamination:

Current Site Ownership:

Site Ownership during the approximate time period of when the site was being contaminated (if different):

Documented Potentially Responsible Parties:

Environmental Assessment History:

Name of study report, or field work	Date	Performed by	Information that the work contains	Where the work is

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Additional comments that will assist the user in finding out about the site status, or be of interest:

Photos: *Yes*_____ *No*_____

Comments on Photos?:

Public Record

The Public Record of Brownfield Sites for Nelson Island Consortium is a list of sites where response actions have been completed in the last year or planned for in the next year. In legal terms, the Public Record is different than the inventory of Sites because it addresses only response actions in the past year and current year. The Record is updated each year. It is like an annual public service notice. The purpose is to notify the public of changes in the status of sites. It also describes whether any "restricted use" policies have been placed on the site, or advised, for future use.

Public Record *Example*
Of Nelson Island Consortium Brownfield Response Activity
Calendar Year of 2004-2005

Sites where response actions were completed YR 2004:

Sites name (as listed in Brownfield inventory):	Description of response action completed:	Contact for more information on action:
1. "The dump" SEL001	Active part of dumpsite was cleaned up - Wastes were placed in sacks and removed to the new landfill location.	Raven Sheldon, Selawik Envir. Dept. 652-6529
2.		

Sites where response actions are planned in YR 2005:

Site name (as listed in Brownfield Inventory):	Description of response that is planned:	Contact for more information on action:
1. "The boat dump" SEL002	A 2006 Federal Interagency Open Dump proposal was funded to remove the wastes and place them into Super sacks. The sacks will be placed at the new landfill.	Raven Sheldon, Envr. Dept. 484- 2006
2.		
3.		

Restricted use policies placed into effect in YR 2004:

Site name (as listed in Brownfield Inventory):	Restrictions on future use:	Required (R) Or advised (A)?
1. The dump	No construction for a 10 year period. Council Resolution #35642	A
2.		
3.		

**Contact Tununak Environmental Department,
 Attn: Brownfield Response Program, (907) 652-6529**

**Public Record
Of Nelson Island Consortium Brownfield Response Activity
Calendar Year of _____**

Sites where response actions were completed in YR _____:

Site name (as listed in Brownfield Inventory):	Description of response that is planned:
1.	
2.	
3.	
4.	

Sites where response actions are planned in YR _____:

Site name (as listed in Brownfield Inventory):	Description of response that is planned:
1.	
2.	
3.	
4.	

Restricted use policies placed into effect in YR _____:

Site name (as listed in Brownfield Inventory):	Restricted on future use:	Required (R) Or advised (A)?

**Contact Tununak Environmental Department,
Attn: Brownfield Response Program, (907) 652-6529**

Appendix A - Blank Forms

**Formal Notice of Potential Brownfield Site
Community of Nelson Island Consortium**

Date: _____
Party that is reporting site: _____
Contact post/address: _____
Contact phone #: _____
Contact email: _____
Site Description Name _____
Site Location _____

Please attach photos, if any.

Reason to suspect that the site is contaminated: Please be specific.
Note any approximate dates when the contamination might have started.
Note specific types of waste and/or contaminants. Use back of form if
needed:

**About what size is the site? The site size should be up to
where the contamination or waste stop. You must provide the
measurement unit, such as acres, feet etc.**

What are the potential future uses of sites?

.....

NELSON ISLAND CONSORTIUM USE ONLY:

Name of employee taking information _____ Assigned Site # _____
(Example: Assigned Site # **T** _____. "**T**"-Tununak, "**TB**"-Toksook Bay, "**NT**"-
Nightmute, "**U**"-Umkumiut, "**N**"-Newtok, "**C**"-Chefornak, "**K**"-Kipnuk)

Evaluation Worksheet for Determining Whether a Site is a Brownfield

Site Name _____ Date worksheet started: _____

Worksheet filled out by: _____ Date completed: _____

Three conditions (notated by a " ") must be met to determine Brownfield Status. Fill out this worksheet and file it with the site file"

"1st" Is the site definitely contaminated, or is there reason to believe that the site is probably contaminated? Yes_____No_____

Answer "yes" if one of the following met. Check the boxes to note which conditions apply:

- Contaminant is visible (e.g. oil sheen in standing water or staining in soil).
- Contaminant can be strongly smelled in soil.
- Contaminant containers present, with rupture, etc., along with other observations or interviews that indicate containers were full or partially-full when discarded. (In this case, note the amount of contaminants missing by counting the containers).
- Contaminant pseudo-containers/forms present, such as batteries, transformers, computer monitors, and these are cracked, badly deteriorating/corroding to the point where contaminants have leached.
- Clearly recorded oral history account of hazardous substance, pollutant, contaminant (or product containing such) being discarded at site. In this case, supporting evidence must be presented, and/or the IRA Council can decide if the account is valid.
- Other clear indication of contamination or potential contamination.

"2nd" Is there a clearly identified and desired re-use value for NIC in cleaning up or addressing the site?

To meet the 2nd condition, answer three questions:

- ⊙ **Is this the only reasonable location for the planned use/re-use activities, considering economies, logistical, other practical issues?**

Yes_____ No_____

If "no", then the 2nd condition is **not** met, and the site **cannot** be classified as Brownfield at this time. **Do not** fill out the rest of this worksheet. **If "yes"**, then proceed:

- ⊙ Will the re-use significantly improve or contribute to the quality of life or public health of NIC? (Note, if yes, economic development will indirectly benefit, as societal health and community contentment is necessary for sustainable development.)

Yes____ No____

- ⊙ Will the re-use significantly improve or contribute to the economic development in NIC directly, or is it clearly associated with desired development in the future?

Yes____ No____

If you checked "yes" for either of the two questions just above (and "yes" to the first questions), the 2nd condition is met. Proceed to the 3rd condition.

3rd Is the re-use value not reasonably achievable without cleaning up the site, or otherwise addressing the site?

If you answer yes to each question below, the 3rd condition is met.

- ⊙ **Site size:** Is the site large enough to make a significant impact (visual, physical, intangible) on the re-use objective(s)?

Yes____ No____

- ⊙ **Known or suspected contamination level:** Is the amount of contamination significant enough to complicate, stop, or reduce the planned use/re-use of the land?

Yes____ No____

- ⊙ **Can you answer this question clearly: What is about the contamination that would hinder the re-use project?** You will need to conduct research to answer this question. An example would be: "The level of soil petroleum contamination exceeds Federal and State standards" (soil test *must* be done to make this claim). Another example is: "Our elders say that the contamination is too high for this site to be a sacred site", or "to be used for berry picking again". If elders do not allow a project to go forward, or are strongly opposed to the re-use unless the contamination is addressed, the re-use value cannot be achieved without substantial complication, Thus, the definition of "Brownfield" would be met. However, you must document all claims, and refer the reader to the documentation.

Write our the answer to the question:

Were all three conditions met? Yes____ No____

If yes, the site is a "Brownfield" for the purposes of Section 128(a) of CERCLA, and should be entered into the NIC Inventory of Brownfield sites.

NIC Brownfield Inventory

Date Information entered: _____ From filled out by: _____

Has a Brownfield Evaluation Worksheet been completed?

No In Process Yes, site determined to not be a Brownfield

For all of these options, fill out only the information that can be answered at this time.

OR Yes, site was determined to be a Brownfield.

If yes, fill out all information requested.

Assigned site number:

Site Name:

GPS Location:

Descriptive Location:

General site description, with brief history of use:

Buildings on site:

Approximate Site size: acres OR feet wide by feet long

Potential or suspected contaminants (or wastes containing contaminants):

Additional comments that will assist the user in finding out about the site status, or be of interest:

Photos: *Yes*_____ *No*_____

Comments on Photos?:

Public Record
Of Nelson Island Consortium Brownfield Response Activity
Calendar Year of _____

Sites where response actions were completed YR _____:

Site name (as listed in Brownfield Inventory):	Description of response action complete:
1.	
2.	
3.	
4.	

Sites where response actions are planned in YR _____:

Site name (as listed in Brownfield Inventory):	Description of response that is planned:
1.	
2.	
3.	
4.	

Restricted use policies placed into effect in YR _____:

Site name (as listed in Brownfield Inventory):	Restrictions on future use:	Required (R) or advised (A)?
1.		
2.		
3.		
4.		

Contact Tununak Environmental Department,
Attn: Brownfield Response Program, (907) 652-6529