



The Brownfields Reauthorization Act of 2023

Low-income, small, and disadvantaged communities have long been disproportionately impacted by contamination from abandoned industrial sites known as brownfields. Brownfields decrease property values, depress economic activity, foster increased crime, and present ongoing environmental and public health risks to nearby communities.

Since its inception in 1995, the U.S. Environmental Protection Agency's (EPA) Brownfields Program has provided grants and technical assistance to assist communities in assessing and cleaning up contaminated sites. In doing so, the program has helped communities across the nation repurpose brownfields for productive commercial and civil use. According to EPA Administrator Michael S. Regan, "EPA's Brownfields Program breathes new life into communities by helping to turn contaminated and potentially dangerous sites into productive economic contributors."

Many small and disadvantaged communities, however, are effectively barred from participating in the program due to a lack of financial resources and administrative capacity needed to meet the program's strenuous statutory requirements.

The Brownfields Reauthorization Act of 2023 reauthorizes the Brownfields Program through Fiscal Year 2029 and makes the program more accessible to small and disadvantaged communities. The legislation does so by reducing financial barriers to participation and by encouraging greater community participation in decision-making processes.

Specifically, the Brownfields Reauthorization Act of 2023 accomplishes this goal by:

- Removing the statutorily imposed 5% cap on administrative costs;
 - This provides grantees greater flexibility to manage their administrative burdens while aligning the Brownfields Program with other EPA grant authorities. It also enables smaller communities to more effectively compete with larger government entities, which typically have greater budgetary resources to absorb the overhead costs associated with applying for and complying with grants.
- Reducing the overall cost-share requirement from 20% to 10%, while exempting small and disadvantaged communities from cost-shares entirely;
- Amending the competitive grant's ranking criteria to incentivize grant applicants to meaningfully engage with local groups and organizations;
- Increasing the amount that the EPA can award for each contaminated site to account for increased costs for assessment, cleanups, and technical training; and,
- Increasing the funding authorization for state cleanup programs to \$75 million annually by Fiscal Year 2029.