



Kansas Brownfields News

KDHE's Brownfields News is published to share brownfields success stories throughout the state of Kansas.

Federal Brownfields Tax Deduction Extended Two Years

Kansas businesses may once again obtain a federal tax deduction for environmental remediation costs in the year incurred, rather than amortizing them over several years. Since 1998, the Internal Revenue Service (IRS) has allowed an income tax deduction to encourage the cleanup and redevelopment of brownfields. This deduction was extended two more years, until December 31, 2007, in the federal Tax Relief and Health Care Act of 2006. This latest extension also expands the sites eligible for the deduction to include those impacted by discharges of petroleum products.

Eligible expenses include environmental costs associated with site assessment and investigation, environmental cleanup, voluntary cleanup program fees and demolition debris removal. To be eligible, the taxpayer must own the property while the expenses are incurred. A tax advisor should be consulted to determine if the expenses are “qualified environmental remediation expenditures.”

In order to claim the deduction, businesses need a certification from the Kansas Department of Health and Environment (KDHE) that the property is a “qualified contaminated site.” To get this certification, complete and return the KDHE Federal Brownfield Tax Incentive Submittal Package available on the brownfield tax deduction page on the KDHE Web site at http://www.kdheks.gov/brownfields/tax_incentive.html.

FOR MORE INFORMATION CONTACT: Rick Bean at 785-296-1675.



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Efforts Focused on Outreach During the Month of April

April was a month full of outreach and coordinating efforts by the KDHE’s Kansas Brownfields Program.



April 11th through April 12th the Kansas Department of Commerce along with the Kansas Center for Community Economic Development (KCCED) held the

19th Annual Community Economic Development Conference in Lindsborg, Kansas. The conference focused on regionalism for rural Kansas.

KDHE took this opportunity to meet with Rural Communities' Economic Developers, Resource Conservation and Development Regional Representatives, as well as individuals from the Department of Commerce to promote and discuss potential partnership opportunities between the Kansas Brownfields Program and these entities. On April 20th KDHE participated in the second annual Earth Day at informational booth providing program information and accomplishments to local citizens. Lastly, representatives from the Kansas Brownfields Program and KDHE’s Bureau of Water’s (BOW) Kansas Watershed Restoration and Protection Strategy (WRAPS) Program met to discuss possible partnership opportunities. Such partnership opportunities would include redevelopment of blighted areas along riverfronts in which it is the Watershed Stakeholder Leadership Team’s (WSLT) and/or community’s goal to return these areas back to productive use.

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“The ultimate test of man’s conscience may be his willingness to sacrifice something today for future generations whose words of thanks will not be heard.”

— **Gaylord Nelson**
former governor of Wisconsin,
co-founder of Earth Day

Meet the Staff

The Kansas Brownfields Program is managed by a team of professional geologists, scientists, and research analysts. In addition to brownfields program responsibilities, these staff members also receive funding from other state programs to manage contaminated "orphan" sites in Kansas. This column will introduce KDHE staff over the next several issues of Brownfield News.

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Deanna Ross, Professional Geologist

Deanna Ross is a licensed geologist in Kansas and a project manager for KDHE's Bureau of Environmental Remediation with responsibilities in the Orphan Sites Unit.



She currently manages multiple projects in State Water Plan Program. Prior to joining KDHE/BER in July 2006, Ms. Ross was project manager for TRC Environmental Corp., IT Corp. and PSI totaling 16 years experience in the environmental field. Ms. Ross has a Bachelor of Science degree in Geology from Wichita State University. She can be reached at (785) 296-8064.

Jonathan Vopata, Geology Associate

Jonathan Vopata is a project manager in the KDHE State Water Plan and Brownfields Programs. He currently manages Orphan Sites within the State Water Plan



Program. Mr. Vopata received a bachelor's degree in Earth Science and a master's degree in Physical Sciences from Emporia State University. Mr. Vopata joined KDHE in March 2005. He can be reached at (785) 296-8063.

Property for Sale?
List it on the
RedevelopKS Web
site!



State of Kansas
RedevelopKS Initiative
Helping Redevelop
Kansas Communities

Learn more by visiting www.redevelopks.org



The RedevelopKS Initiative has been developed to assist Kansas communities market potential brownfields properties for sale in their communities.

Please visit the RedevelopKS Web site at www.redevelopks.org

Joint Effort Facilitates Redevelopment of Brownfields Property in Chanute, KS

Background:

The Kansas Department of Health and Environment (KDHE) conducted Phase I and II Brownfields Targeted Assessments (BTAs) at a property owned by the City of Chanute, Kansas. The primary BTA objective was to evaluate environmental conditions and potential risks through intrusive (Phase II) sampling activities, based on results of the previously performed non-intrusive (Phase I) environmental assessment.

The subject property occupies approximately 0.4-acres and had previously been utilized as a municipal parking lot. The City intended to redevelop the BTA property into a four-plex movie theater.

Phase I and Phase II activities:

Based on the Phase I BTA Report several on- and off-site Recognized Environmental Conditions (RECs) were identified for the Proposed Movie Theater BTA Property. Based on historical information, an on-site REC consisting of a former service station was located along the southwestern portion of the site. Two off-site RECs were identified adjacent to the site; a former filling station located adjacent west across South Evergreen Street, and a former auto repair facility located adjacent north across the alley.

Phase II activities were conducted to assess the extent of on-site petroleum and petroleum-associated impacts to soil and ground water through intrusive sampling and laboratory analyses.



Former City Owned Parking Lot Prior to Redevelopment



The Newly Redeveloped 4-plex Movie Theater

Soil and ground water were evaluated by comparing laboratory data to Tier 2 KDHE Risk-Based Standards (RSK) provided in Appendix A of the Risk-Based Standards for Kansas Manual. Although the subject property is located in a primarily commercial setting, data collected during the BTA was compared to RSK levels for both residential and non-residential scenarios.

Total Petroleum Hydrocarbon (TPH) concentrations in the soil samples collected from two soil borings were above the residential RSK value, but below the non-residential RSK value. Ground water from one sample location exhibited Volatile Organic Compound (VOC) concentrations above the applicable residential RSK values but below non-residential RSK values.

Based on data collected during the Phase II BTA, no significant environmental impacts were identified at the property. It was recommended that the applicant consider placing an Environmental Use Control on the property restricting residential land use and future ground water use.

Redevelopment:

An Environmental Use Control was placed on the property restricting land and ground water use in October 2006. Redevelopment of the BTA property into a movie theater was complete in March 2007.

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Rural Communities Take Advantage of Brownfield Targeted Assessments

When we think of brownfield properties, many times it is the vacant run down buildings in the center of major metropolitan areas that come to mind. Although not as visible but equally important, it is the rural communities across Kansas that have been utilizing the Kansas Brownfields Program to assess properties that sit along their local highways or Main Streets that remained vacant and/or run down for way too long. The U.S. Center Foundation is a non-for-profit organization based in Lebanon, KS, that has taken on the duty of revitalizing run down and unsafe buildings along their Main Street. It is the Foundation's as well as the community's goal to transform these hazardous eye sores into a small community center, daycare, park, and the Geographic Center of U.S. Gift Shop. Fundraising efforts began in May with a community wide picnic to raise awareness of the Foundation's mission.



The town of Minneola is another example of a rural community working with the Kansas Brownfields Program to revitalize a portion of town that at one time was booming. This area is located along the intersection of US Highways 283 and 54. This section of town was once occupied with numerous gasoline stations thriving on the once heavily traveled thoroughfares. With the introduction of newly constructed instate highways, travel along both US-283 and US-54 decreased, forcing many of those gas stations and businesses to close. Due to the concern of contamination and liability these properties have remained vacant or

underutilized for a number of years. It is the town of Minneola's goal to return these properties back to productive use as soon as possible.

Assessment activities have started for both communities. We will keep updates available as progress is made as each community moves towards their final redevelopment goals.

For more information on the Kansas Brownfields Program contact:

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