



EPA Brownfields and Land Revitalization CERCLA Section 128(a) Technical Assistance Grant (TAG)



This fact sheet is not a substitute for the EPA Brownfields Section 128(a) Grant Application Guidelines located on the Brownfields Program website at www.epa.gov/brownfields.

What is EPA’s Brownfields Program?

The U.S. Environmental Protection Agency’s (EPA’s) [Brownfields and Land Revitalization Program](#) empowers states, Tribal Nations, communities, and other stakeholders to build strong partnerships and local capacity to assess, safely clean up, and sustainably reuse brownfield sites. EPA provides technical and financial assistance for brownfields activities that protect human health and the environment, encourage sustainable reuse, promote partnerships, strengthen local economies, and create jobs.



Educational Session at the Alaska Forum on the Environment.

By providing funds and technical assistance to assess, cleanup, and plan for site reuse, EPA enables communities to overcome the environmental, legal, and fiscal challenges associated with brownfields properties. EPA’s investments in communities across the country help local leaders eliminate uncertainties, clean up contaminated properties, and transform brownfield sites into community assets.

A brownfield is real property, the expansion, redevelopment, or reuse of which may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant.
[CERCLA §101\(39\)](#)

What is Section 128(a) TAG?

[Section 128\(a\)](#) of the Comprehensive Environmental Response, Compensation, and Liability Act (“CERCLA”) authorizes a technical assistance grant (“TAG”) program to assist small communities, Indian tribes, rural areas, or disadvantaged areas to carry out activities outlined in CERCLA Section 104(k)(7) (“Implementation of Brownfields Programs”).

- ✓ Examples of eligible Section 104(k)(7) activities include compiling an inventory of brownfields sites, facilitating community involvement in a brownfields project, or providing brownfields training.
- ✓ See below for more examples of eligible activities.

By law, the maximum amount of Section 128(a) TAG funding allowed is \$20,000 per grant.
[CERCLA § 128\(a\)\(1\)\(B\)\(iii\)\(II\)](#)

Who can request the Section 128(a) TAG?

- ✓ Eligible entities for Section 128(a) TAG funding include:
 - ✓ A State, as defined in CERCLA § 101(27)
 - ✓ An Indian tribe, as defined in CERCLA § 101(36)
 - ✓ Intertribal consortia, as defined in the Federal Register Notice at 67 FR 67181, Nov. 4, 2002
- ✓ Request must be on behalf of a(n):
 - ✓ Small community¹
 - ✓ Indian tribe,
 - ✓ Rural area, or
 - ✓ Disadvantaged area²
- ✓ Multiple eligible communities may be assisted in one grant.

¹ A small community is defined as having a population of not more than 15,000 individuals, as determined by the President based on the latest available decennial census. [CERCLA §128\(a\)\(1\)\(B\)\(iv\)\(II\)](#)

² A disadvantaged area is defined as a community with an annual median household income that is less than 80 percent of the statewide annual median household income, as determined by the President based on the latest available decennial census. [CERCLA §128\(a\)\(1\)\(B\)\(iv\)\(II\)](#)

How to request the Section 128(a) TAG

- ✓ Section 128(a) TAG is awarded as part of the annual CERCLA 128(a) State and Tribal Response program funding cycle.
- ✓ Appendix A of the [annual grant funding guidance](#) provides the specific instructions for requesting 128(a) TAG funds in a given fiscal year. Copies of the guidance can be obtained from EPA's [State and Tribal Response Program Grants website](#).
- ✓ Requests must include the information listed in Appendix A of the guidance and be submitted to the appropriate Regional EPA Brownfields office by the stated deadline.

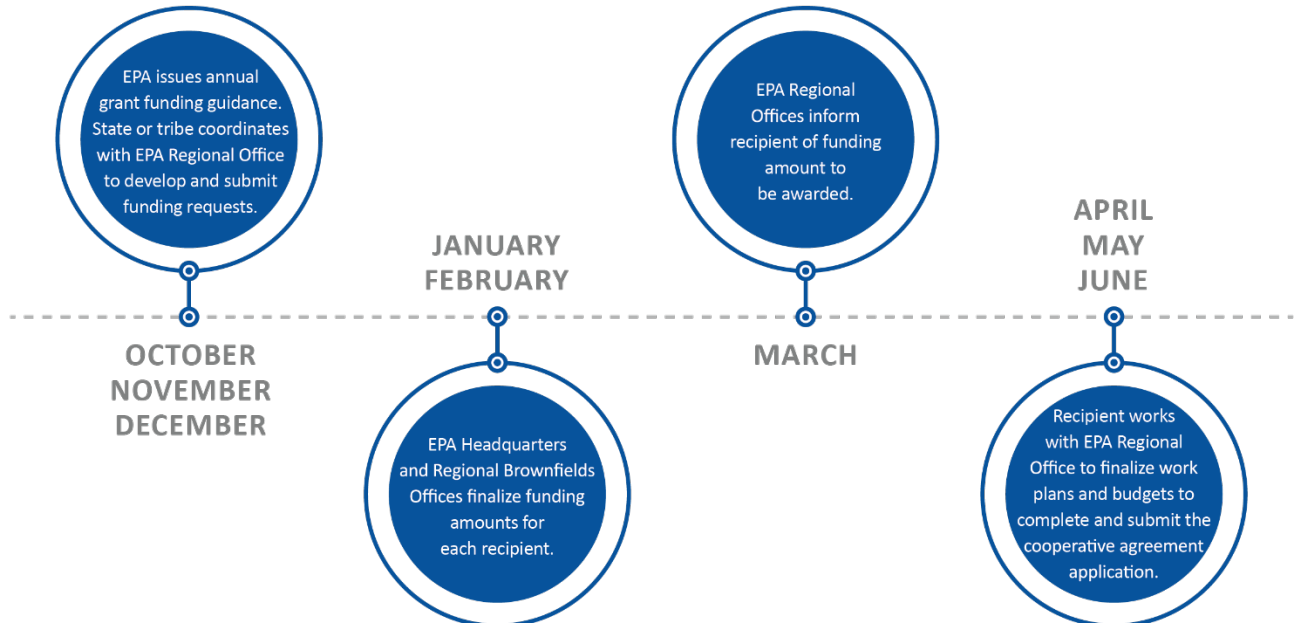
How are requests considered?

EPA will consider requests based on the following:

- ✓ readiness of the recipient and community to complete the project within a year of award,
- ✓ the recipient is in good standing with their current CERCLA Section 128(a) grant,
- ✓ the recipient has documented support from the community benefiting from this grant, and
- ✓ the recipient adequately responded to the criteria listed in Appendix A of the annual Section 128(a) Funding Guidance.

First time requestors are strongly encouraged to contact their [Regional EPA Brownfields office](#) contacts with any questions prior to submitting their funding request.

What is the general timeline for Section 128(a) funding?



► To learn more about state and tribal response programs across the country, please go to the EPA regional pages or [Brownfields Near You](#).

► To see success stories from state and tribal brownfields response programs, please go to the [Section 128\(a\) Highlights page](#).

By law, Section 128(a) TAG must be used to assist small communities, Indian tribes, rural areas, or disadvantaged

Example uses for Section 128(a) TAG:

Section 128(a) TAG may be used to carry out activities outlined in [CERCLA Section 104\(k\)\(7\)](#), **“to facilitate the inventory of brownfields sites, site assessments, remediation of brownfield sites, community involvement, or site preparation,”** such as:

- ✓ Develop detailed brownfields inventories.
- ✓ Provide brownfields training.
- ✓ Conduct research projects to inform future brownfields priorities and activities.
- ✓ Develop brownfield redevelopment plans.
- ✓ Provide technical assistance to a community new to brownfields.
- ✓ Perform community visioning or market viability analysis that advances cleanup and reuse of brownfields sites within the project area.
- ✓ Host a design charrette for a community that needs support with their brownfields projects.
- ✓ Consider using [EPA’s Land Revitalization Tools](#) to help advance sustainable and equitable site reuses, and [planning activities to initiate brownfields revitalization](#).
- ✓ Partner with universities who can provide technical assistance to an eligible community.
- ✓ Mentor a tribe that is interested in learning more about brownfields.
- ✓ Produce brownfield-specific outreach materials to facilitate community involvement.
- ✓ Produce a land survey or topographical map.
- ✓ Provide technical assistance to develop a [community health assessment](#) at brownfields sites and training on how to effectively carry out the plan.

Note: these lists are not exhaustive. Please contact your [Regional EPA Brownfields office contacts](#) with any questions regarding eligible activities.



Ribbon cutting ceremony at a new affordable housing apartment building in Schenectady, NY.

Examples of what the Section 128(a) TAG CANNOT be used for:

- ✗ May **not** be used to augment a Section 128(a) State and Tribal Response funding award.
- ✗ May **not** be placed in Performance Partnership Grants (PPGs).
- ✗ May **not** conduct site assessments, site cleanups, or response activities often associated with cleanups such as demolition or groundwater extraction.
- ✗ May **not** be used to develop a general Quality Assurance Project Plan (QAPP).
- ✗ May **not** be used to pay for the costs to enroll in a state voluntary cleanup program or tribal response program.
- ✗ May **not** be used to implement health monitoring.
- ✗ May **not** be used to market brownfields properties for redevelopment (e.g., activities or products created specifically to attract buyers or investors).
- ✗ May **not** be used for general community visioning, area-wide zoning updates, master planning, city-wide or comprehensive plan updates, etc., if unrelated to advancing cleanup and reuse of brownfields within the project area.

Check out the [StoryMap Project](#) from the Association of State and Territorial Solid Waste Management Officials (ASTSWMO) for a compilation of example Section 128(a) TAG projects.