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(3) by adding at the end the following:

“(I) an organization described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from taxation under section 501(a) of that Code;

“(J) a limited liability corporation in which all managing members are organizations described in subparagraph (I) or limited liability corporations whose sole members are organizations described in subparagraph (I);

“(K) a limited partnership in which all general partners are organizations described in subparagraph (I) or limited liability corporations whose sole members are organizations described in subparagraph (I); or

“(L) a qualified community development entity (as defined in section 45D(c)(1) of the Internal Revenue Code of 1986).”.

SEC. 7. TREATMENT OF CERTAIN PUBLICLY OWNED BROWNFIELD SITES.

Section 104(k) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9604(k)) is amended—

(1) in paragraph (2), by adding at the end the following:

“(C) EXEMPTION FOR CERTAIN PUBLICLY OWNED BROWNFIELD SITES.—Notwithstanding paragraph (5)(B)(iii), an eligible entity described in any of subparagraphs (A) through (H) of paragraph (1) may receive a grant under this paragraph for property acquired by that eligible entity prior to January 11, 2002, even if the eligible entity does not qualify as a bona fide prospective purchaser, so long as the eligible entity has not caused or contributed to a release or threatened release of a hazardous substance at the property.”; and

(2) in paragraph (3), by adding at the end the following:

“(E) EXEMPTION FOR CERTAIN PUBLICLY OWNED BROWNFIELD SITES.—Notwithstanding paragraph (5)(B)(iii), an eligible entity described in any of subparagraphs (A) through (H) of paragraph (1) may receive a grant or loan under this paragraph for property acquired by that eligible entity prior to January 11, 2002, even if the eligible entity does not qualify as a bona fide prospective purchaser, so long as the eligible entity has not caused or contributed to a release or threatened release of a hazardous substance at the property.”.

SEC. 8. INCREASED FUNDING FOR REMEDIATION GRANTS.

Section 104(k)(3)(A)(ii) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9604(k)(3)(A)(ii)) is amended by striking “\$200,000 for each site to be remediated” and inserting “\$500,000 for each site to be remediated, which limit may be waived by the Administrator, but not to exceed a total of \$650,000 for each site, based on the anticipated level of contamination, size, or ownership status of the site”.

SEC. 9. MULTIPURPOSE BROWNFIELDS GRANTS.

Section 104(k) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9604(k)) is amended—

(1) by redesignating paragraphs (4) through (12) as paragraphs (5) through (13), respectively;

(2) in paragraph (3)(A), in the matter preceding clause (i), by striking “Subject to paragraphs (4) and (5)” and inserting “Subject to paragraphs (5) and (6)”;

(3) by inserting after paragraph (3) the following:

“(4) MULTIPURPOSE BROWNFIELDS GRANTS.—

“(A) IN GENERAL.—Subject to subparagraph (D) and paragraphs (5) and (6), the Administrator shall establish a program to provide multipurpose grants to an eligible entity based on the criteria under subparagraph (C) and the considerations under paragraph (3)(C), to carry out inventory, characterization, assessment, planning, or remediation activities at 1 or more brownfield sites in an area proposed by the eligible entity.

“(B) GRANT AMOUNTS.—

“(i) INDIVIDUAL GRANT AMOUNTS.—Each grant awarded under this paragraph shall not exceed \$1,000,000.

“(ii) CUMULATIVE GRANT AMOUNTS.—The total amount of grants awarded for each fiscal year under this paragraph may not exceed 15 percent of the funds made available for the fiscal year to carry out this subsection.

“(C) CRITERIA.—In awarding a grant under this paragraph, the Administrator shall consider the extent to which the eligible entity is able—

“(i) to provide an overall plan for revitalization of the 1 or more brownfield sites in the proposed area in which the multipurpose grant will be used;

“(ii) to demonstrate a capacity to conduct the range of eligible activities that will be funded by the multipurpose grant; and

“(iii) to demonstrate that a multipurpose grant will meet the needs of the 1 or more brownfield sites in the proposed area.

“(D) CONDITION.—As a condition of receiving a grant under this paragraph, each eligible entity shall expend the full amount of the grant by not later than the date that is 5 years after the date on which the grant is awarded to the eligible entity, unless the Administrator provides an extension.

“(E) OWNERSHIP.—An eligible entity that receives a grant under this paragraph may not expend any of the grant funds for the remediation of a brownfield site unless the eligible entity owns the brownfield site.”; and

(4) by striking “paragraph (2) or (3)” each place it appears and inserting “paragraph (2), (3), or (4)”.

SEC. 10. ALLOWING ADMINISTRATIVE COSTS FOR GRANT RECIPIENTS.

Paragraph (5) of section 104(k) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9604(k)) (as redesignated by section 9 of this Act) is amended—

(1) by amending subparagraph (B) to read as follows:

“(B) PROHIBITION.—No part of a grant or loan under this subsection may be used for the payment of—

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- “(i) a penalty or fine;
 - “(ii) a Federal cost-share requirement;
 - “(iii) a response cost at a brownfield site for which the recipient of the grant or loan is potentially liable under section 107; or
 - “(iv) a cost of compliance with any Federal law (including a Federal law specified in section 101(39)(B)), excluding the cost of compliance with laws applicable to the cleanup.”; and
- (2) by adding at the end the following:
- “(E) ADMINISTRATIVE COSTS.—
 - “(i) IN GENERAL.—An eligible entity may use up to 5 percent of the amounts made available under a grant or loan under this subsection for administrative costs.
 - “(ii) RESTRICTION.—For purposes of clause (i), the term ‘administrative costs’ does not include—
 - “(I) investigation and identification of the extent of contamination of a brownfield site;
 - “(II) design and performance of a response action; or
 - “(III) monitoring of a natural resource.”.

SEC. 11. GRANT APPLICATIONS.

(a) WATERFRONT BROWNFIELDS GRANTS; CLEAN ENERGY ON BROWNFIELD SITES.—Paragraph (6)(C) of section 104(k) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9604(k)) (as redesignated by section 9 of this Act) is amended by adding at the end the following:

“(xi) The extent to which a grant would address a site adjacent to a body of water or a federally designated flood plain.

“(xii) The extent to which a grant would facilitate—

“(I) the location at a brownfield site of a facility that generates renewable electricity from wind, solar, or geothermal energy; or

“(II) any energy efficiency improvement project at a brownfield site, including a project for a combined heat and power system or a district energy system.”.

(b) REPORT ON RANKING CRITERIA.—Paragraph (6) of section 104(k) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9604(k)) (as redesignated by section 9 of this Act) is amended by adding at the end the following:

“(D) REPORT ON RANKING CRITERIA.—Not later than September 30, 2022, the Administrator shall submit to Congress a report regarding the Administrator’s use of the ranking criteria described in subparagraph (C) in awarding grants under this subsection.”.

SEC. 12. AUDITS.

Paragraph (8) of section 104(k) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9604(k)) (as redesignated by section 9 of this Act) is amended by striking “3 years after the date of the enactment of this subsection” and inserting “September 30, 2022”.