

## S 822

### BUILD Act

**Congress:** 115 (2017–2019, Ended)

**Chamber:** Senate

**Policy Area:** Environmental Protection

**Introduced:** Apr 4, 2017

**Current Status:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 213.

**Latest Action:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 213. (Sep 7, 2017)

**Official Text:** <https://www.congress.gov/bill/115th-congress/senate-bill/822>

### Sponsor

**Name:** Sen. Inhofe, James M. [R-OK]

**Party:** Republican • **State:** OK • **Chamber:** Senate

### Cosponsors (9 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Booker, Cory A. [D-NJ]	D · NJ		Apr 4, 2017
Sen. Crapo, Mike [R-ID]	R · ID		Apr 4, 2017
Sen. Markey, Edward J. [D-MA]	D · MA		Apr 4, 2017
Sen. Rounds, Mike [R-SD]	R · SD		Apr 4, 2017
Sen. King, Angus S., Jr. [I-ME]	I · ME		May 25, 2017
Sen. Whitehouse, Sheldon [D-RI]	D · RI		Jun 26, 2017
Sen. Carper, Thomas R. [D-DE]	D · DE		Jun 27, 2017
Sen. Gillibrand, Kirsten E. [D-NY]	D · NY		Jun 27, 2017
Sen. Warren, Elizabeth [D-MA]	D · MA		Jul 25, 2017

### Committee Activity

Committee	Chamber	Activity	Date
Environment and Public Works Committee	Senate	Reported By	Sep 7, 2017

### Subjects & Policy Tags

#### Policy Area:

Environmental Protection

### Related Bills

Bill	Relationship	Last Action
115 HR 2479	Related bill	May 22, 2018: Referred to the Subcommittee on Energy.
115 HR 1625	Related bill	Mar 23, 2018: Became Public Law No: 115-141.
115 HR 1758	Related bill	Nov 21, 2017: Reported (Amended) by the Committee on Transportation and Infrastructure. H. Rept. 115-419, Part I.
115 HR 1747	Related bill	Mar 31, 2017: Referred to the Subcommittee on Environment.

## **Brownfields Utilization, Investment, and Local Development Act of 2017 or the BUILD Act**

This bill amends the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 to revise programs and funding regarding brownfields. (Brownfields are certain commercial properties that are hindered from reuse or redevelopment due to the presence of a hazardous substance, pollutant, or contaminant. Owners or operators of such sites may be financially liable for cleanup costs.)

(Sec. 2) The bill makes certain nonprofit organizations and community development entities eligible for brownfields revitalization funding.

(Sec. 3) The Environmental Protection Agency (EPA) must provide multipurpose grants to carry out inventory, characterization, assessment, planning, or remediation activities at brownfield sites.

(Sec. 4) The brownfield site characterization and assessment grant program is revised to authorize eligible governmental entities to receive grants for property that was acquired before January 11, 2002, even if the entities do not qualify as bona fide prospective purchasers.

(Sec. 5) The bill increases the cap on the amount that may be given in grants and loans for each site to be remediated.

(Sec. 7) The EPA must (currently, may) award grants for training, research, and technical assistance to facilitate the inventory of brownfield sites, site assessments, remediation of brownfield sites, community involvement, or site preparation. The EPA may use up to a specified amount of the funding to assist small communities, Indian tribes, rural areas, or disadvantaged areas.

(Sec. 8) The EPA must give consideration to waterfront brownfield sites located adjacent to bodies of water or federally designated floodplains when providing brownfield grants.

(Sec. 9) The EPA must award grants to: (1) carry out inventory, characterization, assessment, planning, feasibility analysis, design, or remediation activities to locate a clean energy project at brownfield sites; and (2) capitalize a revolving loan fund for those purposes. A clean energy project means: (1) a facility that generates renewable electricity from wind, solar, or geothermal energy; and (2) any energy efficiency improvement project at a facility.

(Sec. 11) The bill excludes state and local governments as owners or operators regarding property acquired through law enforcement activity, escheatment, and eminent domain.

Alaska Native villages and corporations are excluded as owners or operators if they received contaminated property from the federal government. This exclusion does not apply to an entity that causes or contributes to a hazardous substance release.

The bill allows tenants and lessees of a property to qualify as bona fide prospective purchasers.

(Sec. 12) The bill: (1) reauthorizes through FY2020 and revises brownfields revitalization funding, and (2) reauthorizes through FY2020 state and tribal response programs (programs responding to brownfields).

## Actions Timeline

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- **Sep 7, 2017:** Committee on Environment and Public Works. Reported by Senator Barrasso with an amendment in the nature of a substitute. With written report No. 115-148.
- **Sep 7, 2017:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 213.
- **Jul 12, 2017:** Committee on Environment and Public Works. Ordered to be reported with an amendment in the nature of a substitute favorably.
- **Apr 4, 2017:** Introduced in Senate
- **Apr 4, 2017:** Read twice and referred to the Committee on Environment and Public Works.