

# MANKO | GOLD | KATCHER | FOX<sub>LLP</sub>

AN ENVIRONMENTAL AND ENERGY LAW PRACTICE

## STIMULUS PROGRAM – Environmental and Energy Funding Summaries

Program	Amount Funded through ARRA	Funding Details/Application Process	Manko, Gold, Katcher & Fox, LLP Lead Attorneys	
Brownfields Funding	\$100 million	EPA will directly award this new funding for “quality proposals” for assessment and cleanup submitted under grant competitions. Waives cost-sharing requirements under existing law.	Jonathan Spergel jspergel@mgkflaw.com	484-430-2309
			Michael C. Gross mgross@mgkflaw.com	484-430-2321
Superfund	\$600 million	Direct funding to EPA for additional cleanup of unremediated sites listed on the National Priorities List (“NPL”).	Robb Fox rfox@mgkflaw.com	484-430-2312
Leaking Underground Storage Tanks (“LUST”)	\$200 million	New funding to EPA for the federal Leaking Underground Storage Tank (“LUST”) Trust Fund. 80% of all money in the LUST Trust Fund is allocated to states which have entered into cooperative agreements with EPA to oversee corrective action by responsible parties or undertake LUST remediation in the absence of a responsible party.	Michael C. Gross mgross@mgkflaw.com	484-430-2321
State Clean Water Revolving Loan Fund	\$4 billion (\$157.6 million for Pennsylvania; \$162.6 million for New Jersey).	Funds water quality-related construction and improvement projects. Funding to address backlog of clean water infrastructure needs. Federal funds will be disbursed in Pennsylvania through PENNVEST by way of pre-established codified formula. In New Jersey, funds will be disbursed by the New Jersey Environmental Infrastructure Trust.	Joe Manko jmanko@mgkflaw.com	484-430-2310
			Bruce Katcher bkatcher@mgkflaw.com	484-430-2320

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State Drinking Water Revolving Loan Fund	\$2 billion (\$66.2 million for Pennsylvania; \$43.5 million for New Jersey).	Funds drinking water related infrastructure construction projects. Funding to address backlog of drinking water infrastructure needs. Federal funds will be disbursed in Pennsylvania through PENNVEST by way of pre-established codified formula. In New Jersey, funds will be disbursed by the New Jersey Environmental Infrastructure Trust.	Joe Manko  Bruce Katcher	484-430-2310 jmanko@mgkflaw.com  484-430-2320 bkatcher@mgkflaw.com
Rural Water and Waste Disposal	\$1.38 billion	Loan and grant program to small communities to address water and sewer needs which could be linked to industrial park redevelopment or other Brownfield projects.	Joe Manko	484-430-2310 jmanko@mgkflaw.com
Neighborhood Stabilization Program	\$2 billion	Additional funding for HUD's Neighborhood Stabilization Program, authorized as part of mortgage-rescue legislation in 2008—funding could potentially be used for Brownfields projects.	Jonathan Spergel	484-430-2309 jspergel@mgkflaw.com
Community Development Block Grants ("CDBG")	\$1 billion (\$42.6 million for Pennsylvania; \$27.6 million for New Jersey).	Additional funding for HUD's CDBG program for community and economic development programs which can be used for Brownfields projects. Stimulus funding to be distributed in accordance with existing CDBG formulas.	Jonathan Spergel	484-430-2309 jspergel@mgkflaw.com

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Rural Development	\$130 million in grant and loan funding for facilities; \$150 million for business loans and grants.	Additional funding for existing grant and loan programs to support rural development business and industry projects including facilities for healthcare, education and community centers.	Michael C. Gross	484-430-2321 mgross@mgkflaw.com
Economic Development Administration Assistance	\$150 million	Created to generate private sector jobs, leverage private investment, stimulate employment and increase incomes in economically distressed communities. Up to \$50 million may be transferred to regional economic development commissions. Opportunities may exist for Brownfields remediation funding.	Bridget Dorfman	484-430-2330 bdorfman@mgkflaw.com
Weatherization Assistance Program	\$5 billion (\$258.8 million for Pennsylvania; \$121.9 million for New Jersey).	Grant funds are distributed by formula to states to provide weatherization services for low-income families. The ARRA increases the per-home limit on weatherization upgrades to \$6,500 per home.	Brenda Gotanda  Bryan Franey	484-430-2327 bgotanda@mgkflaw.com  484-484-2308 bfraney@mgkflaw.com

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Applied Research and Development Grants	\$2.5 billion	Department of Energy (“DOE”) administered program for R&D and demonstration projects generally geared toward renewable energy technologies such as wind, solar, hydropower, geothermal, and biomass. As part of this program, DOE will establish private-public partnerships with industry, universities, laboratories and states.	Brenda Gotanda  Bryan Franey	484-430-2327 bgotanda@mgkflaw.com  484-484-2308 bfraney@mgkflaw.com
Energy Efficiency and Conservation Block Grants	\$3.2 billion	First-time grants to states and local governments to reduce energy use and fossil fuel emissions and to improve energy efficiency. Funding will not be directly available to private entities, but may be used for over 14 types of activities including commercial building energy audits, financial incentive programs, building codes, and several other related activities.	Brenda Gotanda  Bryan Franey	484-430-2327 bgotanda@mgkflaw.com  484-484-2308 bfraney@mgkflaw.com

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State Energy Program	\$3.1 billion (\$100 to \$140 million for Pennsylvania; \$75 to \$100 million for New Jersey).	Grants to states to support energy conservation, energy efficiency and renewable energy projects. Pennsylvania's funds will be administered by PADEP primarily through the Energy Harvest and PEDAs programs. NJ's funds will be administered by the New Jersey Board of Public Utilities through existing and/or newly established program(s).	Brenda Gotanda 484-430-2327 bgotanda@mgkflaw.com	
			Bryan Franey 484-484-2308 bfraney@mgkflaw.com	
			Bruce Katcher 484-430-2320 bkatcher@mgkflaw.com	
			Brett Slensky 484-430-2322 bslensky@mgkflaw.com	
Advanced Battery Manufacturing Grants	\$2 billion	Funding will support U.S. based manufacturers of advanced vehicle batteries and battery systems through the Advanced Battery Manufacturing Grants Program. Funding will be administered through the DOE, primarily aimed at manufacturing lithium ion batteries used hybrid cars.	Jill Hyman Kaplan 484-430-2315 jkaplan@mgkflaw.com	
			Bryan Franey 484-484-2308 bfraney@mgkflaw.com	
Smart Grid Investment Program	\$4.5 billion	DOE administered program that will provide matching funds for qualifying Smart Grid investments and demonstration projects.	Brenda Gotanda 484-430-2327 bgotanda@mgkflaw.com	
			Bryan Franey 484-484-2308 bfraney@mgkflaw.com	

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Carbon Sequestration	\$3.4 billion	Funding for carbon sequestration demonstration projects through the DOE.	Todd Kantorczyk	484-430-2359 tkantorczyk@mgkflaw.com
Renewable Energy Loan Guarantees	\$6 billion	Loan guarantees for renewable energy power generation and transmission projects	Brenda Gotanda  Bryan Franey	484-430-2327 bgotanda@mgkflaw.com  484-484-2308 bfraney@mgkflaw.com
Diesel Emission Reduction	\$300 million	Includes \$156 million in funding to implement verified diesel emission reduction technologies for buses, medium or heavy duty trucks, marine engines, locomotives and non-road engines or vehicles used in construction, cargo handling, agriculture, mining or energy production. Also includes: \$30 million to create national, state or local innovative clean diesel financing programs; \$20 million to develop emerging technologies to reduce emission from diesel engines; and \$88 million to support clean diesel grant and loan programs administered by the state.	Carol F. McCabe	484-430-2304 cmccabe@mgkflaw.com
Community Development Financial Institutions	\$100 million	Additional funding for Treasury Department program to assist a range of community-based project financing in distressed areas.	Michael C. Gross	484-430-2321 mgross@mgkflaw.com

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Small Business Administration Business Loans Account Program	\$636 million	\$600 million for fee reductions and new guarantee authorities; \$6 million for micro-loans. The National Brownfields Association anticipates that this funding can be funneled to community-based Brownfield efforts through increases in guarantee activity through the SBA's Section 7(a) and 504 loan guarantee programs by reducing or eliminating fees on loans processed through the program. Majority of funding to be administered by Community Development Corporations.	Jonathan Spergel	484-430-2309 jspergel@mgkflaw.com
Army Corps of Engineers	\$4.6 billion	Direct funding to the U.S. Army Corps of Engineers for environmental restoration, flood protection, hydropower and navigation infrastructure.	Jonathan Rinde	484-430-2325 jrinde@mgkflaw.com
Watershed Infrastructure	\$340 million	Direct funding to the Natural Resources Conservation Service watershed improvement programs to implement flood protection and water quality improvements including the purchase of conservation easements in flood zones.	Jonathan Rinde	484-430-2325 jrinde@mgkflaw.com
Lead Paint Abatement	\$100 million	Competitive grants to non-profits and local governments for lead paint abatement activities. Will be administered through HUD to address lead paint hazards at 24 million residential units.	Michael Gross	484-430-2321 mgross@mgkflaw.com

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GSA Federal Building Renovations	\$4.5 billion	Funding for converting GSA facilities to High Performance Green Buildings as defined in the Energy Independence and Security Act of 2007.	Todd Kantorczyk 484-430-2359 tkantorczyk@mgkflaw.com	
			Bryan Franey 484-484-2308 bfraney@mgkflaw.com	
			Michael Nines 484-430-2350 mnines@mgkflaw.com	
New Market Tax Credits	\$5 billion for FY08 (was \$3.5 billion); \$5 billion for FY09 was \$3.5 billion).	Additional allocations for 2008 are to go to unsuccessful applicants from 2008 or those who did not receive full request.	Jonathan Spergel 484-430-2309 jspergel@mgkflaw.com	
Renewable Energy Bonds	\$1.6 billion (increase from present amount of \$800 million).	Increased authorization for Clean Renewable Energy Bonds (“CREBs”) to finance facilities that generate electricity from certain renewable resources.	Bruce Katcher 484-430-2320 bkatcher@mgkflaw.com	
			Brett Slensky 484-484-2322 bslensky@mgkflaw.com	
Renewable Energy Tax Credits and Related Grant Program	Tax Credit	Provisions extend the availability and modify certain tax credits and related incentives, allow the conversion of the Production Tax Credit to an Investment Tax Credit and authorize grants in lieu of certain tax credits.	Brett Slensky 484-484-2322 bslensky@mgkflaw.com	



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Energy Conservation Bonds	\$3.2 billion (increased from \$800 million).	Authorizes an additional \$2.4 billion of qualified energy conservation bonds and clarifies that the proceeds of qualified energy conservation bonds can be used for loans, grants, and other repayment mechanisms that implement green community programs.	Bruce Katcher 484-430-2320 bkatcher@mgkflaw.com	Brett Slensky 484-484-2322 bslensky@mgkflaw.com
Recovery Zone Economic Development Bonds	\$10 billion	Created to promote private development activity and related infrastructure and public facility construction in distressed area “recovery zones” to be designated by the state or local government issuer.	Jonathan Spergel 484-430-2309 jspergel@mgkflaw.com	
Recovery Zone Facility Bonds	\$15 billion (tax-exempt).	Created to promote private development activity and related infrastructure and public facility construction in distressed area recovery zones to be designated by the state or local government issuer.	Jonathan Spergel 484-430-2309 jspergel@mgkflaw.com	
Department of Labor, Training and Employment Services	\$750 million	Program of competitive grants for worker training and placement in high growth and emerging industry sectors of which \$500 million shall be for research, labor exchange and job training projects that prepare worker for careers in energy efficiency and renewable energy.	Jill Hyman Kaplan 484-430-2315 jkaplan@mgkflaw.com	

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Alternative Fueled and Advanced Technology Vehicles Pilot Grant Program Funding	\$300 million	DOE grants to expand use of alternative fuel vehicles (“AFVs”) and advanced technology vehicles (“ATVs”), e.g. electric, electric hybrid, plug-in electric hybrid. Includes off-road and non-road commercial work AFVs/ATVs such as public airport ground support vehicles. Also includes installation or acquisition of direct support infrastructure. Grant applicants must be states, local governments, and/or metropolitan transportation authorities working with a designated Clean Cities Coalition. Up to 30 awards will be made with funding minimum/maximum of \$5 million/\$15 million and requiring 50/50 cost share.	Rodd Bender	484-430-2317 rbender@mgkflaw.com
Transportation Electrification	\$400 million	DOE grants for demonstration, development, evaluation and education projects to accelerate market introduction and penetration of advanced electric drive vehicles. Covered vehicles range from small off-road vehicles, passenger vehicles, trucks and rail and marine vessels. DOE envisions awarding multiple cost-shared grants.	Rodd Bender	484-430-2317 rbender@mgkflaw.com