

MEMORANDUM OF UNDERSTANDING
between the
ENVIRONMENTAL PROTECTION AGENCY
and
HABITAT FOR HUMANITY INTERNATIONAL
For
HOME OWNERSHIP FOR LOW-INCOME FAMILIES

I. Purpose

The purpose of this Memorandum of Understanding (MOU) is to establish a general working agreement between the United States Environmental Protection Agency (EPA) and the Habitat for Humanity International (HFHI) to coordinate policies and activities in support of brownfields assessment and cleanup, community revitalization, affordable housing for low-income persons, and residential energy efficiency. The Managing Director of the HFHI in conjunction with HFHI's national affiliates shall carry out this agreement with EPA's Outreach and Special Projects Staff in the Office of Solid Waste and Emergency Response and the Office of Atmospheric Programs in the Office of Air and Radiation.

This MOU represents a non-legally binding expression of hope and sincere intent for EPA and HFHI to work together, each within its own policies, to support the cleanup and use of brownfields for the purposes of developing affordable, energy efficient housing for low-income persons. In entering into this agreement EPA and HFHI acknowledge that they will work closely and cooperatively with the cities in which the brownfield sites are located, with the HFHI affiliate(s) that will be involved in the cleanup and development of the brownfield properties, and with any other municipal, non-profit, and environmental response authorities that are needed to ensure cleanup and redevelopment that is consistent with community needs, the environmental status of the property, and the safety of future HFHI homeowner partners.

II. Background

Brownfields are abandoned, idled, or under-used industrial and commercial properties where redevelopment is complicated by real or perceived environmental contamination. Because of the stigma of contamination and other barriers to redevelopment, brownfields remain unproductive, blighting communities while developers resort to the use of "greenfields," or open space outside of cities for development purposes. Brownfields, however, frequently offer a number of redevelopment advantages, including competitive location, ready infrastructure, untapped customer and labor markets, easy access to multiple modes of transportation, and unique development opportunities such as historic and culturally significant sites.

EPA's Brownfields Economic Redevelopment Initiative (Brownfields Initiative) seeks to protect the public health and environment by assisting communities in assessing and cleaning up brownfields, thereby preparing sites for future economic development, housing, parks and recreation, and open space uses.

HFHI is a non-profit, ecumenical Christian housing ministry. HFHI seeks to eliminate poverty housing and homelessness from the world, and to make decent shelter a matter of conscience and action. Habitat invites people from all walks of life to work together in partnership to help build houses with families in need. Habitat has built more than 120,000 houses around the world, providing some 500,000 people in more than 2,000 communities with safe, decent, affordable shelter. Habitat builds and renovates houses with the help of homeowner (partner) families. Habitat houses are sold to partner families at no profit, financed with affordable, no-interest loans.

EPA'S ENERGY STAR program is a broad partnership designed to promote products, buildings, and homes that use less energy without sacrificing quality. ENERGY STAR for Homes seeks to demonstrate that energy efficient homes can improve the overall affordability of housing, improve home quality and homeowner comfort, lower energy demand, and reduce air pollution. ENERGY STAR labeled homes use at least 30 percent less energy than the reference house defined in the National Association of State Energy Officials' (NASEO) Home Energy Rating System Technical Guidelines. A home built to these levels would achieve a minimum Home Energy Rating System (HERS) score of 86. To receive an ENERGY STAR label, homes must be verified by an accredited, independent third party and shown to meet the performance threshold specified above. In addition, manufacturers label their products and appliances as ENERGY STAR if they meet specified energy efficiency levels.

Since 1995, the Brownfields Initiative has leveraged more than \$2.9 billion in private funds for cleanup and redevelopment, and more than 12,000 jobs have been created from federal brownfields investment. Coordination and cooperation between EPA and HFHI will help facilitate the cleanup and redevelopment of brownfields for purposes of affordable housing in distressed communities throughout the nation. This agreement will serve as a model to respond to the needs of highly distressed urban, rural and tribal areas and to increase brownfields sustainable redevelopment in impoverished communities.

Enhanced coordination and cooperation between EPA and HFHI will help facilitate brownfields cleanup and redevelopment activity in distressed communities and support the use of brownfields for the purposes of developing affordable, energy efficient housing for low-income persons through the Energy Star program. This agreement will serve as a model to respond to the needs of highly distressed urban, rural, and tribal areas and increase brownfields cleanup and sustainable redevelopment in impoverished communities.

III. Agreement

EPA and HFHI agree to work together to address the obstacles and opportunities for brownfields cleanup and redevelopment in distressed communities; to support the use of brownfields for the purposes of developing affordable housing; and, to set a standard for energy efficiency in housing through this agreement. This may include, to the extent authorized by law:

- A. Crafting a joint brownfields strategy with other agencies such as the Department of Housing and Urban Development. This strategy will define specific mechanisms for coordinating the activities of EPA and HFHI and link brownfields assessment and cleanup activities with community revitalization, economic redevelopment efforts, affordable housing for low-income persons, and residential energy efficiency.
- B. Jointly identifying and implementing actions that link brownfields assessment and cleanup activities with developing affordable, energy efficient housing. These actions may include:
- support, including technical assistance, information sharing, and workshops, to increase the awareness of brownfields cleanup and programs to develop affordable, energy efficient housing and the associated benefits;
 - support, including financial and technical assistance, for states, political subdivisions of states, Indian tribes, local development districts, and other nonprofit organizations to develop proposals for integrating brownfields assessments and cleanup with the development of affordable, energy efficient housing;
 - coordination of joint activities between states, local development districts, communities, EPA and HFHI field staff in order to help implement brownfields assessment, cleanup and the development of affordable, energy efficient housing;
 - support, including financial and technical assistance, to communities to stimulate and leverage funds for assessment, cleanup, redevelopment of brownfields, and the development of affordable, energy efficient housing;
 - training of EPA and HFHI field staff regarding respective agencies programs and activities and potential implementation synergies;
 - collaboration in joint projects or proposal reviews for competitions sponsored by either agency.
- C. Identify sites where EPA and HFHI affiliates have strong relationships with local governments and where HFHI has affiliates with the capacity to handle projects of significant scope and size to merit inclusion in this MOU.
- D. Approach jointly those cities where brownfield sites are available for reuse in order to discuss the use of these sites, where appropriate, for affordable, energy efficient housing for low-income people.

- E. Develop pilot projects wherein partnerships will be developed at the local level between EPA, HFHI, the city, and other agencies, non-profits, and vendors in order to plan for cleanup and community redevelopment that meets city need, EPA and HFHI objectives.
- F. Involve agencies, non-profit organizations, and vendors as needed to conduct independent environmental assessments, environmental consulting, soil quality testing, etc.; secure in-kind contributions of environmental and legal services that will enable the identification and sale of suitable brownfields properties for affordable, energy efficient housing.
- G. Investigate policies governing environmental insurance and opportunities to share environmental risk.
- H. Identify means by which relationships between EPA and HFHI affiliates can be developed at the local level so that brownfields cleanup and redevelopment can take place even beyond the initial pilot projects.
- I. Identify mechanisms within EPA that can assist HFHI with the identification of brownfield sites that HFHI affiliates, in cooperation with EPA, might investigate with cities and localities.
- J. Identify how EPA can assist localities with clean-up so that EPA, HFHI and localities can further the goals of brownfields redevelopment and the provision of affordable housing.
- K. Develop an information dissemination strategy that will guide the announcement of all redevelopment on brownfields sites, a strategy that will include the EPA, HFH, and the locality involved.
- L. Jointly working to establish ENERGY STAR as the minimum performance standard for homes built under this agreement.

support building of homes that meet the ENERGY STAR labeled home performance target. This can be accomplished through a combination of envelope upgrades, controlled air infiltration, upgraded heating and air conditioning systems, and upgraded water heating equipment. ENERGY STAR also encourages protecting the health of occupants by equipping ENERGY STAR labeled homes with features that will improve indoor air quality. Further, ENERGY STAR encourages equipping ENERGY STAR labeled homes with energy efficient ENERGY STAR labeled lighting and appliances.

- use the ENERGY STAR label to promote energy efficiency as the desirable option for providing affordable housing, protecting the environment; and saving on energy bills.
- build and maintain the meaning of ENERGY STAR as a trustworthy government symbol for energy efficiency that makes it easy to make a difference for the environment while providing affordable housing and saving money. Further, adhere to the ENERGY STAR Logo Use Guidelines and ensure that authorized representatives, such as distributors, and subcontractors, also comply.

IV. Programming, Budgeting, Funding, and Reimbursement Arrangement

- A. This MOU is neither a fiscal nor a funds obligation document. Any endeavor involving reimbursement or contribution of funds between the parties to this MOU will be handled in accordance with applicable laws, regulations, and procedures, and will be subject to separate agreements hereunder that shall be effected in writing by representatives of both parties. However, nothing in this agreement restricts or otherwise adversely affects HFHI's ability to compete for funds under EPA's grant programs.
- B. This MOU in no way restricts EPA or HFHI from participating in similar activities or arrangements with other entities or federal agencies.
- C. Nothing in this MOU shall obligate EPA or HFHI to expend appropriations or to enter into any contract or other obligations. Neither party will submit a claim for compensation to the other party for activities carried out under this MOU.

V. Authorities

This MOU is entered into consistent with the following authorities:

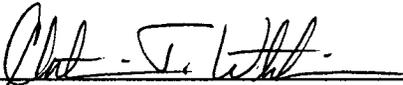
- The Comprehensive Environment Response, Compensation and Liability Act (CERCLA), as amended .
- Section 102(2)(G) of the National Environmental Policy Act of 1969, as amended, (NEPA); and Executive Order 12898 on Environmental Justice.
- Section 103 of the Clean Air Act and section 8001 of the Solid Waste Disposal Act.

VI. Effective Date

This MOU will become effective upon signature by the Administrator of the U.S. Environmental Protection Agency and by the Managing Director of Habitat for Humanity International Washington Office, and shall remain in effect until termination by either Party. Either Party may terminate this MOU upon 90 days written notice to the other party. Its provisions will be reviewed annually and amended or supplemented as may be mutually agreed upon in writing.

VII. Other MOUs

There are no superseding MOUs on this topic between the parties hereto.



Christine Todd Whitman
Administrator
U.S. Environmental Protection
Agency



Thomas Laird Jones
for
Habitat for Humanity International

February 13, 2002

(Date)

February 13, 2002

(Date)