

ASSESSMENT WORKPLAN

City of South Portland, Maine Workplan for CERCLA Section 104(k) Assessment Cooperative Agreement Community Wide Period of Performance: 7/1/2022 - 9/30/2026

1. GOAL 1: Core Mission

Objective 1.3 Revitalize Land and Prevent Contamination

CFDA: 66.818 Assessment, Cleanup, and Revolving Loan Fund Grants

OBJECTIVE: The Small Business Liability Relief and Brownfields Revitalization Act (SBLRBRA) was signed into law on January 11, 2002. The Act amends the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), as amended, by adding Section 104(k). Section 104(k) authorizes the U.S. Environmental Protection Agency (EPA) to provide funding to eligible entities to inventory, characterize, assess, conduct planning related to, remediate, or capitalize revolving loan funds for, eligible brownfield sites. The Brownfields Utilization, Investment, and Local Development (BUILD) Act of March 2018 reauthorized and amended the Brownfields provisions of CERCLA. Finally, the Infrastructure Investment and Jobs Act (IIJA) of November 2021 provided additional funding and opportunities for communities to address the economic, social, and environmental challenges caused by brownfields sites. Pursuant to these provisions, EPA conducts annual Brownfields grant competitions. Recipients are selected from proposals prepared in accordance with the “Proposal Guidelines for Brownfields Multipurpose, Assessment, Revolving Loan Fund, and Cleanup Grants,” and submitted in a national competition. The City of South Portland, Maine, as a general-purpose unit of local government, was selected for Assessment funding in the FY 2022 competition.

Our city’s industrial waterfront has been in economic and physical decline for several decades following World War II. Many properties have yet to be redeveloped due to the possibility of lingering contamination from former commercial operations such as the Liberty Shipyards and other former industrial sites. As part of our FY19 Brownfield Assessment Grant, we identified 35 “Priority Petroleum Sites” during a Petroleum Corridor Inventory completed in the Fore River Waterfront Target Area. “Priority Petroleum Sites” are defined as those that were listed in regulatory databases, had historic petroleum use or storage, and/or were identified during a survey as having current operations that could potentially cause petroleum impacts to the environment. These 35 sites illustrate the need for continued and significant Brownfield investment in the Fore River Waterfront Target Area, one of two Target Areas for this Brownfield Assessment program. The second Target Area for our Brownfield Program will be the Main Street Corridor. This target area runs along Main Street between the interchange with Interstate 95 and the interchange with Interstate 295 and includes the 200-acre Rigby Railyard, 39 bulk oil storage tanks, active and historic gas stations and automotive repair facilities, and dozens of industrial properties which represent a total area of approximately 220 acres in the geographic center of our City.

South Portland will expand our inventory of Brownfield Sites; prioritize and select sites for inclusion to the program; conduct community engagement activities; and begin conducting thorough and redevelopment-focused Brownfield Assessments. As part of our FY2019 Assessment Grant, we spent a significant amount of time identifying and prioritizing sites, conducting public outreach, and planning for redevelopment. We intend to continue to build on those efforts by conducting broad owner outreach and public involvement to get more sites entered into the program. The goals of the project to be funded by this cooperative agreement will be accomplished by site-specific and non-site-specific assessment

activities. Non-site-specific tasks include developing and periodically updating the inventory of potential brownfield properties, obtaining contractor services to provide technical assistance and oversight, area-wide planning, including economic and feasibility analysis, and conducting public outreach workshops and preparing outreach materials relevant to the project. Site-specific tasks include performing assessments (targeting 6 Phase Is, 4 Phase IIs), preparing site sampling plans, conducting cleanup/reuse planning (targeting 4 ABCAs/RAPs), and enrolling appropriate sites in the State Voluntary Cleanup Program (VCP), to determine whether further assessment, cleanup, or no action is required before redevelopment can occur.

Cooperative agreement funding will be used to cover the costs of activities at or in direct support of brownfields sites as defined under CERCLA 101(39). The overall coordination of the cooperative agreement will be carried out by the Assistant City Manager, acting as Project Manager, assisted by the Planning Director and the City Attorney, with technical assistance and oversight to be performed by a Qualified Environmental Professional (QEP) and the VCP.

2. FUNDING: \$500,000

3. BUDGET

| Budget Categories | | Project Tasks | | | | Total |
|---------------------------|-----------------|--|--|-------------------------------------|---|------------------|
| | | Task 1: Cooperative Agreement Oversight | Task 2: Community Outreach & Engagement | Task 3: Phase I & II Assessments | Task 4: Area-wide & Cleanup/Reuse Planning | |
| Direct Costs | Personnel | \$5,000 | \$11,000 | \$5,000 | \$8,500 | \$29,500 |
| | Fringe Benefits | | | | | |
| | Travel | \$5,300 | | | | \$5,300 |
| | Equipment | | | | | |
| | Supplies | \$1,000 | \$2,500 | | \$1,500 | \$5,000 |
| | Contractual | \$9,500 | \$13,500 | \$362,200 | \$75,000 | \$460,200 |
| | Other | | | | | |
| Total Direct Costs | | \$20,800 | \$27,000 | \$367,200 | \$85,000 | \$500,000 |
| Indirect Costs | | | | | | |
| Total Budget | | \$20,800 | \$27,000 | \$367,200 | \$65,200 | \$500,000 |

* EPA defines equipment as items that cost \$5000 or more. Items costing less than \$5000 are considered supplies.

4. WORKPLAN TASKS

Task 1: Cooperative Agreement Oversight

| Task 1 - Cooperative Agreement Oversight Subtasks (Commitments) | Anticipated Outputs (activities, deliverables, reports) and Anticipated Outcomes (results, effects, improvements) | Anticipated Accomplishment Date(s) (Month/Year) | Actual Accomplishment Date(s) |
|---|--|---|-------------------------------------|
| <p>QEP:</p> <ul style="list-style-type: none"> Review performance and conduct evaluation of current QEP prior to extending Service Agreement Conduct periodic evaluations of QEP performance As necessary, Prepare Request For Qualifications, evaluate applicants, conduct interviews, hire qualified environmental professional (QEP) <p>Legal:</p> <ul style="list-style-type: none"> Prepare service contract for QEP Obtain legal services for title searches, regulation interpretations, etc. | <p>Outputs:</p> <ul style="list-style-type: none"> Performance evaluation reports, and applicable corrective actions New RFQ process for QEP every 5 years; documentation of meeting of open competition; contract for scope of services <p>Outcomes:</p> <ul style="list-style-type: none"> High quality products and services to meet project needs Maintain a high level of work effort | <p>Performance evaluation reports by 12/31 of each program year; updated Service Agreement for QEP by 10/1/2022; open competitive RFQ for QEP by 12/31/24</p> | |
| <p>Reporting:</p> <ul style="list-style-type: none"> Prepare MBE/WBE semi-annually, and FFR form at the end of the reporting period Enter site data in ACRES Prepare Quarterly Reports via ACRES Prepare final report and grant closeout material | <p>Outputs:</p> <ul style="list-style-type: none"> Quarterly reports and other forms; updated ACRES database; final report and closeout forms “Success Story” fact sheets <p>Outcomes:</p> <ul style="list-style-type: none"> Regular communication of project status and next steps; current database for congressional reporting | <p>Beginning 1/30/23, ACRES updates and Quarterly reports every quarter; MBE/WBE forms 3/30 & 9/30; SF425 FFR annually by 10/30</p> | |
| <p>Records:</p> <ul style="list-style-type: none"> Maintain grant files Maintain site project files Maintain financial records | <p>Outputs:</p> <ul style="list-style-type: none"> Accurate and complete files suitable for audit purposes <p>Outcomes:</p> <ul style="list-style-type: none"> High quality project records reflective of the work performed | <p>10/1/22 and thereafter</p> | |
| <p>Requests for Reimbursements or Advances:</p> <ul style="list-style-type: none"> Quarterly drawdowns | <p>Outputs:</p> <ul style="list-style-type: none"> Drawdowns from ASAP <p>Outcomes:</p> <ul style="list-style-type: none"> Reduce unliquidated obligations | <p>1/30/23 and thereafter</p> | |
| <p>Training:</p> <ul style="list-style-type: none"> Attend EPA Brownfields Conferences, Region 1 meetings, and other related workshops | <p>Outputs:</p> <ul style="list-style-type: none"> Attend Brownfields conference in 2023, location TBD Attend Region 1 Brownfields Summit 2023 <p>Outcomes:</p> <ul style="list-style-type: none"> Improve Brownfields knowledge and expand networking opportunities | <p>TBD TBD 10/2022 - 9/2026</p> | |

Task 2: Community Outreach & Engagement

| Task 2 – Community Outreach & Engagement Subtasks (Commitments) | Anticipated Outputs (projected activities, deliverables, reports) and Anticipated Outcomes (projected results, effects, improvements) | Anticipated Accomplishment Date(s) (Month/Year) | Actual Accomplishment Date(s) |
|--|---|---|-------------------------------|
| <p>Brownfields Steering Committee:</p> <ul style="list-style-type: none"> • Reestablish committee and ensure that commitments made by CBOs in proposal are implemented. | <p>Outputs:</p> <ul style="list-style-type: none"> • Quarterly meetings, meeting agendas, attendance lists and meeting notes, participation from CBOs <p>Outcomes:</p> <ul style="list-style-type: none"> • An active and motivated working group driving the Brownfields program | 10/2022 - Ongoing | |
| <p>Develop Marketing Materials:</p> <ul style="list-style-type: none"> • Create/update brochure targeting private & public property owners, lenders and developers • Create/update FAQ fact sheet • Update website | <p>Outputs:</p> <ul style="list-style-type: none"> • 1 Color brochure; 1 FAQ insert; 1 easy to navigate and attractive website <p>Outcomes:</p> <ul style="list-style-type: none"> • Up-to-date marketing tools to promote project work and disseminate information to property owners | 1/2023 - Ongoing | |
| <p>Implement outreach strategy in target areas:</p> <ul style="list-style-type: none"> • Meet w/ local community organizations • Make a presentation to City Council • Publish program info in local papers and post notices in town halls & community centers | <p>Outputs:</p> <ul style="list-style-type: none"> • Give BF presentations at one City Council meeting at a minimum • One round of ads/postings in local target areas <p>Outcomes:</p> <ul style="list-style-type: none"> • Improve community knowledge on BF issues and identify potential BF sites | 10/2022 - Ongoing | |
| <p>Develop Site inventory:</p> <ul style="list-style-type: none"> • Gather recognized and potential brownfields sites in target areas • Enter sites on GIS mapping tool | <p>Outputs:</p> <ul style="list-style-type: none"> • GIS map of potential BF sites <p>Outcomes:</p> <ul style="list-style-type: none"> • Graphical capturing of BF sites for planning and marketing work | 10/2022 - Ongoing | |
| <p>Hold local public meetings:</p> <ul style="list-style-type: none"> • First meeting to educate the public, share the work plan, and solicit site nominations • Second meeting to discuss Phase II results, and potential cleanup and redevelopment plans • Third meeting on project close-out, accomplishments, and next steps | <p>Outputs:</p> <ul style="list-style-type: none"> • Minimum 3 local public meetings, presentation materials, attendance list <p>Outcomes:</p> <ul style="list-style-type: none"> • Encourage public participation and support of BF projects throughout the process | 10/2022 - Ongoing | |

Task 3: Phase I & II Assessments

| Task 3 - Phase I & II Assessments Subtasks (Commitments) | Anticipated Outputs (projected activities, deliverables, reports) and Anticipated Outcomes (projected results, effects, improvements) | Anticipated Accomplishment Date(s) (Month/Year) | Actual Accomplishment Date(s) |
|--|--|---|-------------------------------|
| <p>Site prioritization and eligibility:</p> <ul style="list-style-type: none"> Establish criteria and prioritize sites Approve initial sites for Phase I investigation and conduct planning meeting with QEP Evaluate site access issues For each site, QEP provides site eligibility information to EPA (or state) for review Obtain EPA (or state) approval for Phase I | <p>Outputs:</p> <ul style="list-style-type: none"> Planning meetings; 3 eligible sites identified in initial inventory search Estimate 3 additional eligible sites identified during remainder of grant <p>Outcomes:</p> <ul style="list-style-type: none"> 6 brownfields sites identified with the highest redevelopment and community benefit potential in target areas | 10/2022 - Ongoing | |
| <p>Phase I investigations:</p> <ul style="list-style-type: none"> QEP obtains access agreement and performs Phase I investigation QEP submits draft Phase I report to steering committee for review/comment and then completes final Phase I report | <p>Outputs:</p> <ul style="list-style-type: none"> ~6 Phase I Reports Updated ACRES database <p>Outcomes:</p> <ul style="list-style-type: none"> ~6 potential Brownfields sites assessed through Phase I | 10/2022 - Ongoing | |
| <p>Phase II preparation:</p> <ul style="list-style-type: none"> Review Phase I results and project direction Obtain EPA approval to proceed w/ Phase II Encourage QEP to maximize efficiencies and minimize negative impacts of site assessments by incorporating green and sustainable remediation (GSR) techniques that are applicable to Phase II activities If applicable, QEP maintains EPA approved generic QAPP w/ updated org chart | <p>Outputs:</p> <ul style="list-style-type: none"> Project planning meetings 1 current generic QAPP (if applicable) ~4 sites approved for Phase II investigation <p>Outcomes:</p> <ul style="list-style-type: none"> ~4 priority sites identified for further investigation and potential redevelopment | 10/2022 - Ongoing | |
| <p>Phase II investigation:</p> <ul style="list-style-type: none"> QEP submits draft site-specific QAPP addendum to steering committee for review/comment EPA/state approval is obtained and QEP submits final site-specific QAPP addendum to committee QEP performs field work according to plan Program Manager monitors site work and relays any concerns to EPA/state | <p>Outputs:</p> <ul style="list-style-type: none"> ~4 approved site-specific QAPP Addenda (delineating extent of site contamination on each Brownfield site) Phase II reports documenting the results Updated ACRES database GSR efforts noted in quarterly reporting <p>Outcomes:</p> <ul style="list-style-type: none"> ~4 priority sites with complete Phase II assessments that and | 1/2023 - Ongoing | |

| Task 3 - Phase I & II Assessments Subtasks (Commitments) | Anticipated Outputs (projected activities, deliverables, reports) and Anticipated Outcomes (projected results, effects, improvements) | Anticipated Accomplishment Date(s) (Month/Year) | Actual Accomplishment Date(s) |
|--|---|---|-------------------------------|
| <ul style="list-style-type: none"> Track GSR efforts used during Phase II investigations QEP submits draft Phase II report to steering committee for review/comment and then completes final Phase II report Evaluate Phase II findings and implement additional investigations as appropriate to delineate extent of contamination | <p>ready for cleanup and reuse planning</p> <ul style="list-style-type: none"> Total acres assessed through Phase II Greener and more sustainable site assessment techniques utilized | | |

Task 4: Area-Wide & Cleanup/Reuse Planning

| Task 4 – Area-Wide & Cleanup/Reuse Planning Subtasks (Commitments) | Anticipated Outputs (projected activities, deliverables, reports) and Anticipated Outcomes (projected results, effects, improvements) | Anticipated Accomplishment Date(s) (Month/Year) | Actual Accomplishment Date(s) |
|---|--|---|-------------------------------|
| <p>Area-Wide Planning:</p> <ul style="list-style-type: none"> Identify a brownfield-impacted area (neighborhood, district, city block, etc.) Conduct a Site Reuse Assessment for brownfield sites to evaluate opportunities, constraints and viable redevelopment options. The Assessment will include a Land Use Assessment, Market Study, and Infrastructure Evaluation. | <p>Outputs:</p> <ul style="list-style-type: none"> Define Site characteristics and needs, Area economy and demographics, Physical, environmental conditions, Applicable regulations, Real estate market conditions, economically feasible reuse options, and detailed analysis of age, condition and capacity of infrastructure to sustain redevelopment. Create a set of area-wide strategies for assessment, cleanup and reuse measures <p>Outcomes:</p> <ul style="list-style-type: none"> Brownfields Revitalization Report with (at least) local economic conditions, real estate market analysis, inventory of spaces, parking and land use inventory, undeveloped land inventory, infrastructure availability, development return on investment & financial feasibility, and property build-out analysis. Identify revitalization/reuse plans of at least 3 sites in the area plan Identify next steps to implement the plan | 1/2023 - Ongoing | |

| Task 4 – Area-Wide & Cleanup/Reuse Planning Subtasks (Commitments) | Anticipated Outputs (projected activities, deliverables, reports) and Anticipated Outcomes (projected results, effects, improvements) | Anticipated Accomplishment Date(s) (Month/Year) | Actual Accomplishment Date(s) |
|---|---|---|-------------------------------|
| | <ul style="list-style-type: none"> • Consultant-hosted engagement activities to present results and reuse opportunities from the Site Reuse Assessments, to include a minimum of 2 large public meetings, a Planning Board and Comprehensive Plan Committee meeting, City Council presentation, property owner survey, and 6-8 stakeholder meetings. | | |
| <p>Cleanup & Reuse Planning:</p> <ul style="list-style-type: none"> • Throughout Phase II work, consult with owner and steering committee on reuse plans for each site • Engage real estate professionals and developer community to leverage interest in assessed property • QEP to develop draft cleanup alternatives and remediation plans for each site • Incorporate GSR principles/techniques into Analysis of Brownfields Cleanup Alternatives (ABCA) | <p>Outputs:</p> <ul style="list-style-type: none"> • 1 or more internal cleanup and reuse planning meeting(s) • Up to 4 draft cleanup alternatives plans • Up to 4 draft remedial action plans • GSR language in ABCAs • Updated ACRES database • 1 public meeting on project results <p>Outcomes:</p> <ul style="list-style-type: none"> • Up to 7 properties assessed through cleanup and reuse planning, and ready for cleanup and redevelopment • Acres ready for cleanup & redevelopment • Greener and more sustainable plans for cleanup | 1/2023 - Ongoing | |

5. QUALITY ASSURANCE

Prior to undertaking Phase II assessments, the City of South Portland will prepare and submit a Quality Assurance Project Plan (QAPP) which meets the approval of U.S. EPA Region 1 Brownfields Program. The QAPP will describe the project, the sampling and analytical strategies, and the methods and procedures that will be used in all Phase II assessments. QAPP approval will be obtained prior to performing any field activities.

6. PRE-AWARD COSTS

The City of South Portland requests the approval of pre-award costs for this cooperative agreement. It is estimated we will need \$5,000 to do the following activities: Technical assistance and legal costs associated with the QEP Service Agreement; advertising costs associated with the first public meeting; and procurement of supplies.

7. BUDGET DETAIL - Attachment 1