NARRATIVE INFORMATION SHEET
U.S. EPA BROWNFIELD CLEANUP GRANT APPLICATION
SOUTH PORTLAND HOUSING DEVELOPMENT CORPORATION
YARD SOUTH, SOUTH PORTLAND, MAINE

1. APPLICANT IDENTIFICATION

South Portland Housing Development Corporation (SPHDC)
100 Waterman Drive, Suite 101
South Portland, Maine 04106

2. FUNDING REQUESTED

2.a Grant Type: Single Site Cleanup
2.b Federal Funds Requested
   i. Amount Requested: $500,000
   ii. Cost Share Waiver: SPHDC is not requesting a cost-share waiver.
   iii. Waiver of the $500,000 Limit: SPHDC is not requesting a waiver of the $500,000 limit.

3. LOCATION

South Portland, Cumberland County, Maine.

4. PROPERTY INFORMATION

Yard South, 149A Front Street, South Portland, Maine 04106

5. CONTACTS

5.a Project Director: Brooks More, SPHDC Director of Development, 100 Waterman Drive, Suite 101, South Portland, Maine 04106; 207-773-4140; bmore@spha.net.
5.b Chief Executive/Highest Ranking Elected Official: Mike Hulsey, SPHDC Executive Director, 100 Waterman Drive, Suite 101, South Portland, Maine 04106; 207-773-4140; mhulsey@spha.net.

6. POPULATION

The City of South Portland, Cumberland County, Maine has a population of 26,498 (2020 Decennial Census).
7. **OTHER FACTORS CHECKLIST**

The following Other Factors apply to our community and the proposed project:

<table>
<thead>
<tr>
<th>Other Factor</th>
<th>Page #</th>
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<tbody>
<tr>
<td>Community population is 10,000 or less.</td>
<td>N/A</td>
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<tr>
<td>The applicant is, or will assist, a federally recognized Indian tribe or United States territory.</td>
<td>N/A</td>
</tr>
<tr>
<td>The proposed brownfield site(s) is impacted by mine-scarred land.</td>
<td>N/A</td>
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<tr>
<td>Secured firm leveraging commitment ties directly to the project and will facilitate completion of the project/reuse; secured resource is identified in the Narrative and substantiated in the attached documentation.</td>
<td>3</td>
</tr>
<tr>
<td>The proposed site(s) is adjacent to a body of water (i.e., the border of the site(s) is contiguous or partially contiguous to the body of water, or would be contiguous or partially contiguous with a body of water but for a street, road, or other public thoroughfare separating them).</td>
<td>1, 2, 3, 7</td>
</tr>
<tr>
<td>The proposed site(s) is in a federally designated flood plain.</td>
<td>N/A</td>
</tr>
<tr>
<td>The reuse of the proposed cleanup site(s) will facilitate renewable energy from wind, solar, or geothermal energy.</td>
<td>3</td>
</tr>
<tr>
<td>The reuse of the proposed cleanup site(s) will incorporate energy efficiency measures.</td>
<td>3</td>
</tr>
<tr>
<td>The target area(s) is located within a community in which a coal-fired power plant has recently closed (2011 or later) or is closing.</td>
<td>N/A</td>
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</table>

8. **LETTER FROM THE STATE OR TRIBAL ENVIRONMENTAL AUTHORITY**

A letter from State officials is attached.

9. **RELEASING COPIES OF APPLICATION**

Not applicable. The application does not have confidential, privileged, or sensitive information.
NARRATIVE INFORMATION SHEET
ATTACHMENT

Letter from State or Tribal Environmental Authority
(Maine Department of Environmental Protection)
November 17, 2021

Ms. Dorric Paar  
EPA Region 1  
5 Post Office Square  
Suite 100, Mailcode: OSRR7-2  
Boston, Massachusetts 02109-3912

Dear Ms. Paar:

The Maine Department of Environmental Protection’s (“Department”) Bureau of Remediation and Waste Management acknowledges that the South Portland Housing Development Corp. (“SPHDC”), as a qualifying non-profit, plans to conduct cleanups and is applying for federal Brownfields grant funds.

Mike Hulsey of SPHDC has developed an application requesting site-specific federal Brownfields Cleanup funding for the Yard South site located at 149A Front Street in South Portland, Maine.

If SPHDC receives funding, the Department’s Voluntary Response Action Program (“VRAP”) staff will provide review and comment on feasibility studies and remedial workplans, and will provide oversight (as necessary) of contractor’s work at the properties. Upon successful completion of remedial activities at a property, the VRAP will provide protections from Department enforcement actions by issuing a Commissioner’s Certificate of Completion.

Please feel free to call me directly at (207) 592-0882 should you have any questions regarding this letter.

Sincerely,

[Signature]

Nicholas J. Hodgkins  
Voluntary Response Action Program  
Division of Remediation  
Maine Department of Environmental Protection

Pc: Mike Hulsey, SPHDC
1. PROJECT AREA DESCRIPTION AND PLANS FOR REVITALIZATION

1.a Target Area and Brownfields

1.a.i Background and Description of Target Area
Renowned for its working waterfront, South Portland is situated on Portland Harbor in close proximity to air, marine, rail, and highway transportation. For these reasons, the City is, and has historically been, a center for industry, retail, and manufacturing. Beginning in the 1700’s, shipyards, canneries, and trade ports were developed along the Fore River and Casco Bay waterfront. During the 1800’s and early 1900’s, industrial and commercial development expanded across the City, spurred by the construction of Rigby Rail Yard, which at the time was the largest rail yard in New England. During World War II, the U.S. Government acquired large tracts of land along the waterfront to facilitate construction of large shipbuilding complexes in the Ferry Village neighborhood to manufacture the famed Liberty Ships, and due in part to these shipyards, the Liberty Ship came to symbolize U.S. wartime industrial output. More than 10% of all Liberty Ships were built in the City and at its peak, the shipyard employed over 30,000 people\(^1\). Thousands of housing units were built quickly and cheaply throughout the City for workers and their families. South Portland’s contribution to the war effort did not end with ships, and due to deep-water ports, became the northernmost and largest-volume oil port on the Eastern Seaboard. The Portland-Montreal Pipeline was constructed in the 1940’s and since then, has pumped over 5 billion barrels of oil to Canadian refineries\(^2\). In the same era, 120 large bulk oil storage tanks were constructed.

The City’s industrial prominence proved fleeting. The end of World War II triggered closure of the Liberty Shipyard, the loss of thousands of jobs, and left the City with unused industrial facilities on the waterfront, empty storefronts, and vacant houses. These Brownfield Sites, combined with their legacy of contamination and bulk petroleum storage, left our waterfront and nearby residential neighborhoods in a state of blighted, contaminated disrepair. Our Target Area for this Cleanup Grant is the Ferry Village Waterfront. This Target Area is located on the banks of the Fore River and contains the 30-acre former Liberty Shipyard site, 13 bulk oil storage tanks, portions of the Portland Pipeline, and a dilapidated housing stock. The Target Area was formerly the heart of the City’s thriving industrial heritage, but are now contaminated relics of bygone shipbuilding, boatyards, petroleum facilities, and wartime industry and business.

1.a.ii Description of the Proposed Brownfield Site(s)
The property targeted for cleanup is the Yard South Site. This Site is owned by the South Portland Housing Development Corporation (SPHDC) and is in the northeastern corner of the former Liberty Shipyard on the banks of the Fore River, situated between Bug Light Park (a popular 9-acre City-owned park) and a massive bulk oil storage facility. The Yard South site was one of the areas in South Portland that was acquired by the U.S. Government through eminent domain to construct a shipyard to meet the demand of World War II. The Yard South Site is constructed entirely of urban fill, and prior to circa 1940, was located beneath the waters of the Fore River. After the war ended and the Liberty Shipyard closed, the Site was used for a variety of industrial purposes, including fish processing, septic tank manufacturing, and a clothespin manufacturing factory, among others. The 3.16-acre Site is currently vacant, with the exception of a historic pier and remnants of the former massive industrial facilities, including old foundations, concrete slabs, and other buried materials and debris. The onsite soils bear the industrial legacy of not only pre-war urban filling and the historic shipyard, but also 75 years of post-war industrial use and petroleum storage. Historic investigations completed at the Liberty Shipyard and the Yard South Site have identified urban fill materials (wood, brick, concrete, asphalt and glass) to a depth of approximately 10 feet. These fill materials and surficial soils contain weathered petroleum products (PAHs) and heavy metals (lead and arsenic) at concentrations which exceed the regulatory cleanup guidelines; meaning they are currently posing an exposure risk to Site users and represent an obstacle for Site redevelopment.

The Yard South Site has approximately 400 feet of shoreline along the Fore River and was the former location of Liberty Shipyard’s large deep-water piers. The shoreline, like the rest of the Site, is constructed of fill materials, as well as large blocks from a pre-war breakwater structure in the area. The shoreline at the Site is severely eroded, and is littered with exposed fill materials, bricks, and metal remnants; these fill materials contain elevated concentrations of heavy metals, and urban

\(^1\) https://www.mainememory.net/sitebuilder/site/856/page/1266/display
\(^2\) http://www.pmpl.com/about-us/
fill is typically characterized by metals, petroleum constituents, and hydrocarbons. Historic aerial photos dating back to the 1950’s show that the shoreline deteriorates each year, resulting in contaminated fill materials being washed into the Fore River and Casco Bay.

1.b Revitalization of the Target Area
1.b.i Reuse Strategy and Alignment with Revitalization Plans
The redevelopment plan for the Yard South Site is to construct a mixed-use development and public space; with boutique retailers, restaurants, and office space; a 100-foot plaza/colonnade on the waterfront to be used for artist installations and thematic gardens for the public’s use. It will include a multi-use trail for pedestrians and bicyclists to connect the Ferry Village neighborhood (our Target Area) to Bug Light Park and waterfront, and perhaps most importantly, development of the Yard South Site will create 110 residential housing units. This “Destination Waterfront” mixed-use development would serve as the centerpiece for a multi-phased process to redevelop the overall Liberty Shipyard. Due to the Site’s proximity to the water, potential sea level rise has been, and will continue to be considered during reuse planning; grades will be raised across the Site to prevent flooding and minimize the volume of excess soil. This redevelopment plan was developed based on input from the City, the City’s Sustainability Committee, and the public; these stakeholders will continue to be involved throughout development. The City is fully supportive of this project; they realize that a successful Brownfield program is a catalyst to achieving the City’s vision and goals.

Brownfield redevelopment projects at the Site, the Liberty Shipyard, and the Target Area align directly with South Portland’s Comprehensive Plan (amended 2019). The plan was developed by a committee of residents who engaged the community and sought feedback throughout its development. It highlights goals and strategies that are supported by the SPHDC vision for the Yard South site, the Liberty Shipyard, and the Target area. The City’s plan stresses that urban infill and redevelopment should be prioritized over greenfield development; that neighborhoods are safe and walkable; pedestrian and bike improvements be conducted to interconnect neighborhoods with commercial centers; public art be incorporated into new public facilities; and specifically, that the Target Area (highlighted as one of the City’s “fundamental land use objectives”) be redeveloped for mixed-use while maintaining the potential for marine use. These City objectives, and more, will be achieved through the Brownfield cleanup and redevelopment of the Yard South Site. The redevelopment team is working with the City to ensure that these goals continue to be reflected in the Site’s reuse plan. The mission of the SPHDC is to provide affordable housing for the City’s sensitive populations; the City’s Plan specifically identifies their support for SPHDC and for providing housing throughout the City. These housing goals will be achieved as part of the overall redevelopment of the Liberty Shipyard and Target Area, where 110 units of workforce and market rate housing will be built and marketed to working class families and sensitive populations.

To further demonstrate City support for the redevelopment of the Liberty Shipyard and the Yard South Site, the City listed these sites as Priority Sites in their FY2019 Brownfield Assessment Grant application, and have undertaken a comprehensive Phase II investigation through their Brownfield Program to help identify and characterize environmental concerns at the Site.

1.b.ii Outcomes and Benefits of Reuse Strategy
Remediating the Yard South site would be the first cleanup/redevelopment project associated with the redevelopment of the overall Liberty Shipyard, which is key to the overall rehabilitation and revitalization of the Target Area. This cleanup and redevelopment at the Site will demonstrate to the public and project stakeholders, the benefits and successful outputs that can be achieved by teaming with the EPA and will set the course for further cleanup and revitalization of the Target Area. Remediating this Site, creating a vibrant public gathering space, providing a safe connection for pedestrians and bicycles to the waterfront, providing 110 workforce housing units, and taking steps towards overall redevelopment of the Liberty Shipyard will have immediate direct and positive impacts to public welfare, health, and the environment (including Portland Harbor and its fisheries); will stimulate the economy, create much needed jobs, provide much-needed housing options, expand the tax base, reduce blight, and improve community morale and neighborhood investment.

The Yard South redevelopment will increase property values within the Target Area due to the enhanced use of the Site and elimination of environmental and safety concerns. Many residents of South Portland choose to use bike/ped as their primary transportation method; the transportation improvements and extension of the City’s Greenbelt trail associated with the redevelopment of the
Liberty Shipyard will allow these residents a safe way to travel from our Target Area to the public waterfront and Bug Light Park. The Yard South redevelopment (an anticipated $200M effort that will create up to 100 new jobs), and all aspects of the Liberty Shipyard redevelopment will be conducted in a sustainable manner. Our redevelopment partner, PK Realty, employs a full-time Sustainability Coordinator, and utilizes the One Planet Living sustainability framework to support the overall Liberty Shipyard development. This framework is built on principals such as public health, equity and economy, and culture and community, among others. The Yard South cleanup and redevelopment will be in-line with One Planet Living, and will also be aligned with the Portland/South Portland Climate Action Plan. Proposed green measures include on-Site management/treatment of stormwater and an underground heat exchange system that will melt snow from our streets/sidewalks in the winter and provide cooling for buildings in the summer.

Wetlands and flood zones do not exist at the Site, but this redevelopment will protect and improve the shoreline of the Fore River to prevent contaminated fill materials from eroding into the river. Improving the water quality of the Fore River will indirectly improve conditions and economic vitality in the City of South Portland’s only Opportunity Zone, located approximately 2 miles upstream of our Site; as well as a City of Portland Opportunity Zone which is located directly across the Fore River from the Site (Census Tract/Opportunity Zone 23005003000).

1.c. Strategy for Leveraging Resources
1.c.1. Resources Needed for Site Reuse
SPHDC is engaged with a development team that is not only focused on the Yard South Site, but also has a 10-year redevelopment plan for the overall 30-acre Liberty Shipyard. SPHDC and the development team, through this public-private partnership, have been applying for and will continue to apply for grants and foundation funding to assist with overall development efforts. The Brownfields cleanup of the Yard South Site is estimated at approximately $1.2M; SPHDC has already obtained a $240,000 loan and a $160,000 grant from the Maine Department of Economic and Community Development (DECD) Brownfield RLF Cleanup program. This $500,000 U.S. EPA Cleanup grant (plus required 20% match) will provide the remainder of the funds necessary to complete this important and shovel-ready cleanup project. If EPA funds are not obtained, or in the event additional funding for remediation activities and/or Site redevelopment are needed, SPHDC and the redevelopment team intend to leverage gap funding through private redevelopment funds from our project partners. Documentation for secured funding sources is included in Attachment A. SPHDC may also seek supplemental funding as needed through the Greater Portland Council of Governments (GPCOG) Brownfields RLF Cleanup program, the Maine Department of Environmental Protection (MEDEP) 128A Brownfields program, or through City of South Portland Community Development Block Grants. These programs have rolling application processes and have funds available for projects similar to the Yard South cleanup.

To finish construction of buildings and infrastructure at the Yard South Site AFTER environmental cleanup is complete, the redevelopment team will apply for funding sources including a $400,000 U.S. Economic Development Administration CARES Grant, Coastal Communities Grants, the Maine Coastal Program Shore and Harbor Planning Grant, Maine Community Building Grant, the Rhine Thompson Fund, TD Charitable Trust, ConnectMe Planning Grant, EPA Healthy Communities Grant, National Endowment for the ARTS, and the TD Bank Green Space Grant, among others. These leveraged funds will support construction of buildings and site infrastructure at the Yard South Site; however, none of these improvements can be conducted unless impacted surficial soils are properly managed, and the shoreline along the Fore River has been secured. Until cleanup activities are completed, no redevelopment or construction can occur.

1.c.11. Use of Existing Infrastructure
Our Target Area has infrastructure in-place to support our redevelopment strategy for the Yard South Site. The South Portland waterfront is currently serviced by high-speed internet, power, public transportation, and connection to municipal water and sewer utilities. The Yard South Site, and the entire Target Area, is located directly on the waterfront of Casco Bay, making it an attractive and desirable geographic location for future development/redevelopment. The City and Community Organizations are currently investing capital into the infrastructure in this area, conducting traffic studies, improving bike/ped access, and designing road reconfigurations on Broadway, the main street leading to the Site. It is also worth noting that our Site is the only undeveloped location along the southern bank of the Fore River (the South Portland waterfront) which has deep water berthing.
This means that the Yard South property is currently the only publicly accessible location in the City which could be used as a commercial port/water taxi/etc. The redevelopment options available at our Site and in our Target Area are endless, and the infrastructure is in place to support the desired development options, once the environmental stigma associated with Brownfield Sites and urban contamination is removed.

2. COMMUNITY NEED AND COMMUNITY ENGAGEMENT

2.a The Community's Need for Funding

2.a.1 Community Need

As Maine’s fourth largest City, South Portland has a population of 26,498 and is experiencing significant growth (over a 9% increase from 2000-2019) from domestic in-migration, as well as refugees and immigrants. Between 2018 and 2019, the foreign-born population in the City increased from 9% to over 12%. The City is significantly more racially and ethnically diverse than other Maine communities, and our foreign-born population is almost 3x the State average. The foreign-born population fueled more than 75% of population growth in Greater Portland from 2011-2016. Population increases and diversification has led to a tightening in the local housing market and a dramatic increase in demand for affordable workforce housing (as of 11/23/2021 the South Portland Housing Authority has 1,119 applicants for affordable housing on its waiting lists); and has also placed a significant strain on City and school resources as we assist our immigrant population with language training, vocational training, job placement, and transportation.

Over 12% of City residents are living below the poverty line; this increases to nearly 20% for children under the age of 18. A staggering 11.6% of South Portland households reported annual incomes less than $15,000. An estimated 30.6% of households rely on Social Security income, 5.4% on Supplemental Security Income, 2.6% on cash public assistance, and 12.6% on Food Stamp/SNAP benefits. Most concerning is that the U.S. Census reports that poverty is increasing; from 2010-2017, the percentage of residents in poverty rose from 6.7% to 12.4%.

South Portland’s immigrant population and low-income residents, combined with the large number of contaminated and blighted industrial Brownfield Sites, places strain on the City’s annual municipal budget. The City relies on grant funding and limited Tax Increment Financing (TIF) Districts in order to plan and implement economic development projects. While some TIF-funded revitalization has occurred, in general, the City does not have the capacity to fund environmental cleanups. SPHDC, as a non-profit, is also not financially capable of funding ambitious redevelopment projects, although the need for housing in the City is apparent.

2.a.2 Threats to Sensitive Populations

1 Health or Welfare of Sensitive Populations

The vulnerable and disadvantaged residents of our Target Area include immigrants, children (16% of the Target Area population), and the elderly (nearly 20% of the Target Area population). The City of South Portland has seen an influx of immigrants from Haiti and war-torn African countries since the summer of 2019. Between March and December of 2020, nearly 300 people sought refuge; of which, over half were children under 18.

Brownfield sites in our Target Area (such as the Yard South Site, the Liberty Shipyard, and 13 bulk oil storage tank facilities) are currently an obstacle to area redevelopment and revitalization, and despite waterfront views, have made the Target Area an undesirable and potentially hazardous place to live. These industrial sites have left a legacy of environmental contamination and hazardous materials and exhibit blight, vandalism, peeling paint, and other factors that deter new infrastructure investment as well as public use of these waterfront spaces. Houses in the Target Area, some of which were constructed to support WWII-era shipbuilding, are aging structures which are often characterized by asbestos, lead paint, and 75+ years of heating oil use and storage (EPA EJScreen reports that 77% of the housing stock in the Target Area was constructed before 1950). In addition to hazardous building materials, the industrial legacy of the Target Area has resulted in soil and groundwater impacted by lead, petroleum, and heavy metals. Further devaluing these properties is the fact that many are located in the shadows of one of the City’s multiple bulk petroleum facilities.

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3 2020 Decennial Census (www.census.gov)
4 American Community Survey, www.census.gov
5 https://datausa.io/profile/geo/south-portland-me
including tank farms and petroleum distribution pipelines along the waterfront which are known to contribute to air pollution in the Target Area.

The Yard South cleanup will reduce human exposure to historic industrial soil and groundwater contaminants by cleaning up an Site with known lead, arsenic, and PAH contamination. Site redevelopment will also improve the economic viability of the Target Area by providing over 100 safe and affordable housing units; creating nearly 100 jobs; and providing amenities, restaurants, and greenspace that will make the neighborhood more attractive and livable, increase area property values, and encourage infill and redevelopment of other industrial areas in the Target Area.

(2) Greater Than Normal Incidence of Disease and Adverse Health Conditions

The Brownfield sites, bulk oil tanks, and industrial contamination in our Target Area have resulted in greater than normal health impacts to the sensitive populations residing therein. The Target Area contains 13 bulk petroleum storage tanks; the EPA is currently in a lawsuit against some of these petroleum facilities, including Sprague Energy and Global Partners, for exceeding emission standards for VOCs from bulk tanks storing No. 6 fuel oil. VOCs, some of which are known carcinogens, have been detected at elevated concentrations in air throughout the residential neighborhoods of our Target Area; when odors are present, people complain of headaches and say the air stings their noses. Health impacts from the cancerous volatile organics emitted from bulk petroleum tanks in the Target Area are compounded by the fact that Maine is situated in the nation’s "tail-pipe," where the Jet Stream deposits smog, smoke, and ozone. The Maine CDC states that 12.8% of adults in this area suffer from asthma compared to 8.9% nationwide.

77% of the housing stock in the Target Area was constructed before 1950 (when lead paint and asbestos were commonly used) versus an average of 57.7% for Maine or 54.8% for the United States. This means that 3 of 4 individuals, many of whom are elderly, immigrants, and low-income, are living in aging homes which may have lead and asbestos impacts and poor indoor air quality, and may be contributing to asthma and cancer rates. It is no surprise that our Target Area ranks in the 91st percentile in lead paint exposure compared to the rest of the nation. According to the Maine Center for Disease Control (CDC), Greater Portland has twice the state average of children with elevated blood lead levels (5.4% vs. 2.9% respectively); this is due in part to an aging housing stock and highlights the need for affordable housing which is safe and healthy for all people, regardless of income, race, or status. SPHDC is proud that the redevelopment of the Yard South Site will provide safe and healthy workforce housing to the sensitive populations in our City.

Brownfield cleanups will revitalize our Target area and improve overall community health and wellness. The Yard South cleanup will be the FIRST substantial revitalization project on the Liberty Shipyard. SPHDC is committed to the idea that the Yard South Brownfield cleanup and redevelopment will serve as a bellwether that promotes prosperity and sustainable commercial, residential, and light-industrial revitalization of the Target Area.

(3) Promoting Environmental Justice

The WWII-era government acquisition of land along the waterfront in our Target Area created an Environmental Justice issue that continues to this day. Construction of the shipyard forced hundreds of middle-class residents to leave their homes and move to less-desirable areas of the City; effectively transforming a thriving residential waterfront neighborhood into a massive industrial facility. After the war, when the Liberty Shipyard was closed, the now-contaminated and scarred land in our Target Area was not suitable for residential use, and therefore, was developed for mid-century industrial use, petroleum storage and storage. Area redevelopment has not occurred, and our Target Area remains blighted and underutilized. The residents that remain in our Target Area are some of the most sensitive and low-income populations in the City. Due to the housing crisis and lack of affordable options for lower income and working-class families, many of those who live in the Target Area could not leave, even if they wanted to.

The environmental concerns in our Target Area disproportionately impact the sensitive populations that live here. Compared to the rest of the nation, the Target Area is in the 85th percentile in proximity to Risk Management Plan (RMP) Facilities and the 77th percentile in proximity to hazardous waste sites. SPHDC and the City view this as a troubling issue of environmental

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9 [American Community Survey, 2017 ACS 5 Year Estimates Data Profile and EPA EJ Screen](https://www2.census.gov/programs-surveys/acs/2017/5-year-estimates.html)
10 [EJScren Mapper, Block group 230050035003](https://www.epa.gov/ejescreen/check-manual-data)
injustice. People are forced to live in the Target Area, in the shadows of the bulk storage tanks, and adjacent to industrial-contaminated land, because these areas represent a lower cost of living compared to more prosperous neighborhoods in the City. SPHDC wishes to advocate for these residents in the pursuit of fairness and equity as it relates to public health, quality of life, economic opportunity, and environmental justice. This will be accomplished, in part, by cleaning up contamination at the Yard South site and the surrounding Liberty Shipyard and providing safe and affordable housing options in the Target Area. The Yard South redevelopment will also revitalize the Target Area with modern amenities such as boutiques, restaurants, art installations, gardens and bicycle trails that have been previously inaccessible to sensitive populations in our Target Area.

2.b Community Engagement

2.b.1 Project Involvement and 2.b.2 Project Roles

SPHDC will develop a Brownfields Advisory Committee (BAC) which will include City employees, MEDEP, EPA, community planning groups, and other project stakeholders in the planning and decision-making process of the Yard South cleanup. Our community partners are:

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<tr>
<th>Partner Name &amp; Point of Contact</th>
<th>Specific Role in the Project</th>
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<tr>
<td>City of South Portland</td>
<td>The City will participate in the BAC, provide programmatic support, and assist in public outreach and advertising through their website and social media. The Clean Air Advisory Committee may advise on air monitoring during construction. The City is also applying for a FY2022 EPA Brownfield Assessment Grant, which could be used for reuse planning.</td>
</tr>
<tr>
<td>Josh Reny, Assistant City Manager <a href="mailto:jreny@southportland.org">jreny@southportland.org</a> 207-767-7606</td>
<td>Ms. Miller will assist with public engagement in accordance with the GPCOG’s “Inclusive &amp; Accessible Virtual Engagement” manual, and by advertising on their website. Mr. Hall and Ms. Mills-Knapp will review plans and assist in reuse charrettes and sustainability planning for Site redevelopment. GPCOG also has an EPA Brownfields Cleanup RLF for funding gaps.</td>
</tr>
<tr>
<td>GPCOG Zoe Miller, Director of Community Engagement; Chris Hall, Director of Municipal Initiatives; Sara Mills-Knapp, Sustainability Program Manager 207-774-9891, <a href="mailto:info@gpcog.org">info@gpcog.org</a></td>
<td>Primary development partner with SPHDC for the redevelopment of the Yard South Site. PK will participate in the BAC, be involved in public outreach, and will help SPHDC dovetail the redevelopment of the Yard South Site with the redevelopment of the overall Liberty Shipyard. PK also acts as the owner’s rep for L&amp;R Northpoint Holdings, the entity that owns and is developing the remainder of the Liberty Shipyard.</td>
</tr>
<tr>
<td>PK Realty Management (PK) Jen Packard, President <a href="mailto:jp@pkrealtymgmt.com">jp@pkrealtymgmt.com</a> 949-338-8123</td>
<td>CHCC promotes healthy communities through chronic disease and lead poisoning prevention. CHCC will assist SPHDC in presenting health-related monitoring and education for public meetings as needed.</td>
</tr>
<tr>
<td>UNE Coastal Healthy Communities Coalition (CHCC) Sarah Breul, <a href="mailto:sbreul@une.edu">sbreul@une.edu</a>, (207) 602-3555</td>
<td>CHCC promotes healthy communities through chronic disease and lead poisoning prevention. CHCC will assist SPHDC in presenting health-related monitoring and education for public meetings as needed.</td>
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2.b.iii Incorporating Community Input

Our redevelopment team is committed to community engagement and has already participated in public meetings through the City of South Portland FY19 Brownfield Assessment Program; we intend to continue these efforts through cleanup and redevelopment. SPHDC, with GPCOG, will implement a thorough plan for involving the target community in the planning and implementation of this project, and will solicit input and respond to questions/concerns in a meaningful way. The community, project partners, and residents will be encouraged to provide feedback via social media outlets, the SPHDC website, public meetings, and at the SPHDC office via appointment. Questions that are received by the public will be summarized into a FAQ sheet for distribution. SPHDC will develop an information repository on their website; this will include copies of public outreach material, project status updates, and public meeting agendas and minutes. The information repository will include a direct email link for the public to ask questions and provide feedback.

Project updates will be publicized in local newspapers, on the SPHDC website, and on project partner websites. An information repository of program-related documents and reports will be established on the SPHDC website and in their office. SPHDC will create informational flyers,

handouts, and project summary documentation for the website, and will distribute paper versions of these documents at City Hall, and in key locations in our Target Area, including senior living centers and houses of worship (places utilized by our sensitive populations who may not have internet access). Public meetings will be held to solicit input and communicate progress on the cleanup project; at least 2 meetings (prior to and after cleanup) will be co-hosted with partner COs. We will use the Socially Distant Engagement Ideas for EPA Brownfield Grant Applicants fact sheet as a resource for alternatives to face-to-face meetings (e.g., zoom, QR codes, flyers, local TV, and radio, as needed). In response to COVID-10 and as necessary, public meetings will be held at the SPHDC office or in a socially distant manner on-Site; all meetings will also be held via Zoom teleconferencing. SPHDC will accommodate those who speak languages other than English and/or may have hearing/reading impairments by translating documents, providing translators, and providing access to assistive technologies such as teletypewriter relay (TTY) services as needed.

3. TASK DESCRIPTIONS, COST ESTIMATES, AND MEASURING PROGRESS

3.a Proposed Cleanup Plan

Our cleanup plan includes: 1) Placing riprap and stabilizing the shoreline to prevent further erosion of potentially-contaminated urban fill materials into the Fore River; 2) Constructing soil cover systems over the entirety of the Site to prevent human contact with impacted surficial soils (0-2 feet) and urban fills. Soil cover systems will likely consist of a marker layer and 12-inches of structural gravel sub-base; 3) Targeted soil excavation and off-site disposal in the area of proposed foundation footings and subsurface utilities to develop “clean corridors” and prevent worker exposure to contaminants during future (post-Brownfield) Site redevelopment; and 4) Preparation of institutional controls, including an Environmental Media Management Plan and Post-Closure Cover System Maintenance Plan to ensure that future construction and earthwork at the property will not disturb the cover systems or underlying residual contaminated soil. Contractors utilized for cleanup will comply with Davis Bacon wage compliance. During cleanup activities, measures to protect the public and our sensitive populations will be employed to ensure safe conditions; these will include erosion and sedimentation control, dust suppression, and Site security measures. Air monitoring may be utilized to ensure dust and contaminant levels are within acceptable standards.

A Community Relations Plan (CRP) will be prepared, a public meeting and 30-day public comment period will be conducted prior to initiating cleanup activities, and the ABCA will be finalized. The QEP will prepare a SSQAPP and will conduct confirmatory soil sampling. Cleanup documentation will be submitted to MEDEP with a Voluntary Response Action Plan (VRAP) Completion Report. Upon completion of the Site cleanup activities and the VRAP Completion Report, a VRAP Certificate of Closure will be obtained. Redevelopment and construction at the Yard South Site will begin immediately after Brownfield cleanup activities are complete.

3.b Description of Tasks/Activities and Outputs

3.b.i Project Implementation, 3.b.ii Anticipated Project Schedule, 3.b.iii Task/Activity Lead, & 3.b.iv Outputs

<table>
<thead>
<tr>
<th>Task/Activity: Cooperative Agreement Oversight (Task 1)</th>
</tr>
</thead>
<tbody>
<tr>
<td>i. Project Implementation</td>
</tr>
<tr>
<td>• Discussion of EPA-funded activities: Program development and organization; develop a BAC that includes members the Site development team, City, MEDEP, EPA, and citizen/project stakeholders; Develop a Request for Proposals (RFP) and based on a competitive bid process per 40 CFR 30, hold interviews and select a QEP; and attend the National Brownfield Conference. Complete quarterly reports and MBE/WBE reporting. ACRES will be maintained and updated.</td>
</tr>
<tr>
<td>• Non-EPA grant resources needed to carry out task/activity: None</td>
</tr>
<tr>
<td>ii. Anticipated Project Schedule: BAC meetings will be held on a quarterly basis. A QEP will be selected within 1-2 months of funding. Quarterly reports, MBE/WBE reports, and ACRES updating will be performed in a timely manner throughout the grant period.</td>
</tr>
<tr>
<td>iii. Task/Activity Lead(s): SPHDC will oversee this task, with assistance from the BAC on QEP selection. The QEP will complete quarterly reports and ACRES updates.</td>
</tr>
<tr>
<td>iv. Outputs: The creation of a BAC; preparation of an RFP and selection of a QEP; quarterly BAC meetings (up to 12, based on the project duration); quarterly reports (up to 12, based on the project duration); Davis-Bacon reporting and ACRES updating as necessary.</td>
</tr>
</tbody>
</table>
### Task/Activity: Community Outreach & Engagement (Task 2)

#### i. Project Implementation
- **Discussion of EPA-funded activities:** QEP will prepare CRP for approval by MEDEP and EPA. SPHDC and QEP will develop marketing materials; notify community members, adjacent landowners, and community organizations of project progress; advertise for public meeting; hold two public meetings to solicit input, educate, and update the community; and prepare public outreach materials. A 30-day public comment period will be held to solicit input on the draft ABCA; once over, the ABCA will be finalized. SPHDC will provide outreach and communication to the public prior to undertaking the cleanup efforts, during remediation, and following remediation. Questions received from the public will be incorporated into a FAQ document to be distributed to the public.
- **Non-EPA grant resources needed to carry out task/activity:** GPCOG will help in the public outreach, will advertise public meetings and solicit public input. Project updates and informational materials will be published on the City’s and CO’s websites and social media.

#### ii. Anticipated Project Schedule
The first public meeting will occur while the QEP is completing draft cleanup plans and specifications (to advertise and solicit input on the draft ABCA), and the second meeting will be held as cleanup nears completion.

#### iii. Task/Activity Lead(s)
SPHDC and the QEP, with assistance from the BAC.

#### iv. Outputs
- CRP, outreach and educational materials (Brownfield 101 tri-fold brochure and FAQ handout), public meeting ads, press releases and project updates, educational materials to support a public meeting (PowerPoint presentations and handouts). A final ABCA. At least two public meetings. One-on-one meetings with Site abutters, as needed.

### Task/Activity: Site-Specific Activities (Task 3)

#### i. Project Implementation
- **Discussion of EPA-funded activities:** Prior to start of construction, the QEP (with SPHDC oversight) will: prepare final cleanup plans and specifications for review and approval by the EPA, MEDEP and SPHDC; conduct a pre-bid site visit with proposed contractors; and prepare a SSQAPP for confirmatory sampling. SPHDC/QEP will review contractor bids and select a cleanup contractor. The QEP will apply for and obtain necessary construction permits and will coordinate with the local health agency on health monitoring activities during cleanup, as necessary. SPHDC and the QEP will be in communication with MEDEP and EPA personnel.
- **Non-EPA grant resources needed to carry out task/activity:** None

#### ii. Anticipated Project Schedule
The QEP will prepare project documents and cleanup design within 3-6 months of selection (winter 2022/spring 2023). A SSQAPP will be prepared and permits will be obtained at this time.

#### iii. Task/Activity Lead(s)
The QEP will oversee this task, with assistance from SPHDC.

#### iv. Outputs
- Cleanup Plans & Specifications, bidding documentation, SSQAPP, construction permits

### Task/Activity: Oversee Site Cleanup (Task 4)

#### i. Project Implementation
- **Discussion of EPA-funded activities:** The selected cleanup contractor will perform shoreland stabilization and remediation of impacted soils. During cleanup activities, the QEP will: monitor and oversee construction; project reporting to ensure compliance with the plans, specifications, and regulatory requirements; review and approve pay reqs and Davis-Bacon documentation; perform a final site walk-through; and collect confirmatory samples. Health monitoring and air sampling will be conducted as needed. The QEP will submit the Site to the MEDEP VRAP, prepare a MEDEP VRAP closure report, prepare paperwork to obtain a VRAP Certificate of Closure, and prepare grant closeout documentation. The QEP will prepare the institutional controls (revised Environmental Media Management Plan and Cover System Maintenance Plan). SPHDC will assist with project oversight and will be in communication with MEDEP and EPA team members throughout this phase of work.
- **Non-EPA grant resources needed to carry out task/activity:** None

#### ii. Anticipated Project Schedule
We plan to start cleanup activities in summer/fall 2023 and will prepare closure reports and documentation in spring 2024. We see no impediment to completing this work within the three-year grant period.
iii. Task/Activity Lead(s): The QEP will oversee this task, with assistance from SPHDC.

iv. Outputs: Cleanup of the Yard South site per the ABCA and MEDEP-approved design plans. Confirmatory soil sampling, MEDEP VRAP Closure Report, EMMP and Cover System Maintenance Plan, VRAP Certificate of Closure, Grant Closeout documentation. Contractor outputs include shoreland stabilization and construction of ~3 acres of soil cover systems.

### 3.c Cost Estimates

<table>
<thead>
<tr>
<th>Budget Categories</th>
<th>Project Tasks ($)</th>
<th>CA Oversight</th>
<th>Community Outreach</th>
<th>Site Specific</th>
<th>Oversee Cleanup</th>
<th>Total</th>
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<tr>
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Task 1 - Cooperative Agreement Oversight: Includes SPHDC’s time for program development, organization, and support (40 hours @ $50/hour = $2,000); three meetings with the BAC (28 hours @ $50/hour = $1,400); preparing bidding documents for QEP selection and interviewing/contracting with the QEP (12 hours @ $50/hour = $600); and travel to the National Brownfields Conference ($1,000 air/bus fare, lodging, and registration). QEP time is estimated at $3,500 and includes attending three BAC meetings ($500 per meeting) and programmatic support ($2,000).

Task 2 - Community Outreach and Engagement: Includes SPHDC staff (150 hours at $50/hour = $7,500) and QEP time (estimated at $7,000) for meetings, preparing presentations and outreach materials, and responding to questions from the public. Outputs include two public meetings and public outreach deliverables ($500 in supplies, advertising costs, production of flyers, etc.). 25% of the anticipated $100,000 cost share will be provided in cash and in-kind services from SPHDC.

Task 3 - Site Specific Activities: SPHDC time to review QEP documents and coordinate with MEDEP and EPA (80 hours at $50/hour = $4,000). Total QEP costs estimated at $37,000; outputs include Cleanup Plans and Specifications and permitting ($19,500), bidding phase services ($7,500), SSQAPP ($8,000), and coordination/communication with the MEDEP and EPA ($2,000).

Task 4 - Oversee Site Cleanup: Includes SPHDC time for oversight during cleanup activities (80 hours at $50/hour = $4,000). QEP outputs include overseeing cleanup activities ($9,000), project monitoring and reporting ($4,500), collection and analysis of confirmatory samples ($2,000), preparing a VRAP closure report, coordination with MEDEP & EPA ($11,000), grant closeout documentation ($4,000), and presenting at additional public meetings and BAC Meetings ($9,500). Cleanup contractor costs are estimated to be $391,500. 75% of the anticipated $100,000 cost share will be provided in cash and in-kind services from SPHDC.

### 3.d Measuring Environmental Results

SPHDC will track and evaluate progress through high quality, detailed quarterly reports outlining the project’s progress in achieving project outputs, results, and outcomes; and through frequent updating of the ACRES database (tasks complete, money spent, and progress). SPHDC will be in regular communication with the QEP, MEDEP and EPA through BAC Meetings, construction meetings, and weekly telephone calls with the QEP to ensure the project stays on schedule, on
budget, and there are no impediments in achieving the project outputs in a timely manner. We will track outcomes that include the acres cleaned up; types of contaminants remediated; reduction of environmental risks; number of jobs created; number of housing units created, quantity of greenspace; amount of leveraged cleanup funds; leveraged site redevelopment funds; and other leveraged or economic outcomes. The outputs and outcomes will be reviewed and revised regularly in conjunction with regional EPA and MEDEP staff to ensure the project is successful.

4. PROGRAMMATIC CAPABILITY AND PAST PERFORMANCE

4.a Programmatic Capability

4.a.i Organizational Structure and 4.a.ii Description of Key Staff

The SPHDC is a non-profit 501(c)(3) corporation governed by a 15-member board. SPHDC was established by the SPHA as its non-profit affiliate to develop, own and operate affordable housing. The SPHDC serves as developer of affordable housing with the intention of preserving long-term affordability for its projects. The SPHDC has the organizational capacity and expertise to execute the Yard South Cleanup and expend all Brownfields Cleanup grant funds within the performance period. Key SPHDC staff for this project are: Brooks More, the SPHDC Director of Development, who previously acted as the Program Director for the SPHDC’s successful EPA-funded Brownfields Cleanup of the Thorton Heights Common project. Mr. More will act as the project director and oversee all aspects of the Brownfields workplan execution. Mike Hulsey is the Executive Director of the SPHDC. Mike’s primary role in Yard South project will be ensuring the SPHDC’s ongoing management of leasing, auditing, and maintenance activities.

4.a.iii Acquiring Additional Resources

SPHDC will manage a competitive procurement process in accordance with 40 CFR 30 to solicit a QEP to oversee and engineer cleanup activities, assist with community outreach, and perform regulatory compliance. We will develop a Request for Proposal, and publicly bid and advertise via the newspaper and SPHDC’s website. SPHDC used this process for our FY2019 U.S. EPA Brownfield Cleanup Grant, and routinely performed this type of procurement for other construction projects in South Portland. Cleanup contractors will also be selected via a competitive bid process, advertised in the same manner. When necessary, SPHDC will also seek the advice and support of the EPA and MEDEP staff for direction on programmatic requirements. SPHDC and its selected QEP will liaison with the MEDEP to coordinate and oversee the completion of this cleanup.

4.b Past Performance and Accomplishments

4. b. i Currently Has or Previously Received an EPA Brownfields Grant

(1) Accomplishments

SPHDC received a $500,000 FY2019 EPA Brownfield Cleanup Grant for the Thornton Heights Commons site on Main Street in South Portland to abate PCBs, mold, asbestos and lead-based paint. SPHDC developed a Cleanup Task Force, contracted a QEP (a MBE/MBE business), completed programmatic requirements, completed grant-required reporting (CRP, ABCA, SSQAPP, etc.), and prepared engineering bidding documents. The bid was awarded to a qualified abatement and all phases of work were completed, and all funds were expended within an 11-month period between July of 2019 and June of 2020 (two years ahead of the grant deadline). At this time, the grant is closed-out and construction has commenced on a 42-unit affordable housing project. Project outputs and grant completion documentation has been entered into ACRES. On this project, SPHDC leveraged $200,000 in South Portland CDBG funds; and the entire $800,000 Brownfield budget was able to be counted towards the EPA’s MBE/WBE goals. The Brownfields grant also leveraged over $14,000,000 in public and private funds for subsequent building construction.

(2) Compliance with Grant Requirements (10 points)

Throughout the FY2019 Brownfield Cleanup grant, SPHDC submitted quarterly reports, grant deliverables, and ACRES updates on time and in accordance with submittal requirements. All annual financial statements were properly submitted. No submittal or tracking issues were identified for this Brownfield cooperative agreement, and the cleanup program was successfully completed in accordance with our approved work plan, schedule and terms and conditions with no corrective actions issued. On this project, SPHDC exceeded our expected program outcomes. The grant period for this cleanup was July 1, 2019 to September 30, 2022; however, funds were fully expended, the grant was completed, and appropriate closeout documents were completed in 2019.
ATTACHMENT B

Threshold Criteria for Cleanup Grants

South Portland Housing Development Corporation
Yard South, South Portland, Maine
U.S. EPA Brownfield Cleanup Grant Proposal
III.B. Threshold Criteria for Cleanup Grants

1. Applicant Eligibility

The South Portland Housing Development Corporation (SPHDC) is a non-profit organization with tax-exempt status under section 501(c)(3) of the Internal Revenue Service Code (See Attachment C).

2. Previously Awarded Cleanup Grants

SPHDC affirms that it has not previously received a U.S. EPA Cleanup Grant for the Yard South property (the “Site”).

3. Expenditure of Existing Multipurpose Grant Funds

SPHDC affirms that it does not have an open EPA Brownfields Multipurpose Grant.

4. Site Ownership

SPHDC affirms: that it is the sole owner of the Site that is subject to this U.S. EPA Brownfield Cleanup Grant (Yard South, located at 149A Front Street in South Portland, Maine); that the property was obtained prior to December 1, 2021 (obtained via deed conveyance on October 26, 2020); and that SPHDC will maintain sole ownership of the property until the grant services are completed and the grant is closed out.

5. Basic Site Information

   a) Site Name: Yard South
   b) Site Address: 149A Front Street, South Portland, Maine 04106
   c) Current Owner of the Site: South Portland Housing and Development Corporation, 100 Waterman Drive, Suite 101, South Portland, Maine 04106

6. Status and History of Contamination at the Site

   a) Is the Site contaminated by hazardous substances or petroleum?

      Hazardous Substances

   b) What is the operational history and current use(s) of the Site?

      The 3.16-acre Yard South Site is part of a historic shipbuilding facility located on South Portland’s waterfront. From circa 1940 to 1943, the U.S. Government acquired the Liberty Shipyard property (which includes the Yard South Site) and brought fill to the Site in order to construct a shipyard manufacturing facility to meet the demand of World War II. From circa 1940 until 1945, the U.S. Government contracted the Todd-Bath Shipyard, which later became the New England Shipbuilding Corporation (NESC), to operate the shipyard. In
1946, the Greater Portland Public Development Commission (GPPDC) purchased the Liberty Shipyard from the U.S. Government. GPPDC subdivided and sold the Site parcels to various owners, which have utilized/occupied the Site for industrial and commercial businesses from circa 1946 until the present date.

In 1995, Irving Oil purchased the 149 Front Street property and proposed to develop a bulk petroleum tank facility at the property, but the proposed bulk tank facility did not materialize, and the property remained vacant. From 1999 to 2016, HHH, LLC acquired all of the Liberty Shipyard Site parcels and proposed to redevelop them for mixed residential, commercial and industrial uses, but those redevelopment plans did not materialize. The current Site owner (South Portland Housing Development Corporation) acquired the Site in 2020. The Yard South Site is currently vacant and unimproved.

c) **What are the known environmental concerns at the Site?**

Historic environmental investigations completed as part of the City of South Portland Brownfield Assessment Program in 2020 identified the presence of urban fill materials (wood, brick, concrete, asphalt and glass), sand, and gravel to approximately 10 feet below ground surface (bgs). Soil sample analytical results identified concentrations of arsenic and lead in surficial soil samples (0-2 feet bgs) at concentrations which exceed the MEDEP RAGs for the “Residential” exposure scenario.

Additionally, the Yard South Site has approximately 500 feet of shoreline along the Fore River and was the former location of Liberty Shipyard’s large deep-water piers. The shoreline, like the rest of the Site, is constructed of fill materials. The shoreline at the Site is severely eroded, and is littered with exposed fill materials, bricks, and metal remnants; these fill materials contain elevated concentrations of heavy metals, and urban fill is typically characterized by metals, petroleum constituents, and hydrocarbons. Historic aerial photos dating back to the 1950’s show that the shoreline has deteriorated over time, resulting in contaminated fill materials being washed into the Fore River and Casco Bay.

d) **How did the Site become contaminated and what is the current understanding of the nature and extent of the contamination?**

The Site became contaminated due to the fact that it was constructed with urban fill in the 1940’s to facilitate the construction of a shipyard (the Site was formerly located beneath the waters of the Fore River). It was further contaminated through its use as a shipyard during World War II, and due to historic industrial activities and petroleum storage on the Site between the end of the war and the present.

Based on historic investigations, urban fills and contaminated surficial soils contain arsenic and lead at concentrations which exceed the MEDEP RAGs for the “Residential” exposure scenario; these contaminants are present Site-wide (approximately 3.16 acres). Additionally, the entire 500-foot length of the Fore River shoreline is exhibiting deterioration and erosion.
7. **Brownfields Site Definition**

The Site meets the definition of a Brownfield under CERCLA 101 (39) and is eligible for Brownfield Grant funding. SPHDC affirms that the Site is:

(a) Not listed or proposed for listing on the National Priorities List;
(b) Not subject to unilateral administrative orders, court orders, administrative orders on consent, or judicial consent decrees issued to or entered into by parties under CERCLA; and
(c) Not subject to the jurisdiction, custody, or control of the United States government.

8. **Environmental Assessment Required for Cleanup Grant Proposals**

As part of the property transfer between L&R Northpoint Holdings (the former property owner) and the SPHDC, a Phase I Environmental Site Assessment (ESA) was completed by Ransom Consulting, LLC (Ransom) on October 16, 2020. The Phase I ESA did not identify any “Recognized Environmental Conditions” (RECs) as defined by ASTM International Standard E 1527-13, in connection with the Site. However, the presence of documented soil contamination and potential groundwater and soil vapor contamination at concentrations above their respective MEDEP exposure guidelines at the Yard South site is considered a Controlled Recognized Environmental Condition (CREC), since exposure to the contamination has been mitigated with an institutional control in the form of a Declaration of Environmental Covenant (DEC).

As part of the City of South Portland Brownfield Assessment Program, Ransom conducted a Phase II Environmental Site Assessment (ESA) in accordance with ASTM E1903-19 for the entire Liberty Shipyard property in the fall of 2020. A total of three test pits, three soil borings, and one soil vapor sample were performed on the Yard South Site. Ransom’s Phase II ESA also included sampling five groundwater monitoring wells (LSMW202, LSMW203, LSMW204A, LSMW204B and LSMW205) which were installed at the Site as part of historic environmental investigations. A draft Phase II ESA report for the Yard South Site was prepared and is dated October 23, 2020.

9. **Enforcement or Other Actions**

There are no ongoing or anticipated environmental enforcement actions, other actions, orders, or local, state, or federal inquiries for the Site. Furthermore, the applicant is not aware of any current records of judgments, liens, or other enforcement actions regarding this site.

10. **Sites Requiring a Property-Specific Determination**

A property-specific eligibility determination is not required for this site.

11. **Threshold Criteria Related to CERCLA/Petroleum Liability**

The site is contaminated with hazardous substances, as such, SPHDC is responding to all items under a.

a. **Property Ownership Eligibility – Hazardous Substance Sites**
i. **EXEMPTIONS TO CERCLA LIABILITY – N/A**

ii. **EXCEPTIONS TO MEETING THE REQUIREMENTS FOR ASSERTING AN AFFIRMATIVE DEFENSE TO CERCLA LIABILITY – N/A**

iii. **LANDOWNER PROTECTIONS FROM CERCLA LIABILITY**

   (1) **Bona Fide Prospective Purchaser Liability Protection**

      (a) **Information on the Property Acquisition**

         (i) **How you acquired ownership:** SPHDC acquired the property via deed conveyance from L&R Northpoint Holdings.

         (ii) **Date you acquired the property:** October 26, 2020

         (iii) **Nature of Ownership:** Fee Simple Ownership

         (iv) **Name and identity of the party from whom you acquired ownership:** L&R Northpoint Holdings, LLC.

         (v) **Familial, contractual, corporate, or financial relationships or affiliations with prior owners or operators:** SPHDC has no familial, contractual, corporate, or financial relationships or affiliations with prior owners or operators of the Site.

      (b) **Pre-Purchase Inquiry**

         (i) **Site assessments performed – Type of assessment, date of assessment, and the entity for which they were performed:** As part of the property transfer between L&R Northpoint Holdings (the former property owner) and the SPHDC, a Phase I Environmental Site Assessment (ESA) was completed by Ransom Consulting, LLC (Ransom) on behalf of SPHDC in October 16, 2020. This ESA was performed in accordance with ASTM E1527-13, Standard Practice for Environmental Site Assessments, and the Standards for Conducting All Appropriate Inquiry (AAI) under the United States Code of Federal Regulations (CFR), Title 40, Part 312.

         (ii) **Qualifications of firm performing assessments:** Ransom is an engineering and consulting firm located in Portland, Maine, with over 30 years of professional experience conducting U.S. EPA and privately-funded Brownfield Assessments; in the past 10 years, the Ransom team has worked successfully on nearly 200 U.S. EPA-funded Brownfield sites in New England.

         (iii) **Ransom’s Phase I ESA, dated October 16, 2020, was completed within 180 days prior to our acquisition of the property.**

      (c) **Timing and/or Contribution Toward Hazardous Substances Disposal:** The Site has been used for industrial purposes since it was filled in the early 1940’s to facilitate the construction of a shipyard. The contaminants of concern in the onsite soils are a direct result of urban fill, historic industrial site use, and historic petroleum storage. The Site is currently vacant. All disposal of hazardous substances at the site occurred prior to SPHDC acquiring the property on October 26, 2020. SPHDC has not caused or contributed to any release of hazardous substances at the site. We affirm that we have
not, at any time, arranged for the disposal of hazardous substances at the site or transported hazardous substances to the site.

(d) Post-Acquisition Uses: Since property acquisition on October 26, 2020, SPHDC has maintained and secured access to the Site. The Site has been vacant for the entirety of SPHDC’s ownership.

(e) Continuing Obligations: Since acquiring ownership of the property on October 26, 2020, SPHDC has demonstrated appropriate care and taken reasonable steps in addressing the identified on-Site contamination to (i) stop any continuing releases; (ii) prevent any threatened future release; and (iii) prevent or limit exposure to any previously released hazardous substance. No significant renovations or modification to the site, resulting in a release of the hazardous substances to the environment, has occurred, or is planned. Access to the property (security fence) is restricted and limited to authorized personnel only. Furthermore, the property and area are routinely patrolled by the local police department.

Currently, and during proposed future developments at the site, SPHDC will (i) comply with land use restrictions and will not impede the effectiveness or integrity of any institutional controls; (ii) assist and cooperate with those performing the assessment and provide access to the property; (iii) comply with all information requests and administrative subpoenas that have or may be issued in connection with the property; and (iv) provide all legally required notices.

12. Cleanup Authority and Oversight Structure

a. Cleanup Oversight Plan: SPHDC will ensure that the cleanup activities at the site will comply with applicable local, state, and federal laws and regulations, and that the cleanup actions will be protective of human health and the environment. SPHDC will competitively bid and retain a qualified environmental professional (QEP) in accordance with the competitive procurement provisions of 40 CFR Part 30 (for non-profit organizations). The QEP will work with SPHDC to design, prepare specifications and bidding documents, and oversee and document remediation activities at the site, as well as to assist with the interface between the SPHDC, MEDEP, and EPA. The QEP will also assist with the competitive bid process for selecting an environmental cleanup contractor to perform the proposed cleanup actions. SPHDC will contract with the selected QEP and environmental cleanup contractor prior to initiating cleanup activities. The site will also be entered into the MEDEP Voluntary Response Action Program (VRAP). Under the VRAP, the MEDEP provides technical review and comment on all plans, reports, and activities pertaining to cleanup of a Site.

b. Access Plan for Adjacent or Neighboring Properties: SPHDC views the adjacent property owners as project stakeholders and cooperative partners in the proposed cleanup actions at the site. We will be in frequent communication with these property owners prior to and during cleanup activities, and they will be an active partner in the Site’s redevelopment. At this time, the proposed cleanup activities are limited to the site and are not anticipated to
extend to adjacent properties. However, if the proposed cleanup or confirmatory sampling/monitoring requires access to the adjacent properties, a formal written access agreement will be obtained from the adjoining property owners, if necessary, and the SPHDC is committed to take the necessary steps to mitigate this contamination as well. Furthermore, the City of South Portland and the MEDEP have the regulatory authority to access adjacent properties for emergency situations.

13. **Community Notification**

SPHDC has fulfilled the community notification requirements for the site.

a. **Draft Analysis of Brownfields Cleanup Alternatives:** An Analysis of Brownfields Cleanup Alternatives - Preliminary Evaluation (which includes a description of the site, contamination, and cleanup standards/laws; a description of cleanup alternatives evaluated; and a description of the proposed cleanup) was prepared prior to the public notice and public meeting. The draft ABCA and draft grant proposal were made available for public review on the SPHDC website (www.spha.net). The public comment period ran from November 11, 2021 at 9:00 a.m. until Friday, November 26, 2021 at 5:00 p.m. No public comments or questions were received.

b. **Community Notification Ad:** SPHDC published a community notification ad in the South Portland Sentry on November 12, 2021, and on the SPHDC website. This advertisement stated that a copy of the draft ABCA and draft grant proposal were available for public review and comment; provided instructions for commenting on these draft documents; identified the location where the draft documents were located for review; and presented the date and time of the public meeting.

c. **Public Meeting:** SPHDC held a public meeting at 5:00 p.m. on November 22, 2021 via Zoom video conferencing. The purpose of the meeting was to discuss the draft grant proposal, draft ABCA, and consider public comments prior to submittal of this grant proposal. No one from the public attended this meeting.

d. **Submission of Community Notification Documents:** The following items are included in Attachment D:
   1) A copy of the draft ABCA-Preliminary Evaluation;
   2) A copy of the newspaper advertisement demonstrating notification to the public and solicitation for comments on the proposal;
   3) A summary of the questions/comments received, responses to the questions/comments, and applicable meeting notes from the public meeting (no public comments were received during the public comment period); and
   4) Screen shots from the public meeting showing the meeting participants.

14. **Statutory Cost Share**

a. **Sources of Required Cost Share:** We are fully committed to providing the requisite 20% cost share up to $100,000 (based on a $500,000 cleanup grant request) toward eligible cleanup
activities in the form of cash contribution and in-kind services. SPHDC will also seek opportunities to augment matching funds in the form of a contribution of labor, materials, and/or services from non-federal sources including in-kind services, program development, oversight, and documentation.

b. **Hardship Waiver Request**: No cost share waiver is being requested.

15. **Waiver of the $500,000 Limit**

SPHDC is not requesting a waiver of the $500,000 limit.

16. **Named Contractors and Subrecipients**

SPHDC chooses not to name procurement contractors, consultants, or subrecipients as part of this application. We will select contractors in compliance with the fair and open competition requirements in 2 CFR Part 200 and 2 CFR Part 1500, and the EPA’s Best Practice Guide for Procuring Services, Supplies, and Equipment Under EPA Assistance Agreements. We do not anticipate subrecipients as part of this grant.