Narrative Information Sheet

1. **Applicant Identification:** Mississippi Department of Environmental Quality (MDEQ)
P.O. Box 2261
Jackson, Mississippi 39225-2261
DUNS: 809399876

2. **Funding Requested:**
   a. Grant Type: Individual RLF
   b. Federal Funds Requested:
      i. $1,000,000
      ii. NOT requesting a waiver of 20% cost share requirement

3. **Location:** Statewide (MDEQ Jurisdiction)
   a. All Cities
   b. All Counties
   c. Mississippi

4. **Target Area and Priority Site Information:**
   - Philadelphia, Mississippi
   - Vicksburg, Mississippi
   - Laurel, Mississippi
   - Priority Site #1 – Benwalt Hotel (ACRES #, 236396), 238 Byrd Avenue, Philadelphia, MS
   - Priority Site #2 – US Rubber Recycling (ACRES #244249), 2000 Rubber Way Road, Vicksburg, MS
   - Priority Site #3 - Laurel Charity Hospital (ACRES #121941), 105 Buchanan St., Laurel, MS

5. **Contacts:**
   a. Project Director:
      Thomas Wallace, Brownfield Program Coordinator
      601-961-5171
twallace@mdeq.ms.gov
      P.O. Box 2261
      Jackson, Mississippi 39225-2261
   b. Chief Executive/Highest Ranking Official:
      Chris Wells, Executive Director
      601-961-5000
cwells@mdeq.ms.gov
      P.O. Box 2261
      Jackson, MS 39225-2261

6. **Population:**
   - City of Philadelphia – 7,118 (2020)
   - City of Vicksburg – 21,573 (2020)
   - City of Laurel – 17,161 (2020)

7. **Other Factors Checklist - See Page 2**
8. **Letter from the State Environmental Authority** – N/A – MDEQ is the State Environmental Authority
### Other Factors Checklist

<table>
<thead>
<tr>
<th>Other Factors</th>
<th>Page #</th>
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<tbody>
<tr>
<td>Community population is 10,000 or less.</td>
<td>x p. 1</td>
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<tr>
<td>The applicant is, or will assist, a federally recognized Indian tribe or United States territory.</td>
<td>x p. 6, 8</td>
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<tr>
<td>The priority brownfield site(s) are impacted by mine-scarred land.</td>
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<tr>
<td>The priority site(s) is adjacent to a body of water (i.e., the border of the priority 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>
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<tr>
<td>The priority site(s) is in a federally designated flood plain.</td>
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<tr>
<td>The reuse of the priority site(s) will facilitate renewable energy from wind, solar, or geothermal energy.</td>
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<tr>
<td>The reuse of priority site(s) will incorporate energy efficiency measures.</td>
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<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>
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MEMORANDUM

November 17, 2021

FROM: Ted Lampton, Senior Attorney, MDEQ
VIA: Roy Furrh, General Counsel, MDEQ
TO: Chris Wells, Executive Director, MDEQ

RE: Brownfield Revolving Fund
Application for Grant to provide loan funds

In connection with an effort by MDEQ’s Groundwater Assessment and Remediation Division to apply for a grant to provide loan funds for Brownfield sites, the Legal Division has been asked to answer two questions regarding MDEQ statutory authority. These questions are derived from Paragraph III.5.b of EPA’s FY22 Guidelines for Brownfield Revolving Loan Fund Grants, which requires a legal opinion from MDEQ counsel addressing these two issues so that said legal opinion may be included in MDEQ’s application for funds for a brownfield revolving fund. Those questions are:

Does MDEQ have legal authority to access and secure sites in the event of an emergency or default of a loan agreement or non-performance under a sub-grant?

And,

Does MDEQ have the legal authority to perform the action necessary to manage a revolving loan fund and, at a minimum, legal authority to include: the ability to hold funds, make loans, enter into loan agreements, and collect repayments?

Mississippi does have a state law addressing Brownfield sites, providing for Voluntary Brownfield Agreements, providing certain liability protections for brownfield parties to encourage participation in the program, and otherwise authorizing MDEQ’s Brownfields program. This law is cited as the Mississippi Brownfields Voluntary Cleanup and Redevelopment Act, and codified at Miss. Code Ann. Section 49-35-1, et seq.
While the above cited state law does not specifically address Brownfield Revolving Loans, The Mississippi Commission on Environmental Quality (Commission) and the Mississippi Department of Environmental Quality (MDEQ) are granted the following authorities:

Miss. Code Ann. Section 49-2-9(1)(c) states that the Commission shall have the power and duty to apply for, receive and expend any federal or state funds or contributions, gifts, devises, bequests or funds from any other source.

Miss. Code Ann. Section 49-2-9(1)(e) states, in part, that the Commission shall have the power and duty to enter into, and to authorize the executive director to execute with the approval of the commission, contracts, grants and cooperative agreements with any federal or state agency or subdivision thereof, or any public or private institution located inside or outside the State of Mississippi, or any person, corporation or association in connection with carrying out the provisions of this chapter . . . .

Miss. Code Ann. Section 49-2-13(j) states that the Executive Director of the Mississippi Commission on Environmental Quality (MDEQ) shall have the power and duty to: (j) To issue, modify or revoke any and all orders under authority granted by the commission which include, but are not limited to those which (i) prohibit, control or abate discharges of contaminants and wastes into the air and waters of the state; (ii) require the construction of new disposal systems or air-cleaning devices or any parts thereof, or the modification, extension or alteration of existing disposal systems or air-cleaning devices or any parts thereof; or the adoption of other remedial measures to prevent, control or abate air and water pollution or to cause the proper management of solid wastes; (iii) impose penalties pursuant to Section 17-17-29 and Section 49-17-43 which have been agreed upon with alleged violators; and (iv) require compliance with the conditions of any permit issued by the Permit Board created in Section 49-17-28 and all regulations of the commission.

Miss. Code Ann. Section 49-2-13(k) states that the Executive Director of the Mississippi Commission on Environmental Quality (MDEQ) shall have the power and duty to: (k) With the approval of the Commission, to enter into contracts, grants, and cooperative agreements with any federal or state agency or subdivision thereof, or any public or private institution located inside or outside the State of Mississippi, or any person, corporation or association in connection with carrying out the provisions of this chapter . . . .

Miss. Code Ann. Section 11-45-11 states that the state shall be entitled to bring all actions and all remedies to which individuals are entitled in a given state of case. In its delegation regulations, the Commission delegated to the Executive Director of MDEQ the following powers: (h) To make preliminary determinations necessary to file suit, file suit, conduct litigation, and settle all litigation matters on behalf of the Commission. 11 Miss. Code Ann. Pt. 1, R. 1.1 (h). Further, in its delegation regulations, the Commission
delegated to the Executive Director of MDEQ the power to enter into all contract, grants and cooperative agreements allowed by Miss. Code Ann. § 49-2-9(e).

Miss. Code Ann. Section 49-17-27 states: In the event an emergency is found to exist by the commission, it may issue an emergency order as circumstances may require. Said emergency order shall become operative at the time and date designated therein and shall remain in force until modified or cancelled by the commission or superseded by a regular order of the commission or for a period of forty-five (45) days from its effective date, whichever shall occur first, and may be enforced by an injunction if necessary. The chancery court shall always be deemed open for hearing requests for injunctions to enforce such emergency orders and the same shall have precedence over other matters. When, in the opinion of the commission or its executive director, an emergency situation exists which creates an imminent and substantial endangerment threatening the public health and safety or the lives and property of the people of this state, notice shall be given immediately to local governing authorities, both county and municipal, the state emergency management organization, and the governor for appropriate action in accordance with applicable laws for protections against disaster situations. Additionally, pursuant to Miss. Code Ann. § 49-17-21, the Commission or its duly authorized representative has the power to enter at reasonable times upon any private or public property for the purpose of inspecting, and investigating conditions relating to pollution or the possible pollution of any air or waters of the state.

ANALYSIS and CONCLUSIONS:

MDEQ can issue orders to secure a site in an emergency. Securing a site for failure to pay on the loan, etc. would require language in the loan agreement itself allowing for such securing as may be necessary related to a failure to repay a loan or failure to otherwise fulfill loan agreement requirements; and enforcement of such loan provisions would appear to require a lawsuit under state contract law to enforce the terms of the loan agreement. As an agency of the state, MDEQ could initiate such a lawsuit if necessary.

While Mississippi has a state law specifically addressing Brownfield sites and MDEQ's Brownfields program, there is no state law that specifically contemplates or addresses a Revolving Loan Fund program for Brownfield sites. However, the authorities described above provide broad powers to the Commission and MDEQ related to pollution control, and it appears that MDEQ has the authority to accept grant funds, to hold the funds, make loans, enter into contracts, cooperative agreements, and loan agreements, and collect repayments for purposes consistent with its statutory duties, including the assessment and remediation of pollution at brownfield sites.
1. PROJECT AREA DESCRIPTION AND PLANS FOR REVITALIZATION.
   
a. Target Area and Brownfields.
   
i. Background and Description of Target Area. During the first half of the 19th century, Mississippi was the top cotton producer in the United States; and the fertile soils of the Mississippi Delta, coupled with vast expanse of timber in the Piney Woods region of the State, served as the backbone of commerce for nearly a century. For the first half of the 20th century, the expansion of the rail, highway, and river transport systems attracted a number of manufacturing and industrial enterprises, including cotton and paper, warehousing, and manufacturing along with the State’s natural gas industry. As these industries matured and moved abroad, the extent of the brownfield challenges became widespread. Numerous shuttered warehouses, abandoned rail spurs, vacant gas stations, and blighted properties now litter cities and towns throughout the State. These ubiquitous brownfields pose health and safety threats and have stifled economic growth. The economic growth barriers that the many brownfield sites present have further contributed to the “brain drain” that is happening in Mississippi. This exodus of talented and educated citizens and the disappearance of financial and human capital resources in our state – resulting in part from the prevalence of brownfields – led us at the Mississippi Department of Environmental Quality (MDEQ) to apply for this Statewide Brownfield Revolving Loan Fund (RLF).

   According to the 2020 U.S. Census Bureau data, Mississippi was one of only three states to see a decline in population over the past ten years, compared to a nationwide growth rate of 7.4%. Every year, federal money flows to states, local governments and other entities, and much of it is based on the census population data. As Millennials — those born between 1981 and 2000 — became the largest generation of Americans, the demographic’s total U.S. population increased by approximately 2.6 million from 2010 and 2016, according to Census estimates. However, counter to the national trend, Mississippi’s Millennial population has dropped to 801,799, a 3.9 percent decrease during those same six years. According to a governing.com analysis of the recently reported state-by-state Census data, no other state in the country lost more Millennials. This is a significant loss for our state especially considering that on average, between $3,000 to $5,000 in federal funding is allocated per person per year to Mississippi. Our state’s decline in population (not just Millennials) could mean an $18 million to $30 million decrease in federal funding for the state.

   “Brain drain” also exacerbates poverty in Mississippi by robbing our communities of their best and brightest, thereby leaving missed opportunities and a lower quality of life. According to the U.S. Census Bureau, Mississippi has the highest poverty rate in the nation (19.6%- nearly double the national poverty rate). In addition to rampant poverty, Mississippi has the second highest minority percentage in the nation, and the aforementioned poverty impacts in the State are disproportionately felt by minorities. EPA’s Environmental Justice Executive Order 12898 uses minority, low-income, and indigenous people as the three characteristics that are typically present in “situations of concern where there exists significantly higher and more adverse health and environmental effects.” Mississippi and the Target Areas of this proposal embody that situation of concern. While the Revolving Loan Fund (RLF) monies could be used throughout the State, MDEQ’s RLF program will initially target the cities of Philadelphia, Vicksburg, and Laurel. Each of these target areas and the identified priority sites provide promise of new jobs and safer communities and will directly help to reduce “brain drain” and our population decreases.

City of Philadelphia: The City of Philadelphia was settled on an old Native American site following the Treaty of Dancing Rabbit and became the county seat of Neshoba County on August 15, 1837. Philadelphia is currently home to 7,118 residents (U.S. Census Bureau 2020) and is home to the reservation for the Mississippi Band of Choctaw Indians (MBCI). One of the most notorious race-related crimes in American history occurred in Philadelphia in June 1964. During Freedom Summer, three civil rights activists (James Chaney, Andrew Goodman, and Michael Schwerner) were visiting Philadelphia to meet with local Civil Rights groups and to view the burned ruins of Mount Zion United Methodist Church. While in Philadelphia, these men were arrested and brutally murdered by the Ku Klux Klan. Since these murders, the City has been dedicated to reconciliation and restoration, and community groups/organizations have formed to assist in redevelopment of both the image of and brownfield properties within Philadelphia. One such group is the non-profit organization Mississippi Combine, Inc. It is Mississippi Combine’s mission to care for the impoverished, struggling Philadelphia population, and in 2016, this mission led Mississippi Combine to acquire the historic Benwalt Hotel (Benwalt). Our Brownfield Inventory, also known as the CERCLA/Uncontrolled Site File List, has identified 16 hazardous brownfields and 71 petroleum brownfields – 23 of which have closed-in-place tanks that may be hampering redevelopment.

City of Vicksburg: Vicksburg, the county seat for Warren County, is uniquely positioned along a stretch of the Mississippi River and the memory of that river’s former path: now the Yazoo River. The history of Vicksburg is rich, from the Vicksburg Campaign – a major turning point in the Civil War – to the first bottling of Coca-Cola. However, this wealth of history does not mirror local economics. A significant portion of the Vicksburg population lives below the Federal Poverty Level (FPL), and unemployment has increased due to closings/downsizings of employers like
Ergon, Anderson-Tully, and Grand Station Casino. In 2016 and 2020, Vicksburg received a Community-Wide Brownfield Assessment Grant from the EPA, and in 2017 Vicksburg received a Brownfield Cleanup Grant for the former Kuhn Memorial Hospital, which was a long-time blight to the city. With funds from these grants, Vicksburg placed 23.45 acres back into productive use, and an additional 12.8 acres (Kuhn Memorial Hospital) was classified as ready for reuse in Summer 2019. Vicksburg’s 150-year industrial activity coupled with steady economic decline have resulted in hundreds of brownfield and blighted sites in the city. These properties detract from Vicksburg’s beauty, history, and potential, which impacts the environment, quality of life, and full potential to capitalize on tourism and to attract employers and residents.

City of Laurel: The City of Laurel is the second county seat of Jones County and is home to 18,540 people (U.S. Census Bureau). Historically, Laurel was a thriving logging community and cultural hub. However, as is the story for many Mississippi communities, throughout the 1900s, jobs and subsequently the population continually decreased. By the 1990s, Laurel’s downtown was mostly abandoned – with shuttered businesses and crumbling buildings. In the last ten years, however, a grassroots movement developed and began redeveloping and revitalizing Laurel. Part of this grassroots movement has included a highly active Main Street association and even a home and commercial business makeover show on HGTV: Home Town. The citizens of Laurel are dedicated to redeveloping their community and addressing blight and brownfields throughout. The MDEQ’s Uncontrolled Site List indicate 52 identified brownfield sites, over 150 UST sites, 54 of which have closed-in-place tanks, and innumerable underutilized properties in the City of Laurel.

These communities are disadvantaged with high instances of brownfields, poverty, health disparities, population decreases, and a need for redevelopment and revitalization. MDEQ is also currently actively involved in local Brownfield programs, assessments, and cleanups in these cities, and we have witnessed economic improvement in these communities because of implemented assessment, cleanup, and redevelopment activities. Funding through the RLF will not only provide a source of money for cleaning up sites but it will also provide an incentive for businesses and employers to move to Mississippi (particularly in these smaller communities) – increasing our workforce and helping our population to rebound.

ii. Description of the Priority Brownfield Site(s). While we intend to provide access to RLF funding to all areas of the state, we plan to initially target the following sites:

Benwalt Hotel – ACRES #236396 (238 Byrd Avenue, Philadelphia). The historic Benwalt hotel, constructed in 1927, stands a stone’s throw away from the jail in which the Civil Rights workers were held before being released to their fate in June 1964. After these atrocious killings, the FBI transformed the Benwalt hotel into a makeshift headquarters. Because of its role in the Civil Rights murder investigation, the hotel was added to the National Register in 2005. The three-story Benwalt hotel sits on a 0.5-acre lot in downtown Philadelphia. In 2017, Mississippi Combine, Inc. (Mississippi Combine), a local non-profit group, funded a Phase I Environmental Site Assessment (ESA) and Asbestos-Containing Materials (ACM) Survey for Benwalt. The oldest historical record for the property indicated the property was developed with a dry cleaner in 1926 – prior to construction of Benwalt. Benwalt operated as a hotel and restaurant from 1927 to 2002 when the building was abandoned. The ACM Report indicated 42 of the 74 collected samples contained asbestos with percentages ranging from 2 to 65 percent. In 2018, a Phase II ESA Report and a Sub-Slab Vapor Assessment Report were both funded through East Central Mississippi Planning and Development District’s (ECPDD’s) 2017 Brownfield Assessment Grant in order to evaluate if the suspected 1926 onsite dry-cleaning operation had impacted the soil, soil vapor, or groundwater. Information from these assessment activities was used to prepare an Analysis of Brownfield Alternatives (ABCA) and a Draft Corrective Action Plan (CAP) for Benwalt. It was determined that the primary contaminant of concern for Benwalt is friable ACM. Persons regularly exposed to asbestos can develop life-threatening disease, including asbestosis and lung cancer. This presents a significant public health threat especially considering that Benwalt adjoins two schools. Children from these nearby schools have been known to sneak into the hotel, which is resulting in children being exposed to friable, deteriorated asbestos throughout Benwalt.

U.S. Rubber - ACRES #244249 (2000 Rubber Way, Vicksburg). U.S. Rubber is currently abandoned and consists of approximately 12.6 acres of industrial land with six dilapidated buildings onsite. From 1985 to 2010, the site was operated as a rubber manufacturing facility. Using EPA 128(a) Brownfield grant dollars in 2014-2015, MDEQ conducted a Phase I and limited Phase II ESA at U.S. Rubber; however, full assessment and cleanup cost estimates were not completed because the prospective purchaser’s financing fell through. The site was then abandoned and relinquished to the State of Mississippi through tax forfeiture, and then the City of Vicksburg took ownership of the property (following proper due diligence funded by the City and the Secretary of State). In 2019, an updated Phase I ESA, a Phase II ESA, and an ACM Survey were performed. Subsurface impacts were found to be limited and below regulatory limits; however, approximately 4,500 square feet of ACM-containing siding and 125 feet of ACM-containing caulk were identified in the structures on site and nearly 30,000 cubic yards of buried butyl
waste exist at the site. Twelve abandoned drums of paint pigment and piles of solid waste (pallets, empty drums, off-spec crumb rubber, etc.) also require cleanup. The mounds of buried butyl waste are located on the northern portion of the property and present a major barrier to the reuse of this valuable industrial site. Addressing environmental impacts and concerns at the U.S. Rubber site will help the community of Vicksburg by putting a very useful industrial site back into use – creating jobs and eliminating existing contamination and solid waste.

Laurel Charity Hospital – ACRES #121941 (105 Buchanan Street). Barely visible from the street because of overgrowth, the Laurel Charity Hospital currently sits abandoned and dilapidated. The hospital was constructed in 1917 and was specifically created to serve the poor and indigent. It consisted of 125 beds and provided a variety of medical services to residents. In 1989, after 72 years of operation, the hospital was closed and was left abandoned. In the early 2000s, the building caught fire and partially burned down. Decades of neglect combined with the fire have diminished the structure to mere ruins. However, that hasn’t lessened its appeal to the community. Phase I and II ESAs by the City of Laurel with their 2014 EPA Brownfield Assessment Grant have confirmed ACM is present in the rubble of this unsecured safety hazard. The one-building hospital sits adjacent to a playground and is a stone’s throw from a low-income housing project. For years locals have passed on stories of hauntings at the site, which has resulted in significant trespassing by children and teens, who either want to test their courage, vandalize, or look for souvenirs – which potentially contain asbestos. This unrestricted access presents a significant public health concern especially to those living in the adjoining low-income housing project because of the unstable and unsafe condition of the structure and because friable ACM is scattered throughout.

b. Revitalization of the Target Area

i. Reuse Strategy and Alignment with Revitalization Plans.

Benwalt Hotel (Philadelphia Target Area, Census Tracts 104/105). Mississippi Combine’s mission is to care for the impoverished, struggling Philadelphia population, and in 2016, this mission led Mississippi Combine to acquire the historic Benwalt Hotel. Mississippi Combined’s goal is to redevelop the historic building into office space for ministries and non-profits; a worship center; a shelter; a food bank/soup kitchen; and a coffee shop (for job training). When the site is cleaned up and redeveloped into the community center, it will be a beacon of hope for the impoverished, largely-minority area residents. Mississippi Combine’s services will create jobs and address rampant poverty in Philadelphia. East Central Planning and Development District, the planning and development agency for Philadelphia, set a priority on the mitigation of brownfield site impacts in their Comprehensive Economic Development Strategy (CEDS) for the city and the region. Addressing asbestos impacts at the Benwalt Hotel will immediately support ECPDD in this defined goal.

U.S. Rubber (Vicksburg Target Area, Census Tract 9507). The defined “industrial goal” in Vicksburg’s Comprehensive Plan is to meet the future needs of business and industry by making land available for new commercial and industrial development within the city while also maintaining property values throughout the county. The U.S. Rubber site is in a key location because it has adequate truck access, it still has rail access, and it also has water access. It is also already zoned as industrial; therefore, an expansion of Vicksburg’s industrial footprint would not be necessary (protecting property values) if the U.S. Rubber site could be cleaned up and put back into industrial use. The City of Vicksburg has received numerous expressions of interest in the site; however, the cleanup of the solid waste and asbestos has been a hindrance to redevelopment. The Warren County Port Commission also plans to begin construction of a new port in the next year. A proposed location of the new port includes the U.S. Rubber site. The redevelopment strategy for U.S. Rubber includes a Public-Private Partnership opportunity. A confidential industrial operation has expressed an interest in de-vulcanizing the buried butyl rubber to produce polymer products like roofing materials and asphalt. The excavation of the butyl rubber waste will result in the removal and beneficial use of nearly 30,000 cubic yards of solid waste – clearing the site for reuse.

Laurel Charity Hospital (Laurel Target Area, Census Tract 9504.02). Adopted in October 2014, the City of Laurel’s Comprehensive Plan is a 20-year outlook that identifies opportunities for land use, transportation, and capital improvements and provides recommendations for the preservation of the natural environmental as well as improvement to the built environment, all of which will make Laurel a great place to call home. According to the U.S. Census Bureau, 41.8% of the housing units built within the City of Laurel were constructed prior to 1960. This is much higher than the state, which is only 17.1%. More than 48% of Laurel’s housing stock was constructed between 1960 and 1999, and only 9.5% was constructed after 2000. The City of Laurel’s Comprehensive Plan includes abating ACM in the hospital, tearing down the structure, and rezoning the area for residential use. Promoting quality housing for all ages and income levels is Objective number 3 of Goal number 3 in Laurel’s Comprehensive Plan, and the redevelopment of the Laurel Hospital property into affordable housing immediately supports this important goal for the City of Laurel.

ii. Outcomes and Benefits of Reuse Strategy. Investing in Mississippi will directly support disadvantaged communities, the Justice40 initiative, and the 100 census tracts in the State that have been designated as
disadvantaged communities.

Benwalt Hotel (Census Tract 104/105). Cleanup and redevelopment of Benwalt will not only beautify this historic building, which has become an eyesore and human health hazard over the last 17 years, but it will also transform Benwalt into a community center. The goal of Mississippi Combine, the owner and redeveloper, is to gather people across religious, cultural, and racial lines. Non-profit work performed in the building will provide a safe location for impoverished citizens of Philadelphia. Mississippi Combine will provide charity through clothing/food; create a welcoming worship space; and support impoverished/disproportionately-impacted populations through job training. Job-training will be done in the former café in Benwalt by establishing a coffee shop. Not only will the coffee shop provide jobs and generate sales tax revenue for Philadelphia, but it will also teach job skills and give work experience to build an employee’s resume. The essential job training skills taught to participants will create a workforce who are able and willing to contribute to economic growth in the community.

U.S. Rubber (Census Tract 9507). The cleanup and redevelopment of the U.S. Rubber site would clear the way for the Port Commission to include the property in their Port expansion and would provide funding and incentives for the confidential industrial operator to accept the butyl rubber in their operation. Clearing this valuable property of solid waste and ACM will make the property even more attractive to industrial operations. The operation of a newly constructed industrial facility on the U.S. Rubber site could also result in the creation of 50 to 100 jobs. Finally, the cleanup of the site would also benefit the health and welfare of congregants of an adjoining church.

Laurel Charity Hospital (Census Tract 9504.02). The removal of the dilapidated hospital will be an immediate human health improvement and will prevent further trespassing and potential exposure to ACM. The demolition of the hospital will also clear nearly five acres of land for residential development in this disadvantaged community per the City’s Comprehensive Plan goal.

### C. Strategy for Leveraging Resources

#### i. Resources Needed for Site Reuse

A combination of federal, state, and local funding/incentive opportunities encompass our leveraged resources. Incentives can promote public/private investment throughout communities and can offer assistance with priority sites to advance their cleanup and reuse.

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<th>Leveraging Tax Incentives</th>
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<tr>
<td>Mississippi Economic Redevelopment Act (MERA)</td>
<td>MERA is unique to Mississippi, and no other state has a more attractive Brownfield clean up and redevelopment incentive. Private developers are eligible to utilize MERA to assist with clean-up costs as a part of the Mississippi Brownfield Program and upon receiving a Mississippi Commission on Environmental Quality approved Brownfield Agreement. Sales, income, and franchise taxes collected from businesses developed on a Brownfield property are deposited into a fund to reimburse developers for cleanup costs through the Mississippi Development Authority. Reimbursement is made semi-annually for a period of up to 15 years or 2.5 times the total cleanup cost.</td>
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<td>Historic Preservation Tax Incentives</td>
<td>The program offers a 20% state tax credit and 25% federal tax credit for rehabilitation and sustainable reuse of existing historic structures used for residential and/or business purposes. A project must exceed $5,000 or 50% of the total basis of the building.</td>
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<td>Advantage Jobs Incentive Program</td>
<td>Provides for the rebate of a percentage of Mississippi payrolls to qualified employers for a period of up to 10 years. Available to businesses that promise significant expansion of the economy through the creation of jobs. All priority sites are eligible; however gaming, retail, and certain professional service end uses are not eligible.</td>
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<td>Brownfield Voluntary Cleanup and Redevelopment Incentives</td>
<td>Provides an income tax credit for a property owner equal to 25% of the costs of assessing and remediating a brownfields property, up to $40,000 per year and capped at $150,000 for the life of the project. In lieu of the state income tax credit, a job tax credit for each new job created can be claimed. Provisions for liability protection through the State Brownfield Program exist for public and private entities.</td>
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<td>New Market Tax Credits</td>
<td>Provide funding to incentivize community development and economic growth in distressed communities to attract further investment for reuse. All priority sites are eligible.</td>
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<td>MDEQ 128(a) Brownfield Funding</td>
<td>Will support assessments in the target communities; provide supplemental assessment funding; and cover costs associated with reporting, travel, and loan process oversight.</td>
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<td>MDEQ Clean Water Revolving Loan Fund</td>
<td>This revolving loan fund, which has an excess balance of $126 million, provides low-interest loans for projects including green infrastructure.</td>
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<td>Vicksburg Brownfield</td>
<td>Vicksburg’s current Brownfield Assessment Grant ($300k) can be utilized to fund and...</td>
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Leveraging Tax Incentives

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<th>Description</th>
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<tr>
<td>Assessment Grant</td>
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<td>perform assessments and cleanup planning activities at Vicksburg sites listed in this proposal.</td>
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<tr>
<td>Laurel Main Street Grant Program</td>
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<td>This grant will reimburse up to $5,000 per project for exterior reuse improvements to buildings within Laurel.</td>
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**Use of Existing Infrastructure.** All identified target areas and priority sites have access along city street networks and have access to existing municipal potable water, sewer, electrical, natural gas, and garbage pickup.

**2. COMMUNITY NEED AND COMMUNITY ENGAGEMENT**

**a. Community Need**

For tables, **bold** and shaded values exceed USA and MS averages, respectively.

**i. The Community’s Need for Funding.** The State of Mississippi not only has the highest poverty rate in the country, but we also are one of only three states to have experienced a population decrease over the past ten years. Since the last census in 2010, populations in our three target communities of Philadelphia, Vicksburg, and Laurel have dropped 5%, 10%, and 8%, respectively. Federal resources are allocated on a per capita basis which means less dollars and more need for funding by our target communities and the State. Our gross state product (GSP) growth ranks 44 out of all the 50 states, and our business growth rate ranks 43rd out of all the 50 states. Therefore, Mississippi’s ability to draw on the financial resources of businesses and the state population is very limited. Additionally, the MDEQ does not have funding or resources to assist municipalities or private industries/developers in the cleanup of brownfield sites for future redevelopment. The three target areas for this RLF also have limited resources and significant need for funding:

**City of Philadelphia:** More than a quarter of the population in Philadelphia is living at or below the FPL. Of the residents living in poverty, 53% are either black or Native American. Nearly 80% of the families living in poverty are women, and 40% of the people living in poverty are children. Philadelphia’s unemployment rate of 11.9% is 80% higher than the national unemployment rate. Along with a high unemployment rate, the median household income is over $12,000 less than the state average and is over $30,000 less than the national average. The ability to draw from the local population is diminished due to the prevalence of poverty and the loss of residents (i.e., taxpayers) indicated by the fact that the home ownership rate in Philadelphia is nearly 25% less than the State of Mississippi and by the latest census data.

**City of Vicksburg:** A major source of revenue for Vicksburg is from gaming; however, recently, the City received 5% less special tax/gaming tax funding. City sales tax collection has dropped 1.5% in the last year. Property tax revenue has also steadily decreased due to a significant population decrease, which has resulted in substantial strain on City finances. According to U.S. Census data, Vicksburg decreased in population by 22.8% from 1960 to 2000. More recently, the population dropped 5.8% from 2010 to 2017. The ability to draw from the local population is also diminished due to the prevalence of poverty, and the home ownership rate (i.e., property tax revenue) in Vicksburg is nearly 30% less than the nation. In the last five years, the City has experienced closings of major employers, which has devastated Vicksburg economic conditions. Vicksburg needs other funding sources to spark cleanups and redevelopment.

**City of Laurel:** Laurel sales tax collection has remained stagnant between 2019 and 2020 despite an increase in tourism, which signals that tourists are not spending money or much time in Laurel. Laurel’s ability to draw from the local population is also diminished due to the prevalence of poverty. Nearly 32% of residents live in poverty – higher than the State’s already high poverty rate and nearly double the nation’s poverty rate. Laurel and its residents need other funding sources to spark redevelopment of brownfields. RLF funding is an opportunity to expand upon and support the hard work and limited resources Laurel and its residents have devoted to redevelopment and revitalization of the city.

**ii. Threats to Sensitive Populations**

**1 Health or Welfare of Sensitive Populations (EJScreen)**

<table>
<thead>
<tr>
<th>Sensitive Population Metric (EJScreen)</th>
<th>US</th>
<th>MS</th>
<th>Philadelphia</th>
<th>Vicksburg</th>
<th>Laurel</th>
</tr>
</thead>
<tbody>
<tr>
<td>% Minority</td>
<td>23.7%</td>
<td>40.9%</td>
<td>52.5%</td>
<td>70.7%</td>
<td>66.8%</td>
</tr>
<tr>
<td>% African American</td>
<td>13.4%</td>
<td>37.8%</td>
<td>47.5%</td>
<td>67.6%</td>
<td>64.1%</td>
</tr>
<tr>
<td>% Children (&lt;18 years old)</td>
<td>22.3%</td>
<td>23.5%</td>
<td>26.0%</td>
<td>27.7%</td>
<td>24.6%</td>
</tr>
<tr>
<td>% Elderly (65+ years old)</td>
<td>16.5%</td>
<td>16.4%</td>
<td>17.3%</td>
<td>14.4%</td>
<td>16.6%</td>
</tr>
<tr>
<td>Persons in Poverty</td>
<td>10.5%</td>
<td>19.6%</td>
<td>31.0%</td>
<td>30.7%</td>
<td>31.3%</td>
</tr>
<tr>
<td>Median Household Income</td>
<td>$62,843</td>
<td>$45,081</td>
<td>$32,818</td>
<td>$32,072</td>
<td>$31,968</td>
</tr>
</tbody>
</table>

**City of Philadelphia:** In addition to the above sensitive population metrics, the population of Philadelphia...
experiences a high rate of disability (22%) and violent crime (1.7 times higher than national average and 2.3 times higher than state average), and housing, education, and healthy food availability is far below average when compared to the State and the nation. The number of single-mother households (16%) also far exceeds State (10%) and National (7.2%) averages. The cleanup of Benwalt funded through this grant will be a catalyst for redevelopment in downtown Philadelphia and will help to create a safe haven for affected populations. Mississippi Combine services to the community will include providing food, clothing, short-term lodging, job training, and other health/welfare necessities. Also, with 16% of Neshoba County (Philadelphia) listed as Native American, Mississippi Combine, Inc. will be assisting the federally recognized Mississippi Band of Choctaw Indians with feeding the poor within the tribe once the redevelopment of Benwalt is complete.

City of Vicksburg: The health and welfare issues affecting sensitive populations in Vicksburg are best resolved by the creation of new job opportunities and a safer city and downtown area. Poverty is a catalyst for many health/welfare crises, and in Vicksburg – the most impoverished citizens are minorities. Investment and redevelopment in Vicksburg will spur more employment opportunities and eventually a wider variety of stores and businesses. When meaningful redevelopment occurs in an area, it is a catalyst for change in the entire area. The RLF will attract investors and developers to cities like Vicksburg, and based on outcomes of past Brownfield grants, Vicksburg and local developers have shown commitment to doing what it takes to use funds for the economic benefit of citizens. In addition to Vicksburg’s general population living in poverty, teen birth rate statistics in Vicksburg significantly outweigh national and state averages. These teenage mothers often live in poverty-stricken conditions, which prevents them from accessing proper prenatal care – thereby leading to low birth weight statistics that exceed state-wide and national averages. Job creation (like redeveloping the US Rubber Recycling facility) will open doors for better paying jobs, such as those promised by EFG Polymers which has expressed an interest in reusing the facility and has offered to sign a lease-purchase agreement with the City while the property is being cleaned up.

City of Laurel: The Area Deprivation Index (ADI) is a metric used to rank neighborhoods by socioeconomic status disadvantage in a region of interest. ADI scores range from 1 to 100, with 1 representing the least disadvantaged areas. Laurel’s ADI is 77 – indicating that the community is significantly socially and economically disadvantaged. Approximately 32% of children in Laurel are living in poverty, which is nearly double the national average. The Laurel Charity Hospital has been an eyesore and environmental/safety hazard to the surrounding impoverished, Black neighborhood for decades. Laurel currently experiences a violent crime rate of 332.20 crimes per 100,000 as compared to State average of 300.20 per 100,000. Local police have reported consistent trespassing, break-ins, theft and vandalism in addition to friable damage to asbestos containing building materials. Cleanup of the Laurel Charity Hospital will improve the health and safety of the neighboring residents and children and will aid in the reduction of criminal activity at this location.

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

<table>
<thead>
<tr>
<th>Disease or Health Condition/Metric</th>
<th>US</th>
<th>MS</th>
<th>Laurel</th>
<th>Vicksburg</th>
<th>Philadelphia</th>
</tr>
</thead>
<tbody>
<tr>
<td>Physical Inactivity</td>
<td>22.1%</td>
<td>29.6%</td>
<td>35.5%</td>
<td>30.1%</td>
<td>32.3%</td>
</tr>
<tr>
<td>Tobacco Usage</td>
<td>17.0%</td>
<td>21.3%</td>
<td>22.8%</td>
<td>20.6%</td>
<td>26.8%</td>
</tr>
<tr>
<td>Cancer Incidence (per 100k people)</td>
<td>448.7</td>
<td>470.6</td>
<td>458.0</td>
<td>439.9</td>
<td>443.4</td>
</tr>
<tr>
<td>Adults with Diabetes</td>
<td>9.5%</td>
<td>13.3%</td>
<td>15.9%</td>
<td>15.8%</td>
<td>14.6%</td>
</tr>
<tr>
<td>Medicare Population with Heart Disease</td>
<td>26.8%</td>
<td>29.4%</td>
<td>33.6%</td>
<td>27.7%</td>
<td>28.3%</td>
</tr>
<tr>
<td>Medicare Population with High Blood Pressure</td>
<td>57.2%</td>
<td>65.3%</td>
<td>69.0%</td>
<td>65.7%</td>
<td>66.6%</td>
</tr>
<tr>
<td>Mortality, Cancer (per 100k people)</td>
<td>152.3</td>
<td>183.6</td>
<td>163.9</td>
<td>184.8</td>
<td>185.7</td>
</tr>
<tr>
<td>Mortality, Heart Disease (per 100k people)</td>
<td>92.6</td>
<td>106.4</td>
<td>75.5</td>
<td>112.9</td>
<td>158.5</td>
</tr>
<tr>
<td>Mortality, Lung Disease (per 100k people)</td>
<td>40.2</td>
<td>58.8</td>
<td>54.0</td>
<td>65.2</td>
<td>63.3</td>
</tr>
<tr>
<td>Mortality, Premature Death (per 100k people)</td>
<td>6,943</td>
<td>10,473</td>
<td>10,863</td>
<td>12,001</td>
<td>14,637</td>
</tr>
<tr>
<td>Mortality, Unintentional Injury (per 100k people)</td>
<td>47.5</td>
<td>58.2</td>
<td>66.4</td>
<td>57.7</td>
<td>82.6</td>
</tr>
<tr>
<td>Obesity</td>
<td>29.5%</td>
<td>39.0%</td>
<td>39.8%</td>
<td>37.8%</td>
<td>40.7%</td>
</tr>
<tr>
<td>Poor or Fair Health</td>
<td>18.0%</td>
<td>22.8%</td>
<td>24.0%</td>
<td>23.9%</td>
<td>27.9%</td>
</tr>
</tbody>
</table>

Maintaining a healthy environment is central to increasing quality and years of life. Globally, 23% of all deaths and 26% of deaths among children under age 5 are due to preventable environmental factors. Because identified target areas are plagued by brownfield sites, the sensitive populations living in these target areas are more likely to be exposed to environmental pollutants from these sites. As shown above, nearly one quarter of the target communities are in poor or fair health – exceeding the national average by up to 55 percent.

Sites like Benwalt, U.S. Rubber, and the Laurel Charity Hospital have large amounts of friable asbestos. Between 20 to 30% of the target communities’ population are current cigarette smokers. Smoking coupled with regularly inhaling ACM exponentially increases the likelihood of an asthma, cancer, or asbestosis diagnosis. Identified issues
such as friable asbestos associated with the priority sites may have resulted in air quality issues in the communities – thereby affecting the health of the surrounding population. Lung disease prevalence is potentially due to the ubiquitous nature of asbestos throughout the cities – like in the old hospital and Benwalt. Exposure to friable asbestos is known to cause lung disease, and environmental cleanups are necessary in reducing the threats of disease (cancer, lung disease, etc.) in target communities.

All three target communities have high rates of high blood pressure, obesity, and heart disease, which can all be improved with physical activity. However, these three disadvantaged target communities unfortunately have high rates of physical inactivity. Physical inactivity is often a result of poor walkability and threat of crime. Oftentimes blighted, brownfield properties attract criminals and vagrants – thereby reducing walkability and safety. As priority sites such as Benwalt and Laurel Charity Hospital are cleaned up and made safer, this will encourage and promote walkability and encourage an increase in physical activity in target communities – reducing health conditions like diabetes, obesity, high blood pressure, heart disease, and premature death. Additionally, cleaning up Benwalt, Laurel Charity Hospital, and U.S. Rubber will discourage trespassing, thereby potentially reducing the high prevalence of mortality by unintentional injury in the three target communities.

In addition to the above disease and health metrics, in Philadelphia, the population struggling with depression is nearly 37% higher than in the state, and the suicide rate is nearly 35% higher than the national average. Organizations like Mississippi Combine – the future developer of Benwalt – are bringing hope to Philadelphia by providing support and community, which can help residents struggling with depression.  

### 3 Promoting Environmental Justice

**City of Philadelphia:** According to EJScreen demographic data from the 0.5-mile radius around the BenWalt site, approximately 28% of the population (82nd percentile of the nation) of Philadelphia lives below the FPL – with nearly 40% of children in Philadelphia living below the FPL. The elderly population and number of single-mother households in Philadelphia also far exceed the State and Nation. These impacted residents of Philadelphia are disproportionately affected by environmental issues like a higher than average National-Scale Air Toxics Assessment (NATA) air toxics cancer risk, NATA respiratory hazard index, particulate matter air concentration, Risk Management Plan (RMP) facility proximity, and lead paint indicator. Proper cleanup and disposal of sites like Benwalt will improve the Air Toxics Cancer Risk, the Respiratory Hazard Index, and the concentration of PM-2.5 in the air. The redevelopment of the BenWalt into a center to provide support and services to the most vulnerable will absolutely promote environmental justice.

**City of Vicksburg:** According to EJScreen demographic data from the 0.5-mile radius around the US Rubber site, approximately 60% of the population are considered low-income (75% higher than the nation). Vicksburg residents are also disproportionately affected by environmental issues: 1 of 2 facilities in the county releasing the most recognized carcinogens, development toxicants, and reproductive toxicants is in Vicksburg; 7 of the 8 highest Toxic Release Inventory (TRI) sources in the county are located in Vicksburg; 2 of the 3 facilities in the county with the highest cancer risk scores are located in Vicksburg; and 2 of the 3 facilities in the county releasing the most recognized carcinogens, recognized development toxicants, and recognized reproductive toxicants to water are in Vicksburg. Because the above environmental and health impacts are primarily affecting people of color and significantly affecting children and teen mothers, these are considered EJ issues. RLF funding will help to clean up priority sites impacting the health and safety of residents.

**City of Laurel:** Laurel’s minority populations are disproportionately affected by the numerous brownfield properties located throughout the City. Poverty runs rampant in Laurel, and the local children are the most affected by familial lack of resources. When looking at a 0.5-mile radius around the Laurel Charity Hospital priority site, the EPA’s EJSCREEN tool indicates Laurel residents are also disproportionately affected by environmental issues. Laurel is in the 94th percentile in the USA for RMP proximity; 86th percentile in the USA for lead paint indicator; 85th percentile in the USA for respiratory hazard index; and 83rd percentile in the USA for cancer risk. Because these environmental and health impacts are primarily affecting Black citizens these are considered EJ issues. The elevated respiratory hazard index and cancer risk for Laurel may be due to harmful chemicals/materials being inhaled either from friable asbestos particles (like found at the Laurel Charity Hospital) or from vapor intrusion issues associated with groundwater plumes at brownfields located throughout the City. RLF funding will help to clean up priority sites that impacting residents.

**b. Community Engagement**

i. **Program Involvement and ii. Program Roles** MDEQ’s primary program partners for the RLF grant will be the three target communities. Representatives from these communities will be the local government points of contact (included below) and other local program partners which include the Mississippi Combine (local non-profit organization), the Laurel Housing Authority, local developers interested in the target properties. The Mississippi Development Authority (MDA) will assist with outreach to entities interested in other statewide leveraged
resources and incentives; and the EPA Region 4 TAB Provider to assist with reviewing ABCAs from RLF applicants (like the Laurel Housing Authority) that do not have an EPA Brownfield Assessment Grant. MDEQ aims to allocate funds efficiently and effectively to the three communities – resulting in other Mississippi communities receiving RLF funds for cleanups.

<table>
<thead>
<tr>
<th>Partner</th>
<th>Point of Contact Phone</th>
<th>Specific Role</th>
</tr>
</thead>
<tbody>
<tr>
<td>City of Philadelphia</td>
<td>James Young, Mayor 601-656-3612</td>
<td>Assist with community outreach; Identify sites; Provide reuse input and ensure it aligns with local regulations.</td>
</tr>
<tr>
<td>City of Laurel</td>
<td>Johnny Magee, Mayor 601-428-6401</td>
<td>Assist with community outreach; Identify sites; Provide reuse input and ensure it aligns with local regulations.</td>
</tr>
<tr>
<td>City of Vicksburg</td>
<td>Jeff Richardson, Community Dev. Director 601-634-4553</td>
<td>Intends to apply for RLF and owner of US Rubber target site in need of funding for cleanup; will provide reuse input; will provide ABCA, will provide access, will host community meeting, Provide reuse input and ensure it aligns with local regulations.</td>
</tr>
<tr>
<td>Laurel Housing Authority</td>
<td>Airick Young Executive Director 601-425-4651</td>
<td>Owner of Laurel Hospital target site in need of funding for cleanup; will provide reuse input; will provide access, will host community meeting with local neighborhood.</td>
</tr>
<tr>
<td>The Park Companies</td>
<td>Mark Willson Project Director 601-951-3020</td>
<td>Residential Developer interested in the RLF for the Laurel Hospital target site, will provide reuse input and RLF cost share.</td>
</tr>
<tr>
<td>Mississippi Combine (Local Non-Profit)</td>
<td>Chris Vowell Exec. Director 601-416-5493</td>
<td>Intends to apply for RLF and owner of BenWalt Hotel target site in need of funding for cleanup; will provide reuse input; will provide access, assist with community outreach, particularly to the needy and MS Band of Choctaw Indians.</td>
</tr>
<tr>
<td>Mississippi Development Authority</td>
<td>Sara Watson Financial Res. Dir. 601-359-9344</td>
<td>Technical Support; assist with outreach; reuse input; site inventory; marketing of RLF Program.</td>
</tr>
<tr>
<td>ICMA Region 4 TAB Provider</td>
<td>Clark Henry Project Manager 910-386-1540</td>
<td>Technical Support; assist with identifying additional leveraged resources; assist with reviewing ABCAs and cost estimates.</td>
</tr>
</tbody>
</table>

MDEQ and our representatives already interface with the three communities on a weekly basis regarding cleanups and redevelopments. MDEQ will ensure the success of the RLF by continuing to facilitate communications between project partners in these communities. Program partners are a mixture of representatives from the local municipalities, who will act as eyes and ears in the communities, and entities with existing redevelopment plans, who will make cleanups of identified priority sites a reality. All program partners will coordinate with local stakeholders impacted by the priority projects and assist with marketing the program to developers.

iii. Incorporating Community Input

MDEQ collaborates with local governments and communities and EPA 104(k) brownfield grantees to communicate project progress, understand local challenges, gather feedback on reuse plans, and provide responses to the community. The Target Areas of this RLF Grant Proposal have all been a part of an EPA Brownfield Assessment Grant with an existing community engagement plan. MDEQ will utilize the local community’s engagement plan to ensure marketing and communication methods match up with community demographics and needs. Upon receiving this information, we will host a community meeting about the project and solicit community input while providing responses in person to accommodate those who cannot read. Should a translator be necessary during public meetings, we will ensure this need is met through MDEQ’s Limited English Proficiency Language Access Plan adopted in 2021. Should COVID social distancing measures be necessary, alternative methods of engagement will be utilized that are consistent with local and state health guidelines. We will initially work with the Project Partners listed above, local Brownfield grantees, and representatives from local governments, community groups, and the real estate community to solicit community input, recommend sites and assist with site selection. MDEQ’s Brownfield Voluntary Cleanup Program requires a 30-day public comment period on proposed cleanup plans with notice posted in the local newspaper and sent to all adjacent landowners. Comments are sent directly to MDEQ which is responsible for addressing and responding to each comment and incorporating any relevant comments into the cleanup plan. For sites receiving RLF funding, MDEQ will require the project to be presented at a community meeting.
3. TASK DESCRIPTIONS, COST ESTIMATES, AND MEASURING PROGRESS

a. Program Description and Marketing Strategy

i. Program Management The mission of the MDEQ is to safeguard the health, safety, and welfare of present and future generations of Mississipians by conserving and improving our environment and fostering wise economic growth through focused research and responsible regulation. We will manage this RLF as part of our existing, 23-year Brownfield program, which focuses on negotiations of Brownfield Agreements to clean up and rehabilitate contaminated properties into viable, re-usable property. Our Brownfield Coordinator, Thomas Wallace, will oversee the RLF grant including outreach, site selection, and EPA reporting, and he will also facilitate the cleanup and loan repayment process. We will work with applicants to ensure required documents are completed, and we will connect developers with local stakeholders and other local parties to ensure that projects follow community visions. Our Brownfield program group will review applications based on proposed reuse, community vision, community benefits, expected economic impacts, feasibility, and energy efficiency/green infrastructure in the cleanup and redevelopment project. Upon determination of support for a project, the MDEQ’s Fiscal and Legal Team will review financial information to determine if the project is viable. Upon approval by our Fiscal and Legal Team, the MDEQ’s Executive Director will review the project and approve for submittal to the Mississippi Commission on Environmental Quality (MCEQ) for the completion and approval of a Brownfield Agreement and loan. This system of checks and balances will ensure adequate time for public input and that each project is analyzed through different lenses. Loan terms will be negotiated with the applicant based on projected revenues. The MDEQ will oversee cleanup per state and federal regulations with our experienced staff. For RLF-eligible cleanup planning activities, such as development of ABCAs or CAPs, MDEQ will utilize the services of a Qualified Environmental Professional (QEP) in compliance with procurement rules of 2 CFR Part 200 and 2 CFR Part 1500. The MDEQ will review invoices to confirm costs are eligible and documented, and our Fiscal and Legal Team will track loan repayment to ensure payments are made on time and deposited into an interest-bearing account.

ii. Revolution of the RLF Program The MDEQ currently manages the Water Pollution Control Revolving Loan Fund (WPCRLF), which has been revolving since 1989. This revolving loan fund has provided nearly 400 loans totaling over $980,000,000.00. At the end of 2020, the fund had $126,249,465.26 excess funds available for new projects in 2021. Our standard operating procedures have minimized the loss rates and have allowed us to keep this revolving loan healthy. The brownfield RLF will be structured similarly to ensure revolution of funds. Our Fiscal and Legal Team will review loan applications to ensure feasibility and financial soundness. The Fiscal Team will track loan repayment in a designated interest-bearing account. Our Brownfield program personnel will inform the EPA on outcomes and outputs throughout the life of the RLF program. We will submit regular progress reports, Assessment, Cleanup, and Redevelopment Exchange System (ACRES) updates, success stories, and loan repayment statuses. To encourage a faster repayment and allow the loan to revolve more quickly, there will be no penalty for prepayment. Our RLF loan term will be a maximum of 10 years – equating to a faster revolving loan. We will require loan recipients to provide annual reports until the repayment of the loan is complete. We anticipate as projects move into and through the RLF program, interest in the RLF will shift to other projects outside the Target Areas that have been identified in this proposal. Revolved funds will be used for subgrants and additional loans as the program matures. To sustain interest and to maintain meaningful community engagement, MDEQ will partner with the International City/County Manager’s Association (ICMA) Technical Assistance to Brownfields Program (ICMA TAB; EPA Technical Service grantee) and their local membership. ICMA’s membership of local government stakeholders will provide MDEQ with a pool of potential new Project Partners as projects shift from the initial Targeted sites to other areas within the State as part of a sustainable revolution of the RLF Program.

iii. Marketing Strategy MDEQ will first target brownfield priority projects in the three target communities of Laurel, Philadelphia, and Vicksburg. Priority site applicants include public, private, and non-profit entities, and the priority site projects align with each community’s vision. Our Office of Community Engagement will be highly active in marketing the RLF program. The MDEQ’s Office of Community Engagement was created in 2010 to address environmental justice and public involvement issues. The Office of Community Engagement actively works to increase community knowledge of programs and processes through educational outreach materials and activities to enhance individual and community participation in environmental decision-making. In 2014, the Small Business Environmental Assistance Program (SBEAP) was merged into the Office of Community Engagement. The addition of the SBEAP under the umbrella of the Office of Community Engagement has served to sustain and consistently strengthen MDEQ’s relationship with outside communities, including small businesses, industry, elected officials, government agencies and civic and community groups. As detailed in Section 2.b.iii, our Office of Community Engagement’s activities have been proven to reach a wide variety of the population and have resulted in significant feedback and input from community members, government entities, business, non-profits, neighborhood/EJ groups, etc. We plan to spread the word about the RLF through these same mechanisms while
also holding an educational workshop about the RLF annually. We will make a concerted effort to extend the workshop invitation to government entities, developers, and consultants – as these are typically the entities with the greatest reach in our State.

b. Description of Tasks/Activities and Outputs and c. Cost Estimates

Task 1: Program Management

i. Implementation MDEQ will assist applicants with necessary documents, review applications and terms, review financial information, make risk determinations, compile loan/subgrant documents, execute contract/loan, track expenses, issue regulatory approval for cleanup, hold ribbon-cutting ceremonies upon project completion; vet fiscal viability of project pro-formas; develop/execute loan agreements; ensure compliance with loan/subgrant terms; service the loans; process disbursements, issue public notice, participate in EPA Region 4 RLF grantee calls/meetings, attend EPA Brownfields National Conference and Region 4 Workshop.

ii. Schedule Year 1 – Develop loan documents and receive 2 priority site applications. Year 2 – Receive 2 priority site application. Review applications within 30 days. Contract/loan executed within 30 days of approval. Cleanup begins within 30 days of signed documents. Cleanup completed within 12 months (depending on project complexity). Ribbon cutting ceremony 60 days following no further action (NFA) letter issuance. Track expenses continuously, and participation in EPA calls and meetings will be ongoing.

iii. Task Lead MDEQ Brownfield Coordinator with assistance from Fiscal and Legal Team.

iv. Output(s) 4 loans, 4 cleanups, 4 site meetings, invoices reviewed and approved

c. Cost Estimates: Personnel: ~41.6 hr/site x 4 sites x $100/hr = $16,652; Fringe = $5,578, Travel: 4 Conferences/Workshops x $250/event = $1,000; Supplies = $559; Indirect = $10,853

Task 2: Community Engagement (CE) and Marketing (Mktg)

i. Implementation MDEQ will provide outreach to the target community governments, non-profit entities, developers, consultants, and others to publicize the benefits of the RLF program for sites. The majority of the marketing will be conducted in conjunction with current marketing efforts already being performed by the MDEQ through newsletters, community meetings, and mailings, while the Office of Community Engagement will assist in local community outreach efforts. MDEQ will host community meetings for projects and incorporate and respond to input as detailed in Section 2.b.ii.

ii. Schedule Concentrated marketing within the first two years. Host two community meetings per project (initial and at end of project) – resulting in 8 community meetings during first four years. Weekly newsletter.

iii. Lead MDEQ Brownfield Coordinator and MDEQ Community Engagement Personnel

iv. Output(s) 8 community engagement meeting agendas and minutes, summaries of all community input, MDEQ newsletter and marketing materials (brochures, fact sheets, etc.)

c. Cost Estimates: Personnel: ~17.8 hr/site x 4 sites x $100/hr = $7,136; Fringe=$2,391, Contractual: 100 hrs x $100/hr = $10,000.00; Travel: $400/year x 5 years = $2000; Supplies: ~$400/year x 5 years = $2,000; Indirect = $4,562.23

Task 3: Site Cleanups

i. Implementation Cleanup oversight will be provided by the MDEQ and its QEP. This task will include borrower’s cleanup activities; development of ABCAs/Decision Memos; and project oversight to ensure compliance with federal and state requirements. This task will include cleanup of priority and non-priority sites.

ii. Schedule 3 priority site cleanups within first four to five years

iii. Lead MDEQ Brownfield Coordinator along with assistance from QEP

iv. Output(s) ABCAs, Decision Memos, Administrative Records

c. Cost Estimates: Personnel: ~41.5 hr/site x 4 sites x $100/hr = $16,611; Fringe = $5,565; Contractual: 20 hr/site x 4 sites x $150/hr = $12,000.00; Indirect = $10,826, Cleanups (20% cost share, 80% EPA-funded): Benwalt = $150,000, U.S. Rubber = $390,000, Laurel Charity Hospital = $275,000, Non-priority site(s) TBD = $63,000

Task 4: Loan Management

i. Implementation MDEQ will establish a separate interest-bearing account to track loan program income. MDEQ will notify the borrower prior to repayment period starting, track loan repayment, submit reports to the EPA, update ACRES, submit the annual Federal Financial Report (FFR) and Disadvantage Business Enterprise (DBE) reports to the EPA, and ensure MDEQ’s QAPP is updated annually

ii. Schedule Interest-bearing account established upon award, establish loan repayment schedule, issue notice to borrow 60 days prior to first payment due, track until loan repaid, submit report according to grant terms, update ACRES as projects progress (at least quarterly)

iii. Lead MDEQ Brownfield Coordinator and Fiscal Team

iv. Output(s) Loan payments, additional loans/subgrants, FFR reports, DBE reports, ACRES updated

c. Cost Estimates: Personnel: ~17.8 hr/site x 4 sites x $100/hr = $7,136, Fringe = $2,391, Indirect = $4,562.23
d. Measuring Environmental Results

We will require post cleanup reports followed by annual reports from borrowers until full repayment of the loan. Metrics obtained from these annual reports will be input into ACRES. The MDEQ will host quarterly meetings with the EPA Project Officer to ensure projects stay on track and the RLF is operating adequately. MDEQ Brownfield staff will facilitate projects from beginning to end. Outcomes anticipated will also be tracked and reported to EPA via ACRES. If measures/timeline milestones are not being met, which we do not expect to occur, we will implement corrective action after consulting with the RLF Project Manager to both evaluate the underlying problem and collectively developing a solution with clear, specific action items.

4. PROGRAMMATIC CAPABILITY AND PAST PERFORMANCE

a. Programmatic Capability

i. and ii. Organizational Structure and Description of Key Staff  MDEQ’s robust Brownfield Program is led by Mr. Thomas Wallace, P.E. Mr. Wallace graduated from Mississippi State University with a Bachelor of Science degree in Chemical Engineering. He has worked in MDEQ’s Groundwater Assessment and Remediation Division (GARD) and Brownfield Program for the last 15 years. Since 2018, Mr. Wallace has provided leadership/guidance and provided technical support to all city, county, and planning and development district grantees on their Brownfield Assessment and/or Cleanup Grants. Mr. Wallace has conducted grant writing workshops to aid Mississippi communities in their efforts to receive these national competitive grants that provide the ability to advance property development revitalization opportunities. Mr. Wallace has also overseen Targeted Brownfield Assessments (TBA) overseen by MDEQ, which include an evaluation of proposals, scopes of work, budgets, and reasonable costs for environmental projects. Mr. Wallace’s proficiency in EPA grant requirements (including work plans, progress reports, and grant close out), in MDEQ’s Brownfield Risk Evaluation Procedures, in risk-based assessments/closures, and in environmental covenants make him the ideal lead for this RLF. Mr. Wallace will be supported by the following staff: Ms. Lynn Chambers, P.E., BCEE (BS from Mississippi State University in Biological Engineering; 28 Years at MDEQ), Ms. Chambers is the Chief of the Groundwater Assessment Remediation Division since 2016 after spending over 20 years in this division, which houses the UST Branch, CERCLA Branch, and Brownfield/Uncontrolled Sites Branch. She has effectively managed the State’s UST Program including all regulatory compliance, enforcement, and policy development since 2015. She has personally overseen the UST Trust Fund which has carried a balance as high as $15 million. MDEQ’s Fiscal Team includes Mr. Brad Ware (BS in Business Administration, Management and Marketing, 15 years at MDEQ), MDEQ GARD Financial Branch Manager, Mr. Dennis Jones (Associates in Accounting, BS in Mechanical Engineering, 14 years at MDEQ), Administrative Coordinator for the State Revolving Loan Fund program since 2017, handling loan writing and related federal funding requests, and Ms. Ginny Mizelle (BS from Mississippi College in Business Administration w/ Finance emphasis; 20 years at MDEQ), MDEQ’s Budget Bureau Director for last 16 years. Among other duties, Ms. Mizelle
is responsible for all MDEQ budget submittals related to federal grants and reporting. Mr. Ware, Mr. Jones, Ms. Mizelle, and their staff will oversee loan/subgrant contracts, provide financial support including FFR and DBE reporting, manage the RLF budget, ensure costs are allocated correctly, and review loan candidates for financial viability. **Ted Lampton**, Legal Counsel, (BA from University of Mississippi in 1985 Major Economics, Minor Biology, JD in 2003 from Mississippi College School of Law, 17 years at MDEQ) will provide legal oversight for this RLF. Finally, **Ms. Taaka Scott Bailey** (BA from Mississippi State University, Biological Engineering), as the new head of MDEQ’s Office of Community Engagement will provide support for community engagement activities. Ms. Bailey brings over 20 years of state regulatory and community engagement experience into her new role, having previously served in Brownfield and SBEAP departments. At MDEQ, she has facilitated and coordinated community engagement, small business technical assistance, and workforce events. Her experience is invaluable and will be utilized in projects funded by this RLF to assist in relaying community input between MDEQ and target area communities.

### iii. Acquiring Additional Resources

Based on experience and review of other 104k RLF grantees, MDEQ understands substantial marketing and outreach is needed for RLF success. Should it be necessary, MDEQ will hire a firm to develop a marketing strategy and outreach materials in coordination with local community engagement plans. We also recognize that some eligible planning activities may require assistance from a Qualified Environmental Professional. MDEQ will follow our federally approved, competitive selection process including a public Request for Qualifications, weighted factors such as qualifications and relevant experience; merit of proposer’s scope of services; and inclusion of DBEs, in compliance with 2 CFR Part 200 and 2 CFR Part 1500. We will also utilize free resources from EPA TAB partners to support outreach, track site progress, and learn from best practices to ensure the success of the RLF and priority projects.

#### b. Past Performance and Accomplishments

##### i. Currently Has/Previously Received an EPA Brownfields Grant

4.b.i Currently Have/Previously Rec’d an EPA Brownfields Grant: MDEQ’s Brownfield Program has consistently met reporting requirements and funding goals for 20 years. Accomplishments include:

<table>
<thead>
<tr>
<th>Grant: FFY 2017-2020 - 128(a) State Brownfield Funding CA# 98428910 (4-Year Summary)</th>
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<tbody>
<tr>
<td><strong>Amount:</strong> $3,589,000.00</td>
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<td><strong>Accomplishments:</strong> Maintained the State Response Program and statewide brownfield inventory; Oversaw an average of 202 Brownfield and Voluntary Cleanup Sites per year, which included providing regulatory/policy interpretations, technical reviews of work plans, reports, QAPPs, CAPs, and modeling studies, Conducted site inspections; Conducted Brownfields related outreach including annual workshops with EPA and local partners;</td>
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<tr>
<td><strong>Compliance:</strong> All progress/DBE reports, and FFRs submitted on time. ACRES regularly updated.</td>
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**Plan to Expend Funds:** All funds have been expended on an annual basis in compliance with the conditions of the EPA Cooperative Agreement.

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<th>Grant: FFY 2021 - 128(a) State Brownfield Funding CA# 98428910</th>
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<tr>
<td><strong>Amount:</strong> $693,000.00</td>
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<tr>
<td><strong>Accomplishments:</strong> Maintained the State Response Program and statewide brownfield inventory; Oversaw over 226 Brownfield and Voluntary Cleanup Sites, which included (1) providing regulatory/policy interpretations, (2) technical reviews of work plans, reports, QAPPs, CAPs, and modeling studies, Conducted site inspections; Conducted Brownfields related outreach including annual workshops with EPA and local partners; <strong>Approved cleanup actions were completed at eight (8) sites, resulting in an additional fifteen (15) acres ready for reuse; and Conducted TBAs for 2 sites. Provided petroleum eligibility letters and technical oversight to 104(k) Brownfield grantees sites.</strong></td>
</tr>
<tr>
<td><strong>Compliance:</strong> All progress/DBE reports, and FFRs submitted on time. ACRES regularly updated.</td>
</tr>
</tbody>
</table>

**Plan to Expend Funds:** Per EPA CA work plan, continue to maintain State Response Program and Brownfield inventory; oversee Brownfield and voluntary cleanup ESAs and cleanups; conduct outreach and TBAs. Per EPA CA budget: Personnel to maintain State Response Program and inventory/ provide technical assistance/plan outreach events, travel to sites and in-state meetings and EPA conferences and workshops, and TBAs. Funds anticipated to be expended as has been the case on an annual basis for all the years MDEQ has received 128(a) Funding.
Threshold Criteria

1. Applicant Eligibility

The State of Mississippi Department of Environmental Quality (MDEQ) is an eligible applicant for funding as a state government.

2. Demonstration of Previous RLF

The State of Mississippi or the MDEQ have not had, or been a part of, a cooperative agreement for a Brownfields RLF in the past.

3. Expenditure of Existing Multipurpose Grant Funds

The State of Mississippi and the MDEQ does not have an open EPA Brownfields Multipurpose Grant.

4. Description of RLF Boundaries

MDEQ’s jurisdiction is the State of Mississippi. The geographic boundaries of the RLF’s operation as defined in the application match the official boundaries of the State.

5. Oversight Structure and Legal Authority to Manage a Revolving Loan Fund

a. MDEQ is the environmental regulatory authority for the state and will oversee each cleanup to ensure it is protective of human health and the environment. Each site will be required to be enrolled in the Mississippi Brownfields Program and will be assigned an MDEQ Project Manager. In a letter dated March 27, 2008 from EPA Region 4 from G. Alan Farmer, Director of the RCRA, EPA “evaluated the statutory and regulatory authorities contained in the ‘Mississippi Brownfields Voluntary Cleanup and Redevelopment Act,’ (Sec. 49-35-1 et seq.), and its implementing regulations, and has concluded that the Mississippi Brownfields Program has sufficient authority and mechanisms to meet the four requirements identified in CERCLA Section 128(a)(2).” Among the four elements that EPA Region 4 considered were:

   (1) Timely survey and inventory of brownfields sites in the State;
   (2) Oversight and enforcement authorities or other mechanisms, and resources that are adequate to ensure that a response action will protect human health and the environment and be conducted in accordance with applicable Federal and State law;
   (3) Mechanisms and resources to provide meaningful opportunities for public participation; and
   (4) Mechanism for approval of a cleanup plan and verification and certification that the response action is complete.

EPA Region 4 further determined in the March 27, 2008 letter “that the State has established and updates, at least annually, a public record of sites where response actions are planned and have been completed pursuant to the public record requirements outlined in CERCLA Section 128(b)(1)(C).”

Additionally, MDEQ’s Brownfield Program includes an oversight structure led by Mr. Thomas Wallace, P.E. Mr. Wallace graduated from Mississippi State University with a Bachelor of Science degree in Chemical Engineering. He has worked in MDEQ’s Groundwater Assessment and Remediation Division (GARD) and Brownfield Program.
The Technical Oversight Team includes Ms. Lynn Chambers, P.E., BCEE (BS from Mississippi State University in Biological Engineering; 28 Years at MDEQ), Ms. Chambers is the Chief of the Groundwater Assessment Remediation Division since 2016 after spending over 20 years in this division, which houses the UST Branch, CERCLA Branch, and Brownfield/Uncontrolled Sites Branch. She has effectively managed the State’s UST Program including all regulatory compliance, enforcement, and policy development since 2015. MDEQ’s Fiscal Team includes Mr. Brad Ware (BS in Business Administration, Management and Marketing, 15 years at MDEQ), MDEQ GARD Financial Branch Manager, Mr. Dennis Jones (Associates in Accounting, BS in Mechanical Engineering, 14 years at MDEQ), Administrative Coordinator for the State Revolving Loan Fund program since 2017, handling loan writing and related federal funding requests, and Ms. Ginny Mizelle (BS from Mississippi College in Business Administration w/ Finance emphasis; 20 years at MDEQ), MDEQ’s Budget Bureau Director for last 16 years. Among other duties, Ms. Mizelle is responsible for all MDEQ budget submittals related to federal grants and reporting. Mr. Ware, Mr. Jones, Ms. Mizelle, and their staff will oversee loan/subgrant contracts, provide financial support including FFR and DBE reporting, manage the RLF budget, ensure costs are allocated correctly, and review loan candidates for financial viability. Ted Lampton, Legal Counsel, (BA from University of Mississippi in 1985 Major Economics, Minor Biology, JD in 2003 from Mississippi College School of Law, 17 years at MDEQ) will provide legal oversight for this RLF. Finally, Ms. Taaka Scott Bailey (BA from Mississippi State University, Biological Engineering), as the head of MDEQ’s Office of Community Engagement will provide support for community engagement activities. Ms. Bailey brings over 20 years of state regulatory and community engagement experience into her new role, having previously served in Brownfield and SBEAP departments. At MDEQ, she has facilitated and coordinated community engagement, small business technical assistance, and workforce events. Her experience is invaluable and will be utilized in projects funded by this RLF to assist in relaying community input between MDEQ and target area communities.

b. Attached is the legal opinion from MDEQ counsel that demonstrates:
   (1) MDEQ has the legal authority to access and secure sites in the event of an emergency or default of a loan agreement or non-performance under a subgrant; and
   (2) MDEQ has the legal authority to perform the actions necessary to manage a revolving loan fund. At a minimum, legal authority must include the ability to hold funds, make loans, enter into loan agreements, and collect repayments.

Relevant state laws are included in the attached legal opinion.

6. Statutory Cost Share

MDEQ is requesting $1,000,000 in grant funds, requiring a $200,000 cost share, which will be generated by the following:

a. Each loan recipient will be required to provide 22.8% of the loan amount as match (total loan pool: $878,000), generating the $200,000 in cost share.

b. A hardship waiver for the cost share is not being requested.

7. Named Contractors and Subrecipients (other than borrowers and site cleanup subgrantees)

- Contractors - Not Applicable
- Subrecipients – Not Applicable