City of Council Bluffs, Iowa Brownfields Cleanup Grant Application
Narrative Information Sheet:

1. **Applicant Identification:**
   - City of Council Bluffs
   - 209 Pearl Street
   - Council Bluffs, IA 51503

2. **Funding Request:**
   a. **Assessment Grant Type:** Single Site Cleanup
   b. **Federal Funds Requested:**
      i. Funding about requested: $500,000
      ii. Cost Share Waiver Request: No
      iii. $500,000 Limit Waiver: No

3. **Location:**
   a. City: Council Bluffs
   b. County: Pottawattamie County
   c. State: Iowa

4. **Property Information:**
   - Former Reliance Battery Site
   - 813 22nd Avenue
   - Council Bluffs, IA 52060

5. **Contacts:**
   a. Project Director: Courtney Harter
      - 209 Pearl Street
      - Council Bluffs, IA 51503
      - Phone: (712) 890-5354
      - Email: CHarter@councilbluffs-ia.gov
   b. Chief Executive/
      Highest Ranking Elected Official: Matthew J. Walsh, Mayor
      - 209 Pearl Street
      - Council Bluffs, IA 51503
      - Phone: (712) 890-5264
      - Email: mayor@councilbluffs-ia.gov

6. **Population:**
   - 62,799 (2020 U.S. Census)
7. Other Factors Checklist:

<table>
<thead>
<tr>
<th>Other Factors</th>
<th>Page#</th>
</tr>
</thead>
<tbody>
<tr>
<td>Community Population is 10,000 or less</td>
<td>No</td>
</tr>
<tr>
<td>The applicant is, or will assist, a federally recognized Indian tribe or United States Territory.</td>
<td>No</td>
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<tr>
<td>The priority brownfield site(s) is impacted by mine-scarred land.</td>
<td>No</td>
</tr>
<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>
<td>No</td>
</tr>
<tr>
<td>The priority site(s) is in a federally designated floodplain (levee protected)</td>
<td>1</td>
</tr>
<tr>
<td>The reuse of the priority site(s) will facilitate renewable energy from wind, solar, or geothermal energy; or will incorporate energy efficiency measures.</td>
<td>4</td>
</tr>
</tbody>
</table>

8. Letter from the State or Tribal Environmental Authority: Attached

9. Releasing Copies of Applications: Not applicable (n/a) as the application does not have confidential, privilege, or sensitive information.
November 4, 2021

Susan Klein  
Superfund Division/STAR  
EPA Region VII  
1201 Renner Road  
Lenexa, KS 66219  

RE: City of Council Bluffs, Iowa – FY22 Brownfield Cleanup Grant Application for the former ‘Reliance Battery’ site

Dear Susan:

This letter is submitted as a statement of acknowledgement, review and support from the Iowa Department of Natural Resources (DNR) for the City of Council Bluffs’ site cleanup grant application, through funding authorized by §104(k) of CERCLA. This cleanup application will address known releases of lead (Pb) contamination within soils, at the abandoned “Reliance Battery” factory site that once produced lead-acid batteries; this industrial property is an anomaly, as it sits directly in the middle of an established residential neighborhood, creating a likely exposure hazard for residents through contaminant migration in air and soils.

The IDNR has assisted the City of Council Bluffs with 128(a) funds for the City’s pre-acquisition due diligence of the Reliance Battery property to facilitate eligibility for this cleanup grant application. This clean up grant would facilitate cooperation between the city, IDNR, and Federal EPA to transform this site from a hazard to a redevelopment asset that will enhance the existing neighborhood and the quality of life of its residents.

The IDNR has been a supportive, active partner for brownfield assessment, cleanup, and redevelopment projects in the past with the City of Council Bluffs, and we support the brownfield cleanup strategies presented within the City’s application with the highest degree of endorsement and confidence.

Sincerely,

Mr. Mel Pins  
Executive Officer  
Iowa Brownfield Redevelopment Program
1. PROJECT AREA DESCRIPTION AND PLANS REVITALIZATION

1.a. Target Area and Brownfields

1.a.i. Background and Description of Target Area: The city of Council Bluffs, Iowa is a dynamic diverse community of 62,799 people (U.S. Census 2020) strategically located on the Missouri River across from downtown Omaha, Nebraska, in Pottawattamie County, Iowa. Council Bluffs has had significant links to agricultural, food production, and heavy manufacturing since its incorporation in 1853. In 1867 railroads came and fostered much of the City’s industrial development. The wide availability of access attracted railroad-dependent uses such as foundries, bulk warehousing, general manufacturers, grain elevators, rail yards, coal yards, lumber yards, and food processing plants. At the turn of the 20th Century Council Bluffs was a leading industrial city in Iowa. The landscape of the City’s economic engine still includes major industries of railroad and food processing, but overall local business and industry has experienced a significant rate of decline leaving well over 100 abandoned and underutilized brownfield properties scattered through the City and especially within the South Expressway Corridor (Census Tract 308), the target area for this grant application. The South Expressway Corridor is protected by a levee to reduce the risk of flooding from the Missouri River. Without the levee, approximately 64% of the incorporated city limits would be at risk of extreme flooding.

The South Expressway Corridor, located in the urban core, is a high priority revitalization area for the City. In the City’s comprehensive plan, Bluffs Tomorrow 2030, the South Expressway Corridor was identified for prime redevelopment based on its proximity to downtown. With the removal of a rail corridor through the South Expressway, traffic conflicts will be greatly reduced allowing for greater access to the area. The Former Reliance Battery Site (the “site”) for which this cleanup funding is being requested lies in the heart of the South Expressway Corridor area.

1.a.ii. Description of the Brownfield Site: The Former Reliance Battery Site located at 813 22nd Avenue in Council Bluffs’ South Expressway Corridor encompasses approximately one half a city block that is approximately one acre in size and is surrounded by single-family residential homes. Utilizing Community Development Block Grant (CDBG) funding the City is in the process of removing all asbestos containing materials and demolishing the structures. The site was used for manufacturing, repairing and reconditioning lead acid batteries from the early 1920’s through 1974. At its height the factory could produce 1,200 batteries per day. In 1974 the business was incorporated as the Reliance Battery Manufacturing Company (RBMC). In February of 1985, the State of Iowa Department of Natural Resources (IDNR) conducted a preliminary assessment and concluded there was potential for soil and groundwater contamination. In May of 1989, an EPA-coordinated site investigation identified soil with elevated concentrations of lead at the site and adjoining residential properties. The IDNR and EPA efforts are summarized in the table below.

<table>
<thead>
<tr>
<th>Date</th>
<th>Action</th>
</tr>
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<tbody>
<tr>
<td>1989-1990</td>
<td>Additional site investigations were conducted, lead in soil was identified at concentrations up to 115,000 milligrams per kilogram (mg/kg) at the site and 2,200 mg/kg on the adjoining residential properties.</td>
</tr>
<tr>
<td>September 1990</td>
<td>RBCM excavated soil from the contaminated areas of the site without notifying EPA. EPA re-sampled and determined concentrations were substantially higher in some areas.</td>
</tr>
<tr>
<td>November 1990</td>
<td>An Action of Memorandum selecting excavation areas and an off-site disposal plan for lead contaminated soil at the site and adjoining properties was signed by EPA.</td>
</tr>
<tr>
<td>May 1991</td>
<td>Soil excavation was completed. No further EPA Superfund activities were expected, no further response under CERCLIS was required, and archiving the property was deemed appropriate by EPA. Lead at concentrations of 2,400 mg/kg remained in soil at the site.</td>
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</tbody>
</table>
March 1992  An EPA report identified lead releases were from baghouse operation, ventilation collection systems, the lead oxide bulk storage tank loading operations, and from fugitive emissions from the plant when doors and windows were left open during manufacturing.

February 1998  IDNR Solid Waste Section responded to the EPA Region 7 Superfund Division’s request for concurrence regarding discontinuing all investigation and/or cleanup activities at the site and “Archiving” from the active CERCLIS database. The DNR’s opinion was that archiving the site was not appropriate and continued EPA oversight was required given that; RBMC had a history of violations of both environmental and worker safety regulations; continued hazardous material releases had occurred on the Property since the 1991; EPA administrative action, and in April of 1995, an accident occurred at RBMC that resulted in the hospitalization of a worker with a lead blood level of 357 micrograms per deciliter (3.5 times the potential lethal does for lead). Based on the site history and current operations, some form of continued EPA oversight was requested to prevent future releases.

July 2011  Site was Archived.

A Phase I Environmental Site Assessment (ESA) was conducted in 2020, as part of the city of Council Bluffs’ due diligence prior taking ownership of the site. The Phase I ESA identified seven recognized environmental conditions (RECs) including that the property was utilized as a battery manufacturing facility from circa 1920s through 2019. Three of the identified RECs were associated with the adjacent properties. A Phase II ESA conducted in 2020 identified the following:

- The distribution of concentrations of VOCs, SVOCs and RCRA metals in soil exceeding the Statewide Standard (SWS) have been defined to the site boundaries. Elevated concentrations of lead and arsenic exceeding the SWSs (400 and 1.9 mg/kg) are confined with surficial, unconsolidated sand, silt, and gravel ubiquitous throughout the site from the top of the ground surface to two to five feet bgs. Lead concentrations of 1.7 to 30 times higher than the SWS of 400 mg/kg are present at the surface and shallow depths and within proximity to single-family residential dwellings. Up to 7,000 cubic yards (yd³) of lead contaminated surficial sediments may be present at the site.
- Tetrachloroethylene (PCE) chlorinated solvent was identified at soil sample locations SB-5 3-5’ bgs (0.0192 mg/kg); SB-16 10-11’ bgs (0.0178 mg/kg); SB-25 14-15’ (0.0175 mg/kg) near the depth of the soil and groundwater interface zone between 10 and 15 feet bgs.
- The distribution of concentrations of VOCs, SVOCs and RCRA metals in groundwater exceeding the SWS have been defined to the site boundaries. Dissolved lead was identified at monitoring well location SB-33/TMW-9 on the southwest corner of the building at concentration of 31.7 micrograms per liter (µg/L). The concentration exceeds the SWS for protected groundwater sources (15 µg/L). The remaining constituents were below the SWS or below the laboratory reporting limits.
- One private well listed as the Council Bluffs Community Schools is located within 1,000 feet of the site.

Based on the findings and conclusions resultant of data collected during the Site Investigation and Characterization Report (SICR), the detected constituents of lead in surface soil present a risk to human health and the environment. The SICR recommends a remedial action plan (RAP) and Soil Management Plan (SMP) to address environmental liabilities associated with the proposed site redevelopment as single and/or multi-family residential and to mitigate risk to associated receptors and pathways to human contact (i.e., direct contact and inhalation, ingestion, water main and water service lines, vapor intrusion to sanitary sewers and enclosed space basement receptors). RAP recommendations may include construction of engineered barriers to prevent contact between humans and impacted soil and groundwater; over-excavation of shallow contaminated soils and disposal to a regulated facility; installation of active and
passive vapor mitigation systems; construction of chemical resistant water mains and water service lines servicing the development and established environmental covenant or deed restriction prohibiting the construction of water supply wells on the Property.

1.b. Revitalization of the Target Areas

1.b.i. Reuse Strategy and Alignment with Revitalization Plans: The site now presents an opportunity for the City to cleanup and add much needed affordable housing within the established residential area that lies within the City’s urban core. According to the “Comprehensive Housing Market Analysis: Omaha-Council Bluffs” completed in 2017 by the US Department of Housing and Urban Development identified that nearly 15,000 units will be needed metro-wide in the next three years to meet market demand. With only an average of 2,000 units constructed each year, the need for housing continues to be in high demand. The City’s comprehensive plan, Bluffs Tomorrow 2030, which had an extensive community engagement process, identified the Former Reliance Battery Factory Site area as a prime location for affordable housing. Specifically, the plan states the following objective: “Minimize the encroachment of impacts from commercial areas, industrial uses, and rail corridors on adjacent neighborhoods through land use planning, screening, and buffering.” The cleanup of the Former Reliance Battery Factory Site will meet this objective by cleaning up the site to residential standards. It will allow for the creation of much needed affordable housing within the urban core and provide land use uniformity as the Former Reliance Battery Factory Site is surrounded by residential development. The Bluffs Tomorrow 2030 plan has a neighborhood and housing goal to “Enhance and maintain the City’s neighborhoods to provide the housing, character, and supporting amenities to retain and attract residents to Council Bluffs.” The proposed single-family or attached two-family housing development aligns with the Bluffs Tomorrow 2030 goal while maximizing the number of units on the site. The redevelopment plan, as determined by the project partners calls for eight to twelve units depending on layout. Fifty-one percent of all the units will be marketed to eighty percent or below of the median family income providing necessary workforce housing. The development of 8-12 new residential units will provide at least $867,600 in new assessed valuation for the neighborhood. With a median price of $116 per square foot, a 900 square foot home (comparable to surrounding homes) would bring $104,400 in construction costs per unit or $835,200 to $1,252,800 total.

1.b.ii. Outcomes and Benefits of Reuse Strategy: The environmental cleanup of the Former Reliance Battery Factory, located adjacent to an opportunity zone, into housing will result in the development of 8 to 12 new residential units. At least 51% (4-7 units) will be sold to low to moderate (LMI) households at or below 80% of the median family income providing desperately needed workforce housing. The Council Bluffs Distressed Housing Community Study completed in July 2021, concluded that Council Bluffs needs to stimulate new construction, redevelopment, and rehabilitation to meet the needs of current and potential future residents. The Former Reliance Battery Factory development will provide nearly $1 million in new assessed value in an urban neighborhood prime for revitalization. Not only will this clean up the site, but it will protect surrounding residents, especially the children, from contamination encroachment. It will also spur additional investment within the Target Area. This new residential development will result in a high-quality, healthy living environment for residents through the incorporation of green and sustainable building methods/materials. Energy efficiency practices will allow for lower utility costs for residents, as the City encourages the use of energy efficiencies and green development in all redevelopment projects. This redevelopment strategy puts residents near their likely places of employment minimizing transportation as a barrier to elevating quality of life outcomes. Additional green measures such as rain gardens, rain barrels, and native plantings will be incorporated where possible for stormwater management. In addition, this residential development has the ability to attract and sustain much needed workforce in the area. Available
affordable housing for workforce remains a monumental impediment to expanded economic development in most Midwest communities, and Council Bluffs is no exception.

1.c. Strategy for Leveraging Resources
1.c.i. Resources Needed for Site Reuse: The city of Council Bluffs has a proven experience with securing funding for successful redevelopment efforts within the Target Area. The South Expressway Corridor is a redevelopment priority for the City and substantial financial and programmatic resources have been and will continue to be allocated to this area. These previous and future resources include both public sector, private sector, and foundation funding. Resources secured and committed to the site/site area are as follows:

<table>
<thead>
<tr>
<th>Location</th>
<th>CDBG</th>
<th>NSP</th>
<th>Local</th>
<th>IDNR</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>22nd Ave. &amp; S. 6th St.: Acquisition &amp; Demo</td>
<td>$279,217</td>
<td>$225,000</td>
<td>$13,205</td>
<td></td>
<td>$517,422</td>
</tr>
<tr>
<td>813 22nd Ave (site acquisition &amp; ESA)</td>
<td>$159,220</td>
<td></td>
<td></td>
<td>16,020</td>
<td>$175,240</td>
</tr>
<tr>
<td>813 22nd Ave (building demolition &amp; asbestos removal)</td>
<td>$89,800</td>
<td></td>
<td></td>
<td></td>
<td>$89,800</td>
</tr>
<tr>
<td>813 22nd Ave (housing development)</td>
<td>$340,780</td>
<td></td>
<td></td>
<td></td>
<td>$340,780</td>
</tr>
<tr>
<td>8th Street from 19th Ave to 23rd resurfacing, curb, and gutter.</td>
<td></td>
<td>$250,000</td>
<td></td>
<td></td>
<td>$250,000</td>
</tr>
</tbody>
</table>

1.c.ii. Use of Existing Infrastructure: The site is an infill lot that is attractive to developers of affordable housing due to the existing public and private infrastructure (water, sewer, stormwater, electricity, natural gas, streets) already serving the lot. The exiting utilities will be able to easily handle the demand from the planned housing development (8 to 12 housing units). The new affordable housing development will incorporate green/sustainable building and stormwater management practices into the redevelopment of the site, where feasible.

2. Community Need and Community Engagement
2.a. Community Need
2.a.i. The Community’s Need for Funding: This grant will provide the necessary funding to clean up the site to residential standards. The effects of covid-19 have been dramatic on the city’s budget. The fiscal year 2022 budget includes a $1,106,000 million decrease from gaming and hotel/motel tax revenue. Council Bluffs has a household income ($53,524) 20% lower than the Omaha Metro ($70,373) and 10% lower than the State of Iowa ($60,523) and with a population under 65,000 (2019 ACS 5-year), faces the task of handling several urban issues (high poverty, lower household income) while grappling with older housing, commercial and industrial building stock. The City also is contending with aging infrastructure and poor aesthetics of commercial and retail areas which further dampens reinvestment. Due to differences in commercial taxes between Iowa and Nebraska and property taxes between the City and Pottawattamie County, new development must be heavily subsidized to attract investment. The Former Reliance Battery Factory Site desperately needs to be cleaned up. The City has already invested $175,000 for acquisition and environmental site assessments of the site and has $325,000 allocated to subsidize the residential development for a total city Investment of $500,000 but lacks the necessary fund to complete the necessary soil cleanup. The site currently sits vacant and poses adverse environmental impacts on the surrounding neighborhood reducing property values, and negatively impacting reinvestment, throughout the Target Area. Site redevelopment that is anticipated to bring up to $1.2 million in new construction and nearly $1 million in new assessed neighborhood valuation from the new residential development is key to providing new residential housing and helping with the deficit from gaming and hotel/motel tax revenue loss.
2.a.ii. Threats to Sensitive Populations: (1) Health or Welfare of Sensitive Populations: The identified sensitive populations (children and seniors) within the Target Area (Census Tract 308) make up 57% of the total population. Seniors make up 29% while children make up 28% of the population (2014-2018 American Community Survey 5-Year Estimates). With 17.8% of the population below the poverty level (HUD Community Planning Division Maps), over 24% of households within the Target Area receive food stamp assistance (2019 ACS 5-Year). The Target Area is indicated on the USDA Food Access Research Atlas as low-income census tract where a significant number of residents are one mile from the nearest supermarket. This designation indicates reduced access to fresh and healthy food options for the sensitive populations within the Target Area. Additionally, within Pottawattamie County (lowest level of data available), according to the 2019 Iowa Public Health Tracking (IPHT) program, roughly 1,523 children within Pottawattamie County were confirmed to have an elevated blood lead (EBL) level. Therefore, it is estimated that approximately 52 children are EBL cases within the target area. These children will have to continue to experience a disproportionate share of adverse health and environmental effects if conditions remain unchanged, as children can be exposed to lead in soil by touching, breathing, or playing in lead contaminated soil on the Former Reliance Battery Factory Site. Therefore, it is of the upmost importance to get the soil removed and the redevelopment of the Former Reliance Battery Factory completed. The affordable housing will create additional housing and job opportunities within the Target Area and will serve as a catalyst for other redevelopment projects within the Target Area.

(2). Greater Than Normal Incidence of Disease and Adverse Health Conditions: The proposed EPA cleanup grant funding will allow the City to remediate this contaminated site that could be contributing to less healthy conditions within the city of Council Bluffs. According to the 2021 County Health Rankings & Roadmap program, Pottawattamie County ranked 91st of Iowa’s 99 counties in terms of health outcomes (1 best to 99 worst). Chronic exposure to lead in contaminated residential soil can cause several developmental and behavioral problems in children, in addition the EPA has determined that lead is a probable cancer-causing agent. The EPA EJSCREEN lists the target area in the 93rd percentile for Lead Paint Indicator. Several recent health studies indicate exposure to carcinogens in the greater Council Bluffs area is higher than other communities and counties in Iowa. A University of Iowa study entitled 2021 Cancer in Iowa report listed Pottawattamie County as being one of the top six counties in Iowa for estimated number of deaths attributed to cancer. The National Cancer Institute (NCI) lists Pottawattamie County cancer incidence rates (including all races, all ages, and both sexes) in Iowa from 2014-2018 (http://statecancerprofiles.cancer.gov) as 488, which is higher than the U.S. rate of 449 per 100,000. According to the State Health Registry of Iowa, the estimated number of new cancers in Pottawattamie County in 2021 was 590 and estimated number of cancer deaths in the county was 205. According to the EPA EJSCREEN, the Target Area is in the 71st percentile for cancer risk compared to the rest of Iowa. With the high incidents of cancer within the area, it is imperative to remove the lead contaminated soil and reduce exposure to a potential cancer-causing agent within the community, which is what the cleanup of site will achieve.

(3). Disproportionately Impacted Populations: The Target Area is characterized by a household median income that is over $12,000 lower than the Nation’s household income. Within the Target Area 23.5% of households are receiving supplemental social security income, public assistance, or food stamps (2014-2018 American Community Survey 5-Year Estimates). As evident by the data, the Target Area has sensitive populations that may be more susceptible to the hazardous contaminants of this brownfields site. The Target Area population has environmental justice challenges and disproportionately share the negative environmental consequences that include above the 50th percentile in the State for PM 2.5, Ozone, NATA Air Toxics Cancer Risk, NATA Respiratory Hazard Index, Lead Paint Indicator, and Wastewater Discharge Indicator according to the EPA EJScreen Report. This site is surrounded by residential housing, the cleanup
of the site will allow for land use conformity with the redevelopment of affordable housing. This grant funding is critical for the reduction of environmental threats at the site by facilitating the reduction of threats to the disproportionately impacted populations in the target area.

2.b. Community Engagement

2.b.i Project Involvement: The Council Bluffs City Council approved the EPA cleanup grant application process (Resolution 21-325) at the November 8, 2021, City Council meeting. Draft versions of the brownfield cleanup grant application and associated Analysis to Brownfield Cleanup Alternatives (ABCA) were available for public comment at City Hall and at the public meeting. The resolution affirms that the well-being of the community is an important part of the upholding the public interest and trust. Project involvement may be provided by a broad and diverse group of entities including by not limited to community organizations, property owners, developers, and the public.

2.b.ii. Project Roles:

<table>
<thead>
<tr>
<th>Name of Organization/Entity/Group</th>
<th>Point of Contact (name/email/phone)</th>
<th>Specific Involvement in the Project or Assistance Provided</th>
</tr>
</thead>
</table>
| Iowa Department of Natural Resources                   | Name: Mel Pins  
Email: Mel.pins@dnr.iowa.gov  
Phone: 515.725.8344                                                                 | Provide input on cleanup and additional grant funding for cleanup if necessary                                              |
| Council Bluffs Community Development                   | Name: Brandon Garrett  
Email: bgarrett@councilbluffs-ia.gov  
Phone: 712.890.5356                                                                 | Administer CDBG and Home funding and lead public engagement for affordable housing.                                          |
| Pottawattamie County Public Health Department          | Name: Matt Wyant  
Email: matthew.wyant@pottcounty.ia.gov  
Phone: 712.328.5792                                                                 | Assist with answering health related questions regarding contaminants of concern.                                           |
| Neighbor-Works Home Solutions                          | Name: Leslie Coleman  
Email: lcoleman@nwhomesolutions.org  
Phone: 712.328-6602                                                                 | The City has a long successful partnership with NeighborWorks in creating quality affordable housing. NeighborWorks is a potential developer for the redevelopment of the site. |
| The 712 Initiative                                    | Name: Sheryl Garst  
Email: sgarst@the712initiative.org  
Phone: 712.396-2464                                                                 | Will activate community partnerships and strengthen neighborhood participation.                                                 |
| General Public – Target Neighborhood around the Former Reliance Battery Factory |                                                                                                                     | Provide feedback regarding cleanup and redevelopment of the site.                                                      |

2.b.iii. Incorporating Community Input: The City recognizes the importance of community involvement activities and the role they play in building social strength and stability. This will be especially true for the neighborhood surrounding the Former Reliance Battery Factory, which is why the City has actively been engaging residents throughout the process. Most recently, on November 8, 2021, the City hosted a public meeting to share and solicit feedback on the draft EPA Cleanup Grant application and the draft ABCA. In addition, the City actively engages in community participation and involvement in all phases of the redevelopment within the South Expressway Corridor (target area) area. This was especially true during development of the Bluffs Tomorrow 2030 Plan. As the cleanup moves forward on the Former Reliance
Battery Factory Site information on the project schedule, drafts, and final versions of reports (including cleanup plan and redevelopment plan), options for comment and feedback will be made available on a created Council Bluffs Brownfields website. This website will also inform citizens how the EPA has positively assisted the City with cleaning up and redeveloping this site. The City will host at least two open house events (in person and/or virtual) to keep interested citizens and neighborhood residents apprised about the project progress and to solicit community input. Input from each open house event will be recorded and incorporated where appropriate. Open house events will be published in the local newspaper and posted on the City’s website including the brownfields website, as well as posted in public buildings such as City Hall, the public library and at the site. Social media outlets such as Facebook and Twitter will serve as another forum to keep citizens aware of this important endeavor. The City plans to make available material in other languages as necessary for non-English speaking residents. The combination of these community input actions will provide an opportunity to update and engage residents on the progress of the City’s historically successful (i.e., Phoenix Award Winner for International Harvester Loft Cleanup and Redevelopment) and ongoing brownfields program. As exhibited during the community engagement meetings held for the City’s FY20 Brownfields Assessment Grant on June 16, 2021, and July 14, 2021, several concerned citizens inquired about the Former Reliance Battery Factory Site and when the site would be cleaned up. The City informed citizens that the City was moving forward with removing ACM and demolition of the structures which is scheduled to be completed in winter of 2021. The City also informed residents that the City was moving ahead with an EPA cleanup grant to address the lead contamination in the soil. In which citizens were extremely supportive, as this site is of great community concern.

3. Task Descriptions, Cost Estimates, and Measuring Progress
3.a. Proposed Cleanup Plan
The site was found to have high levels of lead contaminated soil. The preferred alternative plan is to excavate 6,000 cubic yards of lead contaminated surface soil and dispose of the contaminated soil at an approved facility offsite. The City will competitively procure the services of a Qualified Environmental Profession (QEP) in accordance with grant requirements to oversee the response actions of this project. The City will require the QEP to be experienced with EPA Brownfields Cleanup projects. In addition, the City will utilize a competitive procurement process to procure the cleanup contractor that will be tasked with the removal of the lead contaminated soil and replacement with clean fill.

3.b. Description of Tasks/Activities and Outputs
3.b.i/3.b.ii./3.b.iii/3.b.iv. Project Implementation/Anticipated Project Schedule/ Task/Activity Lead/Outputs:

<table>
<thead>
<tr>
<th>Task 1: Cooperative Agreement Oversight</th>
</tr>
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<tbody>
<tr>
<td>i. Project Implementation: Cooperative Agreement Oversight will be conducted by the city of Council Bluffs and will include but is not limited to general grant management, QEP procurement and oversight, ensuring reporting requirements are met, budget and invoice reconciliation, ACRES reporting and overall planning and coordination of cleanup activities.</td>
</tr>
<tr>
<td>ii. Anticipated Project Schedule: Quarters 1-12</td>
</tr>
<tr>
<td>iii. Task/Activity Lead(s): Dessie Redmond with assistance from the QEP</td>
</tr>
<tr>
<td>iv. Output(s): • Workplan</td>
</tr>
<tr>
<td>• Quarterly, Annual and Final Reporting, grant Closeout Reporting</td>
</tr>
<tr>
<td>• Monthly Funding Draws Prepared/Reconciled and Submitted to EPA</td>
</tr>
<tr>
<td>• Project Scopes of Work for Cleanup (Bid Specifications)</td>
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</table>

Task 2: Community Engagement/Outreach
i. Project Implementation: This task includes conducting community engagement activities to inform the public on cleanup plans and implementation while providing opportunities for the community to provide feedback; outreach with the neighborhood; and developing/updating project website and printed materials.

ii. Anticipated Project Schedule: Quarters 1-12

iii. Task/Activity Lead(s): Dessie Redmond and QEP

iv. Output(s): • Two Public Meetings
   • Project Website
   • Neighborhood Meetings
   • Print Materials (Program Flyers)

Task 3: Cleanup Planning

i. Cleanup planning will include finalizing the ABCA document, preparing the Quality Assurance Project Plan for confirmation sampling, and negotiating and receiving the necessary regulatory approvals. Cleanup specification documents will be submitted to EPA and/or IDNR for approval prior to obtaining bids from qualified cleanup contractors. Following the acceptance of these documents, the City will initiate a competitive selection process and contract with a qualified cleanup contractor to implement the cleanup activity.

ii. Anticipated Project Schedule: Quarters 2-4

iii. Task/Activity Lead(s): Dessie Redmond and QEP

iv. Output(s): • Final ABCA
   • Quality Assurance Project Plan
   • NHPA/Section 106 Compliance
   • Technical Specifications for site cleanup
   • Remediation Contract

Task 4: Site Cleanup

i. This task includes but is not limited to, correspondence with the QEP and cleanup contractor, providing minimal site prep, providing site security during cleanup and site cleanup.

ii. Anticipated Project Schedule: Quarters 5-8

iii. Task/Activity Lead(s): Dessie Redmond and QEP

iv. Output(s): • Site cleaned up
   • Cleanup monitoring of the site ensuring soil was disposed of according to specifications.
   • Post Soil Removal Action Cleanup Report

3.c. Cost Estimates

3.c.i/ii./iii. Development of Cost Estimates/Application of Cost Estimates/Eligibility of Cost Share Activities: The table below shows the budget for the project followed by a description of how costs for each task were developed. The City will provide a cost share of 20% ($100,000) utilizing CDBG Funds designated for this site. The City will cover any indirect costs. Cost estimates were developed based on the SICR data.

<table>
<thead>
<tr>
<th>Budget Categories</th>
<th>Project Tasks</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Task 1 Cooperative Agreement Oversight</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Task 2 Community Engagement</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Task 3 Cleanup Planning</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Task 4 Cleanup</td>
<td></td>
</tr>
<tr>
<td>Direct Costs</td>
<td>Personnel$^1$</td>
<td>$7,500</td>
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<tr>
<td></td>
<td>Travel$^2$</td>
<td>$2,500</td>
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<tr>
<td></td>
<td>Contractual$^3$</td>
<td>$16,100</td>
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<tr>
<td></td>
<td>Other$^4$</td>
<td>$250</td>
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<tr>
<td>Total Direct Costs</td>
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<td>$25,750</td>
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</table>
City of Council Bluffs
U.S. EPA Brownfields Cleanup Application

<table>
<thead>
<tr>
<th>Total Indirect Costs</th>
<th>$0</th>
<th>$0</th>
<th>$0</th>
<th>$0</th>
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<tr>
<td>Total Federal Funding</td>
<td>$25,750</td>
<td>$13,000</td>
<td>$33,600</td>
<td>$427,650</td>
<td>$500,000</td>
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<td>Cost Share (20%)</td>
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<td>$0</td>
<td>$0</td>
<td>$100,000</td>
<td>$100,000</td>
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<tr>
<td>Total Budget</td>
<td>$25,750</td>
<td>$13,000</td>
<td>$33,600</td>
<td>$527,650</td>
<td>$600,000</td>
</tr>
</tbody>
</table>

Budget Allocation:

1. Average salaries Director, Manager, & Planner ($48.04 personnel per hour and $19.11 per hour for fringe benefits) * 208 hrs * 67.15 = $13,900 (round down)
2. Travel was based on average costs for five day travel from Council Bluffs to a major metropolitan city for national brownfields conference ($600 per diem average = $500) (mileage to airport 26 miles * 0.56 per mile = $15 (round up)) (airport parking 5 days * $20 = $100) (hotel $250*5 nights = $1,250) (meals based on federal per diem rates for a major city (6 * $60 = $360)) and mileage to meetings outside Council Bluffs (490 * $0.56 = $275 (round up))
3. Contractual includes (landfill disposal of 6000 tons at a rate of $43.50 = $261,000.00) (landfill trucking estimated at 280 hours at $140 per hour = $39,200) (clean fill import of 6000 tons at $20.00 per ton = $120,000.00) (clean fill trucking at 280 hours at a rate of $140 per hour = $39,200.00) (equipment rental (backhoe/skid steer-loader) and labor estimated to take 100 hours at an hourly rate of $500 per hour = $50,000.00) (QEP oversight, cooperative agreement oversight, community engagement and cleanup planning activities estimated at 493 hours at $150 per hour = $73,950 (rounded down)).
4. Other-conference registration at $250. The City will not charge indirect costs.

3.d. Measuring Environment Results: The City of Council Bluffs will develop a detailed workplan for implementing planned outputs under the proposed grant. The workplan will detail key milestones within the grant period documenting and communicating outputs and outcomes to the public, EPA Region 7, and other partners with all progress detailed in quarterly reports and the City’s brownfields website. At least monthly and prior to the completion of each quarter, the Brownfields Coordinator will review and evaluate the project progress and take any necessary corrective actions should the schedule fall behind. Corrective actions may include holding weekly meetings/conference calls to all parties working on the grant as they occur. Lastly, the City will utilize the ACRES database to report, document, and track information such as job creation, dollars leveraged, property cleared for redevelopment, and exposure risks reduced/eliminated. These statistics will also be communicated to the IDNR, project partners, and public.

4. Programmatic Capability and Past Performance
4.a. Programmatic Capability
4.a.i./4.a.ii./4.a.iii. /Organizational Structure/Description of Key Staff/ Acquiring Additional Resources: The City has the necessary organizational structure and capacity to successfully administer the grant as demonstrated by the successful implementation of previous brownfield grants. Mr. Brandon Garrett, city of Council Bluffs Community Development Director, Ms. Courtney Harter, city of Council Bluffs Housing and Economic Development Manager, and Ms. Dessie Redmond, city of Council Bluffs Housing & Economic Development Planner will be responsible for management of the grant. This management team is efficient, and their level of expertise, qualifications, and experience will result in timely successful expenditure of funds completing all technical, administrative, and financial grant requirements, as demonstrated previously. Mr. Garret is responsible for the overall administration of the Community Development Department. Ms. Harter is responsible for administering the City’s EPA Brownfields Program and assisting with the management of the Community Development Block Grant (CDBG) and HOME Programs. Ms. Redmond will be the City’s EPA Brownfields Project Manager and is responsible for program implementation and fiscal management including the CDBG and HOME programs. The Council Bluffs’ Community Development Department has extensive experience in efficiently and effectively managing federal and state grants. This includes $1,400,000 in U.S. EPA Brownfields Grants and approximately $2,000,000 annually in CDBG and HOME funds and program income. In recent years, the City has secured funding from the State of
Iowa: $3,000,000 for 125 West Broadway Mixed Use Redevelopment, $2,500,000 for Gunn Elementary School/Linden Place Apartments, and $3,500,000 from the Iowa DOT on three infrastructure grants for S. 24th Street reconstruction, River’s Edge Infrastructure, and Gifford Road reconstruction. U.S. Department of Housing and Urban Development has awarded $2,300,000 to the City for programs to protect children and families from lead-based paint and other home health hazards. Finally, this spring the City was awarded a $300,000 U.S. EPA Brownfields Community-Wide Assessment Grant.

The City will acquire additional technical expertise and resources through the service of a qualified EPA brownfield experienced QEP, subject to a competitive selection process. The QEP will assist with project management, community engagement, cleanup planning, and site cleanup activities. The City has implemented this resource acquisition process successfully on previous brownfield grants resulting in achievement of all cooperative agreement objectives. The City has a significant history working closely with the executive officer of the Iowa Brownfield Program to provide technical expertise and advise.

4.b. Past Performance and Accomplishments
4.b.i./4.b.i.(1)/4.b.i.(2). Currently Has or Previously Received an EPA Brownfields Grant/ Accomplishments/Compliance with Grant Requirements: Council Bluffs has demonstrated a unique ability to quickly return properties to a productive reuse. The EPA has awarded the city of Council Bluffs seven Brownfields Grants totaling $1.4 million over twelve years and was recognized with a prestigious Phoenix Award for their brownfields-related accomplishments. This includes three Assessment Grants in 2005, 2013, and 2020, single site Cleanup Grants in 2009 and 2011, and a Brownfield Area Wide Planning Grant in 2016. The table provides a summary of Council Bluffs’ previous grant accomplishments. The 2020 Assessment Grant began October 1, 2020, and the City is currently on track with meeting the workplan objectives and expending funding by September 30, 2023. City officials are committed to continuing to report future accomplishments in ACRES to the EPA even beyond the grant period to support the EPA Brownfields program. For each of the closed EPA brownfields grants the city of Council Bluffs was compliant with the grant workplan, schedule and terms and conditions, had a history of timely reporting for quarterly reports and other grant deliverables, was up to date with all ACRES reporting and expended funds.

<table>
<thead>
<tr>
<th>Year &amp; Grant Type</th>
<th>Accomplishment</th>
</tr>
</thead>
<tbody>
<tr>
<td>2013 Community-wide Assessment</td>
<td>The grant was used to conduct 15 Phase I and seven Phase II ESAs within the historically industrial West Broadway Corridor.</td>
</tr>
<tr>
<td>2011 Cleanup</td>
<td>Cleanup funding was utilized to cleanup metals, organic contaminates, and other hazardous materials the former 3.8-acre site of the Katelman Foundry Site along 2nd and 3rd Avenues and 11th Street.</td>
</tr>
<tr>
<td>2009 Cleanup</td>
<td>Grant funds were used to cleanup polynuclear aromatic hydrocarbons, metals, and volatile organic compounds at the former International Harvester Building-West at 1001 South Sixth Street.</td>
</tr>
<tr>
<td>2008 Hazardous Assessment</td>
<td>Funding was used to preform 10 Phase I and six Phase II ESAs in the South Main Target Area.</td>
</tr>
<tr>
<td>2008 Petroleum Assessment</td>
<td>Petroleum grant funds were used to conduct Phase I and Phase II ESAs at sites with petroleum contamination.</td>
</tr>
<tr>
<td>2005 Hazardous Assessment</td>
<td>Conducted Phase I and Phase II ESAs for sites contaminated with hazardous substances in the South Main Target Area.</td>
</tr>
<tr>
<td>2005 Petroleum Assessment</td>
<td>Conducted Phase I and Phase II ESAs for sites contaminated with petroleum substances in the South Main Target Area.</td>
</tr>
</tbody>
</table>
City of Council Bluffs, Iowa Brownfields Cleanup Grant Application
Threshold Criteria

1. **Applicant Eligibility:**

   The City of Council Bluffs is an incorporated municipality in the State of Iowa and is eligible for funding. (See Attachment 1)

2. **Previously Awarded Cleanup Grants:**

   No previously awarded EPA Brownfields Cleanup Grant funding has been utilized at this site.

3. **Expenditure of Existing Multipurpose Grant Funds:**

   The City of Council Bluffs, Iowa affirms it does not have an open EPA Brownfields Multipurpose Grant.

4. **Site Ownership:**

   The City of Council Bluffs purchased the property, acquiring fee, simple title on September 14, 2020. The city will retain ownership throughout the period of the grant. (See Attachment 6)

5. **Basic Site Information:**

   - **Site Name:** Former Reliance Battery Site
   - **Address:** 813 22nd Avenue
     Council Bluffs, IA 52060
   - **Current Owner of Site:** City of Council Bluffs (acquired 9/14/2020)

6. **Status of History of Contamination:**

   - **Hazardous Substances or Petroleum:** The site is contaminated by hazardous substances. High concentrations of lead have been identified in soil across the site.

   - **Operational History and Current Uses:** The site was historically utilized as a battery manufacturing plant from 1925 through 2019 and is in poor and dilapidated condition. Additional environmental
The following summarizes information obtained from those additional sources. Based on a review of available information reviewed from the IDNR Contaminated Sites Section database, the site was used for manufacturing, repairing, and reconditioning lead acid batteries since the early 1920’s through 1974. In 1974 the business was incorporated as the former Reliance Battery Manufacturing Company (RBMC). In February of 1985, the State of Iowa Department of Natural Resources (IDNR) conducted a preliminary assessment and concluded that there was a potential for soil and groundwater contamination at the site. In May of 1989, an EPA coordinated site investigation identified soil on the site and adjoining residential properties that contained elevated concentrations of lead. Additional investigations in 1989 and 1990 were conducted to define the extent of the lead soil contamination on the site and adjoining properties. Dust and drinking water samples were collected from the interior of the adjoining residential homes. Lead was identified in soil at concentrations of up to 115,000 milligrams per kilogram (mg/kg) at the Property and at concentrations of 2,200 mg/kg from two of the adjoining residential properties. Drinking water samples did not contain lead concentrations exceeding regulatory limits.

In late September of 1990, the EPA discovered that RBMC had excavated soil from the contaminated areas of the site. RBMC did not notify the EPA that they were conducting an excavation and EPA did not have an opportunity to supervise or document the procedures. RBMC estimated that 700 cubic yards (CY) of soils were excavated and stored in various onsite containers until disposed of by the EPA during subsequent regulated lead contaminated soil excavation procedures. The EPA re-sampled areas of the site and determined concentrations were not reduced below EPA cleanup levels and that concentrations were substantially higher in some areas. The EPA advised RBMC not to take any further action to remove contaminated soils and determined that an immediate response action was required to mitigate human exposure to elevated lead concentrations in dust and soil. On November 9, 1990, the Regional EPA Administrator signed an Action Memorandum selecting excavation areas and an off-site disposal plan for lead contaminated soil at the site and adjoining properties. Soil excavations were completed in May of 1991. No further EPA Superfund activities were expected at the site, no further response under CERCLIS was required, and archiving the property was deemed appropriate by the EPA; however, the lead in shallow soil at concentrations of up to 2,400 mg/kg remain at the site exceeding the current IDNR Statewide Standard (SWS) of 400 mg/kg.

According to the March 9, 1992, EPA Report, potential areas of lead releases at the site and surrounding properties came from operation of the baghouse, ventilation collection systems, the lead
oxide bulk storage tank loading operations and from fugitive emissions from the plant when doors and windows were left open during manufacturing.

On February 19, 1998, the DNR Solid Waste Section responded to the EPA Region 7 Superfund Divisions request for concurrence regarding discontinuing all investigation and/or cleanup activities at the site and “Archiving” from the active CERCLIS database. The DNR’s opinion was that archiving the RBMC was not appropriate and continued EPA oversight was required given that; RBMC has a given history of violations of both environmental and worker safety regulations; continued hazardous material releases had occurred on the Property since the 1991 EPA administrative action, and in April of 1995, an accident occurred at RBMC that resulted in the hospitalization of a worker with a lead blood level of 357 micrograms per deciliter (3.5 times the potential lethal does for lead). Based on the site history and current operations, some form of continued EPA oversight was requested to prevent future releases in a timely manner. However, the site was “Archived” on July 5, 2011.

A Phase I ESA was conducted on the site on April 27, 2020, as part of the City of Council Bluffs’ due diligence prior taking ownership of the site. During the Phase I ESA, seven recognized environmental conditions (RECs) were identified, including that the property was utilized as a battery manufacturing facility from circa 1928 through 2019. While three RECs were identified in connection with the adjacent properties. Further investigation is warrant if additional information regarding the identified RECs is desired. On August 17th, 18th, and 19th, 2020, thirty-two soil borings were advanced using a Geoprobe® track-mounted rig with a direct push attachment to a depth of five to 10 feet bgs to evaluate the extent of RCRA metals, specifically lead soil contamination in surface soil throughout the site. Additionally, nine temporary monitoring wells were advanced to a maximum depth explored of 20-feet bgs to evaluate soil near the soil and ground interface and groundwater conditions at the site. The results of the sampling are summarized as follows:

- The distribution of concentrations of VOCs, SVOCs and RCRA metals in soil exceeding the SWS have been defined to the site boundaries. Elevated concentrations of lead and arsenic exceeding the SWSs (400 and 1.9 mg/kg) are confined with surficial, unconsolidated sane, silt and gravel aubiquitous throughout the site from the top of the ground surface to two to five feet bgs. Lead concentrations of 1.7 to 30 times higher than the SWS of 400 mg/kg are present at the surface and shallow depths and within proximity to single-family residential dwellings. Up to 6,300 cubic yards (yds3) of lead contaminated surficial sediments may be present at the site.

- Tetrachloroethylene (PCE) chlorinated solvent was identified at soil sample locations SB-5 3-5’ bgs (0.0192 mg/kg); SB-16 10-11’ bgs (0.0178 mg/kg); SB-25 14-15’ (0.0175 mg/kg) near the depth of the soil and groundwater interface zone between 10 and 15 feet bgs.
The distribution of concentrations of VOCs, SVOCs and RCRA metals in groundwater exceeding the SWS have been defined to the site boundaries. Dissolved lead was identified at monitoring well location SB-33/TMW-9 on the southwest corner of the building at concentration of 31.7 micrograms per liter (µg/L). The concentration exceeds the SWS for protected groundwater sources (15 µg/L). The remaining constituents were below the SWS or below the laboratory reporting limits.

One private well listed as the Council Bluffs Community Schools is located within 1,000 feet of the site.

Based on the findings and conclusions resultant of data collected during the site Investigation and Characterization Report (SICR), the detected constituents of lead in surface soil presents a risk to human health and the environment. The SICR recommends a remedial action plan (RAP) and Soil Management Plan (SMP) to address environmental liabilities associated with the site redevelopment as single and/or multi-family residential and mitigate risk to associated receptors and pathways to human contact (i.e., direct contact and inhalation, ingestion, water main and water service lines, vapor intrusion to sanitary sewers and enclosed space basement receptors). RAP recommendations may include construction of engineered barriers to prevent contact between humans and impacted soil and groundwater; over-excitation of shallow contaminated soils and disposal to a regulated facility; installation of active and passive vapor mitigation systems; construction of chemical resistant water mains and water service lines servicing the development and established environmental covenant or deed restriction prohibiting the construction of water supply wells on the Property.

c) Environmental Concerns: The site became contaminated through its operation as a battery factory. Lead oxide, antimonial lead, and acids utilized in the manufacturing of batteries were deposited into the soil of the site.

d) Source, Nature, and Extent of Contamination: Soil Assessment: The distribution of concentrations of VOCs, SVOCs and RCRA metals in soil exceeding the SWS have been defined to the site boundaries. Elevated concentrations of lead and arsenic exceeding the SWSs (400 and 1.9 mg/kg respectively) are confined within surficial, unconsolidated sand, silt, and gravel ubiquitous throughout the site from the top of the ground surface to two to five feet bgs. Lead concentrations of 1.7 to 30 times higher than the SWS of 400 mg/kg are present at the surface and shallow depths and within proximity to single-family residential dwellings. Up to 6,300 cubic yards (yds³) of lead contaminated surficial sediments may be present at the site. Concentrations of tetrachlorethylene (PCE) is present in soil at concentrations below the SWS near the soil and groundwater interface observed between 10 and 15 feet bgs at three locations explored. PCE was also detected in shallow
sediments between three and five feet bgs below the SWS on the northwest corner of the site building.

• Lead soil contamination was identified along the northern site boundary within 70-feet of single-family residential dwellings at concentrations 3.8 to 9.2 times higher than the SWS of 400 mg/kg.

• In the northeast site boundary adjacent of single-family residential dwelling lead soil contamination was identified 4.4 times higher than the SWS.

• Lead soil contamination 1.5 times higher than the SWS was identified in the center of the site.

• Lead soil contamination in surficial sediments was identified along the southern site boundary, directly adjacent north of a single-family residential dwelling 1.1 to 30 times higher than the SWS.

• Arsenic concentrations exceeding the background concentration were identified on the northwest corner of the site.

• Arsenic contractions along the north central site boundary exceeding the background concentrations were also identified.

• Concentrations of SVOC were identified in shallow sediments located on the south side of the lead oxide above ground storage tank. The detected SVOC constituents were below their respective SWS for soil; however, a strong petroleum aroma was sensed from surface samples collected.

• Tetrachloroethylene was identified in several soil samples. Although the concentrations were well below the SWS of 1,500 mg/kg; the potential exist for a vapor intrusion condition into proposed buildings and dwellings at the site. Further vapor intrusion assessment and/or vapor mitigation engineering controls are recommended for proposed single-family and/or multi-family residential dwellings.

Groundwater Assessment: The distribution of concentrations of VOCs, SVOCs and RCRA metals in groundwater exceeding the SWS have been defined to the site boundaries. Dissolved lead was identified at the monitoring well located on the southwest corner of the building at a concentration of 31.7 micrograms per liter (µg/L). The concentrations exceed the SWS for protected groundwater sources (15 µg/L). The remaining constituents were below the SWS or below the laboratory reporting limits.
7. Brownfields Site Definition:

The site is (a) not listed or proposed for listing on the National Priorities List; the site is (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 the site is (c) not subject to the jurisdiction, custody, or control of the U.S. government.

8. Environmental Assessment Required for Cleanup Grant Applications:

- Phase I Environmental Site Assessment, 813 22\textsuperscript{nd} Avenue, April 27, 2020
- Site Investigation and Characterization Assessment, 813 22\textsuperscript{nd} Avenue, conducted on August 17\textsuperscript{th}, 18\textsuperscript{th}, and 19\textsuperscript{th}, 2020.

The Phase I ESA was conducted in accordance with ASTM International (ASTM) E1527-13 Standard Practice (ASTM Standard; ASTM, 2013). The Site Investigation and Characterization Assessment was conducted in general accordance with ASTM International (ASTM) Standard Practice (ASTM Standard; ASTM 2011) as well as involved extensive on-site sampling and analysis to characterize areas with lead contaminated soils exceeding Iowa’s Statewide Standard. The site Investigation and Characterization Assessment was completed on behalf of the City of Council Bluffs and was conducted in accordance with standard professional practice for site investigations in Iowa.

9. Enforcement or Other Actions:

The city is unaware of any ongoing or anticipated environmental enforcement or other actions related to this site. The city has been in close coordination with IDNR, the agency which would lead and be aware of such enforcement actions.

10. Sites Requiring a Property-Specific Determination:

Not applicable

11. Threshold Criteria Related to CERCLA/Petroleum Liability:

a) Property Ownership Eligibility – Hazardous Substance Sites:
   i. Not applicable
   ii. Not applicable
iii. Landowner Protections from CERCLA Liability

(1) Bona Fide Prospective Purchaser Liability Protection

The City of Council Bluffs, Iowa is NOT potentially liable for contamination at the site under CERCLA § 107. The city acquired the site on September 14, 2020, after performing an AAI compliant Phase I Environmental Site Assessment dated April 6, 2020. The city meets the definition of a Bona Fide Prospective Purchaser for the site. The city did not own or operate the facility at the time of disposal of the hazardous substance. The city has never arranged for the disposal of hazardous materials at the site. The city did have an Asbestos Containing Material (ACM) Inspection completed on site on June 25, 2020. ACM was identified in the structures located on the site. While the city has taken measures to secure the structures located on the site to keep the public safe from health and safety threats posed by this dilapidated vacant site. However, the site continues to have break-ins and require constant securing, therefore the city is moving forward with the asbestos removal and demolition of the site structures. The city has procured a certified asbestos abatement contractor and will ensure that all state and federal requirements are met for the removal and disposal of ACM. These measures will ensure that the public is no longer at risk from ACM exposure from this site. It will also allow for efficient removal of the lead contaminated soil on the site. The site does not currently have any land use restrictions or institutional controls associated with response actions. The city will provide full cooperation, assistance, and access to authorized persons. The will comply with any CERCLA information requests and administrative subpoenas and provide all legally required notices with respect to the discovery or release of any hazardous substances found at the site. The city will not impede performance of a response action or natural resource restoration.

Demonstrate that the applicant meets the requirements for the BFPP CERCLA liability protection.

a). Information on the Property Acquisition:
   i. The city acquired simple title to the property through negotiated agreement with previous owner J S Grant LLC.
   ii. The city acquired the site on September 14, 2020. Please see Attachment 6 documentation.
   iii. The holds simple title. Please see Attachment 6 for documentation.
iv. The city acquired the property from J S Grant LLC. J S Grant LLC who owned the property since November 20, 2013.

v. The City of Council Bluffs does not have any familial, contractual, corporate, or financial relationships with any prior owners or operators of the property, including J S Grant LLC.

b) **Pre-Purchase Inquiry:**

i. The city commissioned an ASTM E1527-13 Phase I Environmental Site Assessment that was completed on April 27, 2020, for the site to provide information for consideration on whether to purchase the site. The Phase I ESA was conducted in accordance with ASTM International (ASTM) E1527-13 Standard Practice (ASTM Standard; ATSM, 2013). The standard complies with the U.S. Environmental Protection Agency All Appropriate Inquiries Final Rule (40 Code of Federal Regulations [CFR] 312).

ii. The Phase I ESA was performed by James Goodrich with Impact7G, Inc. Impact7G, Inc. and James Goodrich to the best of their professional knowledge and belief, meet the definition of Environmental Professional as defined in §312.10 of 40 CFR 312 and they have the specific qualifications based on education, training, and experience to assess the site with the nature, history, and setting of the Former Reliance Battery Factory. Impact7G, Inc. and James Goodrich developed and performed the all appropriate inquiries in conformance with the standards and practices set forth in 40 CFR Part 312.

iii. The Phase I ESA was conducted fewer than 180 days prior to property acquisition.

c) **Timing and/or Contribution Toward Hazardous Substances Disposal:** Identification of all disposed hazardous substances at the site occurred before the city acquired the property. The city has not caused or contributed to any release of hazardous substances at the site. The city has not, at any time, arranged for the disposal of city-generated hazardous substances at the site or transported hazardous substances to the site.

d) **Post-Acquisition Uses:** Since taking ownership, the city has conducted no business activities at the site, and there is no occupancy. The building always remains closed and locked to make it inaccessible to the public. The city is in the process of removing ACM and demolishing the structures on the site.
e) **Continuing Obligations:** Since taking ownership, the city has taken steps to ensure no release or exposure to hazardous substances has occurred or is occurring. The building always remains closed and locked to make it inaccessible to the public. The property remains off-limits to the public. It is an effort to remove the ACM threat and the health and safety hazard the structures on the site pose, the city is in the process of removing the ACM and demolishing the structures.

**Confirmation of Commitment to:**

i. The site does not have any land use restrictions or institutional controls; however, the city will comply if any are needed for the cleanup of the site.

ii. The will assist and cooperate with those performing the cleanup and provide access to the property.

iii. The city will comply with all information requests and administrative subpoenas that have or may be issued in connection with the property; and

iv. The city will provide all legally required notices.

12. **Cleanup Authority and Oversight Structure:**

   a) **Oversight:** The city does not plan on enrolling the site into the Iowa DNR’s Land Recycling Program, or any other state response program. The city will hire, through a competitive bid procurement process, a qualified environmental professional to oversee the cleanup process. A qualified cleanup contractor will be hired through competitive bid process to remove and dispose of lead contaminated soils. The contractors will be responsible for performance of cleanup activities, complying with all applicable local, State and Federal laws, and will provide full documentation and reporting on all removal activities. The City of Council Bluffs will comply with competitive procurement provisions of 2 CFR 200.317 through 300.326 and ensure that this technical expertise is in place prior to beginning cleanup activities.

   b) **Access:** The city has ample access to all areas of the site necessary for cleanup and does not anticipate impacting adjacent properties.

13. **Community Notification:**

   a) **Draft Analysis of Brownfield Cleanup Alternatives:** The city prepared a Draft Analysis of Brownfields Cleanup Alternatives which met the stated criteria and provided it to the public for comment. The ABCA was updated on October 25, 2021.
b) **Community Notification Ad:** The city published a community notification ad in the local newspaper (*The Daily Nonpareil*) on November 4, 2021 (Attachment 2). The community notification identified: (1) that a copy of this grant application, including the draft ABCA, was available is located; and (2) how to comment on the draft application; (3) where the draft application is located; and (4) the date and time of a public meeting to discuss and accept comment on the draft application.

c) **Public Meeting:** The city held a public meeting as advertised, on November 8, 2021, on site. The city also held public meetings on June 16, 2021, at the Council Bluffs Library and on July 14, 2021, at Peterson Park. In addition, the city held a brownfields redevelopment workshop on July 29, 2021, at Longfellow Elementary School.

d) **Submission of Community Notification Documents:**
- Attachment 7: Draft ABCA
- Attachment 2: Community Notification Ad
- Attachment 3: Public Comments & Meeting Summary
- Attachment 4: Response to Comments
- Attachment 5: Meeting Sign-in Sheet and Printed Materials

14. **Statutory Cost Share:**

The City of Council Bluffs will provide the required cost share from Community Development Block Grant funding the city receives annually. (See Attachment 1)

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

Not applicable

16. **Named Contractors and Subrecipients:**

The city will acquire additional technical expertise and resources through the service of a qualified EPA brownfield experienced QEP, subject to a competitive selection process. The QEP will assist with project management, community engagement, cleanup planning, and site cleanup activities. The city has implemented this resource acquisition process successfully on previous brownfield grants resulting in achievement of all cooperative agreement objectives. The city has a significant history working closely with the executive officer of the Iowa Brownfield Program to provide technical expertise and
advise. All contracts for this program will be completed and consistent with applicable and competitive Procurement Standards in 40 CFR Parts 30 or 31 and will include guidance to attract and utilize minority- and women-owned businesses, as possible.