

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

1. APPLICANT IDENTIFICATION

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

2. FUNDING REQUESTED

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

3. LOCATION

South Portland, Cumberland County, Maine.

4. PROPERTY INFORMATION

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

5. CONTACTS

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

6. POPULATION

The City of South Portland, Cumberland County, Maine has a population of 25,532 (July 2019 Population Estimate, www.census.gov/quickfacts/southportlandcitymaine).

7. OTHER FACTORS CHECKLIST

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

Other Factor	Page #
Community population is 10,000 or less.	N/A
The applicant is, or will assist, a federally recognized Indian tribe or United States territory.	N/A
The proposed brownfield site(s) is impacted by mine-scarred land.	N/A
Secured firm leveraging commitment ties directly to the project and will facilitate completion of the project/redevelopment; secured resource is identified in the Narrative and substantiated in the attached documentation.	3
The proposed site(s) is adjacent to a body of water (i.e., the border of the site(s) is contiguous or partially contiguous to the body of water, or would be contiguous or partially contiguous with a body of water but for a street, road, or other public thoroughfare separating them).	1, 2, 3, 6
The proposed site(s) is in a federally designated flood plain.	N/A
The reuse of the proposed cleanup site(s) will facilitate renewable energy from wind, solar, or geothermal energy; or will incorporate energy efficiency measures.	3

8. LETTER FROM THE STATE OR TRIBAL ENVIRONMENTAL AUTHORITY

A letter from State officials is attached.



JANET T. MILLS
GOVERNOR

STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION



MELANIE LOYZIM
ACTING COMMISSIONER

October 15, 2020

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

Dear Ms. Paar:

The Maine Department of Environmental Protection's ("Department") Bureau of Remediation and Waste Management acknowledges that the South Portland Housing Development Corporation ("SPHDC") plans to conduct cleanups and is applying for federal Brownfields grant funds.

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

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

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

Sincerely,

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

Pc: Brooks More, SPHDC

AUGUSTA
17 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0017
(207) 287-7688 FAX: (207) 287-7826

BANGOR
106 HOGAN ROAD, SUITE 6
BANGOR, MAINE 04401
(207) 941-4570 FAX: (207) 941-4584

PORTLAND
312 CANCO ROAD
PORTLAND, MAINE 04103
(207) 822-6300 FAX: (207) 822-6303

PRESQUE ISLE
1235 CENTRAL DRIVE, SKYWAY PARK
PRESQUE ISLE, MAINE 04769
(207) 764-0477 FAX: (207) 760-3143

1. PROJECT AREA DESCRIPTION AND PLANS FOR REVITALIZATION

1.a Target Area and Brownfields

1.a.i Background and Description of Target Area

Renowned for its working waterfront, South Portland is situated on Portland Harbor in close proximity to air, marine, rail, and highway transportation options. For these reasons, the City is, and has historically been, a center for industry, retail, and manufacturing. Beginning in the 1700's, shipyards, canneries, and trade ports were developed along the Fore River and Casco Bay waterfront. During the 1800's and early 1900's, industrial and commercial development expanded across South Portland, spurred by the construction of Rigby Rail Yard, which at the time was the largest rail yard in New England. During World War II, the U.S. Government filled large tracts of land along the waterfront to facilitate the construction of large shipbuilding complexes in the Ferry Village neighborhood to manufacture the famed *Liberty Ships*, and due in part to these shipyards, the Liberty Ship came to symbolize U.S. wartime industrial output. More than 10% of the Liberty ships were built in the City, and at its peak, the shipyard employed over 30,000 people, including thousands of women who took jobs vacated by men going to war. Thousands of housing units were built along the City's waterfront for workers and their families.

South Portland's contribution to the war effort did not end with ships, and due to its deep-water ports, became the northernmost and one of the largest-volume oil ports on the Eastern Seaboard. The Portland Pipeline was constructed in the 1940's and connected the Port of Portland with refineries in Montreal. Since then, the pipeline has pumped over 5 billion barrels of oil to Montreal refineries¹. At this same time, 120 bulk oil storage tanks were constructed within City limits.

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

1.a.ii Description of the Brownfield Site(s)

The property targeted for cleanup is the Yard South Site. This Site is in the northeastern corner of the former Liberty Shipyard on the banks of the Fore River and is situated between Bug Light Park and a massive bulk oil storage facility. The Yard South site was one of the areas in South Portland that was acquired by the U.S. Government and was backfilled in order to construct a shipyard to meet the demand of World War II. The Yard South Site is constructed entirely of urban fill, and prior to circa 1940, was located beneath the waters of the Fore River. After the war ended and the Liberty Shipyard closed, the Site was used for a variety of industrial purposes, including fish processing, septic tank manufacturing, and a clothespin factory, among others.

The Site is currently vacant, with the exception of a historic pier and remnants of the former massive industrial facilities, including old foundations, concrete slabs, and other buried materials and debris. The onsite soils bear the industrial legacy of not only pre-war urban filling and the historic shipyard, but also 75 years of post-war industrial use and petroleum storage. Historic investigations completed at the Liberty Shipyard and the Yard South Site have identified urban fill materials (wood, brick, concrete, asphalt and glass) to a depth of approximately 10 feet. These fill materials and surficial soils contain weathered petroleum products and heavy metals (lead and arsenic) at concentrations which exceed the applicable cleanup guidelines; meaning they are currently posing an exposure risk to Site users and represent an obstacle for Site redevelopment.

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

¹ <http://www.pmpl.com/about-us/>

and urban fill is typically characterized by metals, petroleum constituents, and hydrocarbons. Historic aerial photos dating back to the 1950's show that the shoreline deteriorates each year, resulting in contaminated fill materials being washed into the Fore River and Casco Bay.

1.b Revitalization of the Target Area

1.b.i Reuse Strategy and Alignment with Revitalization Plans

The redevelopment plan for the Yard South Site is to construct a mixed-use waterfront development and public space; with boutique retailers, restaurants, and office space; a 100-foot plaza/colonnade along the waterfront to be used for artist installations and thematic gardens for the public's use; a multi-use trail for pedestrians and bicyclists to connect the Ferry Village neighborhood to Bug Light Park and the waterfront; and a proposed second phase of redevelopment that will create 110 residential housing units. This "Destination Waterfront" would serve as the centerpiece for a multi-phased process to redevelop the overall Liberty Shipyard, and would demonstrate to the public and project partners, the benefits and successful outputs that can be achieved by teaming with the U.S. Environmental Protection Agency (EPA). This redevelopment plan was developed based on input from project stakeholders, municipal personnel, and the public. The City is fully supportive of this project; they realize that Brownfield redevelopment is a catalyst to achieving the City's community's vision.

Brownfield redevelopment projects at the Site, the Liberty Shipyard, and the Target Area align directly with South Portland's Comprehensive Plan (updated 2012). The plan was developed by a committee of residents who engaged the community and sought feedback throughout its development. It highlights goals and strategies that are supported by the South Portland Housing Development Corporation (SPHDC) vision for the Yard South site, the Liberty Shipyard, and the Target area. The City's plan stresses that urban infill and redevelopment should be prioritized over greenfield development; that neighborhoods are safe and walkable; pedestrian and bike improvements be conducted to interconnect neighborhoods with commercial centers; public art be incorporated into new public facilities; and specifically, that the Target Area (referred to as the "eastern waterfront" and highlighted as one of the City's "fundamental land use objectives") be redeveloped for mixed-use while maintaining the potential for marine use. These City objectives, and more, will be achieved through the Brownfield cleanup and redevelopment of the Yard South Site, and the redevelopment team is working with the City to ensure that these goals continue to be reflected in the Site's reuse plan. The mission of the SPHDC is to provide affordable housing for the City's sensitive populations; the City's Plan specifically identifies their support for SPHDC and for providing housing throughout the City. These housing goals will be achieved as part of the overall redevelopment of the Liberty Shipyard and Target Area, where 110 units of workforce and market rate housing will be built and marketed to working class families and sensitive populations.

To further demonstrate City support for the redevelopment of the Liberty Shipyard and the Yard South Site, the City listed these sites as Priority Sites in their FY2018 Brownfield Assessment Grant application, and have undertaken a comprehensive Phase II investigation through their Brownfield Program to help identify and characterize environmental concerns at the Site.

1.b.ii Outcomes and Benefits of Reuse Strategy

Cleaning up the Yard South site will be an important step in a multi-phased process to redevelop the overall Liberty Shipyard. This "Destination Waterfront" mixed-use waterfront development will serve as a centerpiece for the overall rehabilitation and revitalization of the Target Area. This cleanup and redevelopment at the Site will demonstrate to the public and project stakeholders, the benefits and successful outputs that can be achieved by teaming with the EPA. Remediating this Site, creating a vibrant public gathering space, providing a safe connection for pedestrians and bicycles to the waterfront, providing 110 workforce housing units, and taking steps towards overall redevelopment of the Liberty Shipyard will have immediate direct and positive impacts to public welfare, health, and the environment (including Portland Harbor and its fisheries); will stimulate the economy, create much needed jobs, provide much-needed housing options, expand the tax base, reduce blight, and improve community morale and neighborhood investment.

The Yard South redevelopment will increase property values within the Target Area due to the enhanced use of the Site and elimination of environmental and safety concerns. Many residents of South Portland choose to use bike/ped as their primary transportation method; the transportation improvements and extension of the City's Greenbelt trail associated with the redevelopment of the

Liberty Shipyard will allow these residents a safe way to travel from our Target Area to the public waterfront and Bug Light Park. The Yard South redevelopment (an anticipated \$200M effort that will create up to 100 new jobs), and all aspects of the Liberty Shipyard redevelopment will be conducted in a sustainable manner. Our redevelopment partner, PK Realty, employs a full-time Sustainability Coordinator who is in the process of determining which sustainability program (i.e. Leed ND, One Planet Challenge, etc.) is the most suitable for development activities. The development will also be aligned with the Portland/South Portland Climate Action Plan. Green measures are being determined, but will include on-Site management of stormwater and an underground heat exchange system that will melt snow from our streets and sidewalks in the winter, and will provide cooling for buildings and the plaza in the summer.

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

1.c Strategy for Leveraging Resources

1.c.i Resources Needed for Site Reuse

SPHDC is engaged with a development team that is not only focused on the Yard South Site, but also has a 10-year redevelopment plan for the overall 30-acre Liberty Shipyard. SPHDC and the development team, through this public-private partnership, have been applying for and will continue to apply for grants and foundation funding to assist with overall development efforts. The Brownfields cleanup of the Yard South Site is estimated at approximately \$1.2M; SPHDC and the redevelopment team intend to leverage the \$500,000 U.S. EPA Cleanup grant to obtain approximately \$700,000 in gap funding through private redevelopment funds from our project partners. Documentation for these secured funding sources is included in Attachment A.

In the event additional funding for remediation activities and/or Site redevelopment are needed, SPHDC will use private redevelopment funds, or will seek supplemental funding through the Greater Portland Council of Governments (GPCOG) Brownfields Revolving Loan Fund (RLF) Cleanup program, Maine Department of Economic and Community Development (DECD) Brownfield RLF Cleanup program, or the Maine Department of Environmental Protection (MEDEP) 128A Brownfields Assessment and Cleanup program. These programs have rolling application processes and have funds available for projects similar to the Yard South cleanup.

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

1.c.ii Use of Existing Infrastructure

Our Target Area has infrastructure in-place to support our redevelopment strategy for Yard South and the Liberty Shipyard that will provide jobs to City residents and much-needed public access and recreational space for the residents in our Target Area. The South Portland waterfront is currently serviced by high-speed internet, power, transportation, and connection to water and sewer utilities. The Yard South Site, and the entire Target Area, is located directly on the waterfront of Casco Bay making it an attractive and desirable geographic location for future development/ redevelopment. Our Site currently contains the remnants of a pier; this is the only undeveloped location along the southern bank of the Fore River (the South Portland waterfront) which has deep water access. This means that the Yard South property is currently the only publicly accessible location in the City which could be used as a commercial port/water taxi/etc.

The redevelopment options available at our Site and in our Target Area are endless and the infrastructure is in place to support the desired development options.

2. COMMUNITY NEED AND COMMUNITY ENGAGEMENT

2.a Community Need

2.a.i The Community’s Need for Funding

As Maine’s fourth largest City, South Portland boasts a population of 25,532² and is experiencing significant growth (over a 9% increase from 2000-2017)³. In addition to domestic in-migration, the City has seen an influx of “New Mainers” (refugees and immigrants). Cumberland County is significantly more racially and ethnically diverse than other Maine counties, and the City’s minority population is almost twice the State average. The foreign-born population fueled more than 75% of population growth in Greater Portland from 2011-2016⁴. These population increases and diversification of our City has led to a tightening in the local housing market and an increase in demand for affordable workforce housing (as of 10/22/2020 the South Portland Housing Authority has 999 applicants for affordable housing on its waiting lists); and has also placed a significant strain on City and school resources as we assist our immigrant population with language training, vocational training, job placement, and transportation needs.

Over 12% of City residents are living below the poverty line; this increases to nearly 20% for children under the age of 18. A staggering 11.6% of South Portland households reported annual incomes less than \$15,000³. An estimated 30.6% of households rely on Social Security income, 5.4% on Supplemental Security Income, 2.6% on cash public assistance, and 12.6% on Food Stamp/SNAP benefits. Most concerning is that the U.S. Census reports that poverty is increasing; from 2010-2017, the percentage of residents in poverty rose from 6.7% to 12.4%.

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

2.a.ii Threats to Sensitive Populations

(1) Health or Welfare of Sensitive Populations

Brownfield sites in our Target Area (such as the Yard South Site, the Liberty Shipyard, and 13 bulk oil storage tank facilities) are currently an obstacle to area redevelopment and revitalization, and despite waterfront views, have made the Target Area an undesirable place to live. This is compounded by the fact that these residences are often located in the shadow of one of the City’s multiple bulk petroleum facilities, including tank farms and petroleum distribution pipelines along the waterfront, some of which have been in operation for more than 100 years. This has forced sprawl into rural and undeveloped areas on the City’s periphery, which is exhibited by the growth of expensive new single-family subdivisions on the outskirts of the city.

As such, the residents of our Target Area are the City’s most vulnerable and disadvantaged residents, and include immigrants, the elderly (29.1% of the City’s population are age 55+), unemployed women (57.6% of unemployed women live in poverty), and children (22.8% of children under age 18 live in poverty)⁵. This forces our sensitive populations to live in aging WWII-era housing stock which is often characterized by asbestos, lead paint, and 75+ years of heating oil use and storage. These neighborhoods exhibit blight, vandalism, and peeling paint, and because many of our sensitive populations are lower income, renovations and improvements to these houses are not being performed. In addition to hazardous building materials, the industrial legacy of the Target Area, combined with the bulk petroleum storage facilities have resulted in soil, groundwater and air which are impacted by lead-based paint, petroleum, and heavy metals.

² <https://www.census.gov/quickfacts/fact/table/ME,southportlandcitymaine/PST045219>

³ American Community Survey, 2017 ACS 5 Year Estimates Data Profile

⁴ <https://www.wsj.com/articles/maines-largest-city-strains-under-asylum-seeker-influx-11548601200>

⁵ Source: American Fact Finder and Maine Shared Health Needs Assessment [MSHNA], 2016, Cumberland County

Notably, the EPA is currently in a lawsuit against several petroleum facilities in the City for exceeding emission standards: the EPA sued Sprague Energy to force them to reduce odors and emissions of volatile organic compounds from heated bulk tanks storing No. 6 fuel oil; and Global Partners was forced to modify their license after exceeding Clean Air Act emissions standards for over ten years. Volatile organic compounds, some of which are known carcinogens, have been detected at alarming concentrations in air throughout the residential neighborhoods of our Target Area; when odors are present, people complain of headaches and say the air stings their noses⁶.

The Yard South cleanup will reduce human exposure to historic industrial contaminants; provide safe access to the waterfront; improve the economic viability of the neighborhoods by increasing property values, leading to infill redevelopment of vacant industrial areas; provide safe and affordable housing; and provide jobs to sensitive populations in the Target Area.

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

The Brownfields and industrial contamination in our Target Area have resulted in greater than normal health impacts to the sensitive populations in the Target Areas. Approximately 70% of South Portland's housing stock was constructed before 1979 (when lead paint was being phased out) versus an average of 57.7% for Maine or 54.8% for the United States⁷. *This means that nearly 3 of 4 individuals in South Portland, many of whom are elderly, immigrants, and low-income, are living in aging homes which may have lead and asbestos impacts and poor indoor air quality, and may be contributing to asthma and cancer rates.* Historically, the mortality rate for cancers in Cumberland County and Maine has outpaced the US average⁸. According to the Maine Center for Disease Control (CDC), Greater Portland has twice the state average of children with elevated blood lead levels (5.4% vs. 2.9% respectively); this is due in part to an aging housing stock, and highlights the need for affordable housing which is safe and healthy for all people, regardless of income, race, or status. SPHDC is proud that the redevelopment of the Target Area and the Liberty Shipyard will provide safe and healthy workforce housing to the sensitive populations in our City.

Health impacts from the cancerous volatile organics emitted from bulk petroleum tanks in the Target Area are compounded by the fact that Maine is situated in the nation's "tail-pipe," where the Jet Stream deposits smog, smoke, and ozone. The Maine CDC states that 12.8% of adults in this area suffer from asthma compared to 8.9% nationwide. The Yard South cleanup will reduce these health treats to our community by remediating contaminated media and promoting sustainable revitalization and redevelopment in the Target Area.

(3) Disproportionately Impacted Populations

The waterfront area of our Target Area, with its legacy of industrial contamination and substandard air quality, are populated by groups demanding a higher than normal level of City assistance, such as immigrants, low-income individuals (as high as 66% of residents in some areas according to U.S. Housing and Urban Development data), minorities, and/or families with young children. As detailed by the U.S. Census, some of the City's census tracts with the highest low-income populations are located on our Target Area. These sensitive populations live in substandard housing which was constructed to support the wartime workers of the Liberty Shipyard, and is often characterized by hazardous building materials such as lead paint and asbestos, and 75+ years of oil storage and use. The Target Area has some of the oldest housing stock in the United States. In the USA, 41% of occupied housing was constructed before 1970 (when lead paint was still widely used); however, in South Portland, that number skyrockets to 70%⁹.

SPHDC and the City view this as a troubling issue of environmental injustice; residents of the Target Area live there because these areas represent a lower cost of living compared to more prosperous neighborhoods in the City. SPHDC wishes to advocate for these residents in the pursuit of fairness and equity as it relates to public health, quality of life, economic opportunity, and environmental justice. This will be accomplished, in part, by cleaning up Brownfield Sites (like Yard South) and providing safe and affordable housing options in the Target Area, such as those that are proposed as part of the Liberty Shipyard redevelopment plan.

⁶ <https://insideclimatenews.org/news/07122019/south-portland-oil-tank-farm-air-pollution-health-hazard-asthma-testing>

⁷ American Community Survey, 2017 ACS 5 Year Estimates Data Profile

⁸ 1969-2014: Maine Annual Cancer Report 2017, Page 53, ME Department of Health and Human Services

⁹ 2017 American Community Survey 5-Year Estimates Data Profiles

2.b Community Engagement

2.b.i Project Involvement and 2.b.ii Project Roles

SPHDC will develop a BAC which included members of SPHDC, the municipal government, MEDEP, EPA, community planning groups, and other interested stakeholders in the planning and decision-making process of the Yard South cleanup. Our community partners are as follows:

Partner Name & Point of Contact	Specific Role in the Project
City of South Portland Josh Reny, Assistant City Manager jreny@southportland.org 207-767-7606	City officials will participate in the BAC, provide programmatic support, and assist in public outreach and advertising. The Clean Air Advisory Committee may advise on air monitoring during construction.
GPCOG Zoe Miller, Director of Community Engagement; Chris Hall, Director of Municipal Initiatives; Sara Mills-Knapp, Sustainability Program Manager 207-774-9891, info@gpcog.org	Ms. Miller will assist SPHDC by leading public engagement in accordance with the GPCOG’s “Inclusive & Accessible Virtual Engagement” manual ¹⁰ . Mr. Hall and Ms. Mills-Knapp will review plans and assist in reuse charettes and sustainability planning for Site redevelopment. GPCOG also has an EPA Brownfields Cleanup RLF for funding gaps
PK Realty Management (PK) Jen Packard, President jp@pkrealtymgmt.com 949-338-8123	Primary development partner with SPHDC for the redevelopment of the Yard South Site. PK will participate in the BAC, be involved in public outreach, and will provide funding for the cost share and cleanup funding gap totaling approximately \$700,000.
UNE Coastal Healthy Communities Coalition (CHCC) Sarah Breul, sbreul@une.edu, (207) 602-3555	CHCC promotes healthy communities through chronic disease and lead poisoning prevention. CHCC will assist SPHDC in presenting health-related monitoring and education for public meetings as needed.

2.b.iii Incorporating Community Input

The Yard South redevelopment team is committed to community engagement, has already participated in public meetings with the City’s Brownfield Assessment Program, and will continue these efforts as part of subsequent phases of work. SPHDC, with GPCOG, will implement a thorough plan for involving the target community in the planning and implementation of this project, and will solicit input and responding to questions/concerns in a meaningful way. The local community, project partners, and residents will be encouraged to provide feedback via social media outlets, the SPHDC website, public meetings, and at the SPHDC office via appointment.

Project updates will be publicized in local newspapers and on the SPHDC website. An information repository of program-related documents and reports will be established on the SPHDC website and in their office. SPHDC will create informational flyers, handouts, and project summary documentation, and will distribute paper versions of these documents in key locations throughout town, including senior living centers, houses of worship, and other places utilized by our sensitive populations (elderly, immigrant, and low-income individuals) who may not have internet access. Public meetings will be held to solicit input and communicate progress on the cleanup project; at least 2 meetings (prior to and after cleanup) will be co-hosted with partner COs. These meetings will be held at the SPHDC office, in a socially distant manner on-Site, or via Zoom. SPHDC will accommodate those who speak languages other than English and/or may have hearing/reading impairments by translating documents, providing translators, and providing access to assistive technologies such as teletypewriter relay (TTY) services as needed. Questions that are received by the public will be incorporated into a FAQ sheet for distribution as outlined above.

3. TASK DESCRIPTIONS, COST ESTIMATES, AND MEASURING PROGRESS

3.a Proposed Cleanup Plan

Our cleanup plan includes: 1) Placing riprap and stabilizing the shoreline to prevent further erosion of potentially-contaminated urban fill materials into the Fore River; 2) Constructing soil cover systems over the entirety of the Site to prevent human contact with impacted surficial soils (0-2 feet) and urban fills. Soil cover systems will likely consist of a marker layer and 12-inches of

¹⁰ https://www.gpcog.org/DocumentCenter/View/1375/GPCOG_Virtual-Engagement-White-Paper_Final_91620

structural gravel sub-base; 3) Targeted soil excavation and off-site disposal in the area of proposed foundation footings and subsurface utilities to develop “clean corridors” and prevent worker exposure to contaminants during future (post-Brownfield) Site redevelopment; and 4) Preparation of institutional controls, including a revised Environmental Media Management Plan and Post-Closure Cover System Maintenance Plan to ensure that future construction and earthwork at the property will not disturb the cover systems or underlying residual contaminated soil. Contractors utilized for cleanup will comply with Davis Bacon wage compliance. During cleanup activities, measures to protect the public and our sensitive populations will be employed to ensure safe conditions; these will include erosion and sedimentation control, dust suppression, and Site security measures. Air monitoring may be utilized to ensure dust and contaminant levels are within acceptable standards.

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

3.b Description of Tasks/Activities and Outputs

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

Task/Activity: Cooperative Agreement Oversight (Task 1)
<p>i. Project Implementation</p> <ul style="list-style-type: none"> • Discussion of EPA-funded activities: SPHDC will perform program development and organization and will develop a Brownfields Advisory Committee (BAC) that includes members of SPHDC, the Site development team, MEDEP, EPA, and citizen/project stakeholders. SPHDC will develop a Request for Proposals (RFP) and based on a competitive bid process per 40 CFR 30, will hold interviews and select a QEP. SPHDC will attend the National Brownfield Conference. Quarterly reports and MBE/WBE reporting will be completed. ACRES will be maintained and updated. • Non-EPA grant resources needed to carry out task/activity: None
<p>ii. Anticipated Project Schedule: BAC meetings will be held on a quarterly basis. A QEP will be selected within 1-2 months of funding. Quarterly reports, MBE/WBE reports, and ACRES updating will be performed in a timely manner throughout the grant period.</p>
<p>iii. Task/Activity Lead(s): SPHDC will oversee this task, with assistance from the BAC on QEP selection. The QEP will complete quarterly reports and ACRES updates.</p>
<p>iv. Outputs: The creation of a BAC; preparation of an RFP and selection of a QEP; quarterly BAC meetings (up to 12, based on the project duration); quarterly reports (up to 12, based on the project duration); Davis-Bacon reporting and ACRES updating as necessary.</p>
Task/Activity: Community Outreach & Engagement (Task 2)
<p>i. Project Implementation</p> <ul style="list-style-type: none"> • Discussion of EPA-funded activities: The QEP will prepare a CRP for approval by the MEDEP and EPA. SPHDC and the QEP will develop marketing materials; notify community members, adjacent landowners, and community organizations of cleanup schedules; advertise for public meeting through online and in-person methods; hold two public meetings to solicit input, educate, and update the community; and prepare public outreach materials. A 30-day public comment period will be held to solicit public input on the draft Analysis of Brownfield Cleanup Alternatives (ABCA); and once the public comment period is over, the ABCA will be finalized. SPHDC will provide outreach and communication to the public prior to undertaking the cleanup efforts, during remediation, and following remediation. • Non-EPA grant resources needed to carry out task/activity: GPCOG will help in the public outreach, will advertise public meetings and solicit public input.

<p>ii. Anticipated Project Schedule: Community outreach will be performed throughout the grant period. The first public meeting will occur while the QEP is completing draft cleanup plans and specifications (to advertise and solicit input on the draft ABCA), and the second meeting will be held as cleanup nears completion.</p>
<p>iii. Task/Activity Lead(s): SPHDC and the QEP, with assistance from the BAC .</p>
<p>iv. Outputs: A CRP, outreach and educational materials (Brownfield 101 tri-fold brochure and FAQ handout), public meeting ads, press releases and project updates, educational materials to support a public meeting (PowerPoint presentations and handouts). A final ABCA. At least two public meetings. One-on-one meetings with Site abutters, as needed.</p>
<p>Task/Activity: Site-Specific Activities (Task 3)</p>
<p>i. Project Implementation</p> <ul style="list-style-type: none"> • Discussion of EPA-funded activities: Prior to start of construction, the QEP (with SPHDC oversight) will: prepare final cleanup plans and specifications for review and approval by the EPA, MEDEP and SPHDC; conduct a pre-bid site visit with proposed contractors; and prepare a SSQAPP for confirmatory sampling. SPHDC/QEP will review contractor bids and select a cleanup contractor. The QEP will apply for and obtain necessary construction permits and will coordinate with the local health agency on health monitoring activities during cleanup, as necessary. SPHDC and the QEP will be in communication with MEDEP and EPA team members throughout this phase of work. The selected cleanup contractor will perform shoreland stabilization and remediation of impacted soils. • Non-EPA grant resources needed to carry out task/activity: None
<p>ii. Anticipated Project Schedule: The QEP will prepare project documents and cleanup design within 3-6 months of selection (winter 2021/spring 2022). A SSQAPP will be prepared and permits will be obtained at this time. We plan to start cleanup activities in the summer/fall of 2022 and will complete this work within the three-year grant period.</p>
<p>iii. Task/Activity Lead(s): The QEP will oversee this task, with assistance from SPHDC.</p>
<p>iv. Outputs: Cleanup Plans and Specifications, bidding documentation, SSQAPP, construction permits, cleanup of the Yard South site in accordance with the ABCA and MEDEP-approved design plans.</p>
<p>Task/Activity: Oversee Site Cleanup (Task 4)</p>
<p>i. Project Implementation</p> <ul style="list-style-type: none"> • Discussion of EPA-funded activities: During cleanup activities, the QEP will: monitor and oversee construction; project reporting to ensure compliance with the plans, specifications, and regulatory requirements; review and approve pay reqs and Davis-Bacon documentation; perform a final site walk-through; and collect confirmatory samples. Health monitoring and air sampling will be conducted as needed. The QEP will submit the Site to the MEDEP VRAP, prepare a MEDEP VRAP closure report, prepare paperwork to obtain a VRAP Certificate of Closure, and prepare grant closeout documentation. The QEP will prepare the institutional controls (revised Environmental Media Management Plan and Cover System Maintenance Plan). SPHDC will assist with project oversight and will be in communication with MEDEP and EPA team members throughout this phase of work. • Non-EPA grant resources needed to carry out task/activity: None
<p>ii. Anticipated Project Schedule: We plan to start cleanup activities in summer/fall 2022 and will prepare closure reports and documentation in spring 2023. We see no impediment to completing this work within the three-year grant period.</p>
<p>iii. Task/Activity Lead(s): The QEP will oversee this task, with assistance from SPHDC.</p>
<p>iv. Outputs: Confirmatory soil sampling, MEDEP VRAP Closure Report, revised EMMP and Cover System Maintenance Plan, VRAP Certificate of Closure, Grant Closeout documentation</p>

3.c Cost Estimates

3.c.i Development of Cost Estimates, 3.c.ii Application of Cost Estimates, & 3.c.iii Eligibility of Share Activities

Budget Categories		Project Tasks (\$)				
		CA Oversight	Community Outreach	Site Specific	Oversee Cleanup	Total
Direct Costs	Personnel	\$4,000	\$7,500	\$4,000	\$4,000	\$19,500
	Fringe Benefits	\$0	\$0	\$0	\$0	\$0
	Travel	\$1,000	\$0	\$0	\$0	\$1,000
	Equipment	\$0	\$0	\$0	\$0	\$0
	Supplies	\$0	\$500	\$0	\$0	\$500
	Contractual	\$3,500	\$7,000	\$428,500	\$40,000	\$479,000
	Other	\$0	\$0	\$0	\$0	\$0
Total Direct Costs		\$8,500	\$15,000	\$432,500	\$44,000	\$500,000
Indirect Costs		\$0	\$0	\$0	\$0	\$0
Total Federal Funding		\$8,500	\$15,000	\$432,500	\$44,000	\$500,000
Cost Share		\$0	\$25,000	\$75,000	\$0	\$100,000
Total Budget		\$8,500	\$40,000	\$507,500	\$44,000	\$600,000

Task 1 - Cooperative Agreement Oversight: Includes SPHDC’s time for program development, organization, and support (40 hours @ \$50/hour = \$2,000); three meetings with the BAC (28 hours @ \$50/hour = \$1,400); preparing bidding documents for QEP selection and interviewing/contracting with the QEP (12 hours @ \$50/hour = \$600); and travel to the National Brownfields Conference (\$1,000 air/bus fare, lodging, and registration). QEP time is estimated at \$3,500 and includes attending three BAC meetings (\$500 per meeting) and programmatic support (\$2,000).

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

Task 3 - Site Specific Activities: SPHDC’s outputs include review of QEP documents and work plans, and communication with the MEDEP and EPA (80 hours at \$50/hour = \$4,000). Total QEP costs are estimated at \$37,000; outputs include a QAPP (\$7,500), Cleanup Plans and Specifications (\$12,000), bidding phase services (\$7,500), SSQAPP (\$8,000), and coordination/communication with the MEDEP and EPA (\$2,000). Cleanup costs funded through this grant are estimated to be \$391,500; contractor outputs include shoreland stabilization and construction of ~3 acres of soil cover systems. 75% of the anticipated \$100,000 cost share will be provided in cash from SPHDC.

Task 4 - Oversee Site Cleanup: Includes SPHDC time for oversight during cleanup activities (80 hours at \$50/hour = \$4,000). QEP outputs include overseeing cleanup activities (\$9,000), project monitoring and reporting (\$4,500), collection and analysis of confirmatory samples (\$2,000), preparing a VRAP closure report, coordination with MEDEP & EPA (\$11,000), grant closeout documentation (\$4,000), and presenting at additional public meetings and BAC Meetings (\$9,500).

3.d Measuring Environmental Results

SPHDC will track and evaluate progress through high quality, detailed quarterly reports outlining the project’s progress in achieving project outputs, results, and outcomes; and through frequent updating of the ACRES database (tasks complete, money spent, and progress). SPHDC will be in regular communication with the QEP, MEDEP and EPA through BAC Meetings, construction meetings, and weekly telephone calls with the QEP to ensure the project stays on schedule, on budget, and there are no impediments in achieving the project outputs in a timely manner.

We will track outcomes that include the acres of brownfield sites cleaned up; types of contaminants remediated; reduction of environmental risks; number of jobs created; number of housing units created, quantity of greenspace; amount of leveraged cleanup funds; leveraged site redevelopment funds; and other leveraged or economic outcomes. The outputs and outcomes will be reviewed and revised regularly in conjunction with regional EPA and MEDEP staff to ensure

the project is successful.

4. PROGRAMMATIC CAPABILITY AND PAST PERFORMANCE

4.a Programmatic Capability

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

The SPHDC is a non-profit 501(c)(3) corporation governed by a twelve-member board of directors. The SPHDC was established by the SPHA as its non-profit affiliate to develop, own and operate affordable housing. The SPHDC serves as developer of affordable housing that it owns with the intention of preserving long-term affordability for its projects. The SPHDC has the organizational capacity to execute the Yard South Cleanup and expend all EPA Brownfields Cleanup grant funds within the 3-year performance period. The key SPHDC staff for this project are as follows:

Brooks More is the SPHDC Director of Development and previously acted as the Program Director for the SPHDC's successful EPA-funded Brownfields Cleanup of the Thornton Heights Common project. Mr. More will act as the project director and oversee all aspects of the Brownfields workplan execution. Mike Hulsey is the Executive Director of the SPHDC and the Treasurer and Secretary of the SPHDC. Mike's primary role in Yard South project will be ensuring the SPHDC's ongoing management of leasing, auditing, and maintenance activities.

4.a.iii Acquiring Additional Resources

SPHDC will manage a competitive procurement process in accordance with 40 CFR 30 to solicit responses from qualified firms for oversight and engineering of the cleanup activities and to assist with community outreach and regulatory compliance. We will develop a Request for Proposal, and publicly bid and advertise via the newspaper and SPHDC's website. This is the same process that SPHDC used on our FY2019 U.S. EPA Brownfield Cleanup Grant to obtain a QEP with the technical expertise to achieve success and complete this project. SPHDC has routinely performed this type of procurement for Brownfield cleanup and other construction project in South Portland. Cleanup contractors will also be selected via a competitive bid process, advertised in the same manner. When necessary, SPHDC will also seek the advice and support of the EPA and MEDEP staff for direction on programmatic requirements. SPHDC and its selected QEP will liaison with the MEDEP to coordinate and oversee the completion of this cleanup.

4.b Past Performance and Accomplishments

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

(1) Accomplishments

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

In addition to the required \$100,000 match, SPHDC raised an additional \$200,000 in City of South Portland CDBG funds for the Brownfields phase; and all of the total \$800,000 Brownfield budget was able to be counted towards the EPA's MBE/WBE goals. The Brownfields grant also leveraged over \$14,000,000 in public and private funds for subsequent building construction.

(2) Compliance with Grant Requirements (10 points)

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

ATTACHMENT A

Documentation of Secured Commitments of Leveraged Resources

**South Portland Housing Development Corporation
Yard South, South Portland, Maine
U.S. EPA Brownfield Cleanup Grant Proposal**



October 26, 2020

L & R Northpoint Holdings LLC
Attention: Richard Packard and Lauren Packard
1550 Sunset Ridge Dr.
Laguna Beach, CA 92651

Re: Statement of Financial Capacity: L & R Northpoint Holdings LLC

Dear Richard and Lauren,

This letter confirms Androscoggin Bank's interest in financing the opportunities that have arisen for your company. We have completed a preliminary review of the project and we are ready to move forward with the request.

We have recently reviewed the financials for L & R Northpoint Holdings LLC, Richard Packard, Lauren Packard and all related entities. We are confident that L & R Northpoint Holdings LLC has the full financial capacity, experience and cash reserves to complete the remediation project in connection with the Federal Brownfield Grant at the shorefront of 1 Madison Street, South Portland, Maine 04106 of funding up to \$700,000, for the Federal Brownfield Grant in conjunction with the South Portland Housing Development Corporation (SPHDC) on 149a Front Street, South Portland, Maine 04106.

I trust that this letter complies with your requirements. If you should need further information or clarification please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read 'Melissa Knutson', is written over a light blue horizontal line.

Melissa Knutson
VP, Commercial Loan Officer
100 Middle Street
Suite 303, West Tower
Portland, Maine 04101
(207) 518-6315

ATTACHMENT B

Threshold Criteria for Cleanup Grants

**South Portland Housing Development Corporation
Yard South, South Portland, Maine
U.S. EPA Brownfield Cleanup Grant Proposal**

III.B. Threshold Criteria for Cleanup Grants

1. Applicant Eligibility

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

2. Previously Awarded Cleanup Grants

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

3. Site Ownership

SPHDC affirms: that it is the sole owner of the Site that is subject to this U.S. EPA Brownfield Cleanup Grant (Yard South, located at 149A Front Street in South Portland, Maine); that the property was obtained prior to October 28, 2020 (obtained via deed conveyance on October 27, 2020); and that SPHDC will maintain sole ownership of the property until the grant services are completed and the grant is closed out.

4. Basic Site Information

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

5. Status and History of Contamination at the Site

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

Hazardous Substances

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

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

In 1995, Irving Oil purchased the 149 Front Street property and proposed to develop a bulk petroleum tank facility at the property, but the proposed bulk tank facility did not materialize, and the property remained vacant. From 1999 to 2016, HHH, LLC acquired all of the Liberty Shipyard Site parcels and proposed to redevelop them for mixed residential, commercial and

industrial uses, but those redevelopment plans did not materialize. The current Site owner (South Portland Housing Development Corporation) acquired the Site in 2020. The Yard South Site is currently vacant and unimproved.

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

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

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

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

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

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

6. Brownfields Site Definition

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

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

7. Environmental Assessment Required for Cleanup Grant Proposals

As part of the property transfer between L&R Northpoint Holdings (the former property owner) and the SPHDC, a Phase I Environmental Site Assessment (ESA) was completed by Ransom Consulting, LLC (Ransom) on October 16, 2020. The Phase I ESA did not identify any “Recognized Environmental

Conditions” (RECs) as defined by ASTM International Standard E 1527-13, in connection with the Site. However, the presence of documented soil contamination and potential groundwater and soil vapor contamination at concentrations above their respective MEDEP exposure guidelines at the Yard South site is considered a Controlled Recognized Environmental Condition (CREC), since exposure to the contamination has been mitigated with an institutional control in the form of a Declaration of Environmental Covenant (DEC).

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

8. Enforcement or Other Actions

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

9. Sites Requiring a Property-Specific Determination

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

10. Threshold Criteria Related to CERCLA/Petroleum Liability

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

a. Property Ownership Eligibility – Hazardous Substance Sites

- i. EXEMPTIONS TO CERCLA LIABILITY – N/A**
- ii. EXCEPTIONS TO MEETING THE REQUIREMENTS FOR ASSERTING AN AFFIRMATIVE DEFENSE TO CERCLA LIABILITY – N/A**
- iii. LANDOWNER PROTECTIONS FROM CERCLA LIABILITY**

(1) Bona Fide Prospective Purchaser Liability Protection

(a) Information on the Property Acquisition

- (i) How you acquired ownership: SPHDC acquired the property via deed conveyance from L&R Northpoint Holdings.**
- (ii) Date you acquired the property: October 27, 2020**
- (iii) Nature of Ownership: Fee Simple Ownership**
- (iv) Name and identity of the party from whom you acquired ownership: L&R Northpoint Holdings, LLC.**

Attachment B: Brownfield Cleanup Grant Application – Threshold Criteria
South Portland Housing Development Corporation – Yard South, South Portland, Maine

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

- (b) Pre-Purchase Inquiry
 - (i) Site assessments performed – Type of assessment, date of assessment, and the entity for which they were performed: As part of the property transfer between L&R Northpoint Holdings (the former property owner) and the SPHDC, a Phase I Environmental Site Assessment (ESA) was completed by Ransom Consulting, LLC (Ransom) on behalf of SPHDC in October 16, 2020. This ESA was performed in accordance with ASTM E1527-13, Standard Practice for Environmental Site Assessments, and the Standards for Conducting All Appropriate Inquiry (AAI) under the United States Code of Federal Regulations (CFR), Title 40, Part 312.
 - (ii) Qualifications of firm performing assessments: Ransom is an engineering and consulting firm located in Portland, Maine, with over 30 years of professional experience conducting U.S. EPA and privately-funded Brownfield Assessments; in the past 10 years, the Ransom team has worked successfully on nearly 200 U.S. EPA-funded Brownfield sites in New England.
 - (iii) Ransom’s Phase I ESA, dated October 16, 2020, was completed within 180 days prior to our acquisition of the property.

- (c) Timing and/or Contribution Toward Hazardous Substances Disposal: The Site has been used for industrial purposes since it was filled in the early 1940’s to facilitate the construction of a shipyard. The contaminants of concern in the onsite soils are a direct result of urban fill, historic industrial site use, and historic petroleum storage. The Site is currently vacant. All disposal of hazardous substances at the site occurred prior to SPHDC acquiring the property on October 27, 2020. SPHDC has not caused or contributed to any release of hazardous substances at the site. We affirm that we have not, at any time, arranged for the disposal of hazardous substances at the site or transported hazardous substances to the site.

- (d) Post-Acquisition Uses: Since property acquisition on October 27, 2020, SPHDC has maintained and secured access to the Site. The Site has been vacant for the entirety of SPHDC’s ownership.

- (e) Continuing Obligations: Since acquiring ownership of the property on October 27, 2020, SPHDC has demonstrated appropriate care and taken reasonable steps in addressing the identified on-Site contamination to (i) stop any continuing releases; (ii) prevent any threatened future release; and (iii) prevent or limit exposure to any previously released hazardous substance. No significant renovations or modification to the site, resulting in a release of the hazardous substances to the environment, has occurred, or is planned. Access to the property (security fence) is restricted and limited to authorized personnel only. Furthermore, the property and area are routinely patrolled by the local police department.

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

11. Cleanup Authority and Oversight Structure

- a. Cleanup Oversight Plan: SPHDC will ensure that the cleanup activities at the site will comply with applicable local, state, and federal laws and regulations, and that the cleanup actions will be protective of human health and the environment. SPHDC will competitively bid and retain a qualified environmental professional (QEP) in accordance with the competitive procurement provisions of 40 CFR Part 30 (for non-profit organizations). The QEP will work with SPHDC to design, prepare specifications and bidding documents, and oversee and document remediation activities at the site, as well as to assist with the interface between the SPHDC, MEDEP, and EPA. The QEP will also assist with the competitive bid process for selecting an environmental cleanup contractor to perform the proposed cleanup actions. SPHDC will contract with the selected QEP and environmental cleanup contractor prior to initiating cleanup activities. The site will also be entered into the MEDEP Voluntary Response Action Program (VRAP). Under the VRAP, the MEDEP provides technical review and comment on all plans, reports, and activities pertaining to cleanup of a Site.
- b. Access Plan for Adjacent or Neighboring Properties: SPHDC views the adjacent property owners as project stakeholders and cooperative partners in the proposed cleanup actions at the site. We will be in frequent communication with these property owners prior to and during cleanup activities, and they are currently an active partner in the Site's proposed redevelopment. At this time, the proposed cleanup activities are limited to the site and are not anticipated to extend to adjacent properties. However, if the proposed cleanup or confirmatory sampling/monitoring requires access to the adjacent properties, a formal written access agreement will be obtained from the adjoining property owners, if necessary, and the SPHDC is committed to take the necessary steps to mitigate this contamination as well. Furthermore, the City of South Portland and the MEDEP have the regulatory authority to access adjacent properties for emergency situations.

12. Community Notification

SPHDC has fulfilled the community notification requirements for the site.

- a. Draft Analysis of Brownfields Cleanup Alternatives: An Analysis of Brownfields Cleanup Alternatives - Preliminary Evaluation (which includes a description of the site, contamination, and cleanup standards/laws; a description of cleanup alternatives evaluated; and a description of the proposed cleanup) was prepared prior to the public notice and public meeting. The draft ABCA and draft grant proposal were made available for public review on the SPHDC website (www.spha.net). The public comment period ran from October 15 at 9:00 a.m. until Friday, October 23 at 5:00 p.m. No public comments or questions were received at that time.
- b. Community Notification Ad: SPHDC published a community notification ad in the Portland Press Herald on October 14, 2020. This advertisement stated that a copy of the draft ABCA and draft grant proposal were available for public review and comment; provided instructions for commenting on these draft documents; identified the location where the draft documents were located for review; and presented the date and time of the public meeting.
- c. Public Meeting: SPHDC held a public meeting at 5:30 p.m. on October 19, 2020 via Zoom video conferencing. The purpose of the meeting was to discuss the draft grant proposal, draft ABCA, and consider public comments prior to submittal of this grant proposal.

Attachment B: Brownfield Cleanup Grant Application – Threshold Criteria
South Portland Housing Development Corporation – Yard South, South Portland, Maine

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

13. Statutory Cost Share

- a. Sources of Required Cost Share: We are fully committed to providing the requisite 20% cost share up to \$100,000 (based on a \$500,000 cleanup grant request) toward eligible cleanup activities in the form of cash contribution and in-kind services. SPHDC will also seek opportunities to augment matching funds in the form of a contribution of labor, materials, and/or services from non-federal sources including in-kind services, program development, oversight, and documentation.
- b. Hardship Waiver Request: No cost share waiver is being requested.

ATTACHMENT C

Documentation of Applicant Eligibility

**South Portland Housing Development Corporation
Yard South, South Portland, Maine
U.S. EPA Brownfield Cleanup Grant Proposal**

INTERNAL REVENUE SERVICE
P. O. BOX 2508
CINCINNATI, OH 45201

DEPARTMENT OF THE TREASURY

Date: JUN 30 2005

SOUTH PORTLAND HOUSING DEVELOPMENT
CORPORATION
51 LANDRY CIRCLE
SOUTH PORTLAND, ME 04106-5220

Person to Contact - ID#:
Lisa Van Der Sluys 91-07345
Contact Telephone Number:
877-829-5500

Federal Identification Number:
22-2648277

Dear Sir or Madam:

By our determination dated April 1994, you were held to be exempt from Federal Income Tax under the provisions of section 501(c)(3) of the Internal Revenue Code.

You recently furnished us information that Adaptive Environments, Inc. - South Portland merged with South Portland Housing Development Corporation. Based on the information submitted, we have determined that the merger does not affect your exempt status. The organization will continue using Employer Identification Number 22-2648277.

Please let us know about any further changes in the character, purposes, method of operation, name or address of your organization.

If you have any questions regarding this matter, please contact the person whose name and telephone number appear in the heading of this letter.

Sincerely,



Lois G. Lerner
District, Exempt Organizations

OCT - 6 - 1983 TUE 14:03

The Treasury

District Director

P.O. Box 1600, GPO Brooklyn, N.Y. 11202

MAR 20 1987

South Portland Housing Development Corporation
P.O. Box 2128
So. Portland, ME 04106

Date:
Employer Identification Number:
22-2648277
Our Letter Dated:
April 29, 1986
Person to Contact:
M. Sciane
Contact Telephone Number:
(718) 670-0440

Dear Taxpayer:

This modifies our letter of the above date in which we stated that you would be treated as an organization which is not a private foundation until the expiration of your advance ruling period.

Based on the information you submitted, we have determined that you are not a private foundation within the meaning of section 509(a) of the Internal Revenue Code, because you are an organization of the type described in section 509(a)(1) & 170(b)(1)(A)(vi). Your exempt status under section 501(c)(3) of the Code is still in effect.

Grantors and contributors may rely on this determination until the Internal Revenue Service publishes notice to the contrary. However, a grantor or a contributor may not rely on this determination if he or she was in part responsible for, or was aware of, the act or failure to act that resulted in your loss of section 509(a)(1) & 170(b)(1)(A)(vi) status, or acquired knowledge that the Internal Revenue Service has given notice that you would be removed from classification as a section 509(a)(1) & 170(b)(1)(A)(vi) organization.

Because this letter could help resolve any questions about your private foundation status, please keep it in your permanent records.

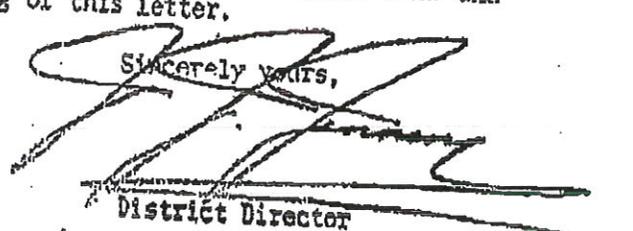
If you have any questions, please contact the person whose name and telephone number are shown in the heading of this letter.

RECEIVED

MAR 25 1987

SOUTH PORTLAND HOUSING AUTHORITY

cc:

Sincerely yours,

District Director

Letter 1050(DO)(7-77)

EXHIBIT A

Internal Revenue Service

Department of the Treasury

District
DirectorP. O. BOX 1680 GPO
B'KLYN, NY 11202

APR 29 1986

Date:

Employer Identification Number:
22-2648277Accounting Period Ending:
September 30thFoundation Status Classification:
509(a)(1)Advance Ruling Period Ends:
September 30, 1986

Person to Contact:

E. Birnbaum

Contact Telephone Number:
(718) 780-6138

South Portland Housing Development
Corporation
P.O. Box 2128
South Portland, ME 04106

Dear Taxpayer:

Based on information supplied, and assuming your operations will be as stated in your application for recognition of exemption, we have determined you are exempt from Federal income tax under section 501(c)(3) of the Internal Revenue Code.

Because you are a newly created organization, we are not now making a final determination of your foundation status under section 509(a) of the Code. However, we have determined that you can reasonably be expected to be a publicly supported organization described in section(s) 509(1)(A) & 170(b)(1)(A)(vi).

Accordingly, you will be treated as a publicly supported organization, and not as a private foundation, during an advance ruling period. This advance ruling period begins on the date of your inception and ends on the date shown above.

Within 90 days after the end of your advance ruling period, you must submit to us information needed to determine whether you have met the requirements of the applicable support test during the advance ruling period. If you establish that you have been a publicly supported organization, you will be classified as a section 509(a)(1) or 509(a)(2) organization as long as you continue to meet the requirements of the applicable support test. If you do not meet the public support requirements during the advance ruling period, you will be classified as a private foundation for further periods. Also, if you are classified as a private foundation, you will be treated as a private foundation from the date of your inception for purposes of sections 507(d) and 4940.

RECEIVED

MAY 5 1986

SOUTH PORTLAND
HOUSING AUTHORITY

Letter 1045(00)(6-77)

(2)

Grantors and donors may rely on the determination that you are not a private foundation until 90 days after the end of your advance ruling period. If you submit the required information within 90 days, grantors and donors may continue to rely on the advance determination until the Service makes a final determination of your foundation status. However, if notice that you will no longer be treated as a section 170(b)(1)(A)(vi) organization is published in the Internal Revenue Bulletin, grantors and donors may not rely on this determination after the date of such publication. Also, a grantor or donor may not rely on this determination if he or she was in part responsible for, or was aware of, the act or failure to act that resulted in your loss of section 170(b)(1)(A)(vi) status, or acquired knowledge that the Internal Revenue Service has given notice that you would be removed from classification as a section 170(b)(1)(A)(vi) organization.

If your sources of support, or your purposes, character, or method of operation change, please let us know so we can consider the effect of the change on your exempt status and foundation status. Also, you should inform us of all changes in your name or address.

Beginning January 1, 1984, unless specifically excepted, you must pay taxes under the Federal Insurance Contributions Act (social security taxes) for each employee who is paid \$100 or more in a calendar year. You are not liable for the tax imposed under the Federal Unemployment Tax Act (FUTA).

Organizations that are not private foundations are not subject to the excise taxes under Chapter 42 of the Code. However, you are not automatically exempt from other Federal excise taxes. If you have any questions about excise, employment, or other Federal taxes, please let us know.

Donors may deduct contributions to you as provided in section 170 of the Code. Bequests, legacies, devises, transfers, or gifts to you or for your use are deductible for Federal estate and gift tax purposes if they meet the applicable provisions of sections 2055, 2106, and 2522 of the Code.

You are required to file Form 990, Return of Organization Exempt from Income Tax, only if your gross receipts each year are normally more than \$10,000*, or \$25,000 for years ended on or after December 31, 1982. If a return is required, it must be filed by the 15th day of the fifth month after the end of your annual accounting period. The law imposes a penalty of \$10 a day, up to a maximum of \$5,000, when a return is filed late, unless there is reasonable cause for the delay.

Letter 1045(00)(6-77)

(3)

You are not required to file Federal income tax returns unless you are subject to the tax on unrelated business income under section 511 of the Code. If you are subject to this tax, you must file an income tax return on Form 990-T. In this letter, we are not determining whether any of your present or proposed activities are unrelated trade or business as defined in section 513 of the Code.

You need an employer identification number even if you have no employees. If an employer identification number was not entered on your application, a number will be assigned to you and you will be advised of it. Please use that number on all returns you file and in all correspondence with the Internal Revenue Service.

Because this letter could help resolve any questions about your exempt status and foundation status, you should keep it in your permanent records.

If you have any questions, please contact the person whose name and telephone number are shown in the heading of this letter.

Sincerely yours,

John J. Jennings

District Director

cc:

* For tax years ending on and after December 31, 1982, organizations whose gross receipts are not normally more than \$25,000 are excused from filing Form 990. For guidance in determining if your gross receipts are "normally" not more than the \$25,000 limit, see the instructions for the Form 990.

Letter 1045(00)(6-77)

ATTACHMENT D

**Community Notification Documents
(Draft ABCA – Preliminary Evaluation; Newspaper Advertisement; Public
Meeting Notes and Summary of Questions; and Documentation of Public
Meeting Participants)**

**South Portland Housing Development Corporation
Yard South, South Portland, Maine
U.S. EPA Brownfield Cleanup Grant Proposal**

Analysis of Brownfields Cleanup Alternatives – Preliminary Evaluation
Yard South, 149A Front Street, South Portland, Maine
October 16, 2020

Prepared by South Portland Housing Development Corporation

I. Introduction & Background

a. Site Location

The Site is an approximate 3.16-acre parcel located at 149A Front Street in the City of South Portland, Cumberland County, Maine. The Site is located in an industrial area in the northeast corner of the City of South Portland, situated on the banks of the Fore River, between Bug Light Park to the east and a bulk oil storage facility to the west. The Yard South Site is part of a historic shipbuilding facility located on South Portland’s waterfront.

b. Previous Site Use(s) and any previous cleanup/remediation

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

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

In December 2017, the northern portion of the 149 Front Street property (which includes the Yard South Site) was entered into the Maine Department of Environmental Protection (MEDEP) Voluntary Response Action Program (VRAP) as the “Liberty Ship North Site,” on behalf of property owner at that time (HHH, LLC). In May 2018, the MEDEP VRAP issued a No Further Action Assurance (NFAA) letter which outlined that certain conditions must be met: 1) that a Declaration of Environmental Covenant (DEC) be prepared and recorded at the Cumberland County Registry of Deeds that documents engineering and administrative controls at the Site; and 2) that engineering controls and remedial tasks which are necessary to address soil and groundwater contamination be managed in accordance with a MEDEP-approved Environmental

Media Management Plan (EMMP). This EMMP was prepared in June 2018, and it outlines administrative and engineering controls necessary to prohibit exposure to contaminated media that may be encountered during soil disturbance/future redevelopment activities. This EMMP includes protocols for installing/maintaining MEDEP-approved cover systems (or other soil remediation systems) during future property redevelopment and requires installation of a vapor mitigation system into future occupied buildings. A DEC has been recorded; however, to date, none of the remedial actions outlined in the VRAP NAA or EMMP have been completed.

c. Site Assessment Findings

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

Ransom concluded that because a Phase II Investigation has been performed at the Site (and surrounding Liberty Shipyard properties) through the City of South Portland Brownfield Assessment Program, and because proposed Yard South Site redevelopment will be conducted in accordance with the MEDEP VRAP NAA Letter and EMMP, that no additional investigation was necessary. Ransom recommended the following actions be performed as part of future Site redevelopment and construction activities: 1) that the risk of exposure to contaminated media identified continue to be properly managed in accordance with the recorded DEC for the property, MEDEP’s VRAP oversight/guidance, and the EMMP, dated June 2018; 2) Upon completion of proposed Brownfield cleanup activities at the Site, that a VRAP Closure Report (i.e., Remediation Closure Report) be prepared and submitted to the MEDEP for review and approval; and 3) Following MEDEP’s review and approval of the of the VRAP Closure Report, that the prospective Site owner and past owner should obtain a MEDEP VRAP “Certificate of Completion” for the Site, under 38 M.R.S.A. §343-E.

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

Subsurface conditions encountered at the Yard South Site consisted of urban fill materials (wood, brick, concrete, asphalt and glass), sand, and gravel to approximately 10 feet below ground surface (bgs). Native soils consisting of glaciomarine clay

(Presumpscot Formation) were encountered at approximately 10 feet bgs. Minor petroleum staining was noted within one of the test pits in the central portion of the Site, and likely consisted of weathered fuel oil. Soil sample analytical results identified concentrations of arsenic and lead in surficial soil samples (0-2 feet bgs) at concentrations of 13.4 and 145 milligrams per kilogram (mg/kg), which exceed the MEDEP RAGs for the “Residential” exposure scenario.

The Yard South Site has approximately 400 feet of shoreline along the Fore River and was the former location of Liberty Shipyard’s large deep-water piers. The shoreline, like the rest of the Site, is constructed of fill materials, as well as large blocks from a pre-war breakwater structure in the area. The shoreline at the Site is severely eroded, and is littered with exposed fill materials, bricks, and metal remnants; these fill materials contain elevated concentrations of heavy metals, and urban fill is typically characterized by metals, petroleum constituents, and hydrocarbons. Historic aerial photos dating back to the 1950’s show that the shoreline deteriorates each year, resulting in contaminated fill materials being washed into the Fore River and Casco Bay.

d. Project Goal (site reuse plan)

The overall redevelopment plan for the Yard South Site is to construct a mixed-use waterfront development and public space, which would include two buildings containing boutique retailers, food and beverage service, and office space; a 100-foot deep plaza deck and colonnade along the waterfront which would be used for artist installations, thematic gardens, and covered spaces for the public’s use; potential for residential units; and associated paved parking spaces. This “Destination Waterfront” would serve as the centerpiece for a multi-phased process to redevelop the overall Liberty Shipyard property. This cleanup of the Yard South Site will demonstrate to the public, and to project stakeholders, the benefits and successful outputs that can be achieved by teaming with the U.S. EPA.

e. Regional and Site Vulnerabilities

According to the United States Global Change Research Program, trends for the northeast region of the United States include increased temperatures, increased precipitation with greater variability, increased extreme precipitation events, and rises in sea level. According to the Federal Emergency Management Agency (FEMA) Flood Zone map for the Site (2300530009D), the Yard South development does not fall within the 1% annual (100-year) or the 0.2% annual (500-year) flood hazard areas; as such, increased precipitation that may affect flood waters and stormwater runoff are not applicable to the site. Based on the nature of the Site and its proposed reuse, changing temperatures, changing dates of ground thaw/freezing, changing ecological zone, saltwater intrusion and changing groundwater table are not likely to significantly affect the Site. Although rising sea levels have the potential to impact the Site (due to its’ proximity to the tidally-influenced Fore River), the shoreline stabilization proposed as part of cleanup activities at the Site will mitigate the potential for flooding and impacts to the site from rising sea levels.

II. Applicable Regulations and Cleanup Standards

a. Cleanup Oversight Responsibility

The SPHDC will hire a qualified environmental professional (QEP) to oversee and document the cleanup in accordance with local, State, and Federal requirements. In addition, all documents prepared as part of the Yard South cleanup will be submitted to the MEDEP VRAP.

b. Cleanup Standards for Major Contaminants

Soil: The Yard South Site is proposed to be redeveloped for mixed use; as such, the MEDEP RAGs for the “Residential” and “Commercial Worker” exposure scenarios are applicable to surficial soils (0-2 feet bgs) and the MEDEP RAGs for the “Construction Worker” exposure scenario are applicable to soils in the subsurface (greater than 2 feet bgs). Additionally, the 2018 MEDEP-approved EMMP must be followed during any earthwork-related activities at the Site during redevelopment.

Groundwater: Public water is supplied to the Site and vicinity. As such, the MEDEP RAGs for the “Construction Worker” exposure scenario would be the most applicable guidance standard.

c. Laws & Regulations Applicable to the Cleanup

Laws and regulations that are applicable to this cleanup include the Federal Small Business Liability Relief and Brownfields Revitalization Act, the Federal Davis-Bacon Act, MEDEP environmental laws, and City of South Portland bylaws and ordinances. Federal, State, and local laws regarding procurement of contractors to conduct the cleanup will be followed. SPHDC will competitively bid and retain a QEP in accordance with the competitive procurement provisions of 40 CFR Part 31.36, and a cleanup contractor will be selected in the same manner. In addition, all appropriate permits will be obtained prior to the work commencing; these include, but are not limited to, a MEDEP Tier 3 Natural Resources Protection Act (NRPA) Permit (Individual Permit), an Army Corp Of Engineers Permit; Portland Harbor Commission Permit, a South Portland Building Permit, and any other necessary local or State notifications.

III. Evaluation of Cleanup Alternatives

a. Cleanup Alternatives Considered

To address the presence of contaminated soils at the Site, three different cleanup alternatives were evaluated, as detailed below:

- Alternative #1: No Action.
- Alternative #2: Shoreline Stabilization and Soil Cover Systems. This alternative includes:
 - Placing riprap and stabilizing the shoreline to prevent further erosion of potentially contaminated fill materials into the Fore River.
 - Constructing soil cover systems over the entirety of the Site to prevent

human contact with impacted surficial soils. Soil cover systems will likely be in the form of marker layer and 12-inches of structural gravel sub-base.

- Targeted soil excavation in the area of proposed foundation footings and subsurface utilities to abate contaminated subsurface soils and prevent worker exposure to contaminants during redevelopment.
 - Preparing institutional controls to ensure that future construction, remediation, or landscaping at the property would not disturb the engineered cover systems or underlying residual contaminated soil. These would likely include Deed Restrictions, a revised EMMP, and a Post-Closure Cover System Maintenance Plan.
- Alternative #3: Shoreline Stabilization and Soil Removal. This alternative includes:
 - Placing riprap and stabilizing the shoreline to prevent further erosion of potentially contaminated fill materials into the Fore River.
 - Excavation and off-site disposal of impacted surficial soils and fill material across the entire site to a depth of two feet below grade.
 - Backfill of excavation areas with clean fill to proposed redevelopment grades.
 - Preparing institutional controls to ensure that future construction, remediation, or landscaping at the property would not disturb subsurface contaminated soils at depths greater than two feet below grade. These would likely include a revised EMMP.

b. Evaluation of Cleanup Alternatives

To satisfy U.S. EPA requirements, the effectiveness, implementability, and cost of each alternative must be considered prior to selecting a recommended cleanup alternative.

Effectiveness – Including Vulnerability/Resiliency Considerations

- Alternative #1: No Action is not effective in controlling or preventing the exposure of future receptors to contaminated soils at the Site; nor is it protective of human health and the environment.
- Alternative #2: Shoreline Stabilization and Soil Cover Systems is an effective way to reduce the potential risk of exposure to future site visitors and/or occupants by covering accessible contaminated soils and fill material at the Site.
- Alternative #3: Shoreline Stabilization and Soil Removal is an effective way to eliminate the potential risk of exposure to future site visitors and/or occupants by removing all accessible contaminated soils and fill materials from the Site.

Implementability

- Alternative #1: No Action is easy to implement since no actions will be conducted.
- Alternative #2: Shoreline Stabilization and Soil Cover Systems is relatively easy to implement. The necessary services and materials to complete the remedial tasks are readily available, including the necessary equipment and contractors. However, this alternative would require periodic surveillance of cover systems and preparation of institutional controls.
- Alternative #3: Shoreline Stabilization and Soil Removal is relatively easy to implement. The necessary services and materials to complete the remedial tasks are readily available, including the necessary equipment and contractors.

Cost

- There will be no costs under Alternative #1.
- It is estimated that Alternative #2 will cost approximately \$1,187,300. See Table 1 for an estimate of remedial costs.
- Alternative #3 is estimated to cost approximately \$3,131,500. See Table 2 for an estimate of remedial costs.

c. Recommended Cleanup Alternative

The recommended cleanup alternative is Alternative #2: Shoreline Stabilization and Soil Cover Systems. This alternative is practical, implementable, and a cost-effective way to protect human health and the environment. It is also an effective way to prevent future receptors from coming into direct contact with contaminated surficial soils and fill materials.

Alternative #1 cannot be recommended since it does not address site risks and Alternative #3 is cost prohibitive.

d. Green and Sustainable Remediation Measures for Selected Alternative

To make the selected alternative greener, or more sustainable, several techniques are planned. The most recent Best Management Practices (BMPs) issued under ASTM Standard E-2893: Standard Guide for Greener Cleanups will be used as a reference in this effort. SPHDC will require the cleanup contractor to follow an idle-reduction policy and use heavy equipment with advanced emissions controls operated on ultra-low sulfur diesel. The excavation work would be conducted during the dry-weather months (summertime) in order to minimize groundwater infiltration into the excavation area, in turn reducing dewatering needs and the amount of dewatering liquids requiring disposal/treatment. The number of mobilizations to the Site would be minimized and erosion control measures would be used to minimize runoff into environmentally sensitive areas. In addition, SPHDC plans to ask bidding cleanup contractors to propose additional green remediation techniques in their response to the Request for Proposals for the cleanup contract.

Table 1: Summary of Estimated Remediation Costs
South Portland Housing Authority - Yard South Site, South Portland, Maine
Alternative #1 - Shoreline Stabilization and Soil Cover Systems

	Quantity	Units	Unit Cost	Total
Shoreline Stabilization				
Rip Rap	5000	Ton	\$28	\$140,000
Granular Borrow	1,500	CY	\$18	\$27,000
Geotextile Fabric	2,000	SY	\$2.50	\$5,000
Dredging, Site Control, and Water Management	1	Ea	\$180,000	\$180,000
Disposal of Dredge Materials	1,200	CY	\$25	\$30,000
Waste Characterization Sampling of Dredge Materials	1	LS	\$15,000	\$15,000
Disposal of Excess Soils and Fill/Debris	900	ton	\$75	\$67,500
Waste Characterization Sampling of Excess Soils ⁽¹⁾	3	Ea	\$1,100	\$3,300
Construction of Cover Systems ⁽²⁾				
Site Grading	1	LS	\$15,000	\$15,000
Covers System Construction	15,000	SY	\$25	\$375,000
Footing & Utility Contaminated Soil Removal				
Waste Characterization Sampling of Excess Soils ⁽¹⁾	5	Ea	\$1,100	\$5,500
Erosion and Sedimentation Control	1	LS	\$4,000	\$4,000
Dust Control / Site H&S	1	LS	\$5,000	\$5,000
Permitting				
Permitting	1	LS	\$20,000	\$20,000
Engineering Design				
Engineering Design	1	LS	\$22,000	\$22,000
Construction Oversight and Bidding Phase Services				
Construction Oversight and Bidding Phase Services	1	LS	\$21,000	\$21,000
VRAP Closure Reporting and Documentation ⁽³⁾				
VRAP Closure Reporting and Documentation ⁽³⁾	1	LS	\$12,000	\$12,000
Subtotal				\$1,079,300
Contingency 10% ⁽⁴⁾				\$108,000
TOTAL				\$1,187,300

LS = Lump Sum, Gal = Gallon, EA = Each, SY = Square Yard

1 Assumes one waste characterization sample per every 250 tons of material disposed off-site (if less than 2,500 tons are disposed)

2 Assumes cover system installation on entirety of Site (approximately 3.1 acres, or 135,000 square feet)

Cover system shall consist of a marker layer and 12 inches of compacted, structural sub-base gravel (approximately 66,000 square feet)

3 Cost includes VRAP Closure Report, Soil and Groundwater Management Plan, Cover System Maintenance Plan, and Declaration of Environmental Covenant.

4 Covers previously unidentified issues that could come up during cleanup activities on Site.

NOTE: These costs do not include eligible Brownfield programmatic costs which include, but are not limited to: Finaling ABCA/RAP, Site-Specific Quality Assurance Project Plan, and Community Outreach.

Table 2: Summary of Estimated Remediation Costs
South Portland Housing Authority - Yard South Site, South Portland, Maine
Alternative #2 - Shoreline Stabilization and Soil Removal

	Quantity	Units	Unit Cost	Total
Shoreline Stabilization				
Rip Rap	5000	Ton	\$28	\$140,000
Granular Borrow	1,500	CY	\$18	\$27,000
Geotextile Fabric	2,000	SY	\$2.50	\$5,000
Dredging, Site Control, and Water Management	1	Ea	\$180,000	\$180,000
Disposal of Dredge Materials	1,500	CY	\$25	\$37,500
Waste Characterization Sampling of Dredge Materials	1	LS	\$15,000	\$15,000
Disposal of Excess Soils and Fill/Debris	1,100	ton	\$75	\$82,500
Waste Characterization Sampling of Excess Soils ⁽¹⁾	3	Ea	\$1,100	\$3,300
Soil Removal and Offsite Disposal				
Excavation, Transportation and Disposal of Surficial Soil ⁽²⁾	15000	Ton	\$110	\$1,650,000
Footing & Utility Contaminated Soil Removal	800	Ton	\$110	\$88,000
Disposal Waste Characterization Samples ⁽¹⁾	32	Ea	\$1,100	\$35,200
Clean Backfill	10500	CY	\$35	\$367,500
Site Restoration, Grading, Seeding				
Erosion and Sedimentation Control	1	LS	\$8,000	\$8,000
Dust Control / Site H&S	1	LS	\$4,000	\$4,000
	1	LS	\$5,000	\$5,000
Permitting				
Permitting	1	LS	\$20,000	\$20,000
Engineering Design				
Engineering Design	1	LS	\$22,000	\$22,000
Construction Oversight and Bidding Phase Services				
Construction Oversight and Bidding Phase Services	1	LS	\$21,000	\$21,000
VRAP Closure Reporting and Documentation ⁽³⁾				
VRAP Closure Reporting and Documentation ⁽³⁾	1	LS	\$12,000	\$12,000
Subtotal				
				\$2,723,000
Contingency 15% ⁽⁴⁾				
				\$408,500
TOTAL				
				\$3,131,500

LS = Lump Sum, Gal = Gallon, Ea = Each, CY = Cubic Yards

1 Assumes one waste characterization sample per every 500 tons of material disposed off-site (if greater than 2,500 tons are disposed, i.e. 5 sample minimum)

2 Assumes surficial soils (0-2 feet bgs) are removed across the entirety of the Site (135,000 square feet)

3 Cost includes VRAP Closure Report, Soil and Groundwater Management Plan, and Declaration of Environmental Covenant.

4 Covers previously unidentified issues that could come up during cleanup activities on Site.

NOTE: These costs do not include eligible Brownfield programmatic costs which include, but are not limited to: Finaling ABCA/RAP, Site-Specific Quality Assurance Project Plan, and Community Outreach.

CLASSIFIED

Wednesday, October 14, 2020

Portland Press Herald

HELP WANTED

General Help

SEEKING HOUSEHOLD MANAGER

For family residence in the Portland area. Family has no children, one dog, and is on premises part-time, but this is a full-time position—individuals and couples both welcome to apply. Duties include managing guest visits, meals (various dietary requirements), housekeeping, limited chauffeuring, caring for dog, limited grounds maintenance. Separate living quarters provided, pets allowed on case-by-case basis. Competitive pay and benefits.

For further inquiry, please contact Edward via email: praetor00@hotmail.com.

Skilled Trades

IRONWORKERS & WELDERS

Maine-based company is accepting applications for experienced Ironworkers and Structural Welders. We offer competitive wages and benefits. Please email resume to: johnndro@americanair-services.com or FAX (207) 797-0479

MERCHANDISE

Antiques & Collectibles

I BUY ANTIQUES & MOST ANYTHING OLD! come to you. Call Will 207-838-0790.

General Help



Articles For Sale

MOVING SALE Dining rm set, round table w/2 leaves, 6 chairs, \$600.; buffet \$250.; queen bedroom set, like new, nightstand, 2 dressers, 1 w/mirror \$350.; couch \$125.; 2 end tables, \$100. 799-3020.

General Merchandise

8-SPEED BOSS CRUISER woman's, new tires, little use, recent tune up. \$100. 207-303-7134

REAL ESTATE FOR RENT

Commercial Lease

MAINE ST BRUNSWICK Heart of downtown, professional office & retail spaces, FMI Dee Perry:207-837-9248

Apartments

PINE POINT SCARBORO Avail. 11/1, 2-rm studio, bay views, furn, inc util, wifi, W/D, sep ent, no pets/smokng. \$1300. 710-4501

TRANSPORTATION

Antique, Classic & Custom

1949 DODGE 1/2 TON PICK-UP West Coast vehicle, new paint, tires and interior, very sharp. \$16,500. (207)873-4686

Autos For Sale

2017 NISSAN LEAF ELECTRIC Excellent condition. Only 8,500 miles! \$12,500. Makes a great commuter vehicle or 2nd car. 207-807-6189

2019 FORD FIESTA 4-door, black w/black int & great on gas. Just over 15K miles, \$14K/OBO. Come take a test drive. 207-252-9474

PUBLIC NOTICES

Public Notices

Public Notices are a permanent and independent record of government and court actions. These include state and local government meetings, rule making, available contracts, zoning changes, and many more, as required by law. In addition, parties to some court proceedings, such as foreclosures, probate, and estate actions are required to publish notices to ensure notification of affected parties, as well as the general public. These notices also alert business owners, large and small, to potential government contractual jobs, helping to ensure economic activity across a level playing field. Public notices have existed to ensure transparency in all levels of government since the founding of the United States.

State and local notices are published in Maine newspapers and are also recorded at mainenotices.com, where anyone can browse or search notices, and sign up to receive email alerts when relevant notices appear.

Public Notice

BROWNFIELD CLEANUP GRANT PUBLIC MEETING

The South Portland Housing Development Corporation (SPHDC) will hold a public hearing at 5:30 p.m. on Monday, October 19, 2020 using Zoom video conferencing. Links to the meeting will be posted on the SPHDC (www.spha.net) by noon on October 19. The purpose of this meeting is for the public to comment on a U.S. EPA Brownfields Cleanup Grant application being prepared for the Yard South site located at 149A Front Street in South Portland. This grant would provide funds to remediate impacted soils and stabilize the shoreline as part of proposed Site redevelopment. A copy of the draft application and an Analysis of Brownfield Cleanup Alternatives will be available for review on the SPHDC website, and the comment period will run from October 15 at 9:00 a.m. until Friday, October 23 at 5:00 p.m. Comments should be submitted to Brooks More (bmore@spha.net).

Public Notice

City of Portland
A Public Hearing will be held on October 19, 2020 at 5:30 P.M., virtually, Tangible Alchemy dba Urban Farm Fermentory. Application for a Class III & IV FSE with Combined Entertainment and Outdoor Dining on Private Property at 200 Anderson Street. Sponsored by Jon P. Jennings, City Manager.

Public Notice

Notice of Public Hearing City of Portland
A Public Hearing will be held on October 19, 2020 at 5:30 P.M., virtually, J & L Ventures, LLC dba The Tavern. Application for a Class XI FSE at 123 Commercial Street. Sponsored by Jon P. Jennings, City Manager.

Public Notice

Notice of Public Hearing City of Portland
A Public Hearing will be held on October 19, 2020 at 5:30 P.M., virtually, Washington Baths LLC dba Washington Baths. Application for a Class III & IV FSE at 145 Washington Avenue. Sponsored by Jon P. Jennings, City Manager.

Public Notice

Notice of Public Hearing City of Portland
A Public Hearing will be held on October 19, 2020 at 5:30 P.M., virtually, Jing Yan LLC dba Jing Yan. Application for a Class I FSE at 88 Congress Street. Sponsored by Jon P. Jennings, City Manager.

Public Notice

NOTICE OF PUBLIC SALE
Notice is hereby given that in accordance with the Judgment of Foreclosure and Sale entered December 12, 2019 in the action entitled **NewRez LLC v. Anthony B. Tan, Personal Representative of the Estate of Anthony F. Tan**, by the Wiscasset District Court, Docket No. WISDC-RE-18-25,

ed by Anthony F. Tan and Mary E. Tan to PHH Mortgage Services Corporation dated June 1, 1998 and recorded in the Lincoln County Registry of Deeds in Book 2347, Page 259, and further pursuant to Order dated August 25, 2020, granting an enlargement of time to commence publication of sale, the period of redemption having expired, a public sale of the property described in the mortgage will be conducted on **Thursday, November 19, 2020, commencing at 10:15 AM, at the Law Office of Korde & Associates, P.C., 707 Sable Oaks Drive, South Portland, Maine 04106 on the front steps of the building in front of the flag pole.**

The property is located at 1675 Old Augusta Road, Waldoboro, Maine. The sale will be by public auction. All bidders for the property will be required to make a deposit of \$5,000.00 by certified or bank check at the time of the public sale made payable to Korde & Associates, P.C., which deposit is non-refundable as to the highest bidder. The balance of the purchase price shall be paid within forty-five (45) days of the public sale. In the event a representative of the mortgagee is not present at the time and place stated in this notice, no sale shall be deemed to have occurred and all rights to reschedule a subsequent sale are reserved. Additional terms will be announced at the public sale. Korde & Associates, P.C., 707 Sable Oaks Dr., Suite 250, South Portland, Maine 04106, (207) 775-6223. Updates may be found at: https://www.logs.com/me_fc_sales_report.html

Public Notice

NOTICE TO CEMENT FLOORING VENDORS REQUEST FOR BIDS
York County Community

Meeting Agenda & Notes

**PROPOSED U.S. EPA BROWNFIELDS CLEANUP GRANT
YARD SOUTH, 149A FRONT STREET, SOUTH PORTLAND, MAINE**

PUBLIC MEETING DATE: MONDAY, OCTOBER 19, 2020, 5:30 PM
PUBLIC MEETING LOCATION: ZOOM ONLINE CONFERENCING

PUBLIC MEETING AGENDA AND DISCUSSION POINTS

1. Introductions
2. Proposal for USEPA-funded Brownfields Cleanup Grant
 - a. Draft Narrative Application on SPHA website
3. Brief Review of Prior Environmental Assessments
4. Draft Preliminary Analysis of Brownfields Cleanup Alternatives (ABCA)
 - a. Evaluation Criteria
 - b. Alternatives
 - c. Proposed Cleanup Plan
5. Public Comments & Questions
 - a. Draft ABCA on SPHA website
 - b. October 15 at 9:00 a.m. until Friday, October 23 at 5:00 p.m.
6. Next Steps
 - a. Application due October 28
 - b. EPA Selection in Spring 2021
 - c. Funds available Fall 2021
 - d. QEP Selection & Design Winter 2021
 - e. Construction Spring/Summer 2022
7. Comments should be submitted to Brooks More (bmore@spha.net).

ATTENDEES

1. Brooks More, South Portland Housing Development Corporation (SPHDC)
2. Jaime Madore and Nicholas Sabatine, Ransom Consulting, LLC (Ransom)
3. Jennifer and David Packard, PK Realty Management, LLC (PK)

All meeting attendees are part of the Yard South Brownfields cleanup and redevelopment team. SPHDC is the grant applicant; Ransom is assisting in the preparation of the grant application; and PK is a member of the overall redevelopment team for the Yard South Site and Liberty Shipyard.

NOTES

- No members of the public attended the public meeting on October 19, 2020; as such, no questions or comments were received from the public during this meeting.
- No questions or comments were received from the public during the public comment period that ran from October 15, 2020 at 9:00 a.m. until October 23, 2020 at 5:00 p.m.

View



Participants (5)

- JM Jaime Madore, Ransom Consulting LLC (Host, me)
- BM Brooks More (Co-host)
- PK Jen Packard - PKRM (Co-host)
- N nsabatine@ransomenv.com (Co-host)
- DP David Packard

Mute Stop Video Security Participants 5 Chat Share Screen Record Reactions

End

Invite

Mute All

...

