

HAZARDOUS SUBSTANCE ASSESSMENT WORKPLAN

STATE OF MAINE DEPARTMENT OF ENVIRONMENTAL PROTECTION Workplan for CERCLA Section 104(k) Assessment Cooperative Agreement *August 3, 2009 to August 2, 2012*

1. GOAL 4: Healthy Communities and Ecosystems

Objective 4.2 Communities – Sustain, Clean Up, and Restore Communities and the Ecological Systems that Support Them

Subobjective 4.2.3 - Assess, Clean Up and Redevelop Brownfields

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

OBJECTIVE: The Small Business Liability Relief and Brownfields Revitalization Act (SBLRBRA) was signed into law on January 11, 2002. The Act amends the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), as amended, by adding Section 104(k). Section 104(k) authorizes the U.S. Environmental Protection Agency (EPA) to provide funding to eligible entities to inventory, characterize, assess, conduct cleanup and reuse planning, remediate, or capitalize revolving loan funds to remediate, eligible Brownfields sites. Entities are selected from proposals prepared in accordance with the “Proposal Guidelines for Brownfield Assessment, Revolving Loan Fund, and Cleanup Grants,” and submitted in a national competition. The State of Maine Department of Environmental Protection, as a general purpose unit of local government, was selected for Assessment funding in the FY 2009 competition.

The Maine Department of Environmental Protection (MEDEP) currently manages a Brownfields program that was established in 2003 and is supported through EPA Brownfields 128a funding. The program provides two services to the State of Maine: programmatic support for the Voluntary Clean-up Program (VCP), and site specific assistance for communities. Since 2003, MEDEP has created an inventory of brownfields sites throughout the state, enhanced our public record and developed a public participation policy for sites in our program. Programmatic support includes assignment of a Brownfields project manager for all EPA Brownfields Grantees to provide technical assistance ensuring activities conducted are consistent with State and Federal rules and regulations, as well as ensuring work completed meets the requirements of our VCP. The community assistance portion of our program provides site specific assessments and remediations for eligible municipalities and not for profit entities. The overall goal for all activities conducted through this program is to assist communities throughout the State in redevelopment of brownfields properties.

Funds provided through this grant will enable us to assist additional communities. Our current funds are not sufficient to assist everyone who applies. Additionally, we intend to target the neediest regions of the State including Washington, Aroostook, Piscataquis, Waldo, Somerset and Penobscot Counties and these funds will be prioritized for these communities. We will meet with the regional economic development agencies as well as community groups to identify sites which need assessments and those which demonstrate the highest reuse value. Eligible sites will be scored based on redevelopment potential or redevelopment plans, risk posed by the site and community need. Sites will be prioritized and accepted into the program based on the score, the availability of funding and input from the community.

Sites that are accepted into the program will be assigned a MEDEP project manager to assist the community in understanding the process, to ensure that the assessments conducted are appropriate for their redevelopment plans and that the information generated is sufficient to determine risks posed by contamination on the property. Tasks associated with this grant will include: review Phase I site assessments, review work plans/quality assurance plans and provide onsite oversight during Phase II assessments. All site assessment activities conducted will meet the requirements of the VCP. This will ensure a seamless transition to the remediation phase of a project and ultimately the redevelopment

The overall coordination of the cooperative agreement will be carried out by the MEDEP Brownfields Coordinator assisted by 7 additional staff in the MEDEP Brownfields Program. MEDEP issues a request for proposal for consulting services every 2 years. Through this process 4 consultants are selected to provide services to the Brownfields Program. Currently we are in the 1st year of this cycle.

2. FUNDING: \$200,000 Hazardous Substances;

3. BUDGET:

	Task 1 Cooperative Agreement Oversight	Task 2 Site Assessment Activities	Task 3 Redevelopment Planning	TOTAL
Personnel	\$3,000	\$3,000	\$1,500	\$7,500
Fringe Benefits	\$1,800	\$1,800	\$900	\$4,500
Travel				
Equipment*				
Supplies				
Contractual		\$168,000	\$20,000	\$188,000
Other				
Total	\$4,800	\$172,800	\$22,400	\$200,000

4. WORKPLAN TASKS

TASK 1 Cooperative Agreement Oversight

The MEDEP Brownfields Coordinator will oversee administration of this grant including: contracting, quarterly reporting, entering data into ACRES and transparency reporting for ARRA. Staff will spend approximately 120 hours to accomplish this task

TASK 2 Site Assessment Activities

The majority of funds from this grant will be directly spent on contractual services for site assessment activities. Based on the contracts we currently have in place with our 4 prequalified consultants and our experience conducting site assessment activities on sites throughout the State of Maine we expect to complete the following:

Estimated Contracted Costs:

- 6 Phase I ESAs (approximately \$2,300 each)
- 4 Phase II ESAs (approximately \$40,000 each)

MEDEPs contractors will conduct Phase I Environmental Site Assessments (ESA), Phase II ESAs and Feasibility Studies on sites as assigned by the Department. Investigations will include some or all of the tasks listed below as well as a written report detailing the investigation and information gathered during the investigation. The Department will provide access for the Consultant to properties investigated under this contract.

Phase I ESA

- ☉ Contractor will review files, public records, photographs, conduct interviews and collect any other relevant background information associated with the site. The Contractor will also conduct a site reconnaissance of the site. Phase I site assessment reports will be conducted in accordance with the ASTM E1527-05 standard.

Phase II ESA

- ☉ Prepare Scope of Work. The Contractor will prepare a scope of work and submit it to the Department for review and approval.
- ☉ Prepare a project Quality Assurance Plan (QAP) and a project Health and safety Plan (HASP). The Contractor will update their project QAP as necessary and will provide an electronic copy to the Department and EPA. The document will be submitted to the Department for review and approval and then submit it to the United States Environmental Protection Agency (USEPA) for approval. Additionally, for each site a site specific quality assurance project plan (QAPP) and HASP will be prepared. All plans will be submitted to the Department's for review.
- ☉ Conduct Phase II Investigations: The Contractor in coordination with the Department will make arrangements for and carryout activities described in the QAPP which may include: collection of residential drinking water samples, indoor air collection, soil vapor collection, conducting subsurface investigations and collecting soil, sediment and pore water samples. If residential samples are required by the QAPP the contractor must coordinate with the Department before notifying the resident, collecting the sample and or supplying the resident with the results of the analysis. The contractor is responsible for ensuring Dig Safe is notified for any site where subsurface investigation will be conducted as well as municipal clearances if required. The Contractor should be able to provide all materials and equipment necessary to conduct the investigation. However, equipment may be provided by the Department.

Reporting

Written reports will be submitted in draft for the Department's review for Phase I ESAs, Phase II ESAs, Feasibility Studies and Remedial Actions. Phase I reports and Feasibility Studies will be due 1 month after the date of assignment. Phase II reports will be due 8 weeks after onsite sampling is completed. Remedial Action reports will be due 1 month after completion of the remedial action. All deliverables

will be submitted to the MEDEP as follows: 2 compact disks with pdf versions of the document; 1 hard copy for MEDEP files and 1 hard copy for the applicant. MEDEP will submit a compact disk to EPA of all documents generated through this grant.

The MEDEP Brownfields Coordinator is expected to spend approximately 120 hours to meet with stakeholders, review and prioritize sites, oversee site activities and review reports.

TASK 3: Reuse Planning:

MEDEP staff expect to spend approximately 60 hours overseeing tasks associated with this task. Additionally, based on the contracts we currently have in place with our 4 prequalified consultants and our experience conducting site assessment activities on sites throughout the State of Maine we expect to complete the following:

Estimated Contracted Costs:

- 3 Feasibility Studies (approximately \$6,500 each)

MEDEPs contractors will conduct feasibility studies (FS) and remedial plans at sites as assigned. FS reports will present 3 alternatives for clean-up including a no action alternative. Each alternative will be evaluated for: protection of human health and the environment, technical practicability, implementability, reduction of toxicity, mobility and volume, short term effectiveness and estimated cost. Detailed tables showing the cost for activities needed to complete the remediation will also be included.

Remedial Plans will be based on the recommended clean-up alternative presented in the FS. Public comment will be solicited and public informational meeting may be required.

All tasks for this grant will be completed by August 1, 2012.

Task 1: Cooperative Agreement Oversight

Task 1 – Cooperative Agreement Oversight Subtasks (Commitments)	Expected Timeframe (Quarter/FY)	Outputs (projected activities, deliverables, reports)	Outcomes (projected results, effects, improvements)
<p>Reporting:</p> <ul style="list-style-type: none"> • Prepare progress reports, MBE/WBE and FSR forms • Enter site data in ACRES • Prepare final report and grant closeout material 	<p>Quarterly reports are submitted every quarter; MBE/WBE forms are submitted semi-annually; ACRES updated when site activities occur</p>	<p>Quarterly reports and other forms; updated ACRES database; final report and closeout forms</p>	<p>Regular communication of project status and next steps; current database for congressional reporting</p>
<p>Records:</p> <ul style="list-style-type: none"> • Maintain grant files • Maintain site project files • Maintain financial records 	<p>Continuously throughout grant period</p>	<p>Accurate and complete files suitable for audit purposes</p>	<p>High quality project records reflective of the work performed</p>

Task 2: Site Assessment Activities

Task 2 - Site Assessment Activities Subtasks (Commitments)	Expected Timeframe (Quarter/FY)	Outputs (projected activities, deliverables, reports)	Outcomes (projected results, effects, improvements)
<p>Site prioritization and eligibility determination:</p> <ul style="list-style-type: none"> • Applications reviewed, scored and prioritized • Choose initial sites for Phase I investigation • Evaluate site access issues • For each selected site, provide site eligibility information to EPA (or state) for review • Obtain EPA approval for Phase I 	<p>1st quarter FY 09 evaluate all applications for assistance currently received; Throughout the grant period continue to review and prioritize applications as received</p>	<p>3 eligible sites identified in initial inventory search</p> <p>Estimate 2-3 additional eligible sites identified during remainder of grant</p>	<p>3-5 brownfields sites identified with the highest redevelopment and community benefit potential in target area(s)</p>
<p>Phase I investigations:</p> <ul style="list-style-type: none"> • Meet with communities to discuss potential sites • Conduct planning meeting with consultant to discuss approved sites • Applicant obtains access agreement and consultant performs Phase I investigation • Consultant submits draft Phase I report to project team members <p>Team reviews/comments on draft Phase I</p> <ul style="list-style-type: none"> • Consultant submits final Phase I report to project team members 	<p>Assign 3 sites to consultants in 1st quarter FY09</p>	<p>Planning meetings; 3 Phase I Report; updated ACRES database</p> <p>Estimate 3 addition Phase I reports during remainder of grant</p>	<p>3-6 High potential Brownfields site assessed through Phase I</p> <p>Total acres assessed through Phase I (TBD)</p>
<p>Phase II preparation:</p> <ul style="list-style-type: none"> • Obtain EPA approval to proceed with Phase II • Meet with consultant to Plan Phase II 	<p>1 Phase II assigned in 2nd quarter FY 09; additional assessments assigned as sites are prioritized throughout the grant period</p>	<p>Project planning meetings; 4 sites approved for Phase II investigation</p>	<p>1-4 high priority sites identified for further investigation and potential redevelopment</p>

Task 2 - Site Assessment Activities Subtasks (Commitments)	Expected Timeframe (Quarter/FY)	Outputs (projected activities, deliverables, reports)	Outcomes (projected results, effects, improvements)
<p>Phase II investigation:</p> <ul style="list-style-type: none"> •Consultant submits draft site-specific QAPP addendum to project team for review and comments •EPA/state approval is obtained and consultant submits final site-specific QAPP addendum to team •Consultant performs field work according to plan •Grantee monitors site work and communicates any concerns with EPA •Consultant submits draft Phase II report to project team for review and comments •Consultant submits final Phase II report to project team •Project team evaluates Phase II findings, and implement additional Phase II investigations as appropriate to delineate extent of contamination 	<p>1 Phase II assessment completed by the 3rd quarter FY09.</p> <p>3 additional Phase II assessments completed by the end of the grant period</p>	<p>1 or more approved site-specific QAPP Addenda (delineating extent of site contamination on 1 Brownfield site); Phase II report(s) documenting the results; updated ACRES database</p> <p>Estimate 1-2 additional sites approved for Phase II assessments</p>	<p>1-4 high priority sites with complete Phase II assessments that and ready for cleanup and reuse planning</p> <p>Total acres assessed through Phase II</p>

Task 3: Reuse Planning

Task 3 – Reuse Planning Subtasks (Commitments)	Expected Timeframe (Quarter/FY)	Outputs (projected activities, deliverables, reports)	Outcomes (projected results, effects, improvements)
<p>Cleanup & reuse planning:</p> <ul style="list-style-type: none"> • Throughout Phase II process, strategize with stakeholders on reuse plans for the site • Meet with consultant to develop draft cleanup alternatives and remediation plans for the site • Perform public outreach and involvement in cleanup and reuse planning 	<p>Site redevelopment needs will be evaluated throughout the grant period and clean-up planning will be conducted at sites with redevelopment plans</p>	<p>1 or more internal cleanup and reuse planning meeting(s); 1 draft cleanup alternatives plan; 1 draft remedial action plan; updated ACRES database; conduct public meeting on project results</p> <p>Potential for developer / lender workshop and transaction forum</p>	<p>1-3 property assessed through cleanup and reuse planning, and ready for cleanup and redevelopment.</p> <p>Acres ready for cleanup and redevelopment</p>

5. QUALITY ASSURANCE

The MEDEP has hired 4 consultants who have prepared and submitted Generic Quality Assurance Project Plans (QAPP) to the U.S. EPA Region I Brownfields Program, which have been reviewed and approved. The QAPP describes the project, the sampling and analytical strategies, and the methods and procedures that will be used in all Phase II assessments. Site Specific QAPP approval will be obtained prior to performing any field activities.

6. BUDGET DETAIL:

Task 1: Site Assessment Activities

TASK 1 Cooperative Agreement Oversight

Position/Title	Estimate Time (Hours)	Hourly Wage	Total
Brownfields Coordinator	120	\$25.00	\$3,000
Total Personnel	120	\$25.00	\$3,000
Fringe (60%)			\$1,800
Travel			\$00.00
Supplies			\$00.00
Contractual			\$00.00
Total Direct			\$4,800

TASK 2:Site Assessment Activities

Position/Title	Estimate Time (Hours)	Hourly Wage	Total
Brownfields Coordinator	120	\$25.00	\$3,000
Total Personnel	120	\$25.00	\$3,000
Fringe (60%)			\$1,800
Travel			\$00.00
Supplies			\$00.00
Contractual			\$168,000
Total Direct			\$172,800

TASK 3 Reuse Planning

Position/Title	Estimate Time (Hours)	Hourly Wage	Total
Brownfields Coordinator	60	\$25.00	\$1,500
Total Personnel	60	\$25.00	\$900
Fringe (60%)			\$2,400
Travel			\$00.00
Supplies			\$00.00
Contractual			\$20,000
Total Direct			\$22,400