



# CITY of BATH, MAINE

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## Office of the City Manager

Marc Meyers

55 Front Street

Bath, Maine 04530

### **Narrative Information Sheet**

#### **EPA FY2021 Brownfields Community-Wide Assessment Grant Application**

#### **City of Bath, Maine**

1. Applicant Identification: City of Bath, Maine  
55 Front Street  
Bath, Maine 04530
  
2. Funding Requested:
  - a. Assessment Grant Type: Community-Wide
  - b. Federal Funds Requested
    - i. Amount Requested: \$500,000
    - ii. Site-Specific Assessment Grant Waiver: Not Requested
  
3. Location:
  - a. City: Bath
  - b. County: Sagadahoc County
  - c. State: Maine
  
4. Property Information for Site-Specific Proposals  
Community-Wide Assessment:
  - Target Area - Downtown and waterfront area of the City of Bath
  - Target Area - A portion of Census Tract 9705 and a portion of Census Tract 9706
  - Priority Sites - 65 Bowery Street, 359 Front Street, 375 Front Street
  
5. Contacts:
  - a. Project Director: Marc Meyers, City Manager, 55 Front Street, Bath ME 04530; 207-443-8330; mmeyers@cityofbath.com
  - b. Chief Executive/Highest Ranking Official: Marc Meyers, City Manager, 55 Front Street, Bath, ME 04530; (207) 443-8330; mmeyers@cityofbath.com
  
6. Population: The City of Bath has a population of 8,766 (2020 Census).



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## 7. Other Factors Checklist:

Other Factors	Page #
Community population is 10,000 or less.	1
The applicant is, or will assist, a federally recognized Indian tribe or United States territory.	
The proposed brownfield site(s) is impacted by mine-scarred land.	
The proposed site(s) is adjacent to a body of water (i.e., the border of the priority site(s) is contiguous or partially contiguous to the body of water, or would be contiguous or partially contiguous with a body of water but for a street, road, or other public thoroughfare separating them).	1 & 2
The proposed site(s) is in a federally designated flood plain.	1
The redevelopment of the proposed cleanup site(s) will facilitate renewable energy from wind, solar, or geothermal energy; or any energy efficiency improvement projects.	
30% or more of the overall project budget will be spent on eligible reuse planning activities for priority brownfield site(s) within the target area.	

8. Letter from State DEP Acknowledging the City of Bath's Application: **Attached**

9. Releasing Copies of Applications: **Not applicable**

### **III.A. Who Can Apply?**

The City of Bath, Maine is a general purpose unit of local government.

### **III.B. Threshold Criteria for Assessment Grant**

#### **1. Applicant Eligibility**

The City of Bath, Maine is a municipality eligible to apply for Brownfields Assessment funding from the U.S. Environmental Protection Agency (EPA) Brownfields Grant Program.

#### **2. Community Involvement**

The City of Bath will hold up to three public meetings during the course of the grant period. The meetings will be either in-person or virtual depending on the pandemic situation at the time of the meeting. We will advertise these meetings through advertisements in the local newspaper (The Times Record), on the City's website, and with door-to-door fliers as necessary.

We will communicate the progress of our Brownfield Assessment program to citizens through regular status updates to the City Council which will be available on the City's website and via our community television channel; the City's Community Development Committee (which will act as our advisory board) will hold monthly meetings which will be open to the public and have meeting minutes for the meetings posted on our website; and will prepare press releases, legal ads, and other public notices, as needed. Bath also intends to solicit local news coverage of public meetings and Brownfield events, such as public outreach and education meetings, Site walks, and redevelopment/reuse planning charrettes. Most of our community speaks English (over 94%), but we will provide interpreters and/or language translations and accommodate any special needs, as needed.

#### **3. Named Contractors and Subrecipients**

The City of Bath has not named contractors or subrecipients for this grant.

#### **4. Expenditure of Assessment Grant Funds**

The City of Bath affirms that it does not have an active U.S. EPA Brownfields Assessment Grant.

### **III. C. Additional Threshold Criteria for Site Specific Proposals Only**

This is **Not Applicable** to this grant application. This application is for community-wide assessment funding; therefore, information regarding specific site proposals will not be included in this application.

### **III. D. Additional Threshold for Community-wide Assessment Grants for States and Tribes Only**

This is **Not Applicable** to this grant application. The City of Bath, Maine is a general purpose unit of local government.

## **1. PROJECT AREA DESCRIPTION AND PLANS FOR REVITALIZATION**

### **1.a.i. Target Area and Brownfields - Background and Description of Target Area**

With a population of 8,766 (2020 Census), the City of Bath is the county seat and service center community for Sagadahoc County, Maine. Large scale shipbuilding in Bath became a continuous source of employment and unknowingly environmental issues starting in the 1740s. This industry started primarily with wooden sloops, schooners, and brigs, used by local sailors to carry regionally produced products such as lumber, bricks, hay, and produce to the coastal centers of the southern colonies as well as to the West Indies. After the American Revolution, more substantial ships began to be built, both for ship owners in other seaports, as well as for local men developing fleets to trade with Europe and cotton ports to the south. Within the next 100 years, ship building expanded across our waterfront until 22 different shipyards were operating in Bath. In the early 1900's, the wooden ships gave way to steel ships and the Arthur Sewall and Company shipyard built the country's only fleet of steel sailing vessels. Bath Iron Works (BIW) and other shipyards were formed shortly afterwards to build steel naval vessels, yachts, and passenger ships. Today, BIW is the last shipyard in Bath. Employment at the company is not near its zenith and a tiny skeleton of support industries remain viable.

The Target Area for this Brownfield Assessment Program is our downtown and waterfront area which encompasses the area that formerly and currently was used for shipyards and their nearby support industries. The Target Area is bisected by the Route 1 corridor (Leeman Highway) which is the main highway along coastal Maine. Our Target Area stretches along four miles of the Kennebec River (the tidal river that makes our City's eastern boundary) and starts with a property that formerly was the Texas Steamship Company and ends just south of BIW's current facility. Today, two-thirds of our Target Area is our downtown and represents commercial and residential properties constructed near and many times directly on, the former shipyards. Over 10 percent of our target area was owned by a single family-run property holding company but has transitioned to other owners when the company decided to liquidate holdings. Many of these properties need substantial renovations and environmental concerns are addressed.

### **1.a.ii. Target Area and Brownfields - Description of the Priority Brownfield Site(s)**

As far back as 2004, an initial Brownfield site inventory was completed for Bath identifying 45 Brownfields within the prime locations of the City's downtown and waterfront areas. Despite 10 sites being assessed through the FY2014 program and four through the FY2009 program, our most recent inventory remains at 40 sites as additional Brownfields have been identified that "replaced" those assessed and redeveloped. These identified Brownfield sites are predominantly located in our target area with nearly a quarter of the Brownfield sites located directly on the Kennebec River. At the northern end of our target area are two priority Brownfield sites that are currently undeveloped and vacant (with the exception of some old foundations) on the Kennebec River that were formerly part of the Texas Steamship Shipyard (a total of approximately 1.5 acres). The adjoining properties (359 Front Street and 375 Front Street) are partially located within the federally designated flood plain (zone AE) and may have contaminant residuals from the ship manufacturing process, and the use of marine paints (including volatile organic compounds [VOCs], chlorinated solvents, poly-aromatic hydrocarbons [PAHs], heavy metals, polychlorinated biphenyls [PCBs]). The two properties are bounded on the three non-water sides by working class residential housing. Near these two sites is another priority site, the former Stinson Canning Factory, located at 65 Bowery Street (5.6 acres) directly on the Kennebec River and also partially located within a federally designated flood plain (zone AE). As the fish canning industry had been in decline, the owner of factory decided to move operations to Canada after the building was burned to the ground by arson rather than rebuild leaving a scarred property behind. Over the past 12 years the vacant property, with only foundations, slabs and piles of debris remaining, has been listed for sale but all interest has been diverted due to concerns about the potential environmental conditions (VOCs, chlorinated solvents, petroleum contamination, metals, etc.) that could remain despite this property being the LARGEST vacant property on our waterfront. Additionally, the largest single property owner in our downtown, Sagadahoc Real Estate Association, has decided to liquidate its property holdings due to death of the family matriarch. This will add 15 commercial properties in our target area to our existing inventory. These 15 properties (totaling approximately 4 acres of land) are all priority sites for our community and are scattered across our Target Area represents multi-family and commercial buildings typically constructed between 100 and 200 years ago so petroleum and PAH

contamination from their heating systems and hazardous building materials like asbestos and lead paint are environmental concerns.

Moving south along our waterfront are the industrial and working-class residential areas that developed surrounding BIW, our remaining ship building facility. Idle and underutilized Brownfields consisting of machine shops and other support industries that formerly serviced BIW, boat and other marine-related repair shops (including three former machine shop properties ranging in size from 0.2 to 0.5 acres), as well as two former drycleaners (chlorinated solvents) and are interspersed within our working-class neighborhood in our “South End”. The South End also has two vacant gas stations which coupled with the four former gasoline and service stations along US Route 1 (all ranging from 0.2 to 0.4 acres each) presents an extremely dense number of petroleum related Brownfields. These Brownfields are physically small in size but are an enormous eyesore due to their locations at the gateways to our City.

### **1.b.i. Revitalization of the Target Area - Reuse Strategy and Alignment with Plans**

Our target area for this grant largely coincides with the area identified in our Updated Comprehensive Action Plan (dated September 2, 2009 but is currently being updated as required by Maine law) for redevelopment. This Comp Plan as well as the drafts of the new plan were developed by our residents and place a priority on redeveloping these critical intown priority Brownfield properties. By assessing these stigmatized properties, this assessment program will remove the environmental barriers preventing their redevelopment. The overall goal of the program will be to support the remediation and reuse of the priority Brownfields sites in order to revitalize the target area in our community. Our Comp Plan identified the need to create jobs and safe housing to maintain a healthy downtown which is exactly what the plan for the Sagadahoc Realty properties is. The Texas Steamship properties have been identified for creating much needed housing. The Stinson Canning Property has been identified as the largest industrial property on the Kennebec River in Bath and has been identified as a priority redevelopment for creating light industrial and commercial jobs. Although there seems to always be interest, no concrete plans have come forward, but the City will work with any perspective developer to complete our vision.

### **1.b.ii. Revitalization of the Target Area - Outcomes and Benefits of Reuse Strategy**

Bath has contributed significant resources assessing and remediating many previous Brownfield properties in the downtown waterfront area along the Kennebec River so we know and recognize the benefits. Brownfield projects that are redeveloped (in particular the Stinson Canning and Texas Steamship sites) will ultimately diversify Bath’s employers, providing further career opportunities to residents, and reducing our economic dependency on the number of jobs provided by BIW. The prospect of revitalizing and redeveloping properties within our target area has already interested several key landowners in the community. With a high tax rate and a low to moderate income population, the City would also benefit from redeveloped Brownfields sites contributing to the tax base. We expect that this program could help create dozens of new jobs and bring millions of dollars of taxable investment to our City. Much of Brownfield target area is part of a Federally designated Opportunity Zone and redevelopment of these sites will help spur economic growth, create jobs and increase our tax base within the Opportunity Zone. Sustainable redevelopment of our priority Brownfield sites will reduce suburban sprawl at the outskirts of our community and the expenses associated with extending sewer, water and other utility services into rural areas of Bath.

In addition to the economic benefits, our planned riverfront path passes by or through our three priority sites and 12 of our inventoried Brownfield sites (as wells as five previously assessed Brownfield sites). Some portions of the trail have been developed, but through this grant we envision being able to add additional sections to this important piece of community greenspace. Redevelopment plans on sites selected in the Brownfield assessment process will also be encouraged to implement green building designs and energy efficient standards. The Praver Block hotel utilized many green design components (ozone bleaching, saline swimming pool, high insulation windows, remote complete thermal room control, etc.).

Every site’s specific redevelopment plan will have equitable development principles integrated into it. Our Brownfield Assessment program, as shown from our past successful projects, will strive to enhance and include the existing community and not displace people or businesses. A perfect example is the subsidized housing

units at the Moses-Columbia Block site which was assessed using our previous assessment program and just was cleaned up in 2021 using a Midcoast Economic Development District (MCEDD) Brownfield RLF Subgrant – not one tenant has been displaced.

By assessing contaminated environmental media at the Brownfields sites, existing risks to human health and the environment will be identified. Cleaning up these contaminated properties will eliminate the risk of direct exposure of our residents, workers, and visitors to various contaminants of concern. Our high levels of asthma and blood lead levels in children will be reduced. In addition, assessing and ultimately cleaning up our riverfront Brownfields sites will assist in protecting the adjacent Kennebec River through eliminating the possibility of contaminants reaching the river via overland flow or migrating through the groundwater.

Since many of our Brownfield sites are eye sores and in substantial disrepair, the redevelopment will improve every citizen’s quality of life, improve the appearance of our waterfront area and instill in people living in the neighborhoods more care toward property appearance.

### **1.c.i. Strategy for Leveraging Resources - Resources Needed for Site Reuse**

Bath has had a very successful EPA Brownfield RLF program. Because of our past ability to make Brownfield clean-up loans, we had received two supplemental RLF awards. Our RLF program now revolves and provides program income which we have utilized for two Brownfield assessments and two small cleanups. MCEDD has a Brownfield RLF Program which we serve on its advisory board. All participants in our Brownfield Assessment program will be made aware of these Brownfield RLF programs. Bath also works with the non-profit Bath Development Corporation to get Brownfields redeveloped. The Bath Development Corporation has a balance of \$141,000 which can be made available for redevelopment. Other programs that we have utilized in the past and will leverage include the State’s CDBG program. In addition, we also have an established Tax Increment Finance district that encompasses nearly half of our target area. Our downtown TIF district has a balance of approximately \$305,000 that is earmarked for economic development.

Bath can leverage additional funds to ensure the Brownfields Assessment process goals are successfully achieved. We have had great success with our previous Brownfields Assessment programs. One recent success that highlights our leveraging is the assessment, remediation, and redevelopment of the Praver Block Brownfield site. The blighted and contaminated property had an assessed value of \$821,900. This site was assessed throughout the City’s Brownfields Assessment Program which allowed the demolition of the former industrial buildings through a \$160,000 Maine Investment Trust Fund grant. Remediation was then completed during site redevelopment which was paid through a developer loan of \$412,810 through our former Brownfield RLF Program. After remediation and redevelopment, the property value now stands at \$7.4 million and has created 16 full-time jobs and 10 part-time jobs in our downtown. The developer contributed a private investment of over \$7 million in order to redevelop the site with a new hotel. The City recognized the need for a downtown hotel for decades, and the Brownfields Program and leveraging made it happen. This type of economic development is envisioned for our new program as well.

### **1.c.ii. Strategy for Leveraging Resources - Use of Existing Infrastructure**

Bath desires to promote the sustainable reuse of our Brownfields sites with the goal of reducing sprawl at the outskirts of our community. Potential Brownfields Assessment projects will focus on redevelopment plans utilizing existing infrastructures wherever possible. Revitalizing many of the existing structures on Bath’s Brownfield sites will also serve as a reminder of Bath’s nautical and industrial heritage. All of our 40 inventoried Brownfield sites as well as all of the Sagadahoc Real Estate Association properties are located in areas already serviced by public water and sewer, are accessible to adequate parking, and located on public transportation bus routes and sidewalks. Because the City of Bath has a relatively small area, this type of reuse has been identified as necessary in our Comprehensive Plan.

## **2. COMMUNITY NEED AND COMMUNITY ENGAGEMENT**

### **2.a.i. Community Need - The Community’s Need for Funding**

The City of Bath is the county seat and only significantly urban area in Sagadahoc County, Maine. As a service center community, our budgets are stretched thin providing for the necessities of our residents but also people from surrounding communities. Bath, known as the “City of Ships,” has a proud heritage of shipbuilding;

however, our economy is significantly dependent on our one remaining shipyard, BIW. BIW is one of the State's largest employers, making the City of Bath host to one of the largest and most-skilled workforces in Maine, but many of the BIW workers travel from around the State or are only living in Bath temporarily. According to the Maine Department of Labor, BIW employs approximately 5,000 people, but this is just a fraction of the more than the 12,000 workers the company employed in 1989. Further reduction of competitive Naval contracts leaves BIW at risk for additional downsizing in the future. Not only do layoffs cause many of our residents join the ranks of the unemployed, it shifts more of the financial burden of operations and maintenance of wastewater and water utilities onto fewer individuals. As BIW downsizes in the future, additional support businesses end up closing their doors creating new Brownfields directly within our target area. Our plan is that by redeveloping priority Brownfield sites like Stinson's Canning and the Texas Steamship site, new jobs will be created that will start to replace the massive job losses at BIW.

Although BIW remains Bath's largest employer, the City's median household income is next to the lowest in Sagadahoc County. The median household income for the City of Bath is **32.4 percent lower** than that of Sagadahoc County, **22.9 percent lower** than the State of Maine, and **29.1 percent lower** than the nation.<sup>1</sup> In addition, the individual poverty rate for the City of Bath is **over double the poverty rate** for the rest of Sagadahoc County and correspondingly much higher than state and federal values.<sup>1</sup> In addition to the drastic job losses at BIW, the 2010 closing of the Brunswick Naval Air Station (BNAS) has significantly impacted residents of the Midcoast region including Bath. The job losses associated with BNAS closing has contributed to the individual poverty rate of the region. The State Planning Office estimates that nearly 2,500 jobs and \$70 million dollars in earnings has been directly lost by the BNAS closing, with an additional 2,194 jobs and \$65.4 million in earnings lost indirectly. Furthermore, the military, civilians and their families directly associated with the base spent approximately \$80 million a year in the local economy.

The Brownfields in our community have had the effect of reducing business opportunities in our community, particularly in our target area, and reducing surrounding property values. The southern end of our target area is visually depressed but is also where a large portion of working-class residents live. The 2010 Census indicates that although only 24.1 percent of Sagadahoc County's residents live in Bath, **Bath is home to 33.5 percent of those living below the poverty level in Sagadahoc County**. Bath is also home to 32.7 percent of the total number of single-parent families in Sagadahoc County and 47.3 percent of the families with a single female householder (no husband present). Bath residents, particularly renters, are also more likely to be burdened with high housing costs as a percentage of income. The rundown nature of the two neighborhoods near our target area contributes to these depressed economic indicators as rental properties in these areas tend to disproportionately attract lower income tenants. Although economic census data is not available specifically for our target area, our target area has an even higher disadvantage than the rest of our community.

The City's waterfront is in serious financial need as well. Many riverfront areas consist of former shipyards and other abandoned or vacant contaminated sites. These properties have remained in poor condition due to their stigma and provide no jobs and very low tax revenue.

#### **2.a.ii.(1) Community Need - Threats to Sensitive Populations - Health or Welfare of Sensitive Populations**

Brownfield contaminants may exist in our soils and groundwater and may be affecting the welfare of our residents, workers, and visitors. Although we are lucky that nearly our entire community is served by public water, these potential contaminants still represent an exposure risk through soil contact, ingestion and inhalation. One of the most prevalent contaminants found in our community and at ALL our previously assessed Brownfield sites is lead. This is due to its widespread use in the shipbuilding industry as well as paints and coatings. This contaminant is expected at all of our priority sites and impacts the high percentage of sensitive populations (women and children) near these sites like no other contaminant with the potential of impacts for a lifetime. Volatilization of organic contaminants and subsequent vapor intrusion of contaminants into homes and businesses is also a significant concern. Stormwater runoff of contaminants as well as groundwater contaminant plumes at Brownfield sites may and likely do end up in the Kennebec River. Our City is highly dependent on the Kennebec River, as it is both an important fishery for commercial and recreation.

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<sup>1</sup> 2013-2017 American Community Survey 5-Year Estimates, census.gov

The closure of this important natural resource would devastate our region. Extreme weather conditions threaten to accelerate the impact of Brownfields to the river by eroding potentially impacted soils and mobilizing contaminants that ultimately end up in estuarine sediments and the food supply.

More than half of the 40 Brownfields sites identified within our community are located within a two-block distance from the Kennebec River and in a federally designated flood plain. According to 2010 Census, approximately 4.9 percent of Bath's population consists of minorities, with nearly all living within the target area and may be disproportionately impacted by these Brownfields sites. Many of the Brownfield sites located along the downtown riverfront areas of Bath represent a significant exposure risk to our residents, workers, and visitors to a variety of contaminants as mentioned above (most concerning is the widespread lead contamination). A riverfront path has been planned, and select portions have been beautifully developed; however, the proposed pathway passes by or through 12 of our identified Brownfield sites. These Brownfield sites may be potential sources of impacts to the adjacent Kennebec River, and these abandoned properties visibly detract from Bath's beautiful waterfront area which has benefited through past Brownfield programs.

### **2.a.ii.(2) Community Need - Threats to Sensitive Populations - Greater Than Normal Incidence of Disease and Adverse Health Conditions**

The City of Bath has a limited health department, and largely relies on the Mid Coast Hospital and the State of Maine's Department of Health & Human Services (DHHS) for health monitoring assistance. In December of 2007, the Maine DHHS prepared a district health profile for the Midcoast Maine region, which includes the City of Bath. No more recent studies are known, but we expect the results to be very similar. Although this study is not specifically focused on our specific target area, this report documents several environmental health factors in the region, such as a propensity towards low birth weight among infants, as well as infant concentrations of lead in blood nearly 40 percent higher than State averages.<sup>2</sup> Elevated blood lead levels for our region is 1.9% for 1-Year Old Children which is 36% greater than the rest of the State of Maine and 20% higher than the national average<sup>1</sup>. Also, the Midcoast region has the highest rate of asthma hospitalizations according to the Maine Center For Disease Control. While the old housing stock is partially to blame, the area's long industrial history (particularly in our target area) contribute to this trend. Bath has an industrial marine history which has adversely impacted soils, groundwater, and surface water bodies. These contaminants enter the food chain via ingestion (gardens grown in unhealthy soils, shellfish harvested from impacted sediments, or fish and lobster taken from impacted waters); inhalation (dust blown from a contaminated Brownfields site, or unhealthy air levels); adsorption (direct contact with contaminated media); or other methods. Women of child-bearing age are exposed to Brownfields sites in Bath on an almost daily basis, and sadly, many of these environmental contaminants are known to harm a developing baby or fetus. Seven of our previously assessed Brownfield Sites required and underwent remediation for lead. Each of these instances, reduced exposures to lead and other contaminants in our community. We know the Brownfield program works and we will carry our experiences into our new grant.

### **2.a.ii.(3) Community Need - Threats to Sensitive Populations – Promoting Environmental Justice**

The population in our target area tends to consist of lower income families with younger children. Driving through the adjacent neighborhoods, the adverse impacts of a community in need and a corresponding loss of pride is visible in the lack of neighborhood upkeep. Purchase and subsequent investment in these neighborhoods is impeded due to the assumed presence and prevalent nature of the lead-impacted soils in our priority sites. The City of Bath is above the 80th percentile nationally, and above the 90th percentile when compared to the State for the Environmental Indicator of Lead Paint. The City is working on these issues, but much more needs to be done. Two of the neighborhoods within our target area have over 200 low-income families with children. The City of Bath is in the 78th percentile when compared to the State for the Demographic Indicator of Population Under 5 Years of Age. Both of these neighborhoods were surveyed by the City of Bath and were found to have over 92 percent of the residents meeting the U.S. Department of Housing and Urban Development's Section 8 income levels. Our community's poverty rate is double the rest of our County, and household median income is nearly 20 percent lower than the either the County or National values. If demographic data was available for our

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<sup>2</sup> Maine DHHS, District Health Profile for the Midcoast Region, December 2007



target area the comparisons would be even more extreme. In addition to the obvious environmental hazards, the presence of Brownfields in Bath has helped promote the migration of businesses to previously undeveloped sites where existing pollution risks are marginal or non-existent. In addition to the creation of urban sprawl, this retail/commercial development outside the downtown center competes for consumer spending, making it more difficult to sustain our valued in-town facilities.

**2.b.i. Community Engagement – Project Involvement**

Bath’s Community Development Committee (CDC) has operated as our Brownfields Steering Committee and overseen our previous Brownfield Assessment and RLF programs. The Committee has discussed this proposal at recent monthly meetings. The CDC has existed since 1992; its twelve members represent a cross-section of residents from Bath’s neighborhoods and community organizations and are themselves a reflection of Bath’s community partnerships. An additional 40 or more informal “Friends” of the Committee also participate in meetings and receive regular mailings from the Community Development office. Our partner community-based organizations in this project are: Kennebec Estuary Land Trust, a non-profit organization dedicated to the conservation and stewardship of land along the Kennebec River; Bath Housing Development Corporation, a non-profit housing development organization that works to address the community’s affordable housing needs; Sagadahoc Preservation, Inc., a historic preservation organization in Sagadahoc County; and Main Street Bath, a non-profit involved in promoting Bath as a destination and in preserving our historical character.

**2.b.ii. Community Engagement – Project Partners & Roles**

<b>Partner Name</b>	<b>Point of contact</b>	<b>Specific role in the project</b>
Kennebec Estuary Land Trust	Becky Kolak, 207-442-8400 bkolak@kennebecestuary.org	KELT will serve on our CDC and help establish priorities and site selection, and provide input on open space issues as sites get redeveloped.
Bath Housing Development Corporation	Deborah Keller, 207-443-3116 dkeller@bathhousing.org	BHDC will serve on the CDC, assist the City establish priorities and site selection, and provide input relative to housing needs and demands as sites get redeveloped.
Sagadahoc Preservation, Inc.	Tim Brosnihan, 207-443-2174	SPI will act as advisors to the Brownfield Program by providing historical information for sites entered into the program.
Main Street Bath	Amanda McDaniel, 207-442-7291 director@visitbath.com	Main Street Bath will serve on the CDC, assist the City establish priorities and site selection, and provide public outreach support.

**2.b.iii. Community Engagement - Incorporating Community Input**

The City’s CDC is active in the site selection process and is continuously reaching out to citizens to both inform and involve them in our work. CDC monthly meetings are open to the public. The City has consistently used door-to-door discussions as means of meeting and communicating with residents in targeted community development neighborhoods and will include this type of outreach when reaching the public, abutters and owners targeted for involvement in the new Brownfields Assessment program. The City has continued discussions with the owners of potential Brownfield properties and shared results of our previous Brownfields Assessment work. Our previous outreach efforts have led to several additional property owners in the area contacting the Community Development office for more information on this proposal in the hopes of being included in this program.

In previous assessment grants, we held public informational meetings as well as design charettes which were widely attended (between 10 and 30 people would attend each respective meeting). During the pandemic, we have often had a similar number attend zoom virtual meetings. We are proud of our outreach efforts and our involved public. Community involvement is part of our assessment of each site in our proposal. We will continue holding public meetings for each site that undergoes Phase II ESAs. These meetings will review the Brownfields assessment process, as well as report results from the specific sites addressed in the meeting. Public comments will be solicited verbally and in writing, evaluated and responded to. We will maintain a record of comments and corresponding changes based on the public’s comments.

From day one, citizens of Bath will be kept informed of activities and status updates relating to the Brownfield Assessment Program through a number of outreach methods so that all interested citizens can be informed. These will include the community TV, social media, press releases and newspaper stories, legal ads, the City's website, and other public notices. We will use door-to-door outreach along our target area and nearby neighborhoods, to ensure residents are informed of the site inventory, assessment activities, and reuse and remediation planning that affects their neighborhood.

All public meetings will take place in a facility that is handicapped accessible and if a special need is identified, the meeting will be moved to a facility that accommodates that special need. Only 5.7 percent of Bath households speak a language other than English. However, approximately one-third of Bath's primarily non-English-speaking households are believed to be in the waterfront target area. To address the needs of these households, we will offer translated materials, reports and other information by request, and will advertise the availability of these materials on all flyers and posters in all identified local languages.

### **3. TASK DESCRIPTIONS, COST ESTIMATES, AND MEASURING PROGRESS**

#### **3.a.i Description of Tasks/Activities & Outputs – Project Implementation**

We will complete this program within a three-year time period. EPA funding will be utilized for direct program expenditures for travel, supplies and contractual to complete the following tasks:

**Task 1: Program Development and Support:** Task 1 is to provide staff support to the Brownfield program, procure the services of a Qualified Environmental Professional (QEP), develop outreach materials and publicize our Brownfield assessment program, reach out to stakeholders in our target area and the community, complete required EPA reporting and attend the EPA Brownfield conference. The City will also perform general day-to-day program management; and will be in frequent communication with interested parties, regulatory personnel, community officials and the public. Bath, with QEP assistance, will complete the required EPA reporting (quarterly reports, ACRES, WBE/MBE reporting, etc.).

**Task 2: Site Selection and Public Outreach:** We will immediately select assessment sites from our priority sites, and then update and augment the results of the prior completed Brownfields Inventory (completed through our FY2014 Assessment Program). Sites will be ranked based on perceived environmental concerns, potential for economic development, proximity to existing infrastructure, and other criteria with the highest rated sites being selected for the program.

We will meet with Sagadahoc Real Estate immediately to bring their critical Sites into the program. We will also update and distribute outreach materials (such as Site nomination forms, informational and outreach brochures, and general informational packets). As part of previous Brownfield Assessment grant activities, the City of Bath distributed notices of the City's Program and status meetings to hundreds of residents encouraging public involvement. The City will continue to reach out to the public in similar, successful manners. Public hearings and information sessions (in-person or virtually depending on the pandemic) will be held, and at least one public hearing will be conducted for each assessed site. City participation is currently and will continue to be enhanced through the televising and web-streaming of City Council meetings, monthly CDC meetings, website and social media announcements (Twitter and Facebook), public notices in the local newspapers, press releases, legal ads, and an informational call-in television program on the local community channel.

**Task 3: Conduct Phase I and Phase II ESAs:** A Phase I ESA will be conducted for each site selected and eligible for the assessment process. Phase I ESAs will be completed in accordance with the current ASTM E1527 and All Appropriate Inquiry (AAI) standards, and will include at least one site reconnaissance visit, a review of regulatory agency records, research of historical site use, and a written report for each site. The reports will summarize the recognized environmental conditions identified for each site and may recommend follow-up investigations. A Phase II ESAs will be conducted on sites, as needed, to determine if contamination exists, and if so, to what extent. Phase II ESAs will be conducted in accordance with ASTM E1903 and may include soil, groundwater, soil gas, and building materials investigations. Prior to conducting any Phase II ESA activities, site-specific QAPP addenda will be prepared by our QEP for each site for USEPA and DEP review and approval. Site owners, municipal staff, and the general public will be kept informed of all ongoing activities.

**Task 4: ABCA/RAP and Reuse Plan:** The results of Phase II ESAs will be used to develop an Analysis of Brownfields Cleanup Alternatives (ABCA). We have assumed ABCAs will be completed for four sites. The ABCA will include an alternative analysis for potential remedial actions at the site. Remedial alternatives will be evaluated based on cost, feasibility, and effectiveness in protecting human health and the environment. As part of the ABCA, a Remedial Action Plan (RAP) will be developed for each site specific to the reuse scenario(s). Identified contaminant levels will be evaluated to determine if the levels exceed the risk-based cleanup goals set by the Maine Department of Environmental Protection’s (MEDEP’s) Remedial Action Guidelines for Sites Contaminated with Hazardous Substances. The City anticipates that each site will be submitted to the MEDEP’s Voluntary Response Action Program (VRAP). At least one public meeting will be held to discuss the results of the ABCAs for each selected site.

For select sites, Reuse Planning may be completed (we have assumed 1 site). This will be important for sites with public space components, that will be publicly owned, or that will impact a larger area such as the Stinson Canning site. The Reuse Planning will include community design charettes to solicit feedback and ideas from the public for site reuse.

**3.a.ii Description of Tasks/Activities & Outputs – Project Schedule**

Task 1: Program Development	This will be an ongoing and continuous effort throughout the grant starting with our initial hiring of our QEP (within 2 months), continuing with eligibility requests and quarterly reports and ending with our final closeout report (3 years).
Task 2: Site Selection and Public Outreach	This will be concentrated within our first 3 months after selecting our QEP but will continue in a reduced fashion through the grant. We anticipate selecting from our priority sites within the first 3 months.
Task 3: Phase I and Phase II ESAs	The initial priority Sites will begin assessments within 3 months of funding this Assessment program, with subsequent assessments completed throughout the 3-year grant. We are ready to start immediately upon receiving the green light!
Task 4: ABCA and Reuse Plan	This will be completed throughout the 3-year grant but likely in year 2 and 3 of the grant..

**3.a.iii Description of Tasks/Activities & Outputs – Task/Activity Lead**

Task 1: Program Development	Applicant lead with QEP assistance and support
Task 2: Site Selection and Public Outreach	Applicant and CDC lead with QEP input on ranking and assistance with public outreach
Task 3: Phase I and Phase II ESAs	QEP lead with applicant review, distribution and communications
Task 4: ABCA and Reuse Plan	QEP lead with applicant support at the charette, review of materials.

**3.a.iv Description of Tasks/Activities & Outputs – Outputs**

Task 1: Program Development	12 quarterly reports; continuous updates to ACRES; and 8 site eligibility requests
Task 2: Site Selection and Public Outreach	Outreach brochure and updated webpage
Task 3: Phase I and Phase II ESAs	8 Phase I ESA reports, 8 SSQAPPs and 8 Phase II ESAs
Task 4: ABCA and Reuse Plan	4 ABCA/RAPs and 1 Reuse Plan

**3.b. Cost Estimates**

**Task 1: Program Development and Support:** This task has been estimated to cost \$21,000 over the three year project period, which includes \$8,000 of City personnel costs (160 hours at \$50/hour) and \$7,000 of contractual costs for our QEP to assist the City with program development, eligibility determination forms, and required reporting. QEP costs are based on costs from previous assessment grants. Also included in this task is the cost for two City staff to attend two EPA Brownfield Conventions with an estimated total travel costs of \$6,000 (\$700 for each person’s air fare, \$500 for hotel per person per convention and \$300 for per diem per person per convention).

**Task 2: Site Selection and Public Outreach:** This task has been estimated to cost approximately \$14,000. The costs associated with this task consist of City personnel costs (120 hours at \$50/hour) and the contractual cost (\$8,000) to our selected QEP.

**Task 3: Conduct Phase I & II ESAs:** We anticipate completing a total of eight Phase I ESAs (at QEP cost of \$4,000 each). We also anticipate completing a total of eight Phase II ESAs (at QEP cost of \$48,000 per site). City personnel costs are estimated at 30 hours per site assessed at \$50/hour to coordinate access, conduct site visits, review the reports and interact with property owners and regulatory personnel.

**Task 4: ABCA and Remedial Action Plan/Reuse Plan:** The results of Phase II ESAs will be used to develop an ABCA and RAP for the four of the sites (at QEP cost of \$5,000 per site). We anticipate completing Reuse Planning for one of the sites (QEP cost of \$10,000). The costs associated with this task consist of City personnel costs (20 hours per site for each ABCA at \$50/hour and 60 hours at \$50/hour for coordinating, facilitating and completing the Reuse Plan).

Budget Categories		Project Tasks				Total
		Task 1	Task 2	Task 3	Task 4	
Direct Costs	Personnel	8,000	6,000	12,000	7,000	33,000
	Fringe Benefits					
	Travel	6,000				6,000
	Equipment					
	Supplies					
	Contractual	7,000	8,000	416,000	30,000	461,000
	Other					
<b>Total Direct Costs</b>		21,000	14,000	428,000	37,000	500,000
<b>Indirect Costs</b>						
<b>Total Budget</b>		21,000	14,000	428,000	37,000	500,000

### 3.c. Measuring Environmental Results

Quarterly reports will continue to be used as a means for tracking and measuring progress towards achieving expected outputs and outcomes. The City will track the progress of the program through timely submittals of quarterly status reports to the EPA as well as individual property profiles through the ACRES database. Specific outputs of the assessment work will be Phase I ESA reports, SSQAPPs, Phase II ESAs, ABCA/RAPs, and Reuse Plans. Additional outputs will be meeting minutes for our monthly CDC meetings, and meeting minutes from public meetings. Our completion of prepared environmental reports will document the assessment progress at each site and will also be outputs of our program. We will track the reports internally and make sure that each is distributed to our stakeholders for comments before finalizing. Sites selected to participate in the Brownfield assessment program will be entered into the MEDEP VRAP.

Our expected outcomes are to return assessed Brownfield sites and nearby areas impacted by the stigma of perceived proximity to contamination and tangible blight back to economic vitality. Remediating the Brownfield sites will minimize exposures at the sites and adjacent properties and, just as importantly, impacts to the Kennebec River. As demonstrated by our past successes, additional expected outcomes of completing Brownfields site assessment and eventual remediation will be new job creation and increased tax base.

## 4. PROGRAMMATIC CAPABILITY AND PAST PERFORMANCE

### 4.a.i. & ii Programmatic Capability - Organizational Structure and Description of Key Staff

Our City Manager, Marc Meyers, will serve as the program manager for this program and be advised by the CDC. Mr. Meyers has over eight years of experience managing community programs with the past four years within the City of Bath managing our previous FY2014 Brownfields Assessment and RLF programs, and is currently managing grants from over 12 State and Federal programs. He aptly managed our two previous EPA Brownfield Grants. Mr. Meyers will also be assisted by Mr. Ben Averill, Bath's Director of Planning and Development who has over four years in municipal program development and administration. The City is currently managing numerous federal and state grant programs including, a \$2,300,000 USDA Rural Development Wastewater Grant, a \$740,000 CDBG Housing Assistance Grant, \$100,000 Bath Housing Improvement Revolving Loan Program, and \$10,000 Efficiency Maine Grant. All of these grants, have both been completed in a timely manner as well as meeting or exceeding the desired outcomes.

The City of Bath has established stringent management protocols, systems and oversight for grants. Both procurement and payment systems are formal and structured. Financial systems and reporting are supervised by

Ms. Juli Millett, Director of Finance. Other City Offices that will participate and provide advisory services include: the City Manager, the Codes Enforcement Officer (also the City's Health Officer), the Planning Office, and the Finance Office. To ensure all assessments are performed in accordance with EPA standards, the City plans to retain a QEP who is familiar with EPA and MEDEP protocols and will assist in the required reporting.

#### **4.a.iii. Programmatic Capability - Acquiring Additional Resources**

The City intends to contract with an experienced Brownfields QEP to assist with community outreach and EPA reporting, in addition to the assessment activities of this grant. The City routinely creates requests for proposals and qualifications and conducts competitive procurements to obtain appropriate resources for proposed projects. For each of our previous Brownfield Grants, the QEP was selected through open and fair competition and that existing process will be followed for this grant. All City projects are publicly bid and advertised. In addition, the City and its selected QEP will integrate the assigned MEDEP and EPA Region 1 Project Officers to help design, coordinate, and oversee the successful completion of the proposed assessment program. Other City staff members who will likely assist with the Brownfield Program include employees of the Planning Department, Finance Department, and Public Works. The City also has partnered with the MCEDD, one of six economic development districts that has an existing Brownfield RLF. MCEDD offers a variety of services to its member municipalities, including assistance with economic development planning and grant administration.

#### **4.b.i.(1) Past Performance and Accomplishments - Currently Has or Previously Received an EPA Brownfields Grant - Accomplishments**

Bath has received six previous Brownfields Grants, the three most-recent are: Brownfield Assessment Grant FY2014 (\$400,000) – all hazardous substance funds were expended and 70% of petroleum funds expended; ARRA Petroleum-Only Brownfield Assessment Grant FY2009 (\$200,000) – all funds were expended; and Revolving Loan Fund FY2004 (\$750,000 plus \$400,000 FY2008 supplemental and \$560,000 FY2009 ARRA supplemental) – approximately \$1,150,000 has been loaned or subgranted. \$200,000 of petroleum-only supplemental ARRA RLF funding was de-obligated due to the EPA reducing our project time by one year.

Through the FY2014 Assessment Grant, 10 Brownfield Sites were assessed including a former coal gasification plant (the Coal Pocket) where a \$6 million dollar investment is being completed to construct 48 units of new residential housing in our downtown, a former car wash (137 Leeman Highway) which is now the site of a coffee shop (a \$600,000 investment and creation of two jobs), a former middle school (E.L. Huse School) that is now 59-units of affordable housing (\$10,500,000 leveraged investment and creation of three jobs). Seven other properties were assessed including a former bulk oil facility, a historic apartment building, a former rail yard, a commercial building, two condemned houses and a church.

In FY2009, we received \$200,000 of ARRA funding for Petroleum Assessments. With this funding, we assessed a 10-acre former bulk oil facility located between one of our working-class neighborhoods and our elementary school, two gas station properties (the M.W. Sewall Clipper Mart and the Latium Properties), and the M.W. Sewall office building (a former oil drumming facility). The bulk plant site is in the final stages of remediation and reuse planning with ongoing meetings occurring with potential developers (as recently as January 2014). The M.W. Sewall Clipper Mart and the office building were transferred to new owners and are now operating. Remediation activities were completed at the Latium Properties in December 2011 and the property was purchased by a developer in September 2013.

#### **4.b.i.(2) Past Performance and Accomplishments - Currently Has or Previously Received an EPA Brownfields Grant Compliance with Grant Requirements**

Compliance with Grant Requirements - Throughout all City of Bath's various Brownfields grants, quarterly reports and ACRES updates have been submitted on time and in accordance with all submittal requirements. Likewise, all annual financial statements have been properly submitted. No submittal or tracking issues have been identified for these Brownfields cooperative agreements. All of our prior Brownfield programs (assessment and RLF) have been completed in accordance with our approved work plans, schedule and terms in conditions. For each grant we met or exceeded our expected program outcomes.



JANET T. MILLS  
GOVERNOR

STATE OF MAINE  
DEPARTMENT OF ENVIRONMENTAL PROTECTION



MELANIE LOYZIM  
COMMISSIONER

November 17, 2021

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 City of Bath plans to conduct site assessments and is applying for federal Brownfields grant funds.

Marc Meyers of the City of Bath has developed an application requesting federal Brownfields Site Assessment Grant funding to assess Brownfields sites in the city.

If the city receives funding, the Department will assign project management staff to conduct eligibility determinations and provide review and comment on all assessments, workplans, Quality Assurance Plans, and Health and Safety Plans. For sites where cleanup is pursued, the Department's Voluntary Response Action Program ("VRAP") staff will provide review and comment on investigation reports 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: Marc Meyers, City of Bath

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