



CITY OF CONWAY
Office of the Mayor
Mayor Tab Townsell

December 17, 2014

Environmental Management Support, Inc.
Attn: Mrs. Edie Findeis Cromwell
8601 Georgia Avenue, Suite 500
Silver Spring, MD 20910

Re: City of Conway
EPA Brownfields Cleanup Grant Application
Conway Scrap Metal Redevelopment

Dear Mrs. Cromwell:

Enclosed please find the City of Conway's application for an EPA Brownfields Cleanup Grant for the above referenced site in Conway, Arkansas.

Pertinent applicant information follows:

- a. Applicant City of Conway
1201 Oak St.
Conway, Arkansas 72032
- b. Applicant DUNS: 098563026
- c. Funding Requested: i) Grant Type – Cleanup
waiver ii) Federal Funds Requested - \$200,000 (no cost share requested)
iii) Contamination – Hazardous Substances: \$200,000
- d. Location: The City of Conway, Faulkner County, Arkansas
- e. Property Information: former Conway Scrap Metal site
1110 Spencer St., NW Corner of Markham & Garland St., Conway, Arkansas 72032
- f. Contacts: i) Project Manager: Mr. Scott Grummer
Community Development Dept.
City of Conway
City Hall
1201 Oak St.
Conway, AR 72032

Appendix 3 Cleanup Other Factors Checklist

Name of Applicant: City of Conway

Please identify (with an X) which if any of the below items apply to your community or your project as described in your proposal. To be considered for an Other Factor, you must include the page number where each applicable factor is discussed in your proposal. EPA will verify these disclosures prior to selection and may consider this information during the evaluation process. If this information is not clearly discussed in your narrative proposal or in any other attachments, it will not be considered during the selection process.

	Other Factor	Page #
	Community population is 10,000 or less.	
	Federally recognized Indian tribe.	
	United States territory.	
	Applicant will assist a Tribe or territory.	
	Targeted brownfield sites are impacted by mine-scarred land.	
	Targeted brownfield sites are contaminated with controlled substances.	
	Recent natural disaster(s) (2006 or later) occurred within community, causing significant community economic and environmental distress.	
	Community is implementing green remediation plans.	
X	Applicant demonstrates firm leveraging commitments for facilitating brownfield project completion by identifying amounts and contributors of funding in the proposal and have included documentation.	8
	Community experienced manufacturing plant/power plant closure(s) (2008 or later) tied to the targeted brownfield sites or project area, including communities experiencing auto plant/power plant closures due to bankruptcy or economic disruptions.	
	Recent (2008 or later) significant economic disruption (<u>unrelated</u> to a natural disaster or manufacturing/auto plant/power plant closure) has occurred within community, resulting in a significant percentage loss of community jobs and tax base.	
	Applicant is one of the 12 recipients, or a core partner/implementation strategy party, of a "manufacturing community" designation provided by the Economic Development Administration (EDA) under the Investing in Manufacturing Communities Partnership (IMCP). To be considered, applicants must clearly demonstrate in the proposal the nexus between their IMCP designation and the Brownfield activities. Additionally, applicants must attach documentation which demonstrates either designation as one of the 12 recipients, or relevant pages from a recipient's IMCP proposal which lists/describes the core partners and implementation strategy parties. A core partner/implementation strategy party is a local partner organization/jurisdiction that will carry out the proposed strategy, as demonstrated in letters of commitment or memoranda of understanding which documents their	

V.B. Ranking Criteria for Cleanup Grants

V.B.1. Community Need [20 Total Points]

V.B.1.a. Targeted Community and Brownfields [8 Points]

V.B.1.a.i. Targeted Community

The City of Conway (hereafter “City”) is the seat of Faulkner County, Arkansas. According to the U.S. Census Bureau, the estimated population of the City in 2013 was 63,816. This makes Conway the seventh most populous city in Arkansas.

Over the last twenty years, the City’s economy has transitioned from being supported almost wholly by the twentieth-century model of manufacturing, to a twenty-first-century, creative-class model identified by a young, well-educated workforce. On the surface, this seems great for Conway; however, below the surface one can bear witness to how this transition has deeply burdened the City’s blue collar workforce. Much of the City’s landscape is dominated by huge industrial tracts, formerly bustling with activity, now idle or underused. Hardest hit were the low-and moderate-income (LMI) neighborhoods, many of which are now shuttered and vacated due to a lack of investment. Some of these areas are primed for responsible redevelopment, and it is believed that the catalysts for moving their residents toward a brighter future already exist within them.

A 28-block neighborhood known colloquially as “the Markham Street area,” (hereafter “Neighborhood” or “Area”) has become a center of attention for those committed to this sort of redevelopment. An LMI-designated area by the Census Bureau (Tract 307.01), the Neighborhood once supported hundreds of residents and a broad spectrum of industrial and commercial uses. As it stands today, it’s largely fallow land and boarded up structures. At its heart is a one-block parcel once occupied by the Conway Scrapmetal Company (hereafter “Site”), which is now little more than a shallow pit of contaminated soils.

V.B.1.a.ii. Demographic Information

	Census Tract 307.01 ²	City of Conway ¹	Faulkner County ¹	Arkansas ¹	US ¹
Population	3,997	59,664	113,237	2,916,372	309,138,711
Unemployment Rate	14.2%	5.5%	7.8%	5.1%	6.0%
Individuals Below Poverty	30.94%	18.5%	14.6%	18.7%	15.1%
Minority Population	1,299	13,313	14,653	574,691	71,543,514

Percent Minority	32.5%	22.6%	12.9%	19.7%	23.1%
Median Household Income	\$22,316	\$46,805	\$49,008	\$40,531	\$49,445

¹Data is from the 2008-2012 American Community Survey 5-year Estimates

²Data is from 2007-2011 American Community Survey

³Data is from 2010 Census

⁴Data is from Bureau of Labor & Statistics 2014

V.B.1.a.iii. Brownfields

The Conway Scrapmetals Company property is now owned by the City. It was a second-generation business which became a local landmark for its piles of wrecked cars, rusty appliances, and offensive runoff. Operational as recently as this year, it harkened back to an era when high-intensity industrial uses carried on without regulation, even when directly adjacent to business districts and residences. Currently, in its simplest form, it rests as blight to the surrounding area; at worst, it unabatedly leeches hazardous waste and petroleum toxins into the soils and surrounding area through surface water runoff.

Unfortunately, these forces hinder investment in the Area for several blocks in every direction, deterring an unknown number of developers from investing in economic and housing opportunities which would enhance the City’s downtown—a thriving central business district immediately adjacent to this Neighborhood. Recognizing that the Site had become a barrier to pent-up demand for downtown growth into the Neighborhood, the City recently spent \$315,000 to acquire the Site with an eye to remediation and adaptive reuse as an urban park and amphitheater. It will be a catalyst project (hereafter “Project”) that will serve a growing local arts community while also serving the neighbors daily as healthy, clean greenspace. Furthermore, a portion of the park will be used as a Low-Impact-Development stormwater detention area, mitigating an omnipresent flooding problem in the downtown and bolstering the security of those business district investments. The City is fully prepared for the Project, already having approved the publicly-led master plan for the Neighborhood, as well as having identified the partnerships, incentives, and financing tools necessary for its rebirth.

V.B.1.a.iv. Cumulative Environmental Issues

A Brownfields site inventory taken during 2010 identified almost fifty vacant, deteriorating, or non-conforming business properties throughout the city. All of the properties identified meet the environmental definition and intent of the EPA’s Brownfields Program. The highest concentrations of these sites occur within three key areas of the community: the recently-retired Cantrell Field Municipal Airport, the silently decaying Conway Industrial Park, and the blighted and forgotten parts of the

Old Conway area, where the Site is located. Within the Neighborhood, more than three in ten residential lots are vacant. Dozens of residential lots directly abut empty commercial and industrial lots, and formal greenspace is limited to two small playgrounds that are separated from much of the area by busy roads. These issues contribute to the decline in quality of life and pose health hazards to families residing in the Area.

V.B.1.b. Impacts on Targeted Community [5 Points]

Based on the 2010 U.S. Census, the aggregate data shows that 22.6% of the City's population is minority; however, when one takes a closer look into the data available for each tract, it is clear that the majority of the at-risk populations—minorities, single-parent households, the poor and ailing—reside in older and dilapidated central and northern portions of the City. The census tract where the Project is located maintains a 32.5% minority population, a figure twice that of the City as a whole. A study conducted in 2009 found that data gathered from the 1990 and 2000 censuses revealed several striking trends in the Area. The number of 25 to 34 year olds—a key demographic in evaluating an area's vitality—decreased by 25 percent during that time. Inflation-adjusted median household income decreased by nearly twelve percent, while the Area's poverty rate increased by twenty-eight percent. In addition, the Area's unemployment rate is almost three times that of the City's, at 14.2%, while the rate for the Area's minority population exceeds twenty-three percent. To top it off, the inflation-adjusted median home price decreased by more than forty percent, starving off what little equity existed within the Neighborhood and all but eliminating the likelihood for redevelopment investment.

V.B.1.c. Financial Need [7 Points]

V.B.1.c.i. Economic Conditions (3 Points)

Due to state tax structure of Arkansas, the City is almost entirely dependent upon sales tax revenue for government services. Since 2009, sales tax revenues have either fallen or only marginally increased commensurate with the City's ever-rising operating costs. The ability for the City to take the lead in economic development, by and large, has not existed in more than five years. At this time, the City is almost entirely dependent upon outside grants to fund initiatives such as this Project.

Flat sales tax returns have been exacerbated by the loss of several major employers. Until 2009, Conway was home to one of the world's largest school bus manufacturers, I.C. Corporation. This industrial powerhouse was founded in 1933, and prior to its closing employed almost 900 residents. In 1965, Baldwin Piano Company began operations at a plant in Conway, and by 1998, the company's 270 employees were manufacturing 2,200 pianos per year. In 2003, Baldwin Piano was acquired by Gibson Instruments, who subsequently closed the factory and eliminated the jobs of each of those local residents. In 1999, Virco Manufacturing moved 250 jobs from the area. In 2000, Conway witnessed the Nucor plant laying-off 114 more. In 2001, Carrier closed their operation, issuing 286 additional pink slips.

V.B.1.c.ii. Economic Effects of Brownfields (4 Points)

The demographic chart above clearly demonstrates how the changing labor market is having a significant negative impact upon the census tract where the Project

is planned. This particular tract has the highest concentrations of poverty in the City as well as the highest density of minorities. Like previously mentioned, few developers are willing to invest in commercial and residential projects in the Neighborhood due to the overwhelming depression and blight which exists. When combined to the known environmental risks as detailed later in this document, the Neighborhood is clearly a health and welfare risk with little hope for improvement *but for* the City and its partners taking the lead on this Project. The inertia that comes from proper community-driven planning, strong partnerships, and a few key investments will be the difference that creates generations worth of benefits for these otherwise distressed residents.

V.B.2. Project Description and Feasibility of Success [30 Total Points]

V.B.2.a. Project Description [15 Points]

V.B.2.a.i. Existing Conditions (5 Points)

The following are the Recognized Environmental Conditions reported by the firm FTN & Associates (FTN) after their 2014 site survey:

- Historic use of solvents and petroleum products, along with petroleum staining and odors noted during the site reconnaissance, indicates a high probability of environmental impacts from operations at the site.
- Two in-ground hydraulic scales are located on the Site, leading to the potential release of hydraulic fluid to the subsurface environment.
- MEC^x (the environmental firm who conducted the 2012 Phase I and Phase II ESAs on the Site) determined that solvents, hydraulic fluids, metals, and petroleum products were likely to have been released to the environment at the project property. Petroleum odors, free-standing petroleum, and staining were noted.
- Findings from the Phase I ESA by MEC^x on the Site indicate that an underground storage tank (UST) was historically located in the Spencer Street right-of-way near the northwest corner of the Site, and that the UST may have never been removed. A geophysical study during the Phase II ESA by MEC^x confirmed an anomaly at this location, indicating that the UST may still be in place.
- Findings from the Phase II ESA by MEC^x indicate the presence of contamination in shallow groundwater beneath the Site, indicating that a release of hazardous substances and petroleum products has occurred.
- Findings from the Phase II ESA by MEC^x indicate the presence of soil contamination at the Site, indicating that a release of hazardous substances and petroleum has occurred.

FTN's analytical results concluded, *"For the most part, the extent of contamination at this site is defined by the presence of polychlorinated biphenyl (PCB) contamination, with concentrations exceeding 1,000 µg/kg—the cleanup level used as guidance by the EPA for high occupancy areas. Other contaminants found to be of concern include TPH-DRO, polynuclear aromatic hydrocarbons, bis (2-ethylhexyl) phthalate, and*

several metals, with concentrations exceeded Regional Screening Levels for residential exposure.”

The Site consists of vacant land only, as all structures were abated, demolished and removed prior to acquisition by the City.

The Site and its Neighborhood rest directly between the City’s downtown and nearby Hendrix College. South of the Site, the downtown has experienced a \$70m economic renaissance over the last fifteen years. Just to the north, Hendrix was recently ranked “#1 Up-and-Coming” in US News 2014 Best College rankings. They have also received regional acclaim for their “Village at Hendrix,” a \$100m New Urbanism development that serves not only the school but the community at-large. Nevertheless, the Project Area has failed to synergize with the adjacent economic development, primarily due to the existence of the scrap metal operations. The cleanup of this Site will serve as an economic, environmental, health, and welfare trigger, allowing the successes of downtown and Hendrix to positively influence the future of the entire Neighborhood.

V.B.2.a.ii. Proposed Cleanup Plan (10 Points)

A proposed Cleanup Plan (CP) will be submitted to the Arkansas Department of Environmental Quality (ADEQ) following their completed review and approval of FTN’s Comprehensive Site Assessment, which is expected in late 2014 or early 2015. The following summarizes the identified areas of concern and the proposed CP solutions for each:

- PCB and other Waste Contaminated Soils (WCS) indicated by field measurements and visual observations will be excavated to remove all contamination. The WCS will be characterized using Waste Classification Sampling and disposed of at a licensed waste disposal facility.
- Deed restrictions will be implemented as an institutional control to prevent future use of groundwater at the site as a localized potable source.
- A physical investigation involving excavation around the UST subject area will provide verification of its existence. If found, the UST(s) will be removed safely according to approved methods as detailed in the CP.
- The City has erected silt fencing to prevent surface runoff as a short-term remedial action until execution of the approved CP.

The remediation objectives for the project site include:

- Prevention of potential human exposure to the WCS.
- Prevention of future releases of WCS into surface water runoff.
- Prevention of future groundwater use on the Property as a preventative measure.
- Preparation of the Site for redevelopment according to provisions in the Implementing Agreement and Property Development Plan to be approved by ADEQ.

The City approved the required EPA Brownfields Cleanup Grant match funding in the amount of \$40,000 on December 9, 2014. (City of Conway Ordinance: O-14-107) Coupled to the EPA Brownfields Cleanup grant share, complete funding will be secured to execute required engineering and permitting, site preparation, excavation

and disposal of hazardous waste, necessary backfilling and soil stabilization to ready the site for redevelopment, and any other eligible costs necessary to successfully complete the CP. All field activities will be performed in accordance with the ADEQ Property Development Decision Document and any requirements, including but not limited to, a Health and Safety Plan and an EPA approved site-specific Quality Assurance Project Plan.

V.B.2.b. Task Description and Budget Table [10 Points]

V.B.2.b.i. Task Description

Task One: Program Management & Public Engagement. To ensure the smooth management of the grant, compliance with all reporting and procurement requirements, and timely completion of project tasks, the City will employ a Project Manager, experienced in Federal grant management to oversee the project from start to finish. The Project Manager will be responsible for procurement requirements, and timely completion of project tasks. All direct costs associated with programmatic management of the grant will be consistent with the applicable OMB Cost Circular found at 2 CFR Part 225 for government units.

The City will continue to work with the community regarding the remediation and redevelopment of the site, with the Project Manager attending local community meetings as well as meeting with community leaders to ensure the public is aware of the ongoing remediation and has the opportunity to raise any concerns during the implementation of the Property Development Plan. This includes a continuation of the Community Relations Plan developed during the Markham Street Jump Start Grant initiative; placing signs at the site describing the action and providing a contact for additional information; the establishment of a public document repository; and the mapping and listing of all adjacent and nearby property owners for direct contact.

TASK ONE BUDGET				
Item	Unit	Cost	Quantity	Subtotal
Project Mgr	Hour	\$25	300	\$7,500
EPA Conf	Annual	\$1,500	1	\$1,500
Task One Total				\$9,000
Amount Funded by EPA Grant				\$9,000

Task Two: Site Design for Public Park Space / Stormwater Retention. The project site also requires design work for both the park space as well as the necessary design and engineering for the storm water management that connects with the downtown drainage system. The City is seeking a design grant from the National Endowment for the Arts (NEA), Our Town Grant, to fund a majority of this design. The remainder of the cost will be shared among City general fund, streets and drainage fund and parks

funding. In the case that the NEA grant does not come through, the City will fund the necessary design for the storm water portion, until funding is available for the remaining park design.

TASK TWO BUDGET				
Item	Unit	Cost	Quantity	Subtotal
NEA Grant Funds	Site	\$100,000	1	\$100,000
City General Fund	Site	\$34,000	1	\$34,000
City Street & Drainage Fund	Site	\$33,000	1	\$33,000
City Parks Fund	Site	\$33,000	1	\$33,000
Task Two Total				\$200,000
Amount Funded by EPA Grant				\$0

Task Three: Remediation & Construction. A Qualified Licensed Environmental Remediation Firm that has proven experience with projects involving Federal grants, and whom can handle all aspects of the project from Engineering and Design to Remediation activities, project oversight, procurement, Federal wage reporting and all necessary tasks needed to complete the project, will be procured. This firm will work with the assigned Project Manager for the City to ensure all environmental and grant requirements are met. This firm will be competitively retained in accordance with all applicable Federal, state, and local procurement requirements. Cost estimates associated with Site Remediation activities include:

- Site Preparation: Necessary surveying, clearing and grubbing, dust control measures, perimeter air monitoring, remediation of localized areas of soil contamination, and other such activities
- Site Work: Backfilling these areas to the proposed grades with fill and temporary planting of grass or plant species until redevelopment of the park space takes place.

TASK THREE BUDGET	
Item	Subtotal
Contractual Site Remediation Activities – EPA Grant	\$191,000
Contractual Site Remediation Activities – CDBG Grant	\$75,000
Task Two Total	\$266,000
Amount Funded by EPA Grant	\$191,000

V.B.2.b.ii. Budget Table

BUDGET DETAIL				
Budget Categories	Project Tasks (\$)			
	Task One: Program Management & Public Engagement	Task Two: Site Design for Public Park Space / Stormwater Retention	Task Three: Remediation & Construction	Total
Personnel	\$7,500	\$0	\$0	\$7,500
Fringe Benefits	\$0	\$0	\$0	\$0
Travel	\$1,500	\$0	\$0	\$1,500
Equipment	\$0	\$0	\$0	\$0
Supplies	\$0	\$0	\$0	\$0
Contractual	\$0	\$0	\$231,000	\$0
Other	\$0	\$0	\$0	\$0
Total EPA Funding	\$9,000	\$0	\$191,000	\$200,000
City Cost Share	\$0	\$0	\$40,000	\$40,000
Total Budget	\$9,000	\$0	\$231,000	\$240,000

V.B.2.c Ability to Leverage [5 Points]

The City of Conway has the ability to leverage any EPA Brownfields Cleanup Grant awards against other revenue streams to assist in maximizing the potential of the Area's

redevelopment efforts. The commitment of Conway City Council is clearly demonstrated through their 2013 \$50,000 grant match for the Neighborhood's master plan (Resolution R-13-47, Attachment 4), their 2014 \$315,000 purchase of the Site (Ordinance O-13-101, Attachment 4), and their current allocation of \$40,000 in support of this Cleanup Grant's match (Ordinance 14-107, Attachment 4). If additional funds are needed for this Brownfield Cleanup Project, options include CDBG and Section 108 loans to a maximum of \$1.2m. The City's General Fund, Streets Fund, Drainage Fund, and Parks Fund may be used in measured amounts to cover the cost of specific components of the Project. Finally, the City is applying for a \$200,000 NEA Our Town grant to support specific designs for the park space of this project, designs which will incorporate Low Impact Development strategies. Combined, the leveraging of these funding sources in support of one another, demonstrate the commitment the City of Conway holds to this Project and the future of the Neighborhood.

V.B.3. Community Engagement and Partnerships [15 Total Points]

V.B.3.a. Plan for Involving Targeted Community and Other Stakeholders and Communicating Project Progress [5 Points]

The City of Conway was awarded a HUD JumpStart planning grant in 2013 for developing implementation plans for this Neighborhood. The community and stakeholders were engaged in public meetings concerning the future of the Area and Site throughout 2013 and 2014. The City will continue to build upon the success of that public engagement so that community involvement will grow. Engagement will be through local media, both print and social, as well as mailings and door-to-door engagement in the direct area. The City will include distribution to local churches in the Area, which has proved to be the most efficient means of communication to the Neighborhood population.

In an effort to consider any concerns that local residents may have in regard to health, safety and disruption which may occur as a result of the cleanup activities, the City will hold regular public meetings to keep the Neighborhood's residents thoroughly informed of all activities. The City will also provide direct contact information to the public should they feel the need to report any concerns once the cleanup process has begun.

V.B.3.b. Partnerships with Government Agencies [5 Points]

The City recognizes that any progress made during this Project will be due to the partnerships developed through it—that we, as a municipality alone, cannot provide the program all the direction, resources, and energy it needs to be successful. These critical partnerships will be developed with local and state stakeholders through direct communications by Project staff. Stakeholders who have so far been introduced to the Program concept include the ADEQ, our county office of the Arkansas Department of Health, and our regional HUD coordinator. The City will continue to reach out to those agencies which will have a direct interest in the Program, and ensure their presence in all necessary activities. The City will do so with the understanding that the relationships formed not only allow this Project to be more successful and sustainable, but that their own valuable programs' goals are met, as well.

V.B.3.c. Partnerships with Community Organizations [5 Points]

The City has partnerships in place with county and regional community-based organizations that will play a vital role in the ultimate success of this project. Partners and their specific contributions are provided as follows:

Program Partners, City of Conway

Organization	Description
<p>Conway Area Chamber of Commerce Brad Lacy, President/CEO, 501-329-7788 900 Oak Street, Conway, AR 72032</p>	<p>Focused on serving the varied needs of its members including: advocacy, education, networking, communications, marketing, workforce retention and development, and purchasing economies.</p>
<p>University of Arkansas Division of Agriculture, Faulkner County Cooperative Extension Service Kami Marsh, CEA, 501-329-8344 110 South Amity Road Suite 200, Conway, AR72032</p>	<p>The mission is the education of Arkansas' citizens through the application of land-grant university research and knowledge base to develop youth and strengthen agriculture, families, and communities.</p>
<p>Pine Street Community Development Corporation Linda Paxton, 501-231-4102 P.O. Box 2539, Conway, AR 72033</p>	<p>Dedicated to the empowerment, well-being, and economic prosperity of residents and business owners within the Pine Street Area; a force for positive change throughout the historic neighborhood.</p>
<p>Hendrix College Ellis Arnold, General Counsel 1600 Washington, Conway, AR 72032</p>	<p>Hendrix College, a private, undergraduate institution of the liberal arts related to the United Methodist Church, offers distinguished academic programs in a residential, coeducational setting.</p>
<p>Old Conway Preservation Society Marianne Welch, President, 501-269-8789 P.O. Box 124, Conway, AR 72033</p>	<p>Works to maintain, enhance, and protect the "Old Conway" area; protection of the character and ambience of the Old Conway neighborhoods, as represented by early and diverse architectural styles and stately old trees.</p>

<p>Conway Development Corporation Brad Lacy, President/CEO, 501-329-7788 900 Oak Street, Conway, AR 72032</p>	<p>Promotes the industrial and economic growth and development of the City; attracts and secures the location of new business and industrial plants; assist in every way possible the future growth and expansion of industries</p>
<p>Arkansas Department of Health, Faulkner County Health Unit Else Brown, 501-450-4941 811 N. Creek Drive, Conway, AR 72033</p>	<p>Focused on preventing disease, prolonging life, and organizing community efforts to do the following: keep the environment clean, control communicable infections, educate individuals, organize medical and nursing services, and develop the social machinery to ensure everyone a healthy standard of living.</p>
<p>Covington Properties, Inc George Covington, Owner 1053 Front St, Conway, AR 72033</p>	<p>Covington Properties is a critical partner in the redevelopment of downtown Conway, having plans for \$20 million in private investment on property located in the target area.</p>
<p>Conway Downtown Partnership Kim Williams, Executive Director, 501-329-7790 900 Oak Street, Conway, AR 72032</p>	<p>Promotion, planning, and maintenance of downtown Conway as a gathering place to live, work, play, shop, and eat; advocate for information, resources and intellectual capital; dedicated to stimulating and fully leveraging public and private investment within downtown Conway</p>

Additional organizations committed to the Project as continuation of their support to the City's recent JumpStart Initiative: Hurd Long Architects, Conway Corporation, Rush-Hal Properties, Sowell Architects, Inc., Nabholz Properties, Simmons First National Bank, Crafton Tull

V.B.4. Project Benefits [20 Total Points]

V.B.4.a. Health and/or Welfare and Environment [10 Points]

V.B.4.a.i. Health and/or Welfare Benefits (5 points)

The primary objective of redeveloping the Conway Scrapmetals site is job creation for the area, which will have a direct positive impact on the Area's targeted populations that are living in poverty, either unemployed or underemployed. The positive domino effect of increased employment is the increased tax revenues that can support infrastructure improvements, while also bringing about social improvements

to the local community through mixed-use developments and needed local services. This will help alleviate some of the burden on poorer neighborhood residents who currently make the dangerous walk to other areas of the city to find employment, shop for basic goods, or utilize other daily services.

The presence of new taxable development in the area will be a direct benefit not only to the economic welfare of each community and its residents, but to their general health and wellness, as well, through the removal of all hazardous material byproducts which exist on the site. These upgrades to the Site's infrastructure will have a tremendous impact on the quality of the soils, water, and air throughout the Neighborhood, ensuring that future residents and visitors can be free from the health risks associated with the contaminants that currently exist.

V.B.4.a.ii. Environmental Benefits (5 points)

Considering the planned use for the site is an urban park which will not only support visitors from within the Neighborhood but also from throughout the city, full remediation of all Recognized Environmental Conditions is critical. As it stands today, without remediation, the Site has verifiable environmental conditions which present a real hazard both to the immediate area and areas downwind and downstream. By executing a thorough cleanup plan, the City can eliminate environmental risks to every park visitor for generations to come, as well as reduce the secondary and tertiary environmental risks to residents and ecosystems beyond.

The planned park for this site includes an entertainment amphitheater that will also serve as a detention/retention pond during periods of heavy rainfall. By creating a multi-purpose facility, the City is able to take maximum advantage of available real estate and use it in a highly efficient manner. By integrating a Low-Impact Development stormwater management component to the site, the park will be responsible for alleviating both airborne and waterborne volatile compounds, as well as mitigate downstream flooding of major arterials and downtown businesses. Furthermore, instead of creating raised curb landscape beds along adjacent roadways which direct water away from plantings, the City is planning bioswales that will capture surface runoff, filter it of large impurities, and use the water to irrigate all local plant material. This will create a cleaner environment for the residents and visitors of the entire central Conway area, and enhance the water quality for one major watershed of Stone Dam Creek, Lake Conway, Cadron Creek, and ultimately, the Arkansas River.

V.B.4.b. Environmental Benefits from Infrastructure Reuse/Sustainable Reuse [5 Points]

V.B.4.b.i. Planning, Policies or Other Tools (2 points)

One of the core tenants of this redevelopment effort is infill. By focusing our investment in an area already supported by existing roads, utilities, and structures, partners account for substantial savings on costs of real property, site preparation, and infrastructure. The benefits of infill will be communicated and promoted to potential developers and architects, bankers and capital investment groups at special-focus presentations hosted by the City. In addition, this form of development and

redevelopment will help the City meet one of its overall goals of reducing the costly consequences associated with sprawl. That will reduce the impact to native greenspace while also helping to reduce the vehicle-miles traveled by residents, saving them money and reducing the carbon emissions which contribute to climate change.

Finally, throughout the neighborhood, the reuse and restoration of existing structures will be encouraged to take advantage of both Federal and state Historic Rehabilitation Tax Credits. After all, the greenest structure is the one already standing. All new construction will be encouraged through incentives to build newer facilities which adhere to modern standards like those found in the US Green Building Council's LEED and the EPA's Energy Star Rating programs. This will dramatically reduce energy consumption and create a healthier space for occupants for the entire lifespan of those new projects.

V.B.4.b.ii. Integrating Equitable Development or Livability Principles (3 points)

The approved regulating plan that controls land use for the Neighborhood permits and encourages multiple forms each of residential, office, and commercial zones. Housing choices will be diverse, with options available for low/mod-income and market-rate residents alike. Office and commercial diversity will create opportunities for all businesses, ranging from live-work units to small tenant spaces to large corporate office space. Local retailers will have prime choices for their storefronts with frontage along streets adjacent to the site. Planned civic areas will create direct and nearby access to the park and other public amenities, rounding out an already thriving live/work district with options for recreation and entertainment.

By creating a mixed-use, urban infill community, the areas around the site will maximize efficient use of existing infrastructure and provide immediate access to high-traffic service areas like downtown and arterial corridors. By nature, these types of communities maintain higher levels of walking, bicycling, and mass transit ridership. Access to existing infrastructure and proximity to common services will permit all residents and businesses in the area to save costs on construction and daily living.

Although Conway currently has no mass transit system, we do recognize that we will eventually, so transit stops will be included in the long-range plan for the site. Adjacent street rights-of-way will be designed and built in a manner that will permit the future construction of bus stops, including space for curb bulb-ins and wider sidewalks at the park.

V.B.4.c. Economic and Community Benefits [5 Points]

V.B.4.c.i. Economic or Other Benefits (3 Points)

The City of Conway's goal related to this grant is to maximize the available funding by leveraging it to incite other public and private investment. Using these funds for the removal of environmental contaminants that have the potential to cause health issues within the local community will permit the City to advance with our plan to create the park, which in turn, will permit the private development community

to advance with their plans for new residential, office, and commercial projects adjacent to this site.

The City's vision for how this park site will relate to a smarter, greener development pattern throughout the neighborhood and city-at-large includes: removing perceptions that may delay or inhibit potential development in this area, providing publicly funded projects as a foundation for private development synergy, and encouraging active community involvement to provide the dynamics needed to sustain efforts over the long term.

V.B.4.c.ii. Job Creation Potential: Partnerships with Workforce Development Programs (2 Points)

The City is dominated by large-scale economic districts: high-intensity commercial corridors, office and technology parks, and an industrial park. Many of the City's small businesses are locally owned and simply cannot afford the tenant leases in larger, regional commercial and office districts; but they can within Old Conway. This future of this Area will cater to these start-ups perfectly.

The type of jobs generated within the Neighborhood will fall within a spectrum, from low-to-moderate income, to part-time jobs in the service industry, to high-wage, professional careers in the creative and technology industries. Largely defined by small-to-medium sized commercial and office facilities, the Area will generate interest through the use of economic incentives like fee waivers and microloans geared toward young entrepreneurs interested in placing their businesses within the heart of a resurgent mixed-use neighborhood near the most popular lifestyle and entertainment venues.

V.B.5. Programmatic Capability and Past Performance [20 Total Points]

V.B.5.a. Programmatic Capability [12 points]

The City's Community Development Department (CDD) staff has managed CDBG funding from the HUD for the City since 1994, and possesses the in-house capacity to oversee the community outreach activities, coordinate with the environmental regulators, and interface with the developers for the Project's redevelopment efforts. In concert with the City's Planning and Development Department staff, the City has applied for, received and successfully administered a number of grants and projects within the Project Area and beyond. The CDD staff will be responsible for all environmental reviews, procurement of contractors, management of design and engineering firms, and will perform the necessary administrative work to manage all grant funded projects.

Scott Grummer, Program Manager for the CDD, has been in community development for over 7 years, having grant management and administration experience with HUD's HOME and CDBG programs, and has over 15 years in real estate development project management experience. Mr. Grummer serves as a volunteer board member of the Downtown Little Rock Community Development Corporation, where he served 5 years as Executive Director, receiving a letter of commendation from the board upon his departure. Mr. Grummer will serve as Project Manager for the EPA Brownfields Grants.

Wes Craiglow, Deputy Director of the City of Conway's Planning and Development Department, served as the Brownfield Program Manager from 2010 to 2012. During that

time, his responsibilities included applying for and administering the City's 2011 EPA Region VI-supported Phase I and II ESAs of the Site. Mr. Craiglow worked closely with elected officials, local business owners and residents, various other stakeholders, and the contracted environmental firm, MEC^x from Houston, TX, throughout their Phase I and II ESAs and reporting. Mr. Craiglow will combine his nine years of experience in Conway City Hall and ample EPA Brownfield familiarity to ensure that this proposed clean-up Project effectively complements the neighborhood master plan, adjacent development projects, and the City's Comprehensive Plan.

V.B.5.b. Audit Findings [2 points]

The City of Conway has not had an A-133 finding in its CDBG grant program in five years. For the 2012 CDBG grant cycle, the City received the following findings from HUD. The first was a procurement issue when a contract was awarded to a second-highest bidder due to the vendor already contracted under a different grant for the same property. The second finding stemmed from a lack of complete documentation with sub-recipients. Both of these findings were easily cleared—the first with clearer definitions of procurement rules and the second with increased filing of existing communication.

V.B.5.c. Past Performance and Accomplishments [6 Points]

V.B.5.c.ii. Has Not Received an EPA Brownfields Grant but has Received Other Federal or Non-Federal Assistance Agreements [6 points]

V.B.5.c.ii.1. Purpose and Accomplishments (3 points)

Since 1996, the City has been a CDBG entitlement city with a current annual grant of \$400,000. The City's largest CDBG effort is the multi-year revitalization of the Pine Street Neighborhood, which is immediately to the east of the Project Neighborhood. CDBG investments have included land acquisition, utility upgrades, neighborhood architecture and design enhancements, and drainage and transportation improvements. Beyond these neighborhood accomplishments, Conway CDBG has invested in new facilities for the homeless, and after school facilities for at-risk youth. An abused-women's shelter, a medical clinic for the uninsured, and a senior wellness center are among the extensive rehabilitations the City's CDBG funds have supported in the last five years.

Scott Grummer, the assigned Project Manager for the EPA Grant effort, is also the project manager for the City's CDBG expenditures.

V.B.5.c.ii.2. Compliance with Grant Requirements (3 points)

The City is experienced with meeting Federal requirements such as environmental review, prevailing wage (Davis Bacon), and Section 3. The City remains in compliance every year with all of these requirements as validated through HUD monitoring and audits by outside agencies. The City receives various other grants on an annual basis. Most recently, the City partnered with the US Department of Transportation to construct a new interstate interchange, and applied for and received a \$7.1m Federal Aviation Administration grant to build a new municipal airport. The City's Finance Department manages the receipt of funds, oversees the A-133 audit, and supports many of the financial reports required by granting agencies.



ATTACHMENT 1
THRESHOLD CRITERIA

III.C. Threshold Criteria for Cleanup Grants

III.C.1. Applicant Eligibility

III.C.1.a. Eligible Entity

The City of Conway is a General Purpose Unit of Local Government, incorporated October 16, 1875.

III.C.1.b. Site Ownership

The City of Conway is the sole owner holding Fee Simple Title to the project site. The site was acquired on July 2, 2014.

III.C.2. Letter from the State or Tribal Environmental Authority

A letter from the Arkansas Department of Environmental Quality is attached: Attachment 2

III.C.3. Site Eligibility and Property Ownership Eligibility

Site Eligibility

III.C.3.a. Basic Site Information

- (a) Site Name: Conway Scrap Metal
- (b) Address: 1110 Spencer Street, Conway, AR 72032
- (c) Site Ownership: vested Fee Simple in the City of Conway

III.C.3.b Status and History of Contamination at the Site

- (b) The Phase II ESA identified many contaminants on site, including Diesel Range Organics (DRO's) in concentrations exceeding the Arkansas Department of Environmental Quality (ADEQ) Total Petroleum Hydrocarbon (TPH) screening level for soil, 8 metals including Antimony, arsenic, chromium, cobalt, copper, iron, lead and nickel exceeding the Regional Screening Level (RSL), and Polychlorinated biphenyls (PCBs) at concentrations that exceed the water RSL's.
- (c) These contaminants exist because the site operated continuously as a scrap metal and salvage facility since the late 1940's.
- (d) Based on the nature of the business, solvents, hydraulic fluids, metals, and petroleum products were likely released during the salvage and recovery process which have negatively impacted the environmental media at the site.
- (e) The Scrap Metal Yard went unrestricted for the duration of its operations. The highest occurrence of contamination was found within the upper two feet of soil; however, there were small areas that had contamination to depths of 4 ft below ground surface (bgs) and deeper. Soil data were compared to USEPA Regional Screening Levels (RSLs) for residential exposures. Chemicals of Potential Concern (COPCs) identified for soil included PCBs, TPH-DRO, polynuclear aromatic hydrocarbons (PAHs), bis(2- thylhexyl) phthalate (DEHP), and several metals. For the most part, the extent of contamination at this site is defined by the presence of PCB contamination, where concentrations exceeded 1,000 µg/kg – the cleanup level used as guidance by the USEPA (2005) for high occupancy areas. In addition, a possible Underground Storage Tank (UST), picked up by ground-penetrating radar, is situated in the Spencer Street right-of-way, and was associated with a store historically located at the northwest corner of the site. Lastly, a historic Off-Site Dry Cleaner, Central Valet Dry Cleaner, was located up gradient of the site at 1163 Markham St., and operated from approximately 1948 to 1985. A large storm water culvert runs from the west side of this property directly

adjacent to the site, creating potential for a preferential pathway for the migration of dry cleaning solvents to the Site.

III.C.3.c Sites Ineligible for Funding

- a) The site is not listed, nor is it proposed for listing, on the National Priorities List.
- b) The site is not believed to be the subject to Federal unilateral administrative orders, court orders, and administrative orders on consent or judicial consent decrees issued to or entered into by parties under CERCLA.
- c) The site is not subject to the jurisdiction, custody, or control of the United States government.

III.C.3.d Sites Requiring a Property-Specific Determination

It is not believed that a property-specific determination is needed as the project site is not subject to a TSCA remediation, and does not fit the description of the other special classes identified as ineligible.

III.C.3.e Environmental Assessment Required for Cleanup Proposals

The following Environmental Reports have been prepared for the site:

Phase I ESA - Conducted June 18th, 2012

Phase II TBA - Conducted September 17, 2012

Phase I ESA - Conducted May 22, 2014

CSA (Comprehensive Site Assessment) - facilitated by the Arkansas Department of Environmental Quality and completed on November 1, 2014

Property Ownership Eligibility

III.C.3.f CERCLA §107 Liability

The City of Conway is not liable for contamination at the site under CERCLA 107 as the City qualifies as a bona fide prospective purchaser liability defense. Compliance with the required liability defense provisions are presented below.

III.C.3.g Enforcement or Other Actions

The site is not subject to any ongoing or anticipated environmental enforcement actions, other than any interim controls recommended as part of the State of Arkansas's Voluntary Clean Up Program (VCP), which the City of Conway entered into prior to acquiring the property, in order to qualify for the Bona Fide Prospective Purchaser liability defense, which the City qualified for and has remained in compliance to date.

III.C.3.h Information on Liability and Defenses/Protections

III.C.3.h.i Information on the Property Acquisition

The site was acquired by negotiated purchase (voluntary acquisition) by the City of Conway on July 2, 2014, through (Fee Simple) Warranty Deed from a private trust (Rosa M. West Revocable Trust, dated April 1, 2011). The city is the sole owner of the property (fee simple). The City of Conway did not, nor presently has, any familial, contractual, corporate or financial relationships with the prior owner/operator of the site.

III.C.3.h.ii Timing and/or Contribution Toward Hazardous Substances Disposal

All known disposal of hazardous substances at the site occurred prior to the City of Conway taking ownership of the property. The city did not cause or contribute to the release of hazardous substances at the site. The city has not, at any time,

arranged for the disposal of hazardous substances at the site or transported hazardous substances to the site.

III.C.3.h.iii Pre-Purchase Inquiry

A Phase I assessment was performed May 22, 2014 prior to the city acquiring the property. The Phase I Environmental Site Assessment (ESA) was performed by FTN & Associates, Ltd. (FTN) in conformance with the scope and limitations of the American Society for Testing of Materials (ASTM) Standard Practice E 1527-13 of the Conway Scrap Metal property and an adjoining residential property, located at 1110 and 1120 Spencer Street, respectively, in Conway, Faulkner County, Arkansas (the properties).

III.C.3.h.iv Post-Acquisition Uses

Since acquiring the property, the additional investigations have been conducted at the site, including the Comprehensive Site Assessment (CSA) by FTN & Associates, Ltd. for the Arkansas Department of Environmental Quality, which is the pre-cursor to the City entering into an “Implementing Agreement” with the State for the sites clean up. The city has not permitted any operations at the site, nor has the site been used for any purpose since the city’s acquisition. Currently, the site has restricted access until further environmental cleanup is completed.

III.C.3.h.v Continuing Obligations

The City of Conway has taken interim steps, as recommended by FTN & Associates, Ltd. in their Comprehensive Site Assessment, to mitigate risks to human health and the environment by placing silt fences around the property where water runoff is a concern, erecting barricades around the perimeter of the property to prevent pedestrian access, and hopes to obtain EPA cleanup grant funds to address the remaining “reasonable steps” to remediation of contamination at this site. The city has not, nor will not permit any operations at the targeted site in order to avoid unintentional exposure to existing contamination. In addition, the city will continue to comply with State and Local land-use restrictions and institutional controls at the site, and will cooperate with all agencies involved in the cleanup, by providing necessary access. The city will comply with all information requests and administrative subpoenas that have or may be issued in connection with the property; and will provide all legally required notices.

III.C.3.i Petroleum Sites

The Project site is considered a Hazardous Substance Site and not a Petroleum Contaminated Site, per Arkansas Department of Environmental Quality (ADEQ) verification on December 8, 2014.

III.C.4 Cleanup Authority and Oversight Structure

III.C.4.a Cleanup Oversight

The site has been enrolled in the State of Arkansas’s Brownfields Program which is the States Voluntary Cleanup Program. As such, the State (Arkansas Department of Environmental Quality (ADEQ)) will provide the regulatory oversight for the site cleanup which will be managed by the City of Conway, and the successful completion of cleanup activities will result in a Certificate of Completion issued by ADEQ stating that the response action is complete.

III.C.4.b Access to Adjacent Properties

The properties surrounding the target site are privately owned, but all owners have indicated their support in the cleanup of this project site, and thus have provided unrestricted access to their properties, including environmental testing, in the case that there is evidence that contamination may have migrated off-site.

III.C.5 Cost Share

III.C.5.a Statutory Cost Share (See also Section IV.E of the guidelines on leveraging)

III.C.5.a.i Meet Required Cost Share

It is anticipated that these cleanup activities for this project site will be funded through a combination of this EPA grant application, Public Works general funding, and potentially Community Development Block Grant funding as allowed by HUD guidelines. Additional budget detail is found in the ranking criteria.

III.C.5.a.ii Hardship Waiver

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

III.C.6 Community Notification

The City provided an opportunity for the community to learn of our intent to apply for this cleanup grant through multiple community meetings held on October 10, 2013, December 2, 2013, February 26, 2014, and July 28, 2014 as part of the Markham Street Jump Start Initiative project (**Attachment 5**), which was a grant award of \$200,000 from HUD through the Regional Planning Organization, for the development of designs and implementation strategies for the Markham Street Corridor. This Brownfield Redevelopment project was the center point of discussion at all community meetings as the initial project the community would seek as the first strategy for revitalization of this area. A draft Analysis of Brownfield Cleanup Alternatives (ABCA) was prepared for the site and can be found in **Attachment 6**. On December 15, 2014, the city held a public meeting to discuss this grant application and ABCA. This meeting was advertised on December 4, 2014 in the local Log Cabin Democrat newspaper, and the application and ABCA were made available for review at City Hall, and on the cities website at www.cityofconway.org. In addition, notifications were sent to all attendees of past public meetings. The application will remain available for review even after submission to EPA in order to receive further public feedback.



ATTACHMENT 2
LETTER FROM STATE ENVIRONMENTAL AUTHORITY

ADEQ

ARKANSAS
Department of Environmental Quality

August 21, 2014

City of Conway
Attn: Scott Grummer
Program Manager, Community Development
1201 Oak Street
Conway, AR 72032

Re: Letter of Support for FFY15 EPA Hazardous Substances Clean-up Grant Application

Dear Mr. Grummer:

The Arkansas Department of Environmental Quality – Hazardous Waste Division (ADEQ) acknowledges the City of Conway's application for a Hazardous Substances Clean-up Grant.

If awarded, the grant will facilitate continued community-wide work already in progress in the Conway area. It is our understanding this grant will target areas that have historically been economically impaired with the intentions of revitalizing currently blighted or underutilized properties.

ADEQ will offer assistance and State oversight to complete clean-up of sites under the State Brownfields program.

ADEQ would like to offer our support for this application of federal grant funds and best wishes in your endeavors to demonstrate the benefits of redeveloping brownfields in the Conway, Arkansas area.

Please do not hesitate to contact me at (501) 682-0867 or terry@adeq.state.ar.us if further assistance is needed.

Sincerely,



Terry Sligh
ADEQ Brownfields Coordinator

cc: Amber Perry, Region 6, EPA Brownfields



ATTACHMENT 3
SUPPORT LETTERS FROM COMMUNITY-BASED ORGANIZATIONS

16 December 2014

Administrator McCarthy
Environmental Protection Agency
Ariel Rios Building
1200 Pennsylvania Avenue, NW
Washington DC 20460

Dear Administrator McCarthy,

For the last 50 years, the Conway Development Corporation and the Conway Area Chamber of Commerce have been the most active private-sector advocates for community and economic development in Conway and Faulkner County. In 2010 we facilitated the strategic visioning effort for our community, Conway2025. The end result was a plan that set 132 goals for our community to achieve by 2025. The plan has been adopted by our city council and a number of area non-profits.

The revitalization of the Markham Street corridor and specifically the rehabilitation of the former scrap yard relates to at least four of those goals. This site lies directly between Hendrix College and the heart of our city's downtown. It is a literal barrier to transportation, redevelopment and area investment. I can't think of any local public project that would offer a higher return on investment than the rehabilitation of this perfectly situated, but historically blighted, site.

Our organizations as well as the Conway Downtown Partnership will do everything in our power to aid the city in revitalizing the Markham Street corridor. To date we have: hosted public meetings and tours, publicized the progress and encouraged broad community involvement in creating a space that contributes to rather than detracts from its downtown neighbors. We promise to only increase our level of support as progress continues.

We are currently in the midst of facilitating Conway2025 2.0. Five years after that first strategic plan a plurality of our goals have already been met. We are reconvening the community to commit to finishing the remainder of our goals. The EPA's support of this project will help fulfill a shared vision of what the Markham Street corridor can be.

Sincerely,



Brad Lacy
President and CEO
Conway Area Chamber of Commerce
Conway Development Corporation

Scott Grummer

From: Kami Marsh <kmarsh@uaex.edu>
Sent: Tuesday, December 16, 2014 12:56 PM
To: Scott Grummer
Subject: RE: EPA grant support letter

Scott

We the Faulkner County Extension service would like to continue to support the efforts of the Conway Planning Department in this grant proposal for Brownfields Cleanup. We work with them on planning with the cooperative extension service and with the Conway tree board.

Please consider this our letter of support

Thanks
Kami Marsh

From: Scott Grummer [<mailto:Scott.Grummer@cityofconway.org>]
Sent: Tuesday, December 16, 2014 12:31 PM
To: kmarsh@uaex.edu
Cc: rhodge@uaex.edu
Subject: EPA grant support letter

Mrs. Marsh,

The City is finishing up its application to the US Environmental Protection Agency for the Brownfields Cleanup Grant to remediate the former site of Conway Scrap Metal. The City would be grateful if you would consider providing a letter of support from your agency to the City in efforts to apply for this grant opportunity, to further strengthen our application? The content needed is:

- 1) Description of your agency
- 2) Why you support the City's efforts in this Brownfield cleanup
- 3) How you stand to support the City in its efforts, i.e. assist in outreach & education efforts to your network of stakeholders, technical assistance or participation in future meetings surrounding the remediation and redevelopment of the site, etc.

Thank you so much for your consideration of this. Our hope is to have everything together by Thursday of this week to meet the grant **deadline of Friday, Dec. 19th**. If you have any questions, feel free to let me know, and due to the short notice, if this request will be difficult to fill, we understand. Attached is a sample letter as reference. For additional information concerning this grant application, you can go to <http://cityofconway.org/articles/epa-brownfield-grant/>

Thank you very much and Merry Christmas,
jsg

Click & Subscribe To Stay Up to Date:





**PINE STREET AREA COMMUNITY
DEVELOPMENT CORPORATION**
P.O. Box 2530 • Conway, Arkansas 72033

December 17, 2014

*Administrator McCarthy
Environmental Protection Agency
Ariel Rios Building
1200 Pennsylvania Avenue, NW
Washington, D.C., 20460*

*RE: Brownfield Cleanup Grant
City of Conway*

Administrator McCarthy:

The Pine Street Area Community Development Corporation (PSACDC) is a 501(c)(3) organization committed to revitalization and redevelopment of the Pine Street neighborhood. The former Scrap yard on Markham Street is in the Pine Street area. The PSACDC Board of Directors included member who currently reside or were raised in the Pine Street Area.

The primary focus of PSACDC is to improve the neighborhood. The PSACDC envisions the removal of the scrap yard, the cleanup and subsequent redevelopment of the property as positive improvement for the neighborhood. The cleanup and redevelopment of the scrap will create a safe resource to the neighborhood

The PSACDC has assisted the City of Conway with its outreach and education efforts to inform the public of the plans for the removal of the scrap yard. We will continue to assist and provide technical assistance with outreach, education and other efforts to get the message out to public about future plans, redevelopment, and public meetings.

The PSACDC will continue to support the City Of Conway if they are a grant recipient.

Sincerely,


*Linda Paxton
PSACDC President*

"Committed to Community Revitalization"



Old Conway Preservation Society
P.O. Box 124 • Conway, Arkansas 72033

Scott Grummer
Program Manager, Community Development
City of Conway
1201 Oak Street
Conway, AR 72032

December 18, 2014

On behalf of the Old Conway Preservation Society, I am writing to extend our enthusiastic approval to effort of the City of Conway to restore and reuse the property previously known as "Conway Scrap Metal". This property has long been an eyesore and blight to future plans for Old Conway. Our group has supported the city at every opportunity to give input and to work together to plan for restoration.

Long term use of the property for metal scrap storage and salvage has led to an environmental hazard that we now recognize as having impact not only on Old Conway, but to the subsequent watershed south of town. Clean up of this area will both provide for a more visually pleasing space, and support the entire community effort to improve our environmental neighborhood.

Our group has been supporting preservation and restoration in the Old Conway area for nearly 30 years and we are prepared to be available to the City in any capacity necessary to help with the current Brownfield CleanUp project at 1110 Spencer Street. In particular, we have a large database of involved neighbors who are eager to learn about and support this project. We look forward to seeing this place transformed into a vibrant, healthy, green space that can be enjoyed by our entire community.

Thank you,

Marianne Smith Welch, President
Old Conway Preservation Society

"Preserving Our Past to Protect Our Future"



Arkansas Department of Health

4815 West Markham Street • Little Rock, Arkansas 72205-3867 • Telephone (501) 661-2000

Governor Mike Beebe

Nathaniel Smith, MD, MPH, Director and State Health Officer

December 17, 2014

J. Scott Grummer
Office of Planning and Development
1201 Oak Street
Conway, Arkansas 72032

Re: Brownfields Cleanup Grant Application
Conway, Arkansas

Dear Mr. Grummer:

I am pleased to write this letter on behalf of the Arkansas Department of Health (ADH), in order to express our support for the U.S. Environmental Protection Agency (EPA) Brownfields Cleanup Grant application which is being submitted by the City of Conway Planning and Development Office. The City of Conway continues to be an integral part of the dynamic economic revitalization happening across Central Arkansas, and is the driving force for community and economic redevelopment efforts. ADH fully supports the proposed remediation activities at the former Conway Scrap Metal Yard.

ADH, in cooperative agreement with the Agency for Toxic Substances and Disease Registry (ATSDR), has been involved with a number of Brownfield sites in Arkansas. Our involvement with these sites includes completing health consultations, technical assists, and community health education activities.

This Brownfields Cleanup Grant would build upon and expand the Brownfields work already in progress in the State of Arkansas, and will be a critical tool for encouraging the needed redevelopment of land being underutilized due to possible contamination within the City of Conway. Therefore, I encourage EPA to favorably consider the award of this application.

Sincerely,

A handwritten signature in cursive script that reads "Carrie Poston".

Carrie Poston, MPH, MCHES
Epidemiologist, Arkansas Department of Health
4815 W Markham Street, # 32
Little Rock, AR 72205

Cc: Lori Simmons, M.S., Section Chief for Environmental Epidemiology, ADH

December 16, 2014

City of Conway
Scott Grummer, Program Manager
1201 Oak Street
Conway, AR 72032

Re: Letter of Support for Conway Scrap Metal EPA Brownfield Cleanup Grant

To Whom it May Concern:

I am writing on behalf of the Conway Downtown Partnership & the Central Business Improvement District in strong support of the efforts of the City of Conway's application for the Conway Scrap Metal EPA Brownfield Cleanup Grant.

Our organizations represent approximately 120 community partners and 300+ property owners within the downtown district. The Conway Downtown Partnership is a non-profit organization that aims to stimulate economic development, encourage historic preservation and promote the vitality of Downtown Conway. Many of our partners and property owners have experienced significant loss of business as well as property damages due to recurrent flooding from the lack of proper storm water retention and drainage through the former Conway Scrap Metal yard. We also recognize the traumatic impacts caused by flooding to residents in the area and support the environmentally sensitive flood protection approach proposed by the City.

Several of our partners and property owners have participated in the City's study process and understand the available project alternatives. The Conway Scrap Metal EPA Brownfield Cleanup project will provide necessary flood protection for the area while restoring the Markham Street corridor and re-connecting the area to the neighborhoods to the north and south of the area. Additionally, the plan will provide safe pedestrian and cyclist access for the entire community through our downtown district.

The Conway Downtown Partnership will gladly offer all resources that we control to help bring about the redevelopment of the Conway Scrap Metal yard through community and stakeholder engagement, facilities support and continued design and planning efforts and other needs that the City may require.

Sincerely,



Kim Williams
Director
Conway Downtown Partnership &
Conway Central Business Improvement District.



CONWAY
Downtown Partnership

SMART



ATTACHMENT 4
LEVERAGED FUNDING DOCUMENTATION



City of Conway, Arkansas
Ordinance No. O-13-101

**AN ORDINANCE APPROVING THE ACQUISITION OF PROPERTY LOCATED AT 1110 SPENCER STREET;
DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES**

Whereas, it is the intention of the City Council of the City of Conway to enter into a purchase contract with the Rosa M. West Trust for the acquisition of 1.44 Acres of Real Property only, located at 1110 Spencer Street, currently occupied by Conway Scrap Metal; and

Whereas, the acquisition is to be Voluntary, and will be for the amount of \$315,000, to be paid in a minimum of three (3) equal installments, one in 2013 and two in 2014 as outlined in said contract. The 3rd installment is to be made no later than June 30th, 2014, but not before City approves that all contract contingencies have been met and title has been closed; and

Whereas, the City has made all appropriate inquiries into the previous ownership and uses of the facility in accordance with generally accepted good commercial and customary standards and practices in accordance with 42 U.S.C. 9601, et seq., including but not limited to Phase I and Phase II EPA Environmental Assessments and Environmental Reviews as required by US Department of Housing and Urban Development; and

Whereas, the City will make all appropriate inquiries prior to closing title in accordance with 42 U.S.C. 9601, et seq., including but not limited to a Phase 1 Environmental Assessment within 180 days of taking title.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CONWAY, ARKANSAS THAT:

Section 1: The Mayor and City Clerk of the City of Conway are hereby authorized to execute the purchase of said property.

Section 2: The City of Conway shall appropriate the first payment of \$105,000 from the General Fund – Fund Balance Appropriation Account (001.119.4900) to the CIP – Land Improvements account (001.119.5902). The remainder of the balance for the purchase of said property will be included in the FY2014 budget.

Section 3: This ordinance is necessary for the protection of the public peace, health and safety, and an emergency is hereby declared to exist, and this ordinance shall be in full force and effect from and after its passage and approval.

Section 4: All ordinances in conflict herewith are repealed to the extent of the conflict.

Passed this 16th day of September, 2013.

Attest:

Michael O. Garrett
City Clerk/Treasurer

Approved:

Mayor Tab Townsell

EXHIBIT O



City of Conway, Arkansas
Resolution No. R-13-47

A RESOLUTION BY THE CITY COUNCIL IN SUPPORT OF A JUMP START GRANT APPLICATION FOR THE PURPOSE OF PROMOTING COMMUNITY AND ECONOMIC REDEVELOPMENT EFFORTS ALONG MARKHAM STREET.

Whereas, the City of Conway has applied for a Jump Start Grant through Metroplan and the Imagine Central Arkansas Partners for up to \$180,000 for project plans that address economic development, transportation, housing, development patterns, health and environmental needs; and

Whereas, the City of Conway understands the grant requires up to \$40,000 in match and up to \$10,000 in advertising and promotion of the project if awarded, and that any additional match or in-kind contributions which count as match, provided by partners in the project, will be used to offset the City's financial obligation of match; and

Whereas, the City of Conway recognizes that the future redevelopment of land currently occupied by Conway Scrap Metal will open up opportunities for redevelopment of the Markham Street Area, a section of downtown, and this area fits well with the goals of the Jump Start Program to develop the region's experience and knowledge base for creating more livable communities, catalyzing further development in the region; and

Whereas, the City of Conway is committed to being a partner in fostering expanded job opportunities, workforce development training, entrepreneurship, and a strong tax base; and

Whereas, the City of Conway understands that the project may need Council Action on items such as, but not limited to, revisions to or adoption of ordinances, modifications to form-based code and design guidelines.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CONWAY, ARKANSAS:

Section 1: That the City of Conway, Arkansas does hereby express its support for the Markham Street Project facilitated through the Jump Start Grant, and will fully support the allocation of match funds should the grant be awarded. In addition, the City of Conway will consider the recommendations brought forth in the design process as is financially feasible and publicly supported. The Director of Community Development and/or the Mayor are hereby given the authority to sign agreements and contracts regarding the project.

PASSED this 16th day of September, 2013

Approved:

Attest:


Michael O. Garrett
City Clerk/Treasurer



Mayor Tab Townsell



City of Conway, Arkansas
Ordinance No. O-14-107

AN ORDINANCE APPROVING THE ALLOCATION OF MATCH FUNDS FOR THE CONWAY SCRAP METAL YARD EPA BROWNFIELD CLEANUP GRANT; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES

Whereas, the City of Conway is applying for an EPA Brownfields Cleanup Grant for up to \$200,000 for cleanup and remediation of the land previously owned and occupied by Conway Scrap Metal, but currently owned by the City of Conway; and

Whereas, multiple studies performed on the site indicated the presence of Hazardous material and other contamination posing a threat to Human Health and the Environment; and

Whereas, the communities support for the remediation of the project site was expressed in Resolution No. R-13-47 and through public engagement conducted in 2013 & 2014 through the Jumpstart Program; and

Whereas, the City of Conway publicized the EPA grant application on Thursday, December 4, 2014 for public comment, which comment period concludes on Thursday, December 18th, but council approval for the Match requirement is needed prior to the grant application due date of December 19th, 2014.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CONWAY, ARKANSAS THAT:

Section 1: The City of Conway shall appropriate General fund money in the amount of \$13,334 to the account 001.119.5902, Street Fund money in the amount of \$13,333 to 002.201.5902, and Parks A&P money in the amount of \$13,333 to 252.140.5902 for a total amount of \$40,000 as security for the match requirement, with unused portions returning to the City by January 2017.

Section 2: All ordinances in conflict herewith are repealed to the extent of the conflict.

Section 3: This Ordinance is necessary for the protection of the public peace, health and safety, and an emergency is hereby declared to exist, and this ordinance shall be in full force and effect from and after its passage and approval.

Passed this 9th day of December, 2014.

Approved:

Mayor Tab Townsell

Attest:

Michael O. Garrett
City Clerk/Treasurer

Scott Grummer

From: DoNotReply@grants.gov
Sent: Tuesday, December 16, 2014 12:05 AM
To: Scott Grummer
Subject: GRANT11805016 Grants.gov Agency Notes Assigned for Application

Your application has been retrieved by the Grantor agency and Agency Notes have been added.

Notes: Complete Step 2 of the NEA application process by submitting your application material and work samples to NEA-GO January 8 to January 15. To access NEA-GO, go to: <http://nea.cloud.culturegrants.org/index/login>. Your User Name is your Grants.gov Number (example: GRANT12345678) and your Password is your Agency Tracking Number/NEA Application Number (example: 14-123456). NEA staff is available to help you at OT@arts.gov. Do not contact Grants.gov.

Use the Grants.gov Tracking Number at Grants.gov to check your application's status and to obtain your Agency Tracking Number.

Type: GRANT

Grants.gov Tracking Number: GRANT11805016

DUNS Number: 0985630260000

AOR name: Joseph S Grummer

Application Name: City of Conway

Opportunity Number: 2015NEA01OT

Opportunity Name: NEA Our Town, FY 2015

<https://apply07.grants.gov/apply/login.faces?cleanSession=1&userType=applicant>

Thank you.

Grants.gov

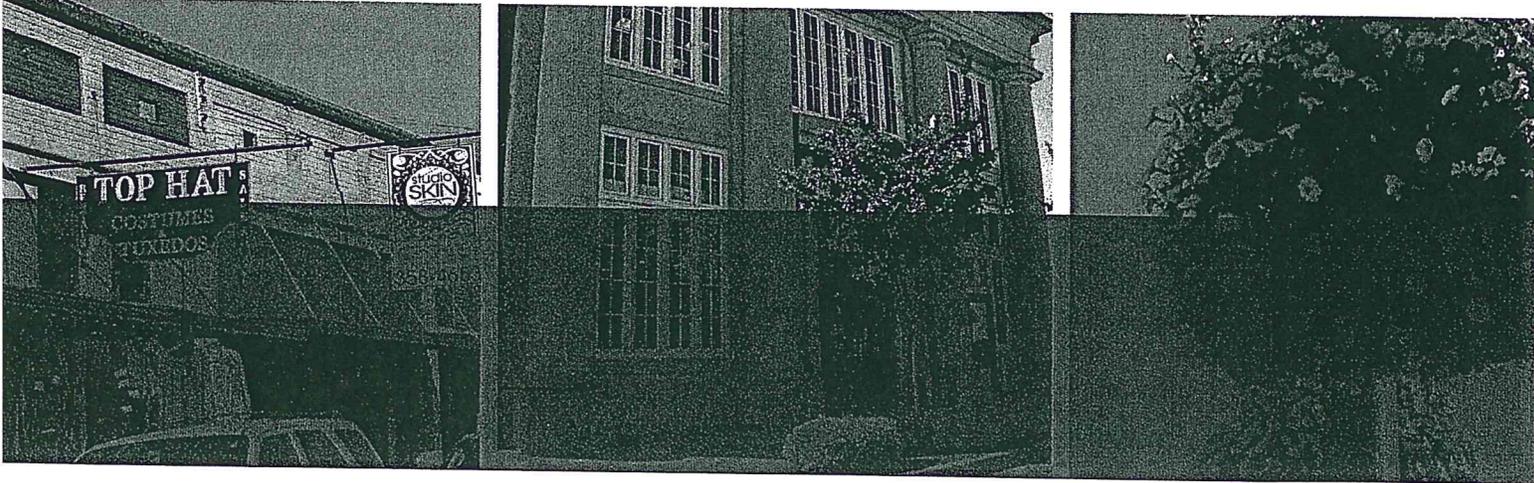
If you have questions please contact the Grants.gov Contact Center:

support@grants.gov

1-800-518-4726

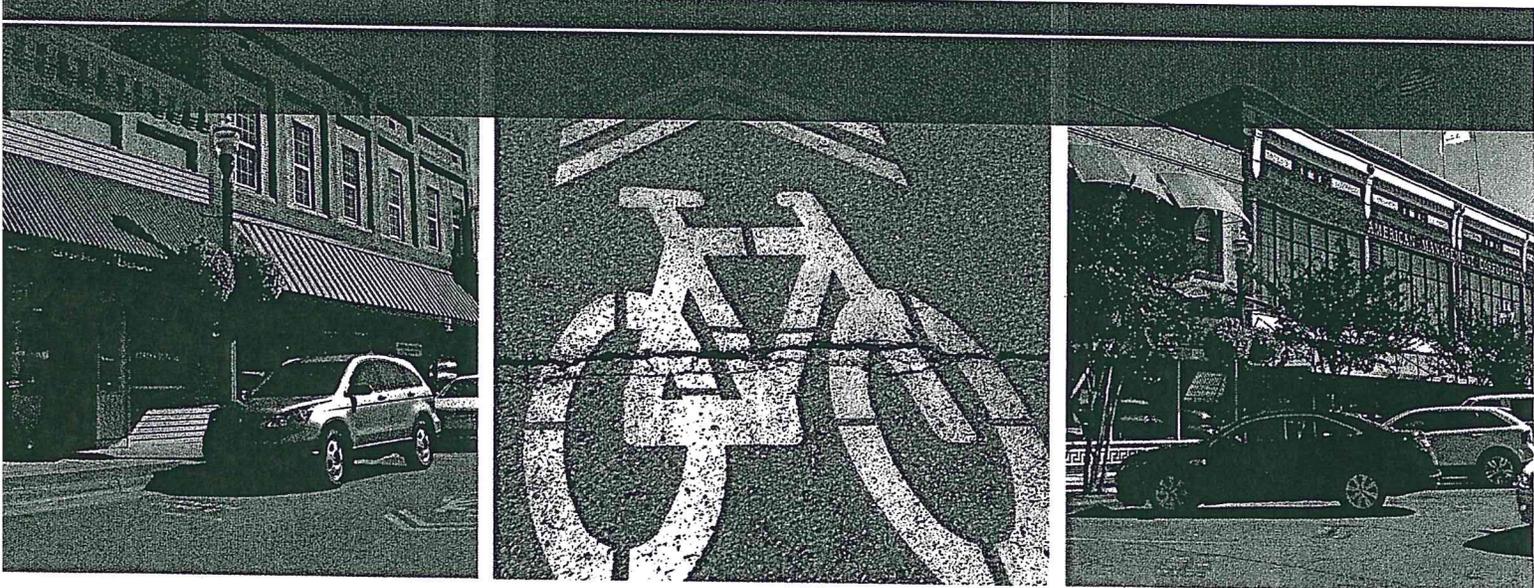
24 hours a day, 7 days a week. Closed on federal holidays.

PLEASE NOTE: This email is for notification purposes only. Please do not reply to this email for any purpose.



MARKHAM STREET

CONWAY, ARKANSAS



EXECUTIVE SUMMARY



Prepared for ICAP, Metroplan and The City of Conway
December 2014

ACKNOWLEDGMENTS

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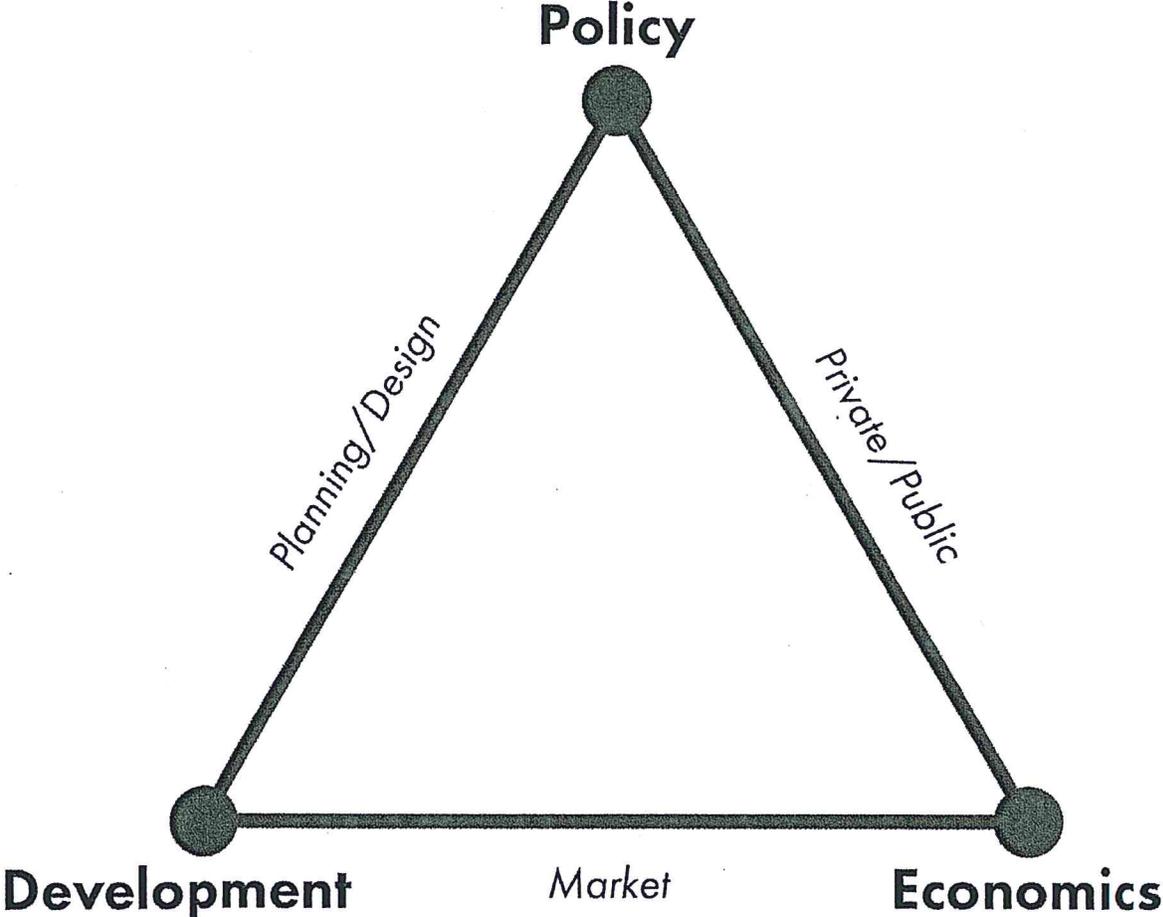
TABLE OF CONTENTS

I.	Executive Summary	i
II.	Introduction	1
	(a) Why Jump Start?	3
	(b) Why Markham Street?	5
II.	Governing Elements: Development, Economics and Policy	7
	<i>Development: Conceptual Plans</i>	
	(a) Markham Street and the Public Green	10
	(b) Markham Street Improvements	12
	(c) Markham Street Public Open Space Plan	14
	(d) Side Street + Bike/Ped Connections	17
	<i>Economics: Feasibility + Return on Investment</i>	
	(a) Development Strategy	19
	(b) Process for Analysis	20
	(c) Public Investment	20
	(d) Private Investment Support	22
	(e) Public and Private Relationship	24
	<i>Policy: Regulations</i>	
	(a) Zoning Strategy	27
	(b) Complete + Context Sensitive Streets	27
IV.	Implementation Strategies	29
	(a) Planning and Design	31
	(b) Public/Private Relationships	44
	(c) Market Activity	46
	(d) Action Strategies	48
	(e) Consolidated Performance Evaluation Framework	50
V.	Appendix	x

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EXECUTIVE SUMMARY



EXECUTIVE SUMMARY

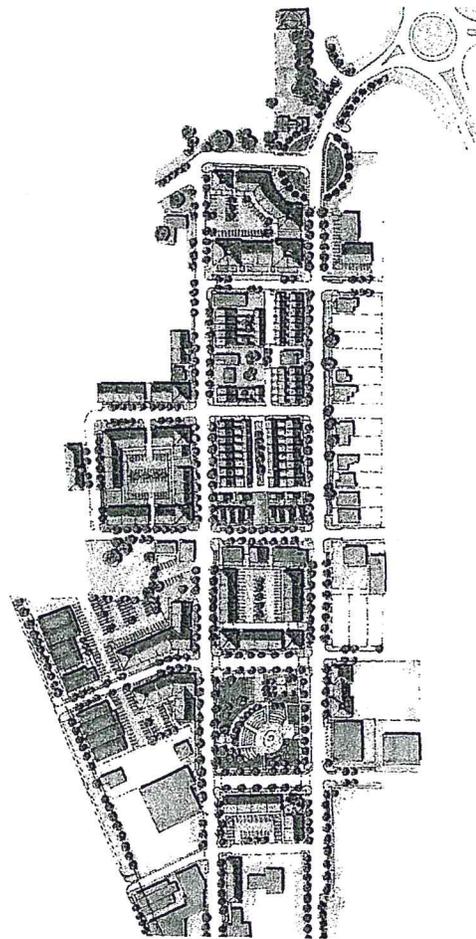
A key component to the implementation of the Jump Start Initiative is the recognition of the interdependency that exists between the governing elements of *Policy, Development* and *Economics*. Each element delicately tied to the others, which ultimately requires a careful balance between all three in order for projects to truly implement. Without an achieved balance, the likelihood of a successful implementation will be slim.

Policy, Development and *Economics* form the regulations, concept plans, fiscal impact and feasibility of the Jump Start Initiative. Each of these governing elements is tied together with strategies for implementation. These strategies are categorized based on their emphasis, such as Planning and Design, Public-Private Agreements and Market Strategies.

The Conway community, following these strategies, will implement this action plan and achieve its goal to bring a stronger connection between Downtown, Hendrix College and Hendrix Village. Forming a sustainable development pattern that returns value for reinvestment is feasible and desired. With this action plan and a committed coalition of implementers from all invested stakeholders (public and private), the Conway community can revitalize this historic neighborhood as the connection between anchors and help it become a truly successful place.

There is strong support among the stakeholders for ensuring that something progressive happens in the Markham Street Neighborhood. The action plan's vision was crafted through the design workshop. Support was clear to build on the neighborhood's history and focus on its ability to connect multiple adjacent neighborhoods. The neighborhood was originally a robust African-American neighborhood that catered to their neighborhood's service needs. There had always been an element of mixed-use within the neighborhood and today still contains some of the buildings for residences and businesses.

The action steps for implementation focus on *Policy* and public realm infrastructure at first. Constructive policies in zoning, public infrastructure, connectivity and storm water management mean sustainable development patterns will be able to thrive in the Markham Street Neighborhood. Conway is not lacking in retail and office attraction, but the focus needs



Markham Street Plan Area

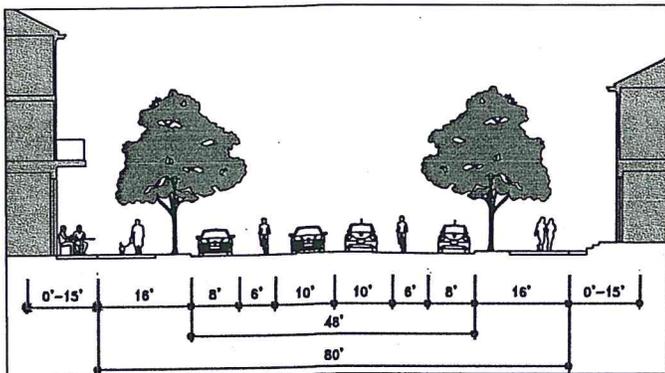
"...Conway [can] revitalize this historic neighborhood as the connection between anchors and help it become a truly successful place."

to turn to the continuation of walkable neighborhoods outside of the central Downtown area with meaningful local retail,

EXECUTIVE SUMMARY

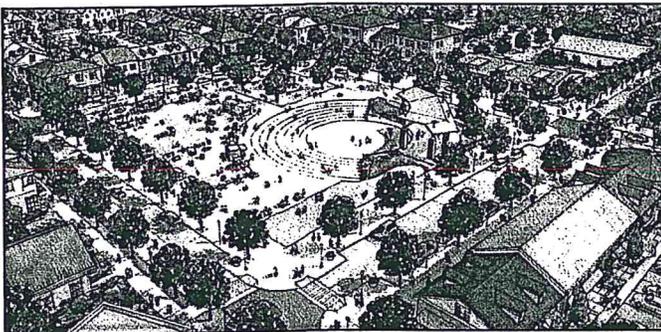
neighborhood services and a variety of residential options. Residential homes can be found in the area, along with a number of small offices and a variety of retail types. New construction will build in a sustainable development pattern that works within the existing context and brings up the quality of the public realm for the whole area.

Programming events and activities in the new public space will activate the gathering spaces and support local business. Hendrix College and the local non-profits and churches can help bring stable community-based gatherings into the public space, but there needs to be a place for everyone to congregate. An investment in this public space, will help guide these activities to Markham Street and create a pattern of central gathering that complements the existing Toad Suck Plaza and guide activities into the greater downtown area.



Reynolds Road: Option With Four Lanes

The two important implementation elements are activation and keeping the flame alive. Having a coalition of stakeholder representatives (neighborhood leaders, business leaders, city staff



Rendered Perspective along Markham Street

of all departments, alderman, Metroplan, Arkansas Highway and Transportation Department (AHTD), religious groups, historic groups, school district and many others) will allow a synergy between these groups to form. This synergy will align interests and coordinate activities and projects. There will need to be consistent communication with the residents, businesses, landowners and the City. A coalition group will continue moving this plan and its action steps to help realize the potential of the greater downtown area. The Chamber may be an excellent candidate to assign a leader for this coalition in order to host meetings and coordinate information through their extensive communication stream.

CATALYTIC DEVELOPMENT OPPORTUNITY

A catalytic development is typically the approach to solving the "chicken and the egg" dilemma for development of a place such as the Markham Street Neighborhood. Two approaches must be solved, for improvements to affect catalytic events.

Public Development

Markham Street improvements are one primary focus for catalytic results from the public entity. The City must apply for regional roadway funding by Metroplan for the improvements on Markham Street.

In addition to Markham Street, the City must continue to move forward with remediation, design and development of the public green at Willow and Markham Street. This space is essential to mitigating the storm water drainage needs for the neighborhood and will tie into the improvements along Markham Street.

The City must coordinate with private landowners to determine the potential for private development to coincide with public improvements, while design and construction is proceeding.

Private Development

City action on the design and construction will set in motion the latent development potential in the Markham Street Neighborhood. As this plan was developed, many properties have changed ownership. It is important that those new and current landowners are brought into the discussion as public plans for improvements move forward. The City needs to bring adjacent landowners together to help them plan any potential private partnership and joint development strategy.

SUMMARIZED ACTION PLAN

The implementation action plan begins with policy and regulations, and then carefully moves into public-private partnerships and market involvement. Priority of occurrence for these items is in order of listing below. Additional action items, strategies and planned performance measures can be found under Implementation Strategies, Page X.

Near Term Action Steps

□ **Adopt this Implementation and Action Plan**

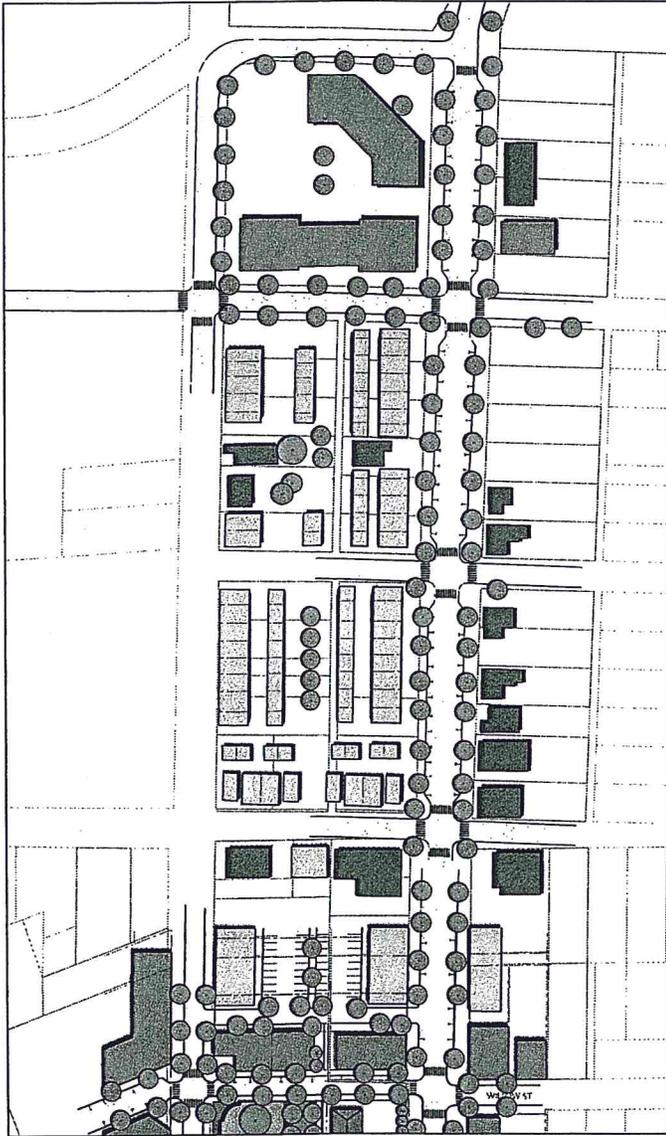
- In order to be eligible for any regional funding for infrastructure improvements, the Implementation and Action Plan must be adopted at City Council as the guiding plan for any projects in the Markham Street Neighborhood.
- In order to be eligible for any funding allocation by Metroplan for implementation of infrastructure projects, this plan must be adopted in the first quarter 2015.

□ **Adopt the drafted updates to the Northeast Old Conway Area Specific Plan**

- In order to be eligible for any regional funding for infrastructure improvements, these updates must be adopted at City Council as the zoning document for any projects in the Markham Street Neighborhood.
- In order to be eligible for any funding allocation by Metroplan for implementation of infrastructure projects, these updates must be adopted in the first quarter 2015.
- Apply these proposed updates to the zoning ordinance as a City initiated zoning amendment and notify the appropriate landowners within the required distance or proximity, if necessary for amendments.
- This may be processed as both a Map amendment and a Text amendment in the City Zoning Ordinance.
- It is encouraged that the Markham Street Neighborhood zoning update be adopted by reference and remains as a standalone document, so that the sections do not get scattered throughout the current zoning ordinance. It must be clear that the new updates will not be subject to the former version of zoning for this area.
- It is recommended that there be some public input to the changes for those landowners that were not originally in the Northeast Old Conway Area Specific Plan, so they understand the benefits and rules for

development in the revised zoning.

- Be sure that letters of support are requested and submitted for hearing submittals, as it is common for supporters to not show up for public hearings. Documented support is better than hearsay.
 - Some special work sessions with Planning Commission and City Council may be necessary and minutes from those events should be documented.
 - Prior to any final adoption, any edits to the zoning updates must be reviewed and approved by Metroplan. This ensures that the document has not lost key elements that would support a sustainable development pattern, mix of uses, or the context sensitive approach to roadway elements, among other elements.
 - Failure to get approval from Metroplan on edits to the zoning updates may make the project ineligible for regional funding for infrastructure, as key elements may unintentionally be removed from the zoning updates.
 - Once the document has been reviewed and supported, proceed through the adoption process at a regular council meeting.
 - Since this zoning already existed, once adopted, educate all departments on the changes to goals, objectives, and expected outcomes from the zoning update, paying special attention to the new approval process.
- **Assemble representatives from all stakeholder groups to form a Coalition for Implementation**
- Include but do not limit to regional and state agencies, chamber of commerce, non-profits, project area leaders, staff department, council and school district representatives.
 - This group will not have any decision making ability, but will instead help organize and educate their respective groups on the status and process for implementation of this plan.
 - Regular monthly meetings should be set to ensure consistent news is being delivered to these groups.
 - A single person should be the lead for this group, perhaps a Chamber employee or a city employee and will have charge of keeping the plan, setting meetings, keeping minutes and following up on implementation activities and performance measures.
- **Begin the process for Markham Street improvements and Public Space.**
- Meet with Coalition and Metroplan to understand the requirements of the Metroplan funding source and



Markham Street Streetscape Plan

application process

- Apply for funding from Metroplan funding sources
- Create a plan to work with Metroplan on the design process that serves as a win-win for both groups
- Focus on the contract for award as a design/build request for proposal that focuses on the qualitative aspects (connectivity, walkability, economic development, context sensitive design, green infrastructure, etc.) and the quantitative aspects (total cost, driveways, access management, etc.). Each of

the aspects is important, but the long-term strategy for Markham Street must be focused on economic development and qualitative aspects primarily.

- Select a qualified general contractor/engineering team to streamline the design and building process. Key qualifications should include:
 - Experience with green infrastructure
 - Experience with walkable urban thoroughfares and context sensitive design
 - Experience on projects requiring the reporting and process for federal and regional funding
 - Experience with mixed-use roadways and multi-use trail integration
- Begin and complete the Design/Build process

Long Term Action Steps

Details for these Long Term Action Steps are located in the Implementation Strategies Section, Page X.

- Design and Implement other neighborhood and mixed use street improvements
- Consider a Public Improvement District for maintenance of landscapes and streetscapes within the whole Old Town area. This can also be used to fix up needed infrastructure in the public areas.
- Continue moving forward on a city-wide Complete/Context-Sensitive Street Program
- Continue moving forward on a city-wide Green Infrastructure Program
- Work with the Chamber to create a branding and marketing plan for Markham Street and the new public space.
- Work with the Coalition to connect Markham Street area to the wayfinding and lighting palette of the Downtown area. This should be associated with the branding and marketing plan.
- Continue to expand the City bicycle and pedestrian connections.
- Re-evaluate long-term strategies on an annual or bi-annual basis. Adjust some long-term to short term and add new focus areas for long-term improvements for the Markham Street Neighborhood.
- Incorporate on an annual basis, any short-term projects that require CIP funding or commitments, into the CIP project list.
- Collect and deliver Performance Measure data to Metroplan.



ATTACHMENT 5
COMMUNITY NOTIFICATION DOCUMENTATION

NOTICE OF APPLICATION FOR U.S. EPA BROWNFIELDS CLEANUP GRANT

**OLD CONWAY SCRAP METAL YARD
1110 SPENCER STREET
CONWAY, AR**

The City of Conway is applying for a U.S. EPA Brownfields Cleanup Grant for funding proposed remediation activities at the Old Conway Scrap Metal Yard located at 1110 Spencer Street in Conway, Ar. The application will be submitted to the U.S. EPA on or before December 19, 2014. The proposed remediation will likely include excavation and removal or capping of soils contaminated with petroleum, metals and other potential hazardous materials.

Draft copies of the grant application will be available for public review and comment beginning Thursday, December 4, 2014 at City Hall, permit department, located at 1201 Oak St., Conway, AR, or online at www.cityofconway.org under "Announcements" titled "EPA Brownfield Grant". A public meeting regarding this application will be held at 5:30pm on Monday, December 15, 2014 in the downstairs conference room of City Hall located at 1201 Oak Street, Conway, AR. Written public comments will be accepted at any time prior to and during the public meeting. Please send comments to: Scott Grummer, Program Manager, City of Conway, 1201 Oak Street, Conway, AR 72032, 501-450-6105 ext. 3724 or email at Scott.grummer@cityofconway.org

COST OF TYPING

 Total, \$ 85.95

PROOF OF PUBLICATION

STATE OF ARKANSAS }
 County of Faulkner } ss

I, Zach Ahrens do hereby certify that I am the Publisher of the **Log Cabin Democrat**, a daily newspaper published in the City of Conway, Arkansas, and having a bonafide circulation in Faulkner County, Arkansas, that said newspaper has been published at regular intervals continuously during a period of at least twelve (12) months

prior to the date of publication of the annexed City of Conway Notice of Scott Grummer and is in all respects eligible and qualified to publish legal notices under the provisions of Act 152 of the 1937 Acts of the General Assembly of the State of Arkansas as amended by Act 263 of the 1937 Acts of the General Assembly of the State of Arkansas.

I further certify that said legal advertisement, a copy of which is hereby attached, was published in said newspaper for insertions on the following days, to-wit:

12/14 20 14 20
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Subscribed and sworn to this 9 day of December

My commission expires 10-23-22





EPA BROWNFIELDS CLEANUP GRANT-PUBLIC MEETING

Monday, December 15, 2014

COMMUNITY MEETING 5:30PM TO 6:30PM

	NAME	COMPANY/TITLE	EMAIL	PHONE
1	Kenny Reynolds	Spencer Street Auto	DRReynolds@Arlco.com	527-2434
2	Lauralee Wood	City of Conway	Lauralee.Wood@CityofConway.org	733-1782
3	Scott Grammer	City of Conway	Scott.Grammer@CityofConway.org	944-4058
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CITY OF CONWAY
US ENVIRONMENTAL PROTECTION AGENCY
BROWNFIELDS CLEANUP GRANT APPLICATION
PUBLIC MEETING MINUTES

CITY HALL, CONFERENCE ROOM
DECEMBER 15, 2014, 5:30PM – 6:30PM

Meeting Host: Scott Grummer, Program Manager, City of Conway Community Development

Discussion

Scott Grummer, Program Manager for Community Development for the City of Conway was present and available to provide attendees with information regarding the City's US Environmental Protection Agency brownfields grant application due December 19, 2014. In addition, Lauralee McCool, Director of Community Development was present.

Only one attendee was present in addition to Mr. Grummer and Mrs. McCool. Mr. Larry Reynolds, owner of Spencer Street Auto Repair, located one block south of the project site attended. Mr. Reynolds shared that he had followed along with the Jump Start initiative along Markham street over the last year, and wished to attend this meeting to receive updates on that, as well as more information concerning the brownfield clean up. Mr. Reynolds did not have any concerns with the cleanup, but shared his excitement for the revitalization of this area, including the redevelopment of this brownfield.

Mr. Grummer provided copies of the Analysis of Brownfields Cleanup Alternatives, reviewed them in detail, and asked for feedback. Mr. Reynolds agreed that Option 1, the clearing, excavation and disposal of waste was the best option.

The meeting adjourned at 6:30pm.



ATTACHMENT 6
ANALYSIS OF BROWNFIELD CLEANUP ALTERNATIVES
DOCUMENT

ANALYSIS OF BROWNFIELD CLEANUP ALTERNATIVES

FORMER CONWAY SCRAP METAL YARD

1110 SPENCER STREET

CONWAY, AR

DRAFT



PREPARED FOR

CITY OF CONWAY

BY

**SCOTT GRUMMER, PROGRAM MANAGER
DEPARTMENT OF COMMUNITY DEVELOPMENT
CITY OF CONWAY**



TABLE OF CONTENTS

1	INTRODUCTION and BACKGROUND.....	1
1.1	Introduction.....	1
1.2	Community Involvement Measures.....	2
1.3	Site Background.....	2
1.3.1	Site Location and Description.....	2
1.3.2	Site History.....	3
1.3.3	Surrounding Land Use.....	3
1.4	Project Goals / Property Reuse Plan.....	4
1.5	Results of Environmental Assessment.....	4
1.5.1	Identification of Contaminants and Contaminant Sources.....	4
1.5.2	Exposure Pathways.....	5
2	APPLICABLE LAWS and CLEANUP STANDARDS.....	6
3	EVALUATION OF CLEANUP ALTERNATIVES.....	6
3.1	Option 1 – Clearing, excavation, disposal of waste; redevelopment.....	7
3.1.1	Effectiveness.....	7
3.1.2	Implementing ability.....	7
3.1.3	Cost.....	7
3.2	Option 2 – In-situ Remediation of contamination material and soil.....	8
3.2.1	Effectiveness.....	8
3.2.2	Implementing ability.....	8
3.2.3	Cost.....	8
3.3	Option 3 – No Action.....	9
3.3.1	Effectiveness.....	9
3.3.2	Implementing ability.....	9
3.3.3	Cost.....	9
3.4	Preferred Alternative.....	9

FIGURES

1. Site Plan



1 INTRODUCTION and BACKGROUND

1.1 Introduction

The City of Conway (City) is undertaking the environmental cleanup of the former Conway Scrap Metal Yard (project site), located on the North West Corner of Markham and Garland Street in the City of Conway, Faulkner County, Arkansas. The project site was owned and operated by the Rosa M. West Revocable Trust & West Family since 1977. Prior to this, the Scrap Yard had been owned and operated since 1917 by the Hoyt family.

The Purpose of the environmental cleanup is to prepare the property for future redevelopment as public park space / amphitheater, providing much needed open green space for this area of town, while serving as a storm water mitigation area during heavy rain events which cause flooding in downtown.

The City of Conway acquired the project site in July of 2014, which consists of approximately 1.23 acres of land on Markham Street in Downtown Conway, situated 4 blocks from Hendrix College to the north and 4 blocks from Downtown to the south.

The City has applied to the US Environmental Protection Agency (EPA) for a Brownfield Cleanup Grant in the amount of \$200,000 to assist with the environmental remediation of the project site. If successful in this application, the City will enter into a Cooperative Agreement with the EPA, which will enumerate the terms and conditions for the City's use of the brownfields cleanup grant funds, including a commitment by the City to provide for community involvement in the process. In addition, the City will enter into an Implementing Agreement with the State of Arkansas Department of Environmental Quality (ADEQ), who will be the regulatory agency overseeing the project and issuing the Certificate of Compliance upon remediation of all environmental hazards.

City staff was directed to prepare this Analysis of Brownfields Cleanup Alternatives (ABCA), in conformance with requirements of the Cooperative Agreement. The purpose of this ABCA is to present to the community the following items:

- A description of the environmental conditions at 1110 Spencer St., based on the findings of the Environmental Assessment activities performed to date.
- A selection of implementable remediation alternatives to be considered for addressing the contamination identified at 1110 Spencer St.
- An analysis of the various factors influencing the selection of a preferred remediation method, including site and contamination characteristics (i.e. exposure pathways, identification of contaminant sources, etc.); cleanup standards; potential future uses of the property; and cleanup goals.



- A preferred remedial method selected, based on the analysis performed, including an evaluation of its effectiveness, implementing ability, and costs.

These items are discussed in the following sections of this ABCA.

1.2 Community Involvement Measures

The City will continue to promote and facilitate community involvement with this project with the activities itemized below.

- The City will discuss the availability of this ABCA, in its draft format, at an open brownfield stakeholder meeting.
- The City will provide an opportunity for members of the general community and targeted groups to provide written comments to the draft ABCA. Initial community meetings discussing the brownfield redevelopment was conducted on October 10, 2013, December 2, 2013, February 26, 2014 and July 28, 2014 as part of the Markham Street Jump Start Initiative. A community meeting will be held on Monday, December 15, 2014 to discuss the draft ABCA.
- The City will provide an opportunity for members of the public to provide oral comments regarding the draft ABCA during the brownfield stakeholder meeting.
- The City will prepare written responses to the comments received and document any changes made to the cleanup plans and to the draft ABCA as a result of the comments.
- The City will establish a publicly accessible Administrative Record repository for the project, to be located at the Conway City Hall.

A Brownfields Cleanup Decision Memo will be prepared at the end of the public comment process, which will describe the cleanup options selected by the City. The ABCA and the Decision Memo will be included with the Administrative Record.

1.3 Site Background

1.3.1 Site Location and Description

The former Conway Scrap Metal Yard was the only operational scrapping facility in the City of Conway for decades. Located at 1110 Spencer Street, on the north east corner of Spencer and Garland, with Willow Street to the north, and Markham Street to the east, the project site is situated 4 blocks from Hendrix, and 4 blocks from downtown. A Site Plan is presented in Figure 1.

The Project Site is approximately 1.23 acres and is made up of several contiguous parcels of land owned by the city. The Comprehensive Site Assessment studied the entire block including an addition amount (the north 75 ft. of Block 9 (Figure 2)) not owned by the city, but located in the same block and directly adjacent to the project



site. For application purposes, the focus of hazard remediation will be on the southern 211 ft. of Block 9 owned by the city, formerly owned by Conway Scrap Metal.

1.3.2 Site History

The concern for this ABCA is to address the Recognized Environmental Conditions (RECs) at the site which include historic use of the Site as a scrap metal salvage facility since 1917, the presence of an underground storage tank in the Spencer Street right-of-way and the presence of a historic off-site dry cleaning facility up-gradient from the site.

The Hoyt family owned and operated a scrap metal yard at the Site from 1917 to 1977. In 1977, the property was transferred to the West family, who operated the salvage yard until July of 2014, when the family sold the property to the city. ⁽¹⁾

Throughout the history of the site, the primary use of the property was for scrapping metal, although a historical store situated on the northwest corner of the property is the site of a potential Underground Storage Tank (UST), discovered during a geophysical survey conducted in 2012 ⁽³⁾. With the exception of this and the potential contamination from a historic, up-gradient, off-site dry cleaning facility, all other contamination would have been due to the scrapping operations for over a century, with little change, although the regulatory environment around them was changing. FTN conducted a review of ADEQ's on-line environmental record sources on July 24, 2014 and additional environmental sources were searched by Environmental Data Resources, Inc., during the Phase I ESA ⁽²⁾. The Conway Scrap Metal property at 1110 Spencer Street is listed in the state and federal Brownfields environmental databases. This site has not been subject to any permit requirements nor does it have an enforcement history. The property is listed by ADEQ on the list of recycling facilities ⁽¹⁾.

City officials along with concerned citizens and businesses surrounding the property recognized the impact it was having to the surrounding area. As the downtown area grew rapidly throughout the last couple of decades, this area has remained unchanged, although it is only a few blocks from both a nationally recognized college and the downtown area. In addition, storm water runoff from the site and its impact on the surrounding watershed had been a growing concern for the city, so in 2009, city officials approached the business operations, and began discussing ways in which they could partner to address these concerns. In collaboration with the owners, the city applied for and was awarded, Brownfield Assessment grants in 2012 ^(3,4), to examine the extent of contamination on site, with the intent of applying for an EPA Brownfields cleanup grant. On the heels of applying for the cleanup grant in late 2012, it was found that regulatory changes required the applicant (the City) to have ownership of the land, so in 2013, the owners and the city reached an agreement for the city to acquire the land and begin the process of transitioning the scrapping operations from the site, which officially closed in June of 2014, with acquisition in July. During this same time, the City was awarded a \$200,000 grant from the regional planning authority, Metroplan, as part of a HUD



initiative to create design and implementation plans for target areas in the region that meet the regions goals of sustainable, transit oriented development. This grant, the “Jump Start” grant, engaged the community, and began the visioning process for the Markham Street corridor, with the redevelopment of the Conway Scrap Metal Yard as the seed project for the areas revitalization. Multiple community meetings were held throughout 2013 and 2014 leading up to this grant application, informing the public of the cities intentions, and allowing public feedback.

1.3.3 Surrounding Land Use

Current uses of adjoining properties include residential to the north; Markham Street and commercial properties to the east; the remnants of Garland Street thence a furniture warehouse to the south; and Spencer Street thence a welding shop and warehouses to the west. Current and/or past uses in the surrounding area have generally been a combination of residential and commercial since the late 1800s, according to historical information sources reviewed for the Phase I ESA (FTN 2014a). Current and past uses in the surrounding area include residential properties, wagon yards and liverys, a hotel, a feed warehouse, a filling station, warehouses, and restaurants.

1.4 Project Goals / Property Reuse Plan

The objectives of this cleanup project are to complete the selected remedial actions:

- In accordance with the Property Development Decision Document (PDDD) issued by the State of Arkansas Department of Environmental Quality, developed from information in the Property Development Plan submitted by the City of Conway
- In accordance with various applicable regulations of the USEPA, and with terms and conditions of the Cities Cooperative Agreement with USEPA, and the Implementing Agreement (IA) with the ADEQ.

The expected outcomes of the project include redeveloping the property according to provisions mutually agreed upon in the IA and PDDD, which in turn will release the City from liability for past contamination addressed in these documents. The liability release mechanism will be a Certificate of Completion issued by ADEQ stating that the response action is complete.

The Project Site will be restored to natural conditions as a public amenity to provide much needed green space for downtown Conway, and provide sufficient storm water mitigation during severe rain events that flood downtown.



1.5 Results of Environmental Assessments

The City performed Phase 1 and Phase 2 Environmental Site Assessments ^(3,4) at the former Conway Scrap Metal Yard. Following Acquisition by the City, and clearing the site of all debris, ADEQ performed a Phase 1 Environmental Site Assessment ⁽²⁾ and a Comprehensive Site Assessment (CSA) ⁽¹⁾, to determine if hazardous substances or petroleum products had impacted the property, and if so, to define the extent of impact and determine the current and possible future risks to human health and the environment from the Site.

1.5.1 Identification of Contaminants and Contaminant Sources

Environmental investigations from the Phase 2 Investigation ⁽³⁾ and the CSA ⁽¹⁾ included the installation of numerous soil borings used to sample soil and groundwater for laboratory analysis to determine the presence of volatile organic compounds (VOCs), semi-volatile organic compounds (SVOCs), polychlorinated biphenyls (PCBs), total petroleum hydrocarbon compounds in the diesel range (TPH-DRO), and metals.

The areas of environmental contamination confirmed by the Comprehensive Site Assessment, and thus in need of remedial actions are described below:

1. **PCB Contaminated Soils.** ⁽¹⁾ The soil covering the project site consist of varying thicknesses of loose silt that commonly contain shale fragments and are overlain by clay. Near surface soils consist primarily of brown to black silt and commonly contains debris and fill material. The highest occurrence of contamination was found within the upper two feet of soil; however, there were small areas that had contamination to depths of 4 ft below ground surface (bgs) and deeper. Soil data were compared to USEPA Regional Screening Levels (RSLs) for residential exposures. Chemicals of Potential Concern (COPCs) identified for soil included PCBs, TPH-DRO, polynuclear aromatic hydrocarbons (PAHs), bis(2-ethylhexyl) phthalate (DEHP), and several metals. For the most part, the extent of contamination at this site is defined by the presence of PCB contamination, where concentrations exceeded 1,000 µg/kg – the cleanup level used as guidance by the USEPA (2005) for high occupancy areas.
2. **Groundwater.** ⁽¹⁾ Maximum concentrations of several VOCs, SVOCs, PCBs, and metals were detected above USEPA RSLs for tapwater in groundwater samples. DEHP and vinyl chloride were the only organic chemicals that exceeded the USEPA tapwater RSL and a corresponding maximum contaminant level (MCL). Groundwater, however, was only found in a discontinuous soil layer from 6 to 18 inches bgs and at the soil/rock contact at one other boring location. The occurrence of groundwater at this site is highly influenced by, and largely dependent upon, percolation of surface water following rainfall events. The discontinuity of groundwater in conjunction with offsite borings being dry, indicate that groundwater contamination is not extensive beneath the Site, but although potable



water at the Site would be provided by the City of Conway municipal system, there is no known deed restriction on the property to prevent future use of on-site groundwater, therefore, the City should implement this institutional control for the property.

3. **Surface water runoff.** ⁽¹⁾ An area of standing water on site contained elevated levels of lead, arsenic, antimony, manganese, and TPH-DRO. The source of standing water on the Site is probably precipitation. A storm sewer inlet located on the property within 15 to 20 ft of the standing water provides a potential pathway for migration of site contaminants from the area of standing water during rainfall events. Additionally, standing water overflows onto Markham Street depositing site sediment on Markham Street and within the right of way. These sediments are contaminated with PCBs, PAHs, and metals.
4. **Underground Storage Unit (UST) Investigation.** ⁽³⁾ The Phase 2 Site Assessment Geophysical Survey indicated the presence of a potential UST on the northwest section of the property in the Spencer Street right of way, where a historic store was once located. This finding should be physically investigated, and if found, safely removed according to recommended practices.

1.5.2 Exposure Pathways

In order for the contaminants from a site to pose a human health or environmental risk, one or more completed exposure pathway(s) must link the contaminants to a receptor (human or ecological). A completed exposure pathway consists of four elements:

- A source and mechanism of substance release;
- A transport medium;
- A point of potential human or ecological contact with the substance (“exposure point”); and
- An “exposure route”, such as dermal contact, ingestion, inhalation etc.

Preliminary pathway evaluation indicates several potential completed exposure pathways related to the site:

1. **Direct contact with surface soil.** The exposure point for a current trespasser is surface soil.
2. **Impact to groundwater.** The exposure point for the future recreational user, indoor worker, outdoor worker, onsite resident and construction worker are considered to be onsite soils and groundwater.

2. APPLICABLE LAWS and CLEANUP STANDARDS

The continuing environmental remediation of the Site will be performed under the guidance of the Arkansas Brownfields Program, which the City of Conway entered into prior to acquisition of the project site. Upon approval of the CSA ⁽¹⁾ by ADEQ, the City will enter into an Implementing Agreement (IA). This agreement will establish all legal



and financial environmental liability moving forward. After entering into the IA with ADEQ, the City will provide a Property Development Plan (PDP) to ADEQ, which describes any cleanup activities, as well as other plans for development, that provide protection of human health and the environment. Upon approval of the PDP, the ADEQ will issue a Property Development Decision Document (PDDD) to the City, which describes the proposed plans for cleanup and development based upon information submitted in the participant's PDP. ADEQ will provide notice of the proposed PDDD in a newspaper of general circulation which serves the area where the Brownfields site is located. The proposed PDDD will be available for review and comment by the public for a period of 30 calendar days. Comments received, if any, will be considered when evaluating whether the proposed cleanup is appropriate before the PDDD is finalized. A response to comments, if any, will be prepared by ADEQ and will become an attachment to the final PDDD.

Participants involved in the cleanup of a Brownfields site will be released from liability for past contamination addressed in the IA and the PDDD if the site has been redeveloped according to provisions mutually agreed upon in the IA and the PDDD. The liability release mechanism will be a Certificate of Completion issued by ADEQ stating that the response action is complete.

3. EVALUATION OF CLEANUP ALTERNATIVES

This section identifies the several cleanup alternatives that were considered to address the environmental contamination issues at the site. The effectiveness, implementing ability, and costs associated with the following potential remedial scenarios are considered herein:

- Option 1. Clearing and grubbing of vegetation, excavation and relocation of localized "hot-spots" and all underlying contaminated soil, and backfilling these areas to the proposed grades with fill. These areas may be temporarily planted with grass or plant species until redevelopment of the park space takes place.
- Option 2. In-situ remediation of contaminated material and soil.
- Option 3. No Action

3.1 Option 1 – Clearing, excavation, disposal of waste; restoration as open green park space / Amphitheater for storm water mitigation

Remediation will include the following primary tasks:

- 1. Excavation and off-site disposal of localized "hot-spots" and all underlying waste. Waste areas will be excavated to remove all contaminated materials as indicated by field measurements and visual observations. The material will then be characterized using waste classification sampling and disposed of at a licensed waste disposal facility.



2. **Backfilling areas with certified clean fill.** Minimum of two feet of clean material will be emplaced over all areas where material was removed for disposal.
3. **Redevelopment of open green park space / Amphitheater for storm water mitigation.** Upon successful remediation of hazards, the City will prepare the area for future development into open green park space. It is anticipated that the redevelopment will happen in phases as funding is made available. The utility purpose of the redevelopment is to assist in mitigating severe storm events which flood downtown, by acting as a temporary retention area during severe rain events. The space will be designed to be utilized as a park / amphitheater for public use otherwise. The design process will happen in 2015, which will further direct how the area is remediated.

3.1.1 Effectiveness

This approach would be immediately effective by removing those regulated materials and contaminated media which present potential exposure hazards to future users of the site and soil to groundwater pathways.

3.1.2 Implementing ability

This approach is expected to be easily and rapidly implementable because it involves relatively simple technology and equipment. This type of remedy is widely used and is expected to be readily acceptable to the ADEQ.

3.1.3 Cost

The expected cost of this option could range from \$200,000 to \$550,000 depending on the amount of soils removed from the site, which Plan is being developed in coordination with ADEQ. It is anticipated that the amount of material needed removal to a licensed Hazardous Waste Facility is minimal, and the majority of soil will qualify for the local land fill, where cost savings will be made. The requested grant funds, along with funding from other sources to redevelop the project site will provide sufficient resources to implement this option.

3.2 Option 2 – In-situ Remediation of contaminated material and soil.

In this option special chemicals would be used to assist the material and soil in undergoing natural remediation processes. Large areas of soil would have to be temporarily excavated and stockpiled and then remediation chemicals would be mixed into the soil. At the same time other remediation chemicals would be placed into the holes to clean up the soil on the edges of the excavation and any groundwater that might seep into the hole.



3.2.1 Effectiveness

The potential effectiveness of the “In-situ Remediation” option depends almost entirely on the amount of contamination and physical nature of the soil. Investigation at the site determined that the extent of contamination at the site is defined by the presence of polychlorinated biphenyls (PCB), which chemical treatments have not been found very effective with treating. This soil will likely require removal, although the PCB contaminated area is subsurface only, and constitutes a small percentage of the total area needed treating. Although it has not been determined whether the volume of impacted soil is too high for this method to work at costs comparable to Option 1, it is anticipated that this method will not be as effective as Option 1, due to the high volumes of soils involved.

3.2.2 Implementing ability

In-situ remediation may be implemented at the site since there is adequate room to dig up the soil and create large piles for the treatment. However, the use of this approach would add substantial complication to the process and require a great deal of engineering management and design, which would add to the cost.

3.2.3 Cost

The cost for remediation using in-situ techniques would include, at a minimum, the cost for remediation to residential standards (Option 1) plus costs for expanded design and construction activities. In addition, it is anticipated that additional costs for removal of PCB contaminated media will be incurred. The total costs for this option cannot be reliably estimated at this time, but are predicted to be significantly higher than for Option 1 or Option 3.

3.3 No Action

If no environmental cleanup remedy were performed at this site:

- The site may become subject to future enforcement actions by ADEQ or USEPA;
- The site may present risk of exposure by direct contact with soil, to any future site workers, occupants, or members of the community.
- The site would present a continuing potential source of contaminants to onsite and offsite groundwater;
- It is assumed that certain engineering controls, such as installation of secure site perimeter fencing, and permanent institutional controls, including activity and use limitations, would be placed on the site to mitigate contaminant exposure risks.