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## NARRATIVE INFORMATION SHEET

1. Applicant Identification:  
City of Beattyville, 57 Main Street, Post Office Box 307, Beattyville, KY 41311
2. Funding Requested:
  - a. Grant Type: Single Site Cleanup
  - b. Federal Funds Requested: \$499,939
3. Location:
  - a. City: Beattyville
  - b. County: Lee
  - c. State: Kentucky
4. Property Information:  
WPA Building, 337 Main Street, Beattyville, KY 41311
5. Contacts:
  - a. Project Director:  
Sally Gilbert, Phone number 606-464-5007  
Email: [sgilbert@beattyville.org](mailto:sgilbert@beattyville.org)  
Mailing address: P. O. Box 307, Beattyville, KY 41311
  - b. Chief Executive/Highest Ranking Elected Official:  
Mayor Edward Scott Jackson, Phone number: 606-464-5007  
Email: [sjackson@beattyville.org](mailto:sjackson@beattyville.org)  
Mailing address: P. O. Box 307, Beattyville, KY 41311
6. Population: City of Beattyville population 1,359

1. Other Factors:

<b>Other Factors</b>	<b>Page #</b>
Community population is 10,000 or less.	1
The applicant is, or will assist, a federally recognized Indian tribe or United States territory.	
The proposed brownfield site(s) is impacted by mine-scarred land.	
Secured firm leveraging commitment ties directly to the project and will facilitate completion of the remediation/reuse; secured resource is identified in the Narrative and substantiated in the attached documentation.	3
The proposed site(s) is adjacent to a body of water (i.e., the border of the proposed site(s) is contiguous or partially contiguous to the body of water, or would be contiguous or partially contiguous with a body of water but for a street, road, or other public thoroughfare separating them).	1
The priority site(s) is in a federally designated flood plain.	2
The reuse of the proposed cleanup site(s) will facilitate renewable energy from wind, solar, or geothermal energy.	
The reuse of the proposed cleanup site(s) will incorporate energy efficiency measures.	3
The reuse strategy or project reuse of the proposed site(s) considers climate adaptation and/or mitigation measures.	
The target area(s) is located within a community in which a coal-fired power plant has recently closed (2012 or later) or is closing.	

2. Releasing Copies of Applications: Not Applicable; the application does not contain confidential, privileged, or sensitive information.

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

### **a. Target Area and Brownfields**

**i. Background and Description of Target Area:** Nestled in the Appalachian Mountains of Eastern Kentucky, the City of Beattyville in Lee County was founded in 1851 due to its location at the head waters of the Kentucky River. Barges on the river transported the area's lumber and coal which were in high demand throughout the industrial revolution. Coal mining jobs peaked in the 1920s, but declined as automated extraction methods decreased the manual labor required. More recently, the emergence of cleaner, renewable energy sources reduced the demand for coal, and increased government regulation reduced its profitability. Mining employment in Eastern Kentucky decreased from 13,372 in 2007 to 2,797 by the first quarter of 2022, (<https://eec.ky.gov/Energy/Coal>).

These job losses, combined with residents' lack of diversified training and opportunities, led to economic decline and outmigration. Of persons age 25 years and older in Lee County, only 7.5% have a bachelor's degree compared with 32.9% in the nation. The August 2022 unemployment rate for Lee County was 5.4%, as compared to 3.7% for Kentucky and 3.8% for the United States. Lee County's Median Household Income (MHI) is \$24,699 which is less than half of Kentucky's MHI and only 38% of the national MHI. The 2021 population of City of Beattyville was 1,359, down from 1,481 in 2020; a more than 8% decline. Lee County's 2021 population was 7,451, 5.9% decrease from 7,916 in 2000. More than 57 % of Lee County residents commute outside of the county for work. (All statistical data per census.gov). The communities' challenges were exacerbated by a historic flood on March 1, 2021, which covered the streets of Beattyville with six feet of water. Approximately 100 families were displaced, and 70 businesses were impacted; six closed permanently.

The target area of this EPA Cleanup Grant is the downtown **Main Street District** of Beattyville. The Main Street District includes 16 empty buildings, 10 of which are assessed by the Lee County Property Valuation Administrator as "poor" condition. These target area brownfields include the Works Progress Administration building, other vacant office buildings and retail stores that likely contain asbestos, lead based paint, and mold; four abandoned warehouses which contained chemicals and are likely contaminated with metals and volatile organic compounds; and four abandoned gasoline filling stations that have the potential to impact Silver Creek, a tributary to Kentucky River. These brownfield challenges impact the city causing blight leading to further disinvestment, low property tax value, and pose risks to human health and the environment. The presence of hazardous substances has discouraged investment from private developers. This cleanup grant will remove that obstacle, enabling renovation and reuse.

**ii. Description of the Brownfield Site:** The site to be remediated by this grant is a large two-story structure with several partitions sitting on approximately one acre located at 337 Main Street, Beattyville, Kentucky. It was built in 1939 by the **Works Progress Administration (WPA)** out of locally quarried stone. The City of Beattyville has owned the building since its construction in 1939. It has been a City Hall, jail and firehouse. The property has remained unoccupied since 2014, and has become a blighted eyesore on Main Street. The site's central location and community significance makes it an ideal catalyst project to spark additional revitalization of Beattyville's historic Main Street district. The building is structurally sound. The roof was recently replaced to ensure the building remains in stable condition.

Phase II environmental site assessment confirmed the presence of extensive asbestos containing materials (ACM), lead-based paint (LBP), and mold. ACM and LBP were not known to be hazardous at the time of construction. The site is centrally located in the Main Street district, directly adjacent to Silver Creek and close to residential areas that may be impacted from contaminants. Additionally, the site is attractive to vagrants and children/teenagers who have been witnessed at the property.

Remediation will be conducted in accordance with the analysis of brownfield cleanup alternatives to remove or encapsulate contaminants making the site suitable for redevelopment. The City of

Beattyville is committed to preserving the WPA building. This is the City's third application for an EPA cleanup grant. In 2020, WPA building was submitted to HGTV's Hometown Takeover, and highlighted in Beattyville's 2017 "This Place Matters" video. The videos are available to view on YouTube.

## **b. Revitalization of the Target Area**

**i. Reuse Strategy and Alignment with Revitalization Plans:** Once remediated, the reuse plan for the WPA building is to establish a Farmers/Artisan Market and office space on the first floor. Seven vendors and a non-profit have committed to rent space. Additional vendors of unique, locally produced or crafted products have expressed interest. An indoor market will enable the vendors to sell year-round. Customers who shop at the market will likely visit other Main Street businesses and restaurants. The second floor will be re-developed as a bed and breakfast or Airbnb rental which will be operated by the Main Street Program and Tourism. The third floor will be rented to a private investor as a roof top café. This reuse facilitates Beattyville's goal to diversify from a coal economy to an outdoor adventure tourist destination. The River Gorge Geological Area and the Natural Bridge State Resort Park, located 15 miles north of Beattyville, attracts 500,000 visitors annually. Beattyville draws a significant share of these tourists who enjoy Lee County's world class rock climbing, newly developed ATV trails, hiking the Shelton Trace National Recreation Trail, or boating and fishing where the three forks of the Kentucky River merge. Beattyville/Lee County Tourism Commission reports a 12-15% increase in visitors annually based on the amount of transient room tax collected. Additional shopping, lodging and restaurants will encourage visitors to stay longer, injecting more revenue into the local economy.

Cleanup and restoration of the WPA building will advance the City of Beattyville's land use plan, Streetscape Project and Downtown Revitalization Plan. The primary goal of the revitalization plan is to bring businesses back to the Main Street District to reduce blight, poverty, and further loss of jobs, with the primary strategy being economic development via tourism. The proposed reuse directly aligns with the revitalization plans for Beattyville in the Kentucky River Area Development District (KRADD) Comprehensive Economic Development Strategy (CEDS) plan, specifically the goals of promoting tourism and developing new entrepreneurial activities. The redevelopment strategy also advances the Shaping Our Appalachian Region's Blueprint for the Future of Appalachia, an economic strategic plan for Eastern Kentucky. Goal 7 is "Tourism and Downtown Revitalization." All of these plans are developed with public involvement, as well as providing a community comment period.

The proposed reuse is endorsed by the members of the Beattyville Chamber of Commerce, Beattyville/Lee County Tourism and the Downtown Beattyville Alliance (DBA). DBA is part of the Kentucky Main Street Program and is comprised of downtown business and property owners and concerned citizens who have teamed together to improve all aspects of the downtown area. Three public meetings have been held in regard to the project and to solicit public input. No adverse comments have been received. The community is supportive of the project.

The proposed reuse is appropriate for the site which is located in a federally designated flood plain according to FEMA flood map number 21129C0129D. The first floor will be reconstructed out of attractive, flood resistant materials to protect both the City's and EPA's investment against the potential of future flooding.

**ii. Outcomes and Benefits of Reuse Strategy:** The City of Beattyville, a rural community, which will greatly benefit from the economic outcomes directly resulting from the proposed redevelopment, which included the following:

1. create construction jobs and expenditures at local business during renovation,
2. create permanent market for local, small, predominantly low-income business owners,
3. increase traffic and sales at neighboring businesses
4. increase tourism revenue
5. increased property values and increased tax revenue,

6. reduce blight, and a potential catalyst for additional redevelopment
7. reduce risks to human health and the environment,
8. reuse of the existing building will preserve undeveloped property, and
9. reuse will benefit a non-profit by providing low rent office space.

The planned reuse of the WPA building promotes environmental sustainability by avoiding demolition and landfilling of non-recyclable wastes. Renovation will incorporate energy efficient features including green insulation such as polystyrene or cellulose, double or triple-pane and low-emissivity windows, LED lighting, high efficiency HVAC systems, and energy efficient water heaters.

The proposed project will not cause the displacement of residents or businesses.

### **c. Strategy for Leveraging Resources**

**i. Resources Needed for Site Characterization:** A Phase II site assessment was conducted in 2017. Conditions are unlikely to change since the WPA building is vacant. Therefore, the contaminants, such as lead based paint and asbestos, will not be disturbed. The building will remain unused until remediation occurs. The city does not anticipate the need for further characterization. The attached letter from the Kentucky Department for Environmental Protection confirms that the site is fully characterized.

**ii. Resources Needed for Site Remediation:** The City of Beattyville has requested clean-up grant funding in the amount necessary to fully remediate the WPA at the time of application n submittal. The City of Beattyville commits to cover any costs that may arise. Documentation is attached.

**iii. Resources Needed for Site Reuse:** The City of Beattyville commits to \$10,000 to the completion of the reuse of the WPA building. The resources are secured, significant and relevant to the cleanup project. Documentation is attached. Additionally, once the contaminants are remediated and it is safe to work in the building, the City will donate in-kind staff and equipment to assist with the renovation. The cash commitment will provide matching funds to leverage the grants and loans that the City will seek. The City of Beattyville and the proposed reuse are eligible for a combination of federal, state, and incentive programs that will comprise the leveraged resources. Examples are listed below:

- KDEP: Up to \$150,000 in state tax incentives for cleanup of sites
- Community Development Block Grant: Elimination of Slum and Blight
- Appalachian Regional Commission Grant: Lee County is classified as “Distressed”
- Economic Development Administration Grant: separate funding for coal impacted counties
- Abandoned Mine Lands Grant: funds redevelopment in coal impacted communities
- USDA Rural Development: provides grants and low interest loans to small business
- Kentucky Department of Agriculture Fund: provides grants for farmer’s markets

**iv. Use of Existing Infrastructure:** The proposed reuse will facilitate use of existing infrastructure by renovating an existing, historic building located on the City’s Main Street, and creating additional commercial customers for water, sewer, waste collection, electricity and broadband services. All of the required services and infrastructure of the needed size and capacity are in place at the site. With funding provided by the Kentucky Infrastructure Authority (KIA), the City is currently upgrading the water treatment plant. KIA funding is being sought from to replace out of date equipment in the wastewater treatment plant to ensure future reliability of these vital services. Highways and parking are sufficient to accommodate the increased traffic to the area.

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

### **a. Community Need**

**i. The Community’s Need for Funding:** An EPA clean-up grant will enable the City of Beattyville to undertake the environmental remediation and subsequent redevelopment at the WPA building. The

project has been a priority for the community for several years, but the City lacks the financial resources due to its small, low-income population. The City of Beattyville has a population of only 1,359 residents. The City of Beattyville residents are disproportionately low-income when compared to the state and nation. Beattyville’s poverty rate is more than twice that of Kentucky and three times that of the U. S. Beattyville’s median household and per capita incomes are well below one-half of the state and one-third of the nation., as shown below:

	<b>Beattyville</b>	<b>Kentucky</b>	<b>United States</b>
Poverty Rate:	39.8%	14.9%	11.4%
Median Household Income:	\$16,250	\$52,238	\$64,994
Per Capita Income:	\$12,426	\$29,123	\$35,384
Source: censusreporter.org and census.gov/quickfacts			

**ii. Threats to Sensitive Populations**

(1) *Health or Welfare of Sensitive Populations:* The asbestos, lead based paint, and mold in the WPA building poses health risks, including neurological disorders, cancer, asthma and other respiratory diseases. Sensitive populations who may have other risks factors and compromised immune systems are especially vulnerable. Per census.gov, the target area’s sensitive population includes those low-income (39.8%), age 65 and older (15.7%), minorities (11.5%), disabled under age 65 (8.7%), and children under five (5.7%). According to EJScreen.epa.gov, Beattyville is medically underserved and scored between the 90-100 percentile on the following Environmental Justice Indexes: Low Income, and Less Than High School Education, and between the 80-90 percentile for “Over Age 64.” The following businesses which directly serve sensitive populations are located within a one-half mile radius of the WPA building: Beattyville Early Childhood Center, Lee County Senior Citizen Center, an Adult Day Care Center, a Retirement Village, and two low-income apartment complexes. The Cleanup Grant will remediate the contaminants at the WPA building, ensuring the building is made safe for sensitive populations.

(2) *Greater than Normal Incidence of Disease and Adverse Health Conditions:* As previously mentioned, the WPA building is contaminated with asbestos, lead-based paint, and mold. Former warehouses in the target area may contain metals and volatile organic compound. Abandoned gasoline stations have the potential for petroleum contamination, a known carcinogen. As buildings deteriorate, asbestos fibers and lead are released into the air and soil. Asbestos exposure increases the risk of mesothelioma and other lung cancers. Even small amounts of lead can cause serious health problems. Children younger than six years are especially vulnerable to lead poisoning, which can severely affect mental and physical development. At very high levels, lead poisoning can be fatal. Exposure to mold exacerbates allergies, asthma and other respiratory problems (mayoclinic.org). According to EPA’s EJScreen, Beattyville scored between the 95-100 percentile in Low Life Expectancy and Heart Disease. As the table below shows, Lee County, which is representative of the target area, has above state and national incidence of cancer, asthma and other health conditions:

Health Condition	Lee County	Kentucky	U. S.	Data Source
2018 All Cancers Incidence*	561.9	517.8	448.6	statecancerprofiles.cancer.com
2019 Lung and Bronchus Cancer*	76	63	57	statecancerprofiles.cancer.com
2020 Prevalence of Adult Asthma	27%	11.5%	8.4%	Kentuckyhealthfacts.org

\*age-adjusted rate per 100,000 population

The grant will fund the cleanup of the WPA building, which will reduce the target area contamination and associated adverse health conditions. Redevelopment of WPA building will facilitate the cleanup and redevelopment of other target area brownfield properties.

(3) *Promoting Environmental Justice*: Awarding this grant to the City of Beattyville, a disadvantaged and underserved community, will advance the Justice40 Initiative. The Climate and Economic Justice Screening Tool identifies the City of Beattyville as “disadvantaged” in the following three (out of eight) categories: climate change, health burdens, and workforce development. Lee County is a persistent poverty county ([crsreports.congress.gov](https://crsreports.congress.gov)). Persistent poverty counties are defined as counties that have had poverty rates of 20% or greater for at least 30 years. EJScreen reveals that Beattyville scored between 70-80 percentile on Air Toxics Cancer Risk and Air Toxics Respiratory HI. Residents lack the financial resources needed to improve their conditions. Historical industrial and commercial operations have taken resources, such as coal and timber, from the area. When the economy shifted, jobs were eliminated, but the contamination remained. Remediation and subsequent restoration of the target site is an important step toward environmental justice. The redevelopment of the WPA building will create jobs and bring additional, much needed revenue into the target area. Minority and Women-Owned companies will be encouraged to bid on the various phases of renovation.

## b. Community Engagement

### i. and ii. Project Involvement and Project Roles:

Partner Name	Point of contact	Role in the project
Downtown Beattyville Alliance	Linda Smith [REDACTED] 606-464-2888	Hold community meetings regarding cleanup process and revitalization strategies for the target area
Beattyville / Lee County Chamber of Commerce	Don Begley [REDACTED] 606-464-2961	Inform business community of lease opportunities at the proposed project
Beattyville Lee County Tourism	Dedra Brandenburg <a href="mailto:visitleecountyky@gmail.com">visitleecountyky@gmail.com</a> 606-464-5038	Finalize the lease agreement with the City for the bed and breakfast
Kentucky River District Health Department	A. Scott Lockard <a href="mailto:anthonys.lockard@ky.gov">anthonys.lockard@ky.gov</a> 606-439-2361	Conduct health monitoring at site(s) as required
Kentucky River Area Development District (KRADD)	Jennifer McIntosh <a href="mailto:jennifer@kradd.org">jennifer@kradd.org</a> 606-436-3158	Provide grant preparation to leverage funds for redevelopment
Backroads of Appalachia community-based non-profit	Eric Hubbard [REDACTED] 423-293-1712	Commits to lease office space when building is renovated

iii. Incorporating Community Input: The City of Beattyville will make every effort to engage the public throughout all phases of clean-up and redevelopment, obtaining public input, and providing informative progress updates. The City will solicit, consider, and respond to residents' questions comments and concerns regarding the redevelopment activities in their community. The City of Beattyville will follow the EPA's *Steps for Effective Public Involvement* which includes planning/budgeting for public involvement, the provision of information/outreach, conducting involvement activity, reviewing/using input, providing feedback and evaluating activities/processes. Progress will be communicated to the community through a variety of media outlets in order to engage its targeted area (Main Street District) and ensure project success. The City will use partner agencies, websites, social media (Facebook), newspapers, and/or informational brochures to convey project

progress, advertise public meetings/webinars and solicit input. Electronic forums, such as Zoom or Teams, will be used as an alternative/additional method to in-person meetings. The City has employed these communication strategies successfully in past, assuring that this plan is the most appropriate and effective to reach the targeted community.

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

**a. Proposed Cleanup Plan** The total amount requested in this application is \$499,939. Since there are multiple contaminants (asbestos, lead-based paint, and mold) the ABCA considered multiple cleanup options. The ABCA outlines five alternative methods for addressing environmental concerns at the site:

- 1) No Action,
- 2) Removal/Abatement (asbestos-containing materials and loose, flaking lead-based paint),
- 3) Stabilization/Encapsulation remainder of lead-based paint with operating and maintenance plan,
- 4) Cleaning/Vacuuming of mold, and
- 5) Discarding of Affected Materials impacted with mold

*Alternative 1: No Action* is ineffective for controlling or preventing exposure of receptors to building contaminants. In order to abate all three contaminants, Alternatives 2 through 5 are needed to fully remediate the building. The ABCA discusses anticipated costs for each. Completing all four alternatives will safely allow for cost-effective elimination of the contaminants and foster redevelopment. Alternatives are summarized below.

*Alternative 2: Removal/Abatement* -Removal will be accomplished by hand methods, by scraping, by abrasive blasting methods, e.g., using dry ice or sodium bicarbonate media, sand, air, wet/water, vacuum, or centrifugal. Some of these methods result in decreased volumes of waste streams and savings in labor, time, energy, and abrasive material. Note that complete removal of lead-based paint from all surfaces is not considered practical thus requiring the need for Alternative 3.

*Alternative 3: Stabilization/Encapsulation* - This alternative involves applying a coating(s) or lead barrier compound on surfaces to remain after removing flaking and, loose paint. Coating types could include epoxy, acrylic, polyurethane, oil-base, and latex. Important properties to consider when choosing a coating include elongation (i.e., elasticity or rigidity), dry film thickness, drying or curing time, and compatibility with existing surfaces. An encapsulant such as Fiberlock Technologies Inc., LBC or similar product may be utilized.

*Alternative 4: Cleaning/Vacuuming* - Wet vacuuming is recommended if water is present on a surface. All parts of the vacuum will be thoroughly cleaned after use to assure mold and mold spores are removed. A HEPA vacuum can then be used after materials are thoroughly dried. Cleaning is only appropriate for surfaces such as hard porous flooring (e.g., linoleum, ceramic tile), hard non-porous flooring (e.g., plastics, metals), and intact wood surfaces.

*Alternative 5: Discarding of Affected Materials* -For certain materials that cannot be easily cleaned or where the mold cannot be completely removed (e.g., carpet and backing, porous flooring, furniture, wallboard, wood), they may need to be placed in sealed bags or sheeting and discarded as construction waste or other appropriate disposal (ie: asbestos-containing materials disposed in a permitted landfill).

Activities will be completed by licensed abatement contractors to ensure public safety.

**3b. Description of Tasks / Activities, and Outputs**

Tasks/Activities:	Task 1 – Cooperative Agreement Oversight
i. Project Implementation	The City, with the assistance of KRADD, will directly oversee grant implementation and administration to ensure compliance with the cooperative agreement, schedule, and terms and conditions for the four-year term of the grant. The City will ensure all quarterly reports, MBE/WBE forms, and the ACRES database updates are completed on time. The City will initiate a competitive qualification-based selection



	process in compliance with state and federal (2 CFR 200.317-326) guidelines to select an Environmental consulting firm. The City will meet quarterly with the stakeholders to monitor progress. City staff will attend national, regional, and local conferences, as needed.
ii. Anticipated Project Schedule:	This task will be initiated upon grant award and will continue throughout the four-year project period.
iii. Task/Activity Lead(s):	The City of Beattyville, KRADD and Environmental Consultant
iv. Output(s):	16 Quarterly reports, 1 closeout report, ACRES Updates, annual MBE/WBE reporting
<b>Tasks/Activities:</b>	<b>Task 2 – Community Education &amp; Outreach</b>
i. Project Implementation	This task includes publicity, meetings, and distribution of information to the public as the project progresses. Public/neighborhood meetings will be held at the start, middle and end of the project. Supplies needed for public meetings will include printed handout materials, public notices advertised via newspaper, websites, Facebook, etc. Community Involvement Plan (CIP) will be prepared.
ii. Anticipated Project Schedule:	This task will be initiated within 1-3 months of grant award and continue throughout the project period.
iii. Task/Activity Lead(s):	The City of Beattyville, KRADD, and Environmental Consultant
iv. Output(s):	16 quarterly community meetings, 1 CIP
<b>Tasks/Activities:</b>	<b>Task 3 – Remedial Planning</b>
i. Project Implementation	This task includes preparing the QAPP, Health and Safety Plan, completing the ABCA, obtaining permits, coordinating with state and federal regulatory agencies to prepare plans, specifications and bid documents for selection of the cleanup contractor, which will be procured in accordance with federal guidelines (2 CFR 200.317-326).
ii. Anticipated Project Schedule:	This task will be initiated within 3 months after award.
iii. Task/Activity Lead(s):	QEP
iv. Output(s):	1 QAPP, 1 ABCA, 1 HASP, remedial plan, 1 set of bid documents.
<b>Tasks/Activities:</b>	<b>Task 4 – Site Cleanup</b>
i. Project Implementation	This task includes anticipated contractor costs for the removing of asbestos containing materials, flaked lead-based paint, materials containing mold that cannot be cleaned, along with proper disposal of all waste materials and the encapsulation of residual lead-based paint and restoration of the area. This task will also include professional oversight of the selected abatement contractor by the QEP and air monitoring and asbestos clearance sampling. This task also includes health monitoring.
ii. Anticipated Project Schedule:	This task will be initiated within 6 months of award and completed within 30 months after award.
iii. Task/Activity Lead(s):	QEP, Cleanup Contractor and Kentucky River District Health Dept.
iv. Output(s):	Completion of cleanup, preparation of report and Certification Letter to the USEPA.

**c.i., c.ii. and c.iii. Cost Estimates**

<b>Budget Categories</b>		<b>Project Tasks (\$)</b>				<b>Total</b>
		Task 1: Cooperative Agreement Oversight	Task 2: Community Education & Outreach	Task 3: Remedial Planning	Task 4: Cleanup	
<b>Direct Costs</b>	Personnel					
	Fringe Benefits					
	Travel <sup>1</sup>	\$6,564				\$6,564
	Equipment <sup>2</sup>					
	Supplies					
	Contractual		\$4,000	\$40,500	\$426,875	\$471,375
	Other	\$20,000	\$2,000			\$22,000
<b>Total Direct Costs<sup>3</sup></b>		<b>\$26,564</b>	<b>\$6,000</b>	<b>\$40,500</b>	<b>\$426,875</b>	<b>\$499,939</b>
<b>Indirect Costs<sup>3</sup></b>						
<b>Total Budget</b>		<b>\$26,564</b>	<b>\$6,000</b>	<b>\$40,500</b>	<b>\$426,875</b>	<b>\$499,939</b>
<sup>1</sup> Travel to brownfields-related training conferences is an acceptable use of these grant funds. <sup>2</sup> EPA defines equipment as items that cost \$5,000 or more with a useful life of more than one year. Items costing less than \$5,000 are considered supplies. Equipment is not required for this grant. <sup>3</sup> Administrative costs (direct and/or indirect) cannot exceed 5% of the total EPA-requested funds.						

Note: The City of Beattyville is committed to providing in-kind contributions to the project by donating supplies, management staff, security, maintenance staff support, use of city owned equipment and public meeting space.

**Task 1 – Cooperative Agreement Oversight (\$26,564)**

Travel: grantee training will include attendance of one City staff at four regional or national Brownfield conferences. The budgets include: airfare: one person for four conferences @\$400 per trip (\$1,600); parking/mileage/taxi \$121 @ 4 trips (\$484); lodging 1 person @ \$ 220 each night for 4 days and 4 trips (\$3,520); and per diem of \$60 each day for 1 person 4 days and 4 trips (\$960). The total cost of (\$6,564). This budget utilized the most recent national and regional Brownfield conferences to determine budget. Kentucky River Area Development District (KRADD) will assist in procurement, financial management, quarterly reporting and additional programmatic duties throughout grant (\$20,000 @ \$5,000 per year).

**Task 2 – Community Education & Outreach (\$6,000)**

City In-kind contributions: (Supplies/Notices, 1 staff member @ \$1,000). The environmental contractor will prepare visual presentations of progress reports and attend all meetings to discuss project procedures and answer technical questions (\$4,000). KRADD will assist in this task by developing a Community Education & Outreach Plan and attend all meetings (\$2,000).

**Task 3 – Remedial Planning (\$40,500)**

This task includes completing the final ABCA, QAPP, Health & Safety Plan, Remedial Action Plan, Bid Documents/Specifications, obtaining required permits, coordinating with state and federal regulatory agencies, specifications and bid documents for selection of the abatement contractor.

**Task 4 – Cleanup (\$426,875)**

This task includes anticipated contractor costs for the removal of asbestos containing materials, flaked lead-based paint, cleaning surfaces containing mold, along with proper disposal of all waste materials and the encapsulation of residual lead-based paint and restoration of the area. (\$399,375 see ABCA for details). This task will also include professional oversight of the selected abatement contractor by our selected environmental consultant and air monitoring and asbestos clearance sampling, cleanup report to the KDEP and USEPA (\$27,500). Additionally, the City of Beattyville will provide city personnel

and services that will include supplies, management staff, police (security), maintenance staff support and use of city-owned equipment as an in-kind contribution to the project.

**d. Measuring Environmental Results:** The City Brownfields Project Director will be responsible to track the project's progress and ensure the project remains on schedule, within budget, and completed in compliance with all EPA regulations prior to the four year-year performance period. Each quarterly report submitted to EPA will include an update of project expenditures and list the activities accomplished. Additionally, site-specific information will be entered and tracked in the online ACRES database. Anticipated outputs include: 1) community involvement plan, 2) eight community meetings, 3) development of a final ABCA, 4) state- and federally-approved remediation plan, 5) health and safety plan, 6) QAPP 7) bid specifications 8) site remediation, 9) clean up report 10) sixteen quarterly reports 11) successful grant closeout report. Anticipated outcomes that go beyond the grant in include 1) a remediated and occupied building 2) jobs created, 3) funds leveraged, 4) more vibrant downtown core, 5) improved health among sensitive population, 6) improved on environmental justice issues, 7) enhanced environmental stewardship, 8) on-going community engagement meetings focused on Brownfields. Restoration of the WPA building will be a catalyst site for other property owners to follow.

#### **4. PROGRAMMATIC CAPABILITY AND PAST PERFORMANCE**

##### **a. Programmatic Capability**

**i. and ii. Organizational Structure and Description of Key Staff:** The City of Beattyville will be engaged in every task associated with the project. Mayor Jackson will be responsible to ensure compliance with the terms and conditions of the cooperative agreement. Ms. Sally Gilbert, who is a full-time certified Clerk, Treasurer and Accountant with the City of Beattyville, will be the Brownfields Project Director. Ms. Gilbert has six years of experience, and has overseen all technical, administrative, and financial requirements of the grants received by the City during her tenure. Ms. Gilbert, with assistance from Teresa Mays, will provide the day-to-day oversight of project implementation.

The Kentucky River Area Development District (KRADD) will be a subrecipient of this grant to provide financial and programmatic grant management. KRADD is a quasi-governmental non-profit agency providing technical assistance to city, county and non-profit organizations. KRADD has successfully assisted the local communities in its eight-county jurisdiction with grant preparation and administration for more than 50 years. The City has partnered with KRADD on numerous occasions. KRADD's staff is proficient in federal grant administration, including EPA Brownfield grants. Ms. Jennifer McIntosh will serve as the project director for the grant. Ms. McIntosh is the Associate Director of the Community and Economic Development Department, and has 15 years of experience in federal grant administration. Ms. McIntosh will be assisted by Tabitha Haddix, the Community Economic Development Coordinator, who is also experienced in federal grant oversight. The City of Beattyville, the QEP, and KRADD will work together to ensure all aspects of the project are implemented in accordance with the cooperative agreement, and reports are submitted in a timely manner.

**iii. Acquiring Additional Resources:** The City of Beattyville will acquire the services of an environmental consultant and abatement contractor(s) in accordance with the grant programs regulations (2 CFR 200 and 2 CFR 1500), the City's procurement policies, and upon approval by the City of Council. Request for Qualifications and Request for Bids will be publicly advertised, and Local, Minority and Women Owned companies will be encouraged to respond. The consultant will be selected by primarily on the basis of experience with Brownfields projects. Abatement contractor(s) will be selected on the basis of required certification, price and availability. The selected consultant and contractor(s) will assist with the technical management and performance of environmental cleanup activities. KRADD Community and Economic Development staff will assist the City of Beattyville in obtaining additional grant funds needed to complete the renovation.

**b. Past Performance and Accomplishments****ii. Has Not Received an EPA Brownfields Grant but has Received Other Federal or Non-Federal Assistance Agreements**

(1) *Purpose and Accomplishments:* The City of Beattyville has recently received the following federal grants, which have been successfully administered with the assistance of KRADD:

<b>Date of Award</b>	<b>Awarding Agency</b>	<b>Amount</b>	<b>Purpose</b>	<b>Accomplishments</b>
2018	Appalachian Regional Commission	\$259,700	Rehabilitate sewer force main and lift station that serves Lee County Prison	Prison reopened, creating 200 jobs
2019	Appalachian Regional Commission	\$1,000,000	Smoke test sewer lines and replace lines as indicated to reduce inflow and infiltration	Improved human health and the environment by bringing Wastewater Treatment Plant into compliance
2020	Abandoned Mine Lands	\$1,224,918	Create a Town Square in downtown Beattyville, construction of 0.8-mile section of sidewalks along River Drive and develop a trailhead at Crystal Creek	Design and NEPA are complete. Waiting for funding agency to provide Authority to Proceed to bid project. Expect to complete by Summer 2023.

(2) *Compliance with Grant Requirements:* The City of Beattyville has met all of the requirements of the funding agencies. The projects were implemented in accordance to the scope of work, achieved the anticipated results, and all required reports have been submitted in a timely manner.

KRADD, a subrecipient of this grant, was awarded a FY2016 Assessment Grant in the amount of \$400,000. All grant requirements were met including compliance with the work plan, schedule, and terms and conditions. Progress was reported in ACRES including 22 assessed properties, 10 properties ready for reuse, and 12.5 acres ready to reuse. Additionally, KRADD provided project management and administrative support for the Letcher County Conservations (LCCD) \$400,000 USEPA Brownfield Grant that was successfully closed in 2011. KRADD staff assisted the LCCD in selecting the environmental contractor, preparing quarterly, annual and closeout reports, MBE/WBE reporting, payment draws and compliance with the cooperative agreement. All deliverables were submitted on time and the grant was closed ahead of schedule. KRADD received and is currently administering a 2020 Community-Wide Assessment Grant. This grant is currently 70% complete and is expected to close-out ahead of schedule. Therefore, KRADD has the experience necessary to assist the City of Beattyville in successfully implementing a Brownfield Clean-up grant in compliance with all grant requirements.

## **THRESHOLD CRITERIA**

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

The City of Beattyville affirms that it is a general unit of local government and an eligible entity.

### **2. Previously Awarded Cleanup Grants**

The City of Beattyville affirms that the proposed site has not received funding from a previously awarded EPA Brownfields Cleanup Grant.

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

The City of Beattyville affirms it does not have an open EPA Brownfields Multipurpose Grant.

### **4. Site Ownership**

The City of Beattyville holds fee simple title and is sole owner of the property identified for purposes of this cleanup proposal. City has owned the property since construction in 1939. The City of Beattyville will retain sole ownership of this property throughout the performance period of the grant for completion of all grant closeout activities.

### **5. Basic Site Information**

- a) Name: WPA Building
- b) Address: 337 Main Street, Beattyville, Kentucky 41311
- c) Current Owner: The City of Beattyville (the Applicant)

### **6. Status and History of Contamination at the Site**

- a) The site is contaminated with hazardous substances
- b) The site has been utilized by the City for administrative purposes and as the city jail since 1939. It is now closed due to the presence of contaminants.
- c) Environmental concerns include: elevated levels of asbestos in floor tiles, piping insulation, and window glazing. Lead-based paint and mold is located throughout the building.
- d) The building is contaminated due to historical use of materials that contain substances that are now known to cause cancer, birth defects, and a myriad of other health problems. Contaminants include asbestos, lead-based paint, and mold, and are contained throughout the building. The building materials were considered safe at the time of construction. Mold has developed inside the building as it has been closed and is not well ventilated. There are no significant roof leaks into the building.

### **7. Brownfields Site Definition**

The City of Beattyville affirms that the site meets the definition of a brownfield site and is NOT:

- a) listed or proposed for listing on the National Priorities List,
- b) subject to unilateral administrative orders, court orders, administrative orders on consent, or judicial consent decrees issued to or entered into by parties under CERCLA, and
- c) subject to the jurisdiction, custody, or control of the United States government

### **8. Environmental Assessment Required for Cleanup Grant Applications**

A Phase II ESA, conducted by a qualified environmental professional in accordance with current ASTM E1903-19 standards, was completed on October 24, 2017. The assessment focused on asbestos, lead-based paint and mold concerns.

## **9. Site Characterization**

- a. N/A
- b. N/A
- c. i. Current letter from the Kentucky Department for Environmental Protection is attached. The State does not have regulatory authority over the hazardous substances contained inside of the WPA building.
- ii. The Kentucky Department for Environmental Protection certifies in the attached letter that there is a sufficient level of site characterization from the environmental site assessment performed to date for the remediation work to begin on the site.

## **10. Enforcement or Other Actions**

The City of Beattyville affirms there are no known ongoing or anticipated environmental enforcement or other actions related to the site for which Brownfields Grant funding is sought.

## **11. Sites Requiring a Property-Specific Determination**

The subject site does not require a property-specific determination.

## **12. Threshold Criteria Related to CERCLA/Petroleum Liability**

- a. Property Ownership Eligibility – Hazardous Substance Sites
- ii. EXCEPTIONS TO MEETING THE REQUIREMENTS FOR ASSERTING AN AFFIRMATIVE DEFENSE TO CERCLA LIABILITY
  - (1) Publicly Owned Brownfield Sites Acquired Prior to January 11, 2002
  - (a) The Works Progress Administration (WPA) constructed the building for the City of Beattyville in 1939 and donated to the City of Beattyville. The city has owned it continuously. The City of Beattyville owns the property in fee simple title. The City of Beattyville has operated the property since its construction in 1939 as an administration building and the city jail.
  - (b) The exact date of is not known, but was in 1939.
  - (c) The disposal of hazardous substances at the site occurred before the City of Beattyville acquired the property.
  - (d) The City of Beattyville affirms that we have not caused or contributed to any release of hazardous substances at the site.
  - (e) The City of Beattyville has not at any time arranged for disposal of hazardous substances at the site or transported hazardous substances to the site.

## **13. Cleanup Authority and Oversight Structure**

- a. The City of Beattyville will comply with all applicable federal and state laws and will ensure that the cleanup project protects human health and the environment. Beattyville does not plan to enroll in a state response program, as ACM, LBP and mold contained within a building are not subject to state oversight. The City of Beattyville's Brownfields Project Manager, Sally Gilbert along with Kentucky River Area Development District staff will oversee and manage the overall cleanup project. Additional technical expertise and assistance will be acquired by procuring a qualified environmental professional and licensed abatement contractor(s) prior to beginning cleanup activities. The City of Beattyville's procurement includes a Request for Proposals published in the local newspaper and on the city's website. The responses will be thoroughly reviewed based on predetermined criterion in order to select the most qualified firm(s) and to ensure fair and open competition. Local, Women-Owned and Minority firms will be encouraged to apply.
- b. Access to adjacent properties is not anticipated in order to conduct cleanup activities, however, if it is determined that access is needed, the City of Beattyville will work with adjacent property owners to obtain access to their properties.

#### **14. Community Notification**

- a. Draft Analysis of Brownfield Cleanup Alternatives - attached
- b. Community Notification Advertisement – attached

On October 26, 2022, the City of Beattyville published the Public Meeting Notice in the The Three Forks, local newspaper to inform the public of intent to apply to the United States Environmental Protection Agency, the local newspaper, to inform the public of its intent to apply to the United States Environmental Protection Agency for a grant to cleanup the WPA building located at 337 Main Street in Beattyville, KY. The notice informed the public of the availability of the draft ABCA and grant application for review and invited to comments on the documents.

- c. Public Meeting was conducted in person on November 2, 2022 at Beattyville City Hall.
- c. Draft ABCA – attached  
Newspaper ad and affidavit are attached  
Comments received – none, see attached meeting minutes  
Applicant’s response – n/a; see attached meeting minutes  
Meeting notes – minutes are attached  
Roster of attendance - attached

#### **15. Contractors and Named Subrecipients**

Contractors – N/A; a contractor has not been procured

Subrecipients – Kentucky River Area Development District (KRADD) will be a subrecipient. KRADD will assist the City of Beattyville with financial and project management. KRADD is a regional council established under state legislature (KRS Chapter 147A Section .050), and therefore, eligible for a subaward.



ANDY BESHEAR  
GOVERNOR

REBECCA W. GOODMAN  
SECRETARY

**ENERGY AND ENVIRONMENT CABINET  
DEPARTMENT FOR ENVIRONMENTAL PROTECTION**

TONY HATTON  
COMMISSIONER

300 SOWER BOULEVARD  
FRANKFORT, KENTUCKY 40601  
TELEPHONE: 502-564-2150  
TELEFAX: 502-564-4245

November 4, 2022

Edward Scott Jackson  
Mayor, Beattyville, KY  
P.O. Box 307  
Beattyville, Kentucky 41311

Re: Letter of Support for a Brownfield Cleanup Grant Application

Dear Mayor Jackson:

The Kentucky Department for Environmental Protection (DEP) is supportive of, and committed to, the work of Beattyville, KY to address brownfield sites in the community. DEP is the state agency charged by the legislature with the responsibility of implementing the Kentucky equivalent of the federal Superfund program, and as such, is an essential component of any attempt to systematically address brownfield redevelopment.

Supporting documentation for your project, located at 337 Main Street, Beattyville, KY, indicates that the cleanup involves asbestos, lead based paint and mold. Based on a review of those surveys and the analysis of brownfield cleanup alternatives, it appears that your site is fully characterized and ready for remediation.

Asbestos, lead based paint and mold remediation do not fall under the Division of Waste Management regulations. As such, your program does not qualify to enter Kentucky's Voluntary Environmental Cleanup Program.

Sincerely,

A handwritten signature in cursive script that reads "Eric Eisiminger".

Eric Eisiminger  
Brownfield Coordinator

EE:ee

ec: Christoph Uhlenbruch, Division of Waste Management  
Alex Sandlin, Division of Waste Management, Hazard Regional Office  
Teresa Mays, City of Beattyville