

GEORGE FLAGGS, JR.
MAYOR



ALEX J. MONSOUR, JR.
ALDERMAN

MICHAEL A. MAYFIELD, SR.
ALDERMAN

City of Vicksburg

1401 WALNUT STREET • VICKSBURG, MS 39181 • (601) 636-3411

Narrative Information Sheet

1. **Applicant Identification:** City of Vicksburg, Mississippi
Post Office Box 150
Vicksburg, MS 39181
2. **Funding Requested:**
 - a. Grant Type: Single Site Cleanup
 - b. Federal Funds Requested: \$960,485
3. **Location:**
 - a. City: Vicksburg
 - b. County: Warren County
 - c. State: Mississippi
4. **Property Information:** US Rubber Reclaiming Site
2000 Rubber Way
Vicksburg, MS 39180
5. **Contacts:**
 - a. Project Director:
Jeff Richardson, Community Development Director
601.634.3574
jeffr@vicksburg.org
P.O. Box 150, Vicksburg, MS 39181
 - b. Chief Executive/Highest Ranking Official:
George Flaggs, Jr., Mayor
601.631.3718
mayor@vicksburg.org
P.O. Box 150, Vicksburg, MS 39181
6. **Population:** 20,904 (2020 US Census Bureau)

Incorporated 1825

City Website: <http://www.vicksburg.org>

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7. Other Factors

Sample Format for Providing Information on the Other Factors	Page #
Community population is 10,000 or less.	
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.	
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).	
The proposed site(s) is in a federally designated flood plain.	
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.	
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.	

8. Releasing Copies of Applications:

Not applicable

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NARRATIVE

1. PROJECT AREA DESCRIPTION AND PLANS FOR REVITALIZATION

a. Target Area and Brownfields

i. Background and Description of Target Area: Vicksburg, the county seat of Warren County, is one of the South's most iconic Mississippi River towns. Ironically, however, much of Vicksburg was cut off from the Mississippi River in 1876, when the river changed course at Louisiana's Desoto Peninsula. During the Civil War, Ulysses S. Grant's forces attempted to trigger that course change in order to cut the city off from the river. What Grant was unable to do in 1862 and 1863, nature achieved just 13 years later. The course change cost Vicksburg its river port and, in turn, led to a drastic downturn in the city's economy. The City floundered until 1903, when the Yazoo Diversion Canal was completed – reconnecting the City to the river.

Based on our proximity to the Mississippi River, port operations are essential for our City to survive. Therefore, we have worked tirelessly to operate a successful inland port (the Port of Vicksburg) on the Yazoo Diversion Canal. The Port of Vicksburg has been ranked the 11th busiest inland port in the nation, and locally, the port supports 21 industries that employ an estimated 4,000 people. However, the operation of this port is not without its problems. For example, recently on October 24, 2022, the level of the Mississippi River at Vicksburg hit -0.08, which is one of the river's lowest this year. Droughts impact the Mississippi River; however, they impact our manmade Yazoo River Diversion Canal even more – thereby limiting accessibility to the Port of Vicksburg. Due to climate change, we expect droughts like this to continue impacting our diversion canal; however, we and Warren County have a plan. In March 2022, an expansion of our port was announced, and now, for the first time in nearly 150 years, Vicksburg is on the cusp of having a port complex physically on the Mississippi River. This port expansion on the Mississippi River itself will be an economic turning point for our City and will help our City withstand drought impacts to our shipping industry (our main industry).

This port expansion (South Port) will involve the development of a roughly 1,600-acre port complex through a 50-50 partnership between Warren County and the City of Vicksburg. The South Port will be located in the **Highway 61 Corridor Target Area**, which is approximately 2,500 acres in size and primarily industrial in nature. The **Highway 61 Corridor Target Area** is bounded by Highway 61 (East), Interstate 20 (North), the river (West), and Warrenton Road (South). Residences and industrial facilities in the target area are sporadically present due to the varying topography and historic zoning.

The South Port is essential in developing economic opportunities for underserved and impoverished citizens of our City. A significant portion of our population lives below the Federal Poverty Level (FPL), and unemployment has increased due to closings/downsizings of employers like Ergon Biofuels, Anderson-Tully, and Grand Station Casino. Vicksburg's 150-year industrial activity coupled with steady economic decline have resulted in hundreds of brownfields and vacant/underutilized (V/U) sites throughout the City. One such site is the **U.S. Rubber former industrial site (2000 Rubber Way), which is the focus of this Cleanup Grant application.** The U.S. Rubber site is adjoined by Highway 61 to the east and adjoined by the 1,600-acre South Port site to the west. Because of its prime location and the fact that it is owned by the City of Vicksburg, the U.S. Rubber site is ideal for potential, direct or indirect, port users in the industrial and manufacturing sectors. The property, once cleaned and once the port is development, will be attractive for industrial development which would create much needed high-paying jobs and attract private capital investment into the community.

The Highway 61 target area, located in Census Tract 9511.02 of Warren County, is the focused target area community for grant funding with the U.S. Rubber Reclaiming site as the targeted site for cleanup activities. Award of this cleanup grant would be a significant next step in the continuity of our already-successful brownfield program, and will result in moving a site from the assessment phase to full cleanup, and the creation of a new, major revenue source for the City of Vicksburg. We appreciate your consideration of our proposal.

ii. *Description of the Brownfield Site:* The former **U.S. Rubber Reclaiming site** (ACRES No. 244249), also referred to as the US Rubber site, is located at 2000 Rubber Way in Vicksburg, Warren County, Mississippi. The property covers approximately 12.6 acres. The facility is located in Section 20, Township 15 North, Range 3 East of the Vicksburg West, Mississippi USGS 7.5-minute Topographic Map. More specifically, the site is located at 32° 15' 44.74" North latitude and 90° 55' 18.71" West longitude. The property is developed with the following buildings:

- Plant #1 is an approximately 55,000 square feet (sf) building located in the center portion of the subject property. Recently, the canopy attached to the western end of Plant No. 1 collapsed due to weather damage;
- Plant #2 is an approximately 19,000-sf building located on the eastern portion of the property;
- A third 14,000-sf building used as a natural rubber building and shop is located on the northern portion of the property; and
- Two smaller structures used for offices and storage that both cover approximately 2,500 sf in area are located on the southern portion of the property.

Butyl/natural rubber waste piles were abandoned on the property. Large mounds of butyl/natural rubber waste are present atop soil on the northern/northwestern portion of the property and located atop soil and/or concrete on the southern portion of the property near Plant #1. Approximately eight aboveground storage tanks (AST) are located on the western portion of the property. Two Phase I ESAs were performed on the U.S. Rubber site in 2014 and in 2019 (prior to the acquisition of the site by the City of Vicksburg). Both Phase I ESAs identified recognized environmental conditions (REC) on the property associated with former U.S. Rubber operations: particularly historical waste handling and disposal operations. Additionally, aboveground storage tanks (AST), which once contained petroleum products and hazardous substances (acids) and an underground oil/water separator are also still located on the site and need to be removed. Based on these Phase I ESA findings, two Phase II ESAs were performed at the site in 2014 and in 2019, and an asbestos-containing materials (ACM) survey was performed on buildings on the site in December 2020. It was discovered that gray window caulking and transite siding on buildings on the site contain asbestos but that they non-friable and in relatively good condition. Findings from the Phase II ESAs revealed that volatile organic compound (VOC) and polycyclic aromatic hydrocarbon (PAH) concentrations in soil were detected in soil and groundwater at the site; however, there are roughly 30,000 cubic yards of butyl/natural rubber waste (and other potentially hazardous waste interspersed) that was abandoned by the defunct U.S. Rubber Recycling company on the site.

After a fire at the site in May 2002, butyl/natural rubber waste began to accumulate on-site as operations began to slow and struggled to continue. The fire was thankfully contained and remediated; however, the nearly 30,000 cubic yards of butyl/natural rubber waste remaining today are a constant reminder to the community that the waste materials are still a significant fire hazard for the site and for the surrounding underserved populations. With VOC and PAH concentrations identified in the groundwater, there is growing concern that the waste piles, ASTs, and oil-water separator remain as long-term sources for leaching into groundwater and onto neighboring properties like The Word Church and former Rouse Rubber property. Butyl rubber waste is comprised of carbon black and aluminum silicate along with the hazardous substances zinc oxide, 1,3-butadiene, and 4-morpholinyl-2-benzothiazole disulfide. The latter two chemical components of butyl rubber are highly flammable and thereby heighten the risk of fire at the U.S. Rubber site. Burning of butyl rubber results in the breaking down of these separate chemical components, and when these butyl rubber components are released into the atmosphere, it can result in “metal fume fever” (zinc oxide) and/or cancer (carbon black and 1,3-butadiene) for those who inhale these harmful chemicals. Not only does burning of butyl rubber result in significant health impacts/risks but it also results in significant environmental impacts. Emissions of 1,3-butadiene, which is a regulated hazardous air pollutant (HAP), are in direct violation of Clean Air Act (CAA) standards. Also, upon combustion, the components of butyl rubber can impact the surrounding soil, and considering the hazardous nature of the majority of the components, this can result in an extensive and expensive cleanup effort following a fire – a cleanup effort that is much costlier than the proposed cleanup effort in this grant application.

At the time of these previous assessments, the U.S. Rubber site was owned by the Mississippi Secretary of State (SOS), and in 2019, the SOS transferred ownership of the shuttered, large-scale recycling property to the City of Vicksburg for the purpose of economic development. Vicksburg is committed to bringing real opportunities and jobs to our city, and the cleanup of the U.S. Rubber site is essential to our plans. Therefore, based on these assessment results and redevelopment plans, an Analysis of Brownfield Cleanup Alternatives (ABCA) was developed in October 2021 for the U.S. Rubber site. Ultimately the cleanup/redevelopment alternative deemed to be the most effective was the disposal of butyl/natural rubber waste, proper disposal of ASTs and the oil/water separator, and demolition of structures on the site.

b. Revitalization of the Target Area

i. Reuse Strategy and Alignment with Revitalization Plans: The Warren County Board of Supervisors approved the transfer of \$1M to the Port Commission for the 1,600-acre South Port. According to Pablo Diaz, Executive Director and CEO of the Vicksburg-Warren Partnership, *“Both the county and city have expressed their commitment to developing a new port south of I-20... We have 1,100 plus acres already under contract and that we have completed due diligence for.”* We at the City have committed to matching this \$1M for the development of the South Port. We understand and know that this port complex development is an essential step that our community must take to develop economic opportunities for the next 25 to 35 years. The creation of this South Port is an investment in high-paying jobs of the future, and we feel confident that if this port is not developed now, Vicksburg and Warren County will potentially experience economic trouble in the future due to a lack of jobs.

Because the U.S. Rubber site directly adjoins the South Port location, the site has the potential to attract, direct or indirect, port users in the industrial and manufacturing sectors. The property, once cleaned and once the port is developed, will be attractive for industrial development which would create much needed high-paying jobs and attract private capital investment into the community. In order to make this potential a reality, wastes that pose a potential public health threat, fire threat, and leaching (to groundwater) threat must be removed.

Additionally, The Word Church, with their predominantly African-American congregation, adjoins the U.S. Rubber site to the southeast. The Word Church has long been surrounded by dilapidated industrial facilities that are safety hazards to those who attend. The nearly 30,000 cubic yards of highly flammable butyl rubber waste residue that surround The Word Church present a significant health and safety risk for church congregants. Inhalation of contaminants released to the air resulting from a fire or explosion can result in large amounts of HAPs and carcinogenic compounds being emitted into the area. Cleaning up this imminent fire hazard and source of groundwater contamination would immediately improve the safety and well-being of the primarily African American congregants of The Word Church.

Vicksburg's Comprehensive Plan, developed in 2014, serves as a general and long-range policy guide to decision-making for the City of Vicksburg. The Plan is "comprehensive" in that it includes all of the city's geographical areas and service functions that sustain or support the City's physical development. The Plan is "long-range" in that it looks beyond the City's immediate conditions and issues to the City's future (20 to 25 years) needs and potential. The Comprehensive Plan identifies the U.S. Rubber site as currently heavy industrial with a planned future land use of heavy commercial. Therefore, the cleanup and redevelopment of U.S. Rubber directly supports our Comprehensive Plan for the site and the area.

ii. Outcomes and Benefits of Reuse Strategy: The development of the South Port, directly supported by the cleanup and redevelopment of the U.S. Rubber site, is estimated to result in the creation of 600 direct jobs and hundreds of millions in additional investment and annual payroll. In 2019, we at the City (along with assistance from the Warren County Port Commission) commissioned a market analysis that identified six top market opportunities that Vicksburg could recruit if more port infrastructure were available. These market opportunities include scrap iron imports from Mexico, containerized soybean exports, wood-chip exports in containers, resin exports, the attraction of a "mini" steel mill, and imports of spruce logs. Creating a clean industrial site adjacent to the South Port is important and necessary to support the creation of these above-mentioned opportunities. The job outcomes for the City of Vicksburg are undeniably necessary based on the prevalence of underserved and impoverished populations in our City.

Additionally, cleaning up U.S. Rubber and removing the health, safety and fire hazards will be an active measure to ensure Environmental Justice impacts from past heavy industrial uses do not continue for congregants. We at the City recognize that church locations are neither arbitrary nor impersonal, so we are committed to helping The Word Church remain on their chosen property but surrounded by much safer and cleaner conditions.

c. Strategy for Leveraging Resources:

i. Resources Needed for Site Characterization: Though we are confident that the U.S. Rubber site has been fully characterized, should additional characterization be necessary, Vicksburg's current City-Wide Brownfield Assessment Grant has sufficient funds to support additional environmental assessments. Additionally, MDEQ was recently awarded a nearly \$2M Statewide Brownfield Assessment Grant, and these funds are available to offset further site characterization needs if our existing grant cannot cover those.

ii. Resources Needed for Site Remediation and iii. Resources Needed for Site Reuse: It should be noted that the City purchased the property in 2019 out of an earnest desire to support the cleanup and redevelopment of the U.S. Rubber site – even before the South Port plans were developed. We have funded Phase I ESAs and Phase II ESAs out of our own coffers, and Brownfield grant assessment funds have already been used to prepare an Analysis of ABCA study.

The Cleanup Grant funding proposed for the U.S. Rubber site is believed to be adequate in funding the necessary cleanup activities. However, should additional funding be necessary for remediation, the MDEQ recently received a Brownfield Revolving Loan Fund (RLF) of \$1M that can be utilized to offset additional remediation costs that are incurred/encountered.

ii. Use of Existing Infrastructure: The U.S. Rubber site is connected to our network of streets and utilities including electrical, natural gas, water, and sewer – thereby making expansion of these utilities to the South Port easier.

2. COMMUNITY NEED AND COMMUNITY ENGAGEMENT

a. Community Need

i. The Community's Need for Funding:

Community Need Metric¹	Vicksburg	Mississippi	United States
Total Population	20,904	2,949,965	331,893,745
Median household income	\$34,242	\$46,511	\$64,994
Per capita income	\$23,154	\$25,444	\$35,384
Persons in poverty (%)	32.4%	19.4%	11.6%

¹ U.S. Census Bureau QuickFacts, <https://www.census.gov/quickfacts/>

In 2016, we received a Community-Wide Brownfield Assessment Grant from the EPA; and in 2017 we received a Brownfield Cleanup Grant for the former Kuhn Memorial Hospital, which was a long-time blight to the surrounding underserved neighborhood. With funds from these brownfield grants, we were able to place 23.45 acres back into productive use, and an additional 12.8 acres (Kuhn Memorial Hospital) was classified as ready for reuse in Summer of 2019. However, to complete the Kuhn Hospital Brownfield Cleanup in 2019, \$468,000 of bond money was shifted away from other city projects which decreased our ability to draw on other initial sources of funding for the U.S. Rubber project. We have also committed \$1M to the development of the South Port – thereby limiting our ability to draw on other funds necessary to cleanup the U.S. Rubber site.

Our ability to draw from the local population is also diminished due to the prevalence of poverty (as detailed in the table above) and the fact that the home ownership rate (i.e. property tax revenue source) in Vicksburg is nearly 30% less than the nation. In the last several years, our City and citizens have experienced closings/downsizings of major employers: LeTourneau Technology, Cameron International, Grand Station Casino, Anderson-Tully, Bunge, Ergon Biofuels, and Armstrong Flooring, which have devastated Vicksburg economic conditions. We need Cleanup Grant funding in order to support the cleanup of the U.S. Rubber site. This Cleanup Grant is an opportunity to expand upon the positive steps we made through our previous two brownfield grants and our existing assessment grant and to support the hard work and limited resources we have devoted to redevelopment and revitalization of our City and our port system.

ii. Threats to Sensitive Populations:

(1) Health or Welfare of Sensitive Populations:

Sensitive Populations and Health/Welfare	Target Area	Mississippi	United States
Minority ¹	64%	41.2%	24.2%
Black/African American ¹	60%	38.0%	13.6%
With a disability, under age 65 years (%) ¹	14.2%	11.9%	8.7%
Children Below 100% FPL (%) ²	36.5%	31.6%	21.2%
Children Eligible for Free/Reduced Price Lunch ³	92.5%	75.0%	52.6%
Teen Birth Rate (per 1,000 people) ⁴	69	59.4	36.6

The health and welfare issues affecting our sensitive populations in Vicksburg are best resolved by the creation of new job opportunities. Poverty is a catalyst for many health/welfare crises, and in our city – our most impoverished citizens are minorities. Investment in the South Port and in the cleanup and redevelopment of the U.S. Rubber site will spur more employment opportunities (at least 600 direct jobs) and eventually a wider variety of supporting business (indirect jobs). We know that cleanup funding provided through this grant will make a significant difference on the development of the South Port – thereby economically benefiting our citizens and underserved populations.

In addition to our general population living in poverty, our teen birth rate statistics significantly outweigh national and state averages. These teenage mothers/pregnant teenagers often live in poverty-stricken conditions in our city, which prevents them from accessing proper prenatal care – thereby leading to low birth weight statistics that exceed state-wide and national averages. Job creation will open doors to these expectant/young mothers to gain employment, which will lead to a lower rate of children living below the FPL.

Finally, although the existing 30,000 cubic yards of butyl rubber waste on the U.S. Rubber site have not caught fire recently, these mounds of rubber pose an imminent threat to the health and welfare of the adjoining a primarily African American-attended church and will continue to pose a potential threat to groundwater if the degrading waste materials are not properly disposed.

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

Health Conditions	Vicksburg	Mississippi	United States
Asthma ⁵	13.4%	12%	13.4%
Cancer (Colon & Rectal) ⁶	56.6 per 100,000	49.1 per 100,000	39.8 per 100,000
Cancer (Lung) ⁷	74.8 per 100,000	75.7 per 100,000	61.2 per 100,000
Mortality - Cancer ⁷	200.1 per 100,000	193.2 per 100,000	160.9 per 100,000
Mortality - Heart Disease ⁸	278.7 per 100,000	234.96 per 100,000	168.2 per 100,000

² US Census Bureau, American Community Survey

³ National Center for Education Statistics, NCES - Common Core of Data

⁴ US Department of Health & Human Services (US DHHS), Health Indicators Warehouse. Centers for Disease Control (CDC) and Prevention, National Vital Statistics System

⁵ Centers for Disease Control and Prevention, Behavioral Risk Factor Surveillance System. Additional data analysis by CARES

⁶ State Cancer Profiles

⁷ Centers for Disease Control and Prevention, National Vital Statistics System

Health Conditions	Vicksburg	Mississippi	United States
Mortality - Lung Disease ⁸	67.5 per 100,000	56.11 per 100,000	41.3 per 100,000
Low Birth Weight ⁸	14%	12.1%	8.2%

Maintaining a healthy environment is central to increasing quality and years of life. Globally, 23% of all deaths and 26% of deaths among children under age 5 are due to preventable environmental factors. Because the identified target area is plagued by brownfield sites like U.S. Rubber, the underserved populations living in this target area are more likely to be exposed to environmental pollutants from these sites.

The table above details incidences of disease and adverse health conditions for Vicksburg in comparison to State and Nation-wide rates of occurrence. Over one quarter of our city-wide population are current cigarette smokers. Smoking coupled with a potential rubber waste fire, significantly increases the likelihood of an asthma, cancer, or COPD diagnosis. Although the existing 30,000 cubic yards butyl rubber waste on the U.S. Rubber site have not caught fire recently, these mounds of rubber waste pose an imminent threat to the health and welfare of the adjoining The Word Church – a primarily African American-attended church. A fire caused by these butyl rubber mounds would result in emissions of HAPs, which are linked to cancer and respiratory issues. Considering the high prevalence of lung cancer, asthma, and lung disease in our City, we cannot afford to risk further health impacts to our underserved populations. Leaving nearly 30,000 cubic yards of butyl rubber waste and the ASTs and other containers remaining on-site, several of which contained flammable liquid residue/materials, would be a risk that is not worth taking.

(3) Promoting Environmental Justice:

Vicksburg has numerous cumulative environmental issues that add concern to the overall public health including environmental justice. As shown in the following table, the underserved populations in the target area appear to experience environmental justice challenges, demonstrated by the community's overall poor health and the possible associations with Brownfield sites like the U.S. Rubber:

Environmental Justice Indexes for U.S. Rubber Site⁹	Percentile in State	Percentile in USA
EJ Index for PM2.5	65 th	79th
EJ Index for Diesel Particulate Matter	80th	67 th
EJ Index for Air Toxics Cancer Risk	63 rd	80th
EJ Index for Air Toxics Respiratory HI	64 th	82nd
EJ Index for Wastewater Discharge	81st	75th

Source: EPA's EJ Screen, Radius Report, Printable Standard Report. **BOLD** values exceed the 75th percentile

Environmental impacts disproportionately affect minorities and the impoverished in the target area – an Environmental Justice (EJ) issue for the target area and U.S. Rubber site location. Additionally, the EPA's Climate & Economic Justice Screening Tool identifies the Census Tract that the U.S. Rubber site is located in as "disadvantaged" in climate change. U.S. Rubber's Census Tract was selected as disadvantaged in the category of climate change because of the above EJ Indexes, an agricultural loss rate in the 92nd percentile, an expected population loss rate in the 93rd percentile, and the fact that the Census Tract is in the 70th percentile for households with incomes less than or equal to twice the FPL and is in the 94th percentile for higher education non-enrollment. Cleaning up the U.S. Rubber site would result in the removal of the environmental hazards (like ASTs), and safety/environmental hazards from the abandoned butyl rubber waste mounds, thereby immediately improving air quality for residents, reducing the likelihood of future impacts, and improving safety for surrounding underserved citizens.

The target area is in the 81st percentile in the state and 75th percentile in the nation for wastewater discharges. Currently, rain that lands on the U.S. Rubber site is exposed to butyl/natural rubber waste, potential petroleum products/hazardous substances, and other potential environmental contaminants that could impact sediment loading, biochemical oxygen demand, and/or chemical oxygen demand to the nearby river and bayous. Cleanup of the U.S. Rubber facility, which is not regularly inspected for wastewater/stormwater issues, would help to reduce the wastewater discharge index for the target area.

The jobs that would be created from the South Port would improve the low-income item that placed the Fry Building's Census Tract in the climate change category of the Climate & Economic Justice Screening Tool.

Finally, the adjoining The Word Church – a primarily African American-attended church – has many characteristics of an EJ community. This congregation has had to endure poor industrial housekeeping and neglect for years due to the protracted abandonment and tax forfeiture of the property. The lingering environmental challenges have deterred redevelopment for nearly two decades. The City took a bold move in

⁸ US Department of Health & Human Services, Health Indicators Warehouse. Centers for Disease Control and Prevention, National Vital Statistics System. Accessed via CDC WONDER

⁹ EPA, EJScreen Report (Version 2.1), User Specified Area

2019 when it acquired the property, recognizing that an EPA Brownfield Cleanup Grant is the City's best opportunity to reconcile this environmental injustice.

b. Community Engagement:

i. Project Involvement and ii. Project Roles: Our three Brownfield grants (two assessment and one cleanup) were only successful because of the fervor of our residents and the active role that they and our leadership played. We have learned through our Brownfield grants and through the development of our Comprehensive Plan that success comes from actively engaging community members and involving them in the process from beginning to end. We have selected project partners who are rooted in Vicksburg and have the ability to reach all cross-sections of our community in the target area, thereby encouraging community input and support throughout this project. Each of the identified entities will have meaningful involvement in the cleanup and future reuse of the Site and will be effectively engaged and informed throughout this grant. The City's existing EPA-Approved Community Involvement Plan (CIP) will be modified to reflect new areas and project partners; but the philosophy that the active participation of project partners will remain.

Name	Point of Contact	Specific Involvement
Vicksburg-Warren Partnership (Local Eco. Development Org.)	Pablo Diaz 601-636-1012 pablo@vicksburgchamber.org	Leader of the South Port economic development effort to match port plans with site reuse, identifying and crafting financial mechanisms for redevelopment and reuse, BAC
Warren County Board of Supervisors	William Banks – 601-529-9455 wbanks@co.warren.ms.us	<u>LOCAL</u> leveraging resource will provide community education and work closely with Vicksburg-Warren Partnership and City.
The Word Church of Vicksburg	Pastor Oscar Davis, 601-807-3776 twcofvicksburg@yahoo.com	<u>Adjacent</u> property owner and member of BAC that will <u>disseminate information</u> and <u>allow the use of facilities for meetings</u>
Central MS Planning & Development District	Jay McCarthy, 601-946-0451 jmccarthy@cmpdd.org	<u>FEDERAL</u> leveraging resource (e.g., USDA, MDA, DRA) for reuse, redevelopment, and <u>infrastructure</u> .
Two River Cats LP Local Real Estate Investor & Developer	Mary Jane Wooten, 601.218.2964 curbappealrealestate@gmail.com	Current BAC Member who will assist with commercial and industrial outreach and <u>real estate valuation</u>
United Way of West Central MS	Michelle Connelly – 601.636-1733 michelle@unitedwayvicksburg.org	Current BAC Member and trusted community organization will assist with <u>disseminating information to underserved residents in area</u> .
MDEQ	Thomas Wallace 601.961.5240 twallace@mdeq.ms.gov	<u>STATE</u> Leveraging resource, Corrective Action Plan approval, liability protection, and cleanup incentives.

iii. Incorporating Community Input: In 2016, the City of Vicksburg formulated a plan for involving the community during our first assessment grant, and then in 2020, we refined this plan. We are currently implementing that plan through our existing assessment grant. Using the elements already developed in the CIP associated with the assessment grant, Vicksburg has expanded on these initiatives to include the U.S. Rubber site cleanup as the next natural step in our brownfields program. Vicksburg's CIP already includes a provision for methods of communicating with the public, regularly scheduled meetings with the affected community, meetings of project partners, and a discussion of the site selection process.

The BAC was formed by the City and is comprised of representatives from the community, local realtors, bankers, city officials, consultants, members of chambers of commerce, local business and industry representatives, county health and economic development corporations, and environmental representatives. We have held two meetings that focused on U.S. Rubber, the latest on November 2, 2022. Notification was given regarding the intent to submit the cleanup grant as well as an update on current activities associated with the ongoing assessment grant. An overview of how the brownfields program and potential benefits to the community were discussed, along with the environmental impacts and planned redevelopment of the U.S. Rubber site. The meeting drew local residents, partners, and City officials. Concerns regarding the impacted site and safety hazards at the site were discussed openly, and the interest level for cleanup of the site and redevelopment for job creation was high. The meeting was advertised in advance, and the Analysis of Brownfield Cleanup Alternatives (ABCA)/grant proposal was available for review. Comments were made and addressed. No objections to the project were raised, and we are confident that we have full community support for the cleanup and redevelopment of the site.

Upon award of this Cleanup Grant, an additional meeting will be held prior to scheduling of cleanup activities, which will be advertised through the previously used effective methods (website updates, social media posts, direct responses by phone, or meetings and email based on the preferences of the inquirer). Meetings will be held in person following CDC COVID-19 guidelines when possible, but Google Meet and Zoom Meetings will also be used to be inclusive. Monthly briefings will be posted on the brownfield section of the City website and social media pages as the project progresses. Once cleanup is complete, a ribbon cutting ceremony for the South Port entrance from the U.S. Rubber thoroughfare will be held to celebrate the achievement. The MDEQ and the EPA will be invited to attend the ribbon cutting along with the local community.

3. TASK DESCRIPTIONS, COST ESTIMATES, AND MEASURING PROGRESS

a. Proposed Cleanup Plan:

Field activities will be conducted in general accordance with applicable sections of the EPA, Region 4, Quality Systems and Technical Procedures (2010-2017), and the MDEQ Assessment and Remediation Branch regulations, requirements, and protocols. The Environmental Professional ("Consultant") will perform oversight of contractors for the oil/water separator removal, AST removal, and waste removal, and reporting for the CAP activities previously outlined. Conditions encountered in the field that impacts the cost of the project or stated project goals will be promptly relayed to the client, the MDEQ project manager, and the EPA project manager. The work plan will then be modified, if necessary, to address feedback from the client and the MDEQ. The selected Consultant will serve as the Safety Officer for the duration of the remediation project. The Consultant and Contractors will provide documentation of current Occupational Safety and Health Administration (OSHA) 40 CFR 1910.120 training and annual medical surveillances. A site health and safety plan (HASP) will also be prepared. The HASP and documentation of training will be available for review at the site during cleanup activities.

A draft ABCA that presented several cleanup alternatives to address environmental impacts/issues at the U.S. Rubber site was developed in October 2021, and the alternative that was selected was further clarified in a CAP developed in June 2022. Details of these cleanup plans are provided below:

Butyl Rubber Waste Removal: The abandonment of butyl/natural rubber waste occurred on the property during past industrial use. Drone images were used to calculate the volume of butyl/natural rubber waste located on the US Rubber site. The site was separated into 15 distinct areas of butyl/natural rubber waste piles. The sum of the areas was calculated to be approximately 132,387.75 square feet. Using an average 6-foot height, the volume of the butyl/natural rubber waste was estimated to be approximately 794,330 cubic feet. This converts into an estimated volume of 29,420 cubic yards. The waste consisting of butyl/natural rubber and residue will be removed from the property and properly disposed.

Underground Oil/Water Separator Removal: An underground oil/water separator is reportedly located on the northern/northwestern portion of the property. The oil/water separator cannot currently be accessed due to butyl/natural rubber waste mounds and standing water located in the area. Because it could not be accessed, for pricing purposes it is assumed that the oil/water separator has an approximately 1,000-gallon capacity. The underground oil/water separator will be emptied and removed from the property. The oil/water separator will be emptied utilizing a vacuum truck and will be properly disposed of at a recycling facility or landfill. Confirmation sampling will be conducted in the oil/water separator excavation area. Samples from the sidewalls and floor of the excavation will be collected in accordance with the MDEQ *Groundwater and Remediation Division Guidance Document – Small Site Soil Cleanup Verification (Less Than 10,890 Square Feet)* dated September 2006. A minimum of one confirmation soil sample from each of the four sidewalls and two-floor samples will be collected from the excavation. Additional samples may be collected based on conditions encountered in the field. Confirmation samples will be analyzed for TPH-GRO (EPA Method 8015) and TPH-DRO (EPA Method 8015). Contaminated soils from the oil/water separator excavation will be stockpiled on the site for disposal at an approved landfill.

AST Removal. ASTs are located on the U.S. Rubber site from the former use of the property as an industrial facility. Approximately eight ASTs are located on the western portion of the subject property. The tanks appeared to have either historically contained muriatic acid, oil, or water. The muriatic acid and water tanks located on the western portion of the property were associated with wastewater treatment activities that historically occurred on the property. Two ASTs are stored under a canopy and located in secondary containment structures (with water overflowing from the containments) on the east-central portion of the property. These two ASTs appeared to be formerly used for oil or fuel storage. The contents of the tanks will be removed and disposed of at proper facilities. The procured consultant/contractor will conduct sampling necessary to profile the contents of the ASTs in order to ensure proper disposal occurs.

Latex Paint Drums Removal. Approximately thirty 55-gallon drums of latex paint are located inside the Natural Rubber Building on the east-central portion of the property. The drums appear to be sealed and can be transported

without re-containerizing the contents prior to disposal. The 55-gallon drums of latex paint will be properly disposed of or recycled.

Though the ABCA includes an alternative that considers asbestos abatement and demolition, the City, after conferring with project partners serving on our existing Brownfield Advisory Committee (BAC), has decided that demolition is likely not an eligible grant cleanup expense for this particular project; and therefore, asbestos abatement and demolition was not considered as part of the subject cleanup grant proposal. The costs for abatement and demolition developed in the ABCA will be used should we decide to completely clear the site once the abandoned waste piles, ASTs, drums, and oil-water separator have been removed from the site. A full description of the cleanup plan and logic used to estimate the cost is included in the attached ABCA. The MDEQ has also concurred that adequate sampling has been conducted (see attached letter from Thomas Wallace of the MDEQ).

b. Description of Tasks/Activities and Outputs: The cleanup grant guidelines for this section request that (i) Project Implementation; (ii) Anticipated Project Schedule (iii), Task Activity/Lead, and (iv) Outputs be addressed. Due to the close relation between these items and for ease of presentation, we have addressed these criteria in a single table, provided below. This table provides a detailed listing of the major tasks to be completed, the activities/subtasks associated with each task, the schedule for completion, who will lead task efforts, and the anticipated outputs. Projected costs for each of the major subtasks/outputs are included in *Section 3.C, Cost Estimates*.

i. Project Implementation / Tasks	Activities/Subtasks	Details ii. Project Schedule	iii. Task Activity/Lead	iv. Outputs
<u>TASK 1</u> Project Management	Execute Cooperative Agreement	30 days after award	Applicant	Executed Cooperative Agreement, grant management oversight, contract with an EP, EPA kickoff meeting, 12 quarterly reports in ACRES database, closeout documents
	Grant Management	Continuous	Applicant	
	Select/Finalize Contract with Environmental Professional (EP)	60 days after award	Applicant	
	Prepare EPA Progress Reports	Quarterly	Applicant & EP	
	Travel to Brownfield Conference	Year 1	Applicant	
	Kickoff Mtg with EPA and BAC	60 days after award	Applicant	
	Final Closeout	30 days after grant closeout	Applicant and EP	
<u>TASK 2</u> Community Involvement	Update CIP (<i>prepared for assessment grant</i>)	30 days after award	Applicant and EP	Updated CIP; 3 meetings
	Community Mtgs.	Quarters (Q) 1, 4, and 5	Applicant and EP	
<u>TASK 3</u> Cleanup Planning	MDEQ Brownfield/VCP Meeting and Enrollment	Q2	Applicant and EP	SSQAPP; Final ABCA; meeting with MDEQ; waste, AST, oil/water separator, and drum disposal bid specifications, and bid documents; selection of contractors
	Site-Specific QAPP	Q1	EP	
	Final ABCA and Cleanup Plan	Q1	EP	
	Prepare Bid Documents for Butyl Waste, AST, oil/water separator, and drum disposal	Q2	EP	
	Disposal Subcontractor Selection	Q2	Applicant	

i. Project Implementation / Tasks	Activities/Subtasks	Details ii. Project Schedule	iii. Task Activity/ Lead	iv. Outputs
TASK 4 Cleanup Activities	Removal and disposal of waste/residue, AST, oil/water separator, and drums	Q4	EP	Removal of contaminated media, lab reports, final cleanup report, MDEQ Brownfield Agreement/Environmental Covenant/letter of concurrence
	Cleanup Report Preparation	Q6	EP	
	Institutional controls (if necessary)/ MDEQ Brownfield Agreement/Environmental Covenant	Q7	EP	

c. Cost Estimates: The anticipated budget for each of the tasks described above, and details on the 20% cost share, are provided in the following table:

Cost Estimates						
Budget Categories		Project Mgmt	Community Involvement	Cleanup Planning	Cleanup Activities	Total
Direct Costs	Personnel ¹	\$10,000	\$10,000	\$3,000		\$23,000
	Fringe Benefits					
	Travel	\$2,600				\$2,600
	Equipment					
	Supplies					
	Contractual	\$15,000	\$15,000	\$30,000	\$874,885	\$934,885
	Other					
Total Direct Costs		\$27,600	\$25,000	\$33,000	\$874,885	\$960,485
Indirect Costs						
Total Budget		\$27,600	\$25,000	\$33,000	\$874,885	\$960,485

PROJECT MANAGEMENT COST DETAILS:

City Grant Manager project mgmt./reporting: \$100/hr x 100 hrs = \$10,000

City Grant Manager and Mayor travel expenses for attendance at one BF conference: \$2,600 (no labor, only conf. fee, travel/expenses)

EP to assist with project mgmt/reporting: \$150/hr x 100 hrs. = \$15,000

COMMUNITY INVOLVEMENT COST DETAILS:

City Grant Manager community involvement: \$100/hr x 100 hrs = \$10,000

EP to assist with CIP, community meetings, outreach, etc.: \$150/hr x 100 hrs. = \$15,000

CLEANUP PLANNING COST DETAILS:

City Grant Manager cleanup planning (bid specs, etc.): \$100/hr x 30 hrs = \$3,000

EP to assist with cleanup planning (bid specs, etc.): \$150/hr x 200 hrs. = \$30,000

CLEANUP ACTIVITIES COST DETAILS:

Contractual Only:

Disposal of approximately 30,000 cubic yards of butyl/natural rubber waste: \$850,000

Disposal of ASTs at the property: \$15,410

Disposal of oil/water separator: \$9,475

d. Measuring Environmental Results: The City will carefully track all outputs and outcomes (described in Section 3.c.ii) required in EPA Order 5700.A to ensure the grant funds are expended in a timely and efficient manner. These will be clearly identified in the project Work Plan and will be reported in the quarterly progress reports submitted to the EPA Project Officer via the EPA ACRES database. The mechanism for tracking progress has already been established with our past and current Brownfield grants, which includes preparation of a detailed schedule for submittal of draft and final compliance reports with assignments; submittal of project schedules by the EP for each task with each task proposal; weekly communications between project team members via email, phone, and review of technical data via online screen sharing applications to aid in the decision process. If progress is not meeting the new project schedule established for this cleanup grant, countermeasures (meetings with the EP, contractors, MDEQ, EPA to establish root cause and corrective actions) will be implemented to get

the project back on track. Key tasks and outputs to ensure the desired environmental results are achieved within the 3-year grant window are presented in the table in *Section 3.b* above.

Anticipated outcomes from the cleanup include liability protection via the MDEQ Brownfield Program; alignment of EPA funding objectives with redevelopment; removal of blight; reduction or elimination of future contaminant exposure; and the return of site to productive use that will support the South Port project thereby creating jobs for the local community and improving economic conditions. These outcomes align well with EPA strategic plan objectives.

4. PROGRAMMATIC CAPABILITY AND PAST PERFORMANCE

a. Programmatic Capability

i. Organizational Structure and ii. Description of Key Staff: **Mr. Jeff Richardson** will administer the cleanup grant (Project Manager of the grant). He is a licensed Landscape Architect (ASLA) and has been with the City for over 25 years, serving as Assistant Public Works Director prior to his current role as Community Development Director for the City. He completed the closeout of the City's 2017 EPA Brownfield Cleanup Grant, including final inspection of the Kuhn cleanup, and he currently manages the City's Brownfield Assessment Grant. In the event that Mr. Richardson is unable to complete this assignment, **Nancy Allen**, who has over 16 years of grant experience, will administer the grant and will be in charge of the **financial aspects of the grant**. City Attorney, **Kim Nailor**, who has provided legal support during the 2020 EPA Brownfield Assessment Grant, will also serve on the team as an **Alternate Project Manager**. Mr. Richardson, Ms. Allen, Ms. Nailor, and the City's selected Consultant will work together to ensure grant compliance is met.

iii. Acquiring Additional Resources: The primary additional resource necessary to this project will be a qualified environmental professional (EP) (Consultant) who is experienced with the EPA Brownfields Cleanup Grant process and the MDEQ's Brownfield program and Voluntary Cleanup Program (VCP). The EP, procured by the City in accordance with state and federal guidelines, will be responsible for preparing the final ABCA/cleanup plans, QAPP, Brownfield/VCP application, bid specifications; overseeing site work; conducting soil sampling during excavation activities; executing waste manifests as an authorized agent of the City; ensuring all quality control objectives are met; and preparing all reports. The EP will also be responsible for preparing all programmatic reports and updating the ACRES database. The EP will coordinate excavation contractors, Subtitle D landfills, hazardous waste transporters, and laboratories. The EP will be overseen and monitored by the City.

b. Past Performance and Accomplishments: In 2016, we received a CWA Grant, and in 2017, we received a Cleanup Grant for Kuhn Memorial Hospital. We also currently are managing a City-Wide Assessment Grant, which was awarded to us in 2020.

i. Currently Has or Previously Received an EPA Brownfields Grant:

(1) Accomplishments: Outputs and Outcomes for the 2020 CWA Grant: Vicksburg was awarded an EPA Brownfields Assessment Grant in 2020. Accomplishments/outputs already include completion of ten Phase I ESAs and four Phase II ESAs, one ABCA for U.S. Rubber, and one Cleanup Action Plan (CAP) for U.S. Rubber. Our Assessment Grant Work Plan had a goal of seven Phase I ESAs and five Phase II ESAs, and two cleanup planning activities (i.e., ABCA, CAP). **Within two years of our grant beginning, we have already accomplished 93 percent of these Work Plan goals.** Other outputs have included a Generic QAPP, CIP, community meetings, timely submissions of quarterly and annual reports, and entry of data into the ACRES database. A major outcome has been the City's decision to purchase the U.S. Rubber site for cleanup based on the findings of the environmental assessments and commitment to the brownfield program. ***Outputs and Outcomes for the 2017 Cleanup Grant:*** One Generic QAPP, one cleanup bid specs, two community meetings, one MDEQ Brownfield Agreement, one Public Notice, one HASP, and one NFA letter. A total of 12.8 acres classified as ready for reuse, and \$80,000 (9% of grant funds) allocated to a Minority-Owned Business Enterprise (MBE) air monitor. ***Outputs and Outcomes for the 2016 CWA Grant:*** One brownfield inventory, one Generic QAPP; seven site eligibility evaluations; seven Phase I ESAs; six SSQAPPs and one Addendum; seven Phase II ESAs & HASPs; two ABCAs; and two public outreach meetings. EPA reporting (ACRES database, quarterly reports, semi-annual reports, and annual reports) was completed, and a BAC was assembled. Four assessed properties have received "No Further Action" (NFA) letters from MDEQ; 23.45 acres have been placed back into productive use; \$53.1M leveraged dollars are anticipated for MS Hardware/DRA Project and other city-wide project redevelopments (will be reported in ACRES after completion).

(2) Compliance with Grant Requirements: All CWA and Cleanup Grant requirements (i.e. MBE/WBE, Quarterly Reports, and EPA/MDEQ Approvals/Signatures, QAPPs/Eligibility Determinations/Petro Det./etc.) were fulfilled on time and in compliance with the workplan, schedule, and T&C of all Brownfield Cooperative Agreements. Final Reports were submitted to EPA to close out the previous CWA and cleanup grants, and ACRES is up-to-date for all prior and current Brownfield grants. The City expended the full 2016 CWA Grant funds within two years of the three-year grant period.

THRESHOLD CRITERIA FOR CLEANUP GRANT

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1. Applicant Eligibility

The City of Vicksburg, MS, is eligible for an EPA Brownfields Cleanup Grant as a General Purpose Unit of Local Government.

2. Previously Awarded Cleanup Grants

The US Rubber Reclaiming target site in Vicksburg, MS, has not received funding from a previously awarded EPA Brownfields Cleanup Grant.

3. Expenditure of Existing Multipurpose Grant Funds

The City of Vicksburg, MS, does not have an open EPA Brownfields Multipurpose Grant.

4. Site Ownership

The City of Vicksburg, MS is the sole deed owner of the target site, which is the subject of this EPA Brownfields Cleanup Grant application. The property was acquired through transfer of Forfeited Tax Lands of the State of Mississippi by a Forfeited Tax Land Patent to the City of Vicksburg on December 4, 2019 from the Mississippi Secretary of State's Office.

5. Basic Site Information

- a) The name of the site for the purposes of this grant is the US Rubber Reclaiming Site.
- b) The site address is 2000 Rubber Way, Vicksburg, MS 39120
- c) The City of Vicksburg, MS is the current owner of the site.

6. Status and History of Contamination at the Site

a) The site is contaminated with hazardous substances and petroleum, and the hazardous substances and petroleum contaminated areas of the site are distinguishable, and no underground storage tanks (USTs) have been identified on the site through assessment or records review.

- b) **Operational History:** Based on topographic maps, aerial maps, and a 2014 Phase I Environmental Site Assessment (ESA) document, it was determined that the subject property was developed as an industrial facility in 1958. Rubber reclaiming operations occurred on the subject property for over 50 years. Operations resulted in the generation of hazardous waste in the form of oil and wastewater. Chemicals were involved in the process of treating process wastewater onsite. It was apparent, through a review of MDEQ files, that the U.S. Rubber facility did not maintain the subject property in accordance with State regulations and with good housekeeping procedures. The property was used as an industrial facility until 2010. The property was delinquent for property taxes, and offered at a tax sale in 2012, but had not been redeemed, so it was forfeited to the State of Mississippi. In 2019, after appropriate due diligence, the City of Vicksburg took ownership with a tax patent issued by the Mississippi Secretary of

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Current Use: The site remains vacant, unused, and underutilized.

- c) Environmental concerns at the site include the following.
- 30,000 cubic yards of natural/butyl rubber waste exists on the site.
 - two (2) steel, approximately 10,000-gallon above ground storage tanks (ASTs) appear compromised (cracked), and near another secondary containment structure containing two (2) approximately 500-gallon petroleum ASTs exist, likely containing residual amounts of Polynuclear aromatic hydrocarbons from diesel and petroleum products, likely serving as potential groundwater sources of contamination through long-term leaching/infiltration.
 - PAH constituents acenaphthene, benzo(a)pyrene, benzo(b)fluoranthene benzo(g,h,i)perylene, chrysene, fluoranthene, fluorene, 2-methylnaphthalene, phenanthrene, and pyrene were detected in one or more of the groundwater samples collected from temporary wells at the site and are likely attributed to sources, including the natural/butyl rubber waste piles, which could continue to leach into the groundwater.
 - Asbestos-containing materials (ACM) was identified in the transite siding and caulking on structures on the site, but is not considered friable or in poor condition at this time.

- d) How the site became contaminated. Nature and extent of contamination.

As cited in the Analysis of Brownfields Cleanup Alternatives (ABCA), the U.S. Rubber facility that operated on the subject property in the past was classified as a large quantity generator (LQG) for hazardous waste, and the facility was required to report hazardous waste generation biennially. In 2011, the facility was cited as a “Significant Non-Complier” with hazardous waste regulations. MDEQ records detailed that the facility failed to notify as a hazardous waste generator and also failed to record and maintain a manifest for hazardous waste. A 2004 MDEQ inspection report concluded that significant improvements to housekeeping procedures on the subject property were needed immediately. Mobile oil tanks and oil spills were observed throughout the subject property.

A 2015 Phase II Environmental Site Assessment (ESA) conducted through MDEQ’s Targeted Brownfield Assessment (TBA) Program included soil boring installation and **soil sampling** to investigate the RECs identified in a previous Phase I ESA Report, dated October 30, 2014. Subsurface soils contained detectable concentrations of one (1) or more Contaminants of Concern (COCs). The COCs detected in the analysis included acetone, benzene; benzo(g,h,i)perylene; n-Butylbenzene; Ethylbenzene; Isopropylbenzene; Naphthalene; n-Propylbenzene; Pyrene; Toluene; 1,2,4-Trimethylbenzene; 1,2,3-Trimethylbenzene; 1,3,5-Trimethylbenzene; Xylenes, Total; TPH-GRO; and TPH-DRO. Samples were collected near property boundaries (to determine the extent and whether contamination had migrated off-site) and near the

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former water treatment processing area located where the floor of the secondary containment structure containing two (2) steel, approximately 10,000-gallon above ground storage tanks (ASTs) appeared compromised (cracked), and near another secondary containment structure containing two (2) approximately 500-gallon petroleum ASTs.

In 2019 and involving MDEQ Brownfield staff, the City of Vicksburg and the Mississippi Secretary of State's Office shared costs for an additional Phase II ESA in an effort to further delineate the nature and extent of contamination and to determine whether migration of contamination, particularly leachability from primary sources (e.g., ASTs, oil water separator, etc.) and the waste piles had impacted **groundwater** at the site. PAH constituents acenaphthene, benzo(a)pyrene, benzo(b)fluoranthene, benzo(g,h,i)perylene, chrysene, fluoranthene, fluorene, 2-methylnaphthalene, phenanthrene, and pyrene were detected in one or more of the groundwater samples collected from temporary wells at the site. Drone footage was used to quantify the volume of the waste piles. The extent of contamination was determined to be limited to the areas around the primary sources and the waste piles and does not appear to have migrated off-site. MDEQ has concurred that the site is adequately characterized with their acknowledgement letter provided in this grant proposal packet.

7. Brownfields Site Definition

The City of Vicksburg affirms that the US Rubber Reclaiming Site:

- a) is NOT listed or proposed for listing on the National Priorities List.
- b) is NOT subject to unilateral administrative orders, court orders, administrative orders on consent, or judicial consent decrees issued to or entered into by parties under CERCLA.
- c) is NOT subject to the jurisdiction, custody, or control of the U.S. government.

8. Environmental Assessment Required for Cleanup Grant Applications

Prior to acquiring the site through transfer of Forfeited Tax Lands of the State of Mississippi by a Forfeited Tax Land Patent, the City had Phase I ESA and Phase II ESAs conducted for the property. Vicksburg was awarded an EPA Assessment Grant in 2020. Under that grant, Vicksburg conducted an asbestos survey for the US Rubber Site and an Analysis of Brownfield Cleanup Alternatives (ABCA).

- Phase I Environmental Site Assessment (ESA) (ASTM E1527-13) prepared on June 5, 2019 (funded by City of Vicksburg).
- ASTM E2356-equivalent Asbestos-Containing Materials Survey prepared on December 29, 2020 (funded by existing Vicksburg EPA Assessment Grant).
- ASTM E1903-19-equivalent Phase II ESA prepared on November 7, 2019 (funded by City of Vicksburg).
- ASTM E1903-11-equivalent Phase II ESA prepared on January 15, 2015 (funded by MDEQ through Targeted Brownfield Assessment (TBA) Program).

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- Corrective Action Plan using MDEQ Brownfield Program format prepared on June 14, 2022 (funded by existing Vicksburg EPA Assessment Grant).

9. Site Characterization

- a) Not Applicable
- b) The US Rubber Reclaiming Site is eligible to be enrolled in Mississippi's voluntary response program. The MDEQ has also confirmed that there has been a sufficient level of site characterization of the Site from environmental site assessments performed to date for remediation work to begin. A letter from the MDEQ supporting this information is attached.
- c) Not Applicable

10. Enforcement or Other Actions

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 Site does not require a Property-Specific Determination.

12. Threshold Criteria Related to CERCLA/Petroleum Liability

The is contaminated with hazardous substances and petroleum, and the hazardous substances and petroleum contamination areas of the site are distinguishable.

- a. Property Ownership Eligibility – Hazardous Substance Sites

iii. LANDOWNER PROTECTIONS FROM CERCLA LIABILITY

(1) Bona Fide Prospective Purchaser Liability Protection

- The City of Vicksburg acquired title to the Site after January 11, 2002 by acquiring the property through transfer of Forfeited Tax Lands of the State of Mississippi by a Forfeited Tax Land Patent to the City of Vicksburg on December 4, 2019 from the Mississippi Secretary of State's Office.
- The City of Vicksburg conducted All Appropriate Inquiry (AAI) prior to acquiring the property and had an ASTM E1527-13 Phase I ESA completed on June 5, 2019.
- The City is not liable in any way for contamination at the site or affiliated with any other person potentially liable for the contamination.
- All disposal of hazardous substances at the site occurred before the City acquired the site.
- The City has exercised appropriate care by taking reasonable steps to address releases, including stopping continuing releases and preventing threatened future releases and exposure to hazardous substances on the site.

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- No land use restrictions exist on the site, but the City will comply with any land use restrictions and will not impede the effectiveness or integrity of any institutional controls associated with response actions at the site.
- The City will comply with any land use restrictions and will not impede the effectiveness or integrity of any institutional controls associated with response actions at the site.
- The City will provide full cooperation, assistance, and access to authorized persons.
- The City will comply with any CERCLA information requests and administrative subpoenas, and provide all legally required notices with respect to the discovery or release of any hazardous substances found at the site.
- The City will not impede performance of a response action or natural resource restoration.

(a) Information on the Property Acquisition

The following is information on the property acquisition.

- (i) The City acquired ownership acquired through transfer of Forfeited Tax Lands of the State of Mississippi by a Forfeited Tax Land Patent to the City of Vicksburg on December 4, 2019 from the Mississippi Secretary of State's Office.
- (ii) The City acquired the property on December 4, 2019.
- (iii) The City is the sole fee simple owner.
- (iv) The property was transferred from the State of Mississippi by a Forfeited Tax Land Patent. Tax-Forfeited lands are held by the Public Lands Division of the Mississippi Secretary of State's office until sold or transferred. These lands represent properties that have been forfeited to the state of Mississippi for non-payment of ad valorem taxes.
- (v) The City does not have nor had a familial, contractual, corporate, or financial relationship or affiliation with any prior owner, operator, or other potentially responsible party of the property, including the entity from which the property was acquired.

(b) Pre-Purchase Inquiry

The City conducted the following inquiries prior to taking ownership.

- (i) A Phase I Environmental Site Assessment (ESA) (ASTM E1527-13) was performed specifically for the City of Vicksburg for BFPP defense purposes on June 4, 2019. An ASTM E2356-equivalent Asbestos-Containing Materials Survey was prepared on December 29, 2020 (specifically for the City of Vicksburg). An ASTM E1903-19-equivalent Phase II ESA was prepared on November 7, 2019 (specifically for the City of Vicksburg).

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(ii) The ASTM E1527-13 Phase I ESAs were completed and reviewed by environmental professionals, Annie McIlwain of PPM Consultants, Inc. Ms. McIlwain is a Professional Engineer licensed in the State of Mississippi with 10 years of relevant full-time work experience.

(iii) The ASTM E1527-13 Phase I ESA (June 5, 2019) was completed within 180 days prior to our acquisition of the property (December 4, 2019) in order to take advantage of the bona fide prospective purchaser provision. Continuing our all appropriate inquiry, an updated Phase II ESA was prepared on November 7, 2019 (specifically for the City of Vicksburg).

(c) Timing and/or Contribution Toward Hazardous Substances Disposal

All disposal of hazardous substances at the site occurred before the City acquired the property. The City did not cause or contribute to any 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.

(d) Post-Acquisition Uses

Since the City has acquired ownership of the property, it has been vacant and unused. The City has no relationship to prior users.

(e) Continuing Obligations

(i) To stop any continuing releases, the City has secured the site and has not allowed access to the building. As a vacant and unused building, there is no known activity at the building that would release hazardous substances.

(ii) To prevent any threatened future release, the City has secured the site and has not allowed access to the building which will be sufficient to prevent release of asbestos within the building. The City also periodically inspects the site.

(iii) To prevent or limit exposure to any previously released hazardous substance, the City has secured the site and has not allowed unauthorized access to the building which will be sufficient to prevent release of asbestos within the building. The City also periodically inspects the site.

The City of Vicksburg affirms its commitment to:

(i) Comply with any land use restrictions and not impede the effectiveness or integrity of an institutional controls;

(ii) Assist and cooperate with those performing the cleanup and provide access to the property;

(iii) Comply with all information requests and administrative subpoenas that have or

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may be issued in connection with the property; and
(iv) Provide all legally required notices.

b. Property Ownership Eligibility – Petroleum Sites

i. INFORMATION REQUIRED FOR A PETROLEUM SITE DETERMINATION

(1) Current and Immediate Past Owners

The City of Vicksburg is the current owner of the site. The immediate past owner of the site is State of Mississippi. No underground storage tanks (USTs) have been identified from records reviews or from the environmental site assessment and are therefore not considered the source of petroleum contamination.

(2) Acquisition of Site

The City acquired ownership through transfer of Forfeited Tax Lands of the State of Mississippi by a Forfeited Tax Land Patent to the City of Vicksburg on December 4, 2019 from the Mississippi Secretary of State's Office.

(3) No Responsible Party for the Cleanup of the Site

The current owner (City of Vicksburg) and the immediate past owner (State of Mississippi through Tax Forfeiture):

- (i) Did NOT dispense or dispel of petroleum or petroleum product contamination or exacerbated the existing petroleum contamination at the site;
- (ii) Did NOT own the site when any dispensing or disposal of petroleum (by others) took place;
- (iii) Have taken reasonable steps with regard to the contamination, namely have not disturbed the area in the Central Portion of the Site and have secured access to the property.

(4) Cleaned up by a Person Not Potentially Liable

The City (the applicant) did not dispense or dispose of petroleum or petroleum products or exacerbate the existing petroleum contamination at the site and has taken reasonable steps with regard to the contamination at the site.

(5) Judgements, Orders, or Third-Party Suits

No responsible party has been identified by the City as potentially liable for cleaning up the site, through either: (a) a judgment rendered in a court of law or an administrative order that would require any person to assess, investigate, or clean up the site; or (b) an

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enforcement action by federal or state authorities against any party that would require any person to assess, investigate, or clean up the site; or (c) a citizen suit, contribution action, or other third-party claim brought against the current or immediate past owner of the site (or where a UST(s) is involved, the current or immediate past owner of the UST(s)), that would, if successful, require the assessment, investigation, or cleanup of the site.

(6) Subject to RCRA

The Site is not subject to any order under §9003(h) of the Solid Waste Disposal Act.

(7) Financial Viability of Responsible Parties

Neither the current or immediate past landowners have been identified as responsible for contamination at the site.

13. Cleanup Authority and Oversight Structure

a. Vicksburg will advertise a Request for Qualifications (RFQ) in the local newspaper and other media as appropriate, in order to retain an Environmental Professional (EP) and Contractor(s) to assist with the Cooperative Agreement per the competitive requirements of 2 CFR Part 200 and 2 CFR Part 1500. The EP and Contractor(s) will assist in the project using employees experienced in the technical aspects of brownfield grant terms and conditions and in the cleanup. The procurements will follow the city's documented procurement procedures and be a fair and open competitive process. Disadvantaged Business Enterprises will have a fair opportunity to compete for all contract work. The City will assign a review team to use a ranking system of applicants in order to select an EP and Contractor(s), using evaluation criteria such as experience, ability, capacity, costs, and overall value. A responsive and responsible vendor(s) will then be selected. Any subawards will comply with EPA's Subaward Policy, though none are anticipated.

b. Access to adjacent or neighboring properties will not be required. An additional community meeting will be held prior to conducting cleanup activities to inform the community of the remediation process and to address any concerns that may be raised. A public meeting has already been held to announce the project.

14. Community Notification

The City of Vicksburg provided the community with notice of our intent to apply for an EPA Brownfields Cleanup Grant and allowed the community an opportunity to comment on the draft application and the Draft Analysis of Brownfield Cleanup Alternatives.

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a. Draft Analysis of Brownfield Cleanup Alternatives

The City of Vicksburg allowed the community an opportunity to comment on the draft application, which included an attached ABCA. The ABCA was created as part of the current CWA grant. The ABCA that was made available to the community is attached.

b. Community Notification Ad

The City of Vicksburg provided public notification on October 10, 2022 advertising the City's intent to apply for this cleanup grant, and for the community meeting scheduled for November 3, 2022. The notification was also made during the October 10, 2022 Mayor and Board of Aldermen Meeting held on Vicksburg Public Access TV posted on VTV – Vicksburg, MS Facebook Page (<https://www.facebook.com/100063464022865/videos/2001735863346950> 18:17-19:00) which includes a comment field to accept comments. Target communities, including community members with limited English proficiency and community members with disabilities, were able to receive the notification and were provided an opportunity to comment on the application.

c. Public Meeting

A public meeting was held on November 3, 2022 to discuss the draft application and consider public comments prior to submittal of this application. The meeting was held in person at an Americans with Disabilities Act (ADA)-compliant facility. No persons with limited English proficiency were in attendance but would have been accommodated as needed. The meeting was streamed live on the City's Public Access TV Channel. A meeting notes summary and a sign-in sheet are provided as attachments.

d. Submission of Community Notification Documents

A copy of the ABCA, a copy of the equivalent newspaper ad that solicited application comment, a summary of comments received, applicant's responses to those public comments, meeting notes summary from the public meeting, and a meeting sign-in sheet are attached. Minutes were taken of the Community Meeting that include a summary of the public comments received; the response to those comments; and a summary of the public meeting. No additional public comments were received by the City.

15. Contractors and Named Subrecipients

• Contractors

Not applicable. The City has not selected a contractor that will be compensated

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with EPA funds made available under the RFA.

- **Named Subrecipients**
Not applicable. The City will not engage a subrecipient to conduct the work proposed in this application.



State of Mississippi

TATE REEVES
Governor

MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY

CHRIS WELLS, EXECUTIVE DIRECTOR

November 16, 2022

Mayor George Flaggs, Jr.
City of Vicksburg
1401 Walnut Street
Vicksburg, MS 39181

RE: EPA Brownfield Cleanup Grant Proposal Acknowledgement
U.S. Rubber Reclaiming Site (ACRES #244249)
2000 Rubber Way Vicksburg, MS

Dear Mayor Flaggs:

The Mississippi Department of Environmental Quality (MDEQ) hereby acknowledges the City of Vicksburg's plans to apply for federal grant funds through the United States Environmental Protection Agency's (EPA) Brownfields initiative for the cleanup of the referenced site. MDEQ hereby affirms that the site is eligible to be enrolled in the state voluntary response program, which is the Mississippi Brownfield Program. It is our understanding that the City intends to enroll the site in the Mississippi Brownfield Program; and, MDEQ has determined that there is a sufficient level of site characterization from the environmental site assessments performed to date for the remediation work to begin on the site.

Since many brownfields are abandoned, underutilized, and contaminated, MDEQ is expressly interested in seeing entities like the City of Vicksburg taking the initiative to assess, remediate, and return these sites to productive use. These efforts are consistent with our mission to safeguard the health, safety, and welfare of present and future generations of Mississippians. MDEQ looks forward to our continued role in the City's Brownfield Initiative and are available to assist you at any time. Should you have any questions or comments concerning this matter, please contact me at (601) 961-5240.

Sincerely,

Thomas L. Wallace, P.E.,
Division Chief – GARD
Mississippi Brownfield Coordinator

cc: Jeff Richardson, City of Vicksburg (via email)

OFFICE OF POLLUTION CONTROL

POST OFFICE BOX 2261 • JACKSON, MISSISSIPPI 39225-2261 • TEL: (601) 961-5171 • FAX: (601) 354-6612 • www.mdeq.ms.gov

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