



Lawrence J. Morrissey  
Mayor  
Office of the Mayor

November 28, 2011

Mr. Don West  
Environmental Management Support, Inc.  
8601 Georgia Avenue, Suite 500  
Silver Spring, MD 20910

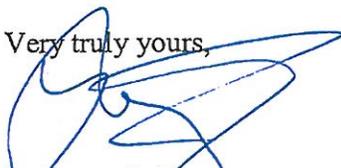
Ms. Deborah Orr  
EPA Region V  
77 West Jackson Boulevard  
Mail Code SE-4J  
Chicago, IL 60604-3507

Dear Mr. West and Ms. Orr:

The City of Rockford, Illinois, is pleased to submit our application to the USEPA for a \$200,000 Cleanup Grant for the Depot Site located at 815 South Main Street. This property is City-owned and includes what was once a passenger depot site for the Illinois Central Railroad and Amtrak Station on a 2.5 acre site (although the depot structure itself has been removed). The Depot Site is located within an economically distressed area of the City but is adjacent to the Tinker Swiss Cottage Museum Park and Kent Creek which are major assets to this area, as well as the Canadian National Railway. The City has conducted environmental site assessments and found that in order to redevelop this Site for a new Amtrak station, the soil and groundwater contamination need to be addressed. The Cleanup dollars provided by the requested grant will provide the City with the catalyst to begin redeveloping this site into a new Amtrak station with supporting parking and open space for a multi-use path. The multi-use path is part of the long planned Davis-Pec Path linking the existing Davis Park multi-use path with the Pecatonica Prairie Path. The cleanup of this Site will also improve the chances for potential private development of the rail yard and nearby brownfield properties such as the vacant W.A. Whitney building across South Main Street

The site design will include the Davis-Pec Path connection through the Site area in a way that will encourage pedestrian activity and enhance the adjacent public park amenity, Tinker Swiss Cottage Museum Park, with both active and passive uses. The surrounding community will benefit greatly by the momentum created as the Depot Site is developed, and it is the City's hope this redevelopment will act as a catalyst for private investment in the area. Long term plans for this area include a Metra station for commuter service to Chicago in the future.

Very truly yours,

  
Lawrence J. Morrissey  
Mayor, City of Rockford

LJM/wmd

City of Rockford, Illinois USA

425 East State Street Rockford, Illinois 61104-1068 USA  
(815) 987-5590 (815) 967-6952 fax www.rockfordil.gov

- a. Applicant Identification:** City of Rockford, 425 East State Street, Rockford, Illinois, 61104
- b. Applicant DUNS Number:** 136666174
- c. Funding Requested:**
- i. Grant Type: Cleanup Grant
  - ii. Federal Funds Requested: \$200,000
  - iii. Contamination: Hazardous Substances
- d. Location:** City of Rockford, Winnebago County, State of Illinois
- e. Property Name and address:** Depot Site, 815 S. Main Street, Rockford , Illinois, 61102
- f. Contacts:**
- i. **Project Director:** Wayne Dust, AICP, Planning Administrator  
Department of Community and Economic Development  
425 East State Street, Rockford, Illinois 61104  
P: 815.987.5636 Fax: 815.967.6933  
Email: [wayne.dust@rockfordil.gov](mailto:wayne.dust@rockfordil.gov)
  - ii. **Chief Executive:** Mayor Lawrence J. Morrissey  
425 East State Street, Rockford, Illinois 61104  
P: 815.987.5590 F: 815. 967.6952  
Email: [susan.skinner@rockfordil.gov](mailto:susan.skinner@rockfordil.gov)
- g. Date Submitted:** November 28, 2011
- h. Project Period:** October 2012 – September 2015
- i. Population:** 152,871 (2010 Census)
- j. Special Considerations:** (Attached)

## Project Description: Cleanup Grant Narrative for the Depot Site

### 1. Community Need

#### a) Health, Welfare and Environment

*i) Effect of Brownfields on Targeted Community:* The City of Rockford Depot Site is located at 815 South Main Street and lies within the one of the nine Brownfield Clusters identified in the Community Wide Assessment Grant application for 2011, the South Main Rail Yards. The Depot Site is located within Census Tract 28, one of the most economically distressed areas in Rockford, and this tract is defined as the Targeted Community for the Depot Site. In addition to the 25 acre South Main Rail Yards Brownfield Cluster where the Depot Site is located, Census Tract 28 also includes the 22 acre Water Power District Brownfields Cluster, the 32 acre Morgan Street Corridor Brownfields Cluster, and the 32 acre Barber Colman Village Brownfields Cluster, as well as smaller Brownfield sites such as the 4 acre Cedar Street Corridor and the 4 acre Nelson Knitting Site. Overall, Census Tract 28, which is the Targeted Community, includes 119 acres of Brownfields sites within four major Brownfields Clusters as well as smaller sites. Census Tract 28 alone encompasses three of the nine major Targeted Brownfields Clusters in the whole City of Rockford.

Each of the three Brownfield Clusters (BCs) located within the Targeted Community has a severe impact on the health, welfare and environment within adjacent residential neighborhoods of the Targeted Community. Based on the Phase I and Phase II Environmental Site Assessments that have been performed within Census Tract 28, these residents have potentially been exposed to a large number of health, welfare and environmental impacts due to more than one hundred and twenty years of industrial processes taking place at these Brownfield sites. The Water Power District BC, Rockford's first industrial area, has had a concentration of industrial uses since the 1830s, initially using water power for industrial processing. The South Main Rail Yards BC, within which the Depot Site is located, has had a significant history of industrial use since the 1860's. Barber Colman Village BC and the Morgan Street Corridor BC have been industrial since the 1880's. In addition to the Brownfields Clusters themselves, the Targeted Community has three major rail lines (the earliest from 1858), a rail yard, portions of two additional rail yards, and the air pollution associated with this rail activity located within its boundaries. The concentration of these rail lines, each of which crosses the Rock River to enter the Targeted Community, contributed heavily to the industrial density within the Targeted Community. Specifically, South Main Street/Illinois Route 2 is heavily traveled and carries a considerable amount of truck traffic.

In addition to the soil, groundwater and air quality issues associated with the industrial and transportation concentrations within the Targeted Community (CT 28), this area has the oldest housing stock in the City of Rockford, and the associated lead based paint hazards that are endemic with this housing stock. The average home is more than 70 years old. Winnebago Health Department Statistics for blood lead testing in children are available for a two year period, (8-1-07 to 8-31-09); this data was gathered by Zip Codes and not available at the Census Tract level. Census Tract 28 is located within Zip Codes 61101 and 61102. The results of this testing indicate high incidences of elevated lead levels in the bloodstream of children residing in the two US Postal Zip Codes for the Targeted Community, Census Tract 28, within which the Depot site is located. The blood lead testing showed that 4.5% of the children initially tested had lead levels at 10 or more micrograms per deciliter. County-wide figures indicate that 2.9% of the 10,157 children initially

tested had high lead levels. If the two zip codes that include the Targeted Community are not included, the entire county excluding these two zip codes has an incidence in the initial test of only 1.1%. It is further estimated that within the Targeted Community approximately 65% of the housing units have lead-based paint risks for their occupants. (Winnebago County Health Department)

This high incidence of elevated lead levels among the children of this two Zip Code area that includes the Targeted Community (Census Tract 28), coupled with the socioeconomic and housing data clearly show that the Targeted Community is an area with an older housing stock where lead-based paint has not been abated and, instead, the housing stock is deteriorating due to disinvestment by the property owners. This disinvestment results in a high rate of elevated lead levels in the children and the related health issues within the Targeted Community. This disinvestment is symptomatic of an area heavily impacted by Brownfields.

For several decades up through the 1950's, the industries in the Targeted Community were part of a thriving "walk to work" community with thousands of workers and an extensive variety of retail establishments serving this workforce. With the major decline in these industries, at least partially due to antiquated industrial facilities, these Brownfields now contribute to crime and deterioration of the surrounding residential neighborhoods and form physical barriers to normal social interaction. In many ways, Brownfields such as the South Main Street Rail Yards, within which the Depot Site is located, form physical and psychological barriers between the adjacent neighborhoods to the south and west, and the Downtown Area which lies north of this Brownfield. This division seriously impacts the welfare of our residents. It is not surprising that there has not been a major grocery store located within several miles of the Targeted Community for almost 25 years until the City of Rockford, with assistance from USEPA and HUD funding, developed a grocery store approximately five blocks from the Depot site.

One major indicator of the health and welfare of this Targeted Community is population gain or loss. Not surprisingly, this area has experienced a major decline in population since 1960. The population in Census Tract 28 has declined from 2,468 in 1960, to 2,153 in 1980, to only 1,922 in 2000, and to 1,828 in 2010. This is a 25.9% drop in population during the same time that the City of Rockford grew from a population of 126,706 in 1960, to 152, 871 in 2010, which demonstrates a 20.7% increase. (Source: US Bureau of the Census: 1960, 1980, 2000 and 2010)

ii) *Sensitive populations*: Rockford is a diverse community with a highly sensitive population according to the 2010 Census and the 2009 American Communities Survey (See the Demographic Information Chart below). For the City as a whole, the minority population is 34.9%. The African-American population is 20.5% of the total population, while the Hispanic or Latino population is 15.8 %. Also, 21.9% of the total population in Rockford is living below the poverty level, and the median household income was \$38,486 in 2009. For the Targeted Community, Census Tract 28, the minority population is 64.1%, the African-American population is 33.5%, the Hispanic population is 55.8%, and those below the poverty level comprise 40.8% of the population. The median household income in the Targeted Community was \$23,569 in 2009, considerably less than the overall City of Rockford figure. (Data in this Section is from the 2010 Census or 2009 American Communities Survey except local unemployment data from the Illinois Department of Employment Security)

The Targeted Community, described above, clearly has a strong concentration of sensitive populations when compared to the City as a whole, specifically low income and minority population concentrations. In addition, there are other indices of sensitive populations that should be noted. In

the Targeted Community, 8.4%% of the households receive public assistance income, compared to 2.5% in the City as a whole. The Targeted Community also has a higher population of young children (under 10) than the City as a whole, 20.9% compared with 7.1%; a higher percentage of children (under 15) than the City overall, 29% compared to 14.1 %; and a higher percentage of women of child-bearing age (15-49) than the City overall, 48.8% of the female population versus 38.9%. In terms of the total population (both genders), women of child-bearing age comprise 23.9 % of the Targeted Community versus 20.1% for the City as a whole. The Targeted Community is predominantly a renter-occupied area, with owner-occupied units accounting for only 48.6% of the occupied units compared to 58.4% in the City as a whole. The housing stock in Census Tract 28 has a median year built of 1950 compared to 1959 for the City as whole. These demographics clearly demonstrate the concentration of sensitive populations within the Targeted Community.

b. Financial Need

	<b>Target Community/ Census Tract 28</b>	<b>Rockford</b>	<b>Illinois</b>	<b>National</b>
Population:	1,828	152,871	12,830,632	308,745,538 <sup>1</sup>
Unemployment:	Greater than 20%*	15%**	9.5%	9.6% <sup>2</sup>
Poverty Rate:	40.8%	21.9%	12.4%	14.3% <sup>3</sup>
Percent Minority:	64.1%	34.9%	28.5%	26.7% <sup>1</sup>
Per Capita Income:	\$11,654	\$21,757	\$28,469	\$ 26,530 <sup>3</sup>
Other:				

<sup>1</sup>Data is from the 2010 U.S. Census data and is available at <http://www.census.gov/>.

<sup>2</sup>Data is from the Bureau of Labor Statistics and is available at [www.bls.gov](http://www.bls.gov)

<sup>3</sup>Data is from the 2009 American Community Survey and is available at [http://www.census.gov/newsroom/releases/archives/income\\_wealth/cb10-144.html](http://www.census.gov/newsroom/releases/archives/income_wealth/cb10-144.html)

\*Estimate based on Illinois Monthly Labor Force Report, Illinois Department of Employment Security and previous studies of unemployment in economically disenfranchised areas of Rockford

\*\* Illinois Monthly Labor Force Report, Illinois Department of Employment Securities, November 2011 Report

*i) Economic impacts of Brownfields on the Targeted Community:* Average unemployment for 2005 was estimated at 8.1% for the entire City, but was 19.4% in the Targeted Community and surrounding areas. Currently, the unemployment estimate for the Targeted Community/Census Tract 28 is greater than 20% based on the current figure of 15% for the City of Rockford and previous studies (see table above). The 2009 American Communities Survey data also reveals that 20.9% of the City's population aged 18 and older never finished high school, while in the Targeted Community the figure is 52.4 %. Median income levels are \$23,569 for the Targeted Community, which is considerably lower than the City-wide median income of \$38,486.

Based on the demographics shown in the table above, it is no coincidence that the Targeted Community demonstrates extremely high levels of economic need. Per capita income and poverty

rates clearly document this financial need. All of the demographics verify that the Targeted Community is an economically disenfranchised area with a predominantly minority population. The combination of the concentration of Brownfields, the lack of basic retail and other services, the aging housing stock and general lack of investment by the private sector have resulted in the precipitous decline of this Targeted Community which is reflected in both the concentration of poverty and minority populations as well as a severe decline in population. This trend will continue unless these Brownfields are assessed, cleaned and redeveloped. Clearly, there are environmental justice issues present in this Targeted Community and it would be a serious injustice if these Brownfields were not addressed by continuing assessment and cleanup programs. The Depot site is one of three sites within the Targeted Community that is poised for remediation. The two additional sites, Lorden/Eclipse and Tapco, are properties where Cleanup Grant applications will also be filed.

ii) Funding and resource limitations: The City of Rockford has received six (6) USEPA Brownfield Assessment Grants. The first four grants, FY 2001, FY2004, FY 2006 and FY 2008 have successfully assessed and remediated Brownfields sites within the City, and funding has been completely exhausted. A FY 2011 Site Specific Assessment Grant for the South Main Rail Yards successfully funded Phase II work at the Depot Site and the Lorden/Eclipse Site, including the demolition of two structures on the sites. An additional 20 acres within the South Main Rail Yards has not had any assessment work done, so this assessment grant is fully accounted for. The FY2011 Community-Wide Assessment Grant is already largely programmed for three (3) additional Brownfield Clusters; Downtown, Morgan Street Corridor and West State Street. Although assessment work has been completed at the Barber Colman and Ingersoll sites, those sites account for only 20 acres of the 665 acres of Brownfields in the River Edge Zone alone, which is only a portion of the City. Progress has been made at other Targeted Brownfield Clusters, such as the West State Street Corridor where approximately 20% of the 47 Brownfield sites have had Phase I / Phase II ESAs performed, and the Downtown where approximately 10% of the Brownfield sites have had Phase I/ Phase II ESAs performed. Other than eligibility determinations, the other targeted Brownfield areas have had limited environmental assessment work performed due to the exhaustion of the previous Assessment Grants. The FY 2011 Community Wide Assessment Grant will increase these acreages and percentages somewhat before the grant is exhausted, but there is a good probability that this program will also identify several additional sites needing Cleanup funding.

The State of Illinois River Edge Redevelopment Program provides assessment and cleanup funds to environmentally challenged properties adjacent to rivers in Illinois. The River Edge program will provide assistance to the City of Rockford for City-owned Brownfields sites, but only if the City is able to enter into an Agreement with a Developer to redevelop the site, and only if the State of Illinois sells Capital Development Bonds. The City has found very limited interest by Developers in these Brownfield sites unless they have already been assessed and remediated.

## **2. Project Description and Feasibility of Success**

### **a. Project Description:**

*i) Conditions of the existing property:* The conditions at the Depot Site include soil and groundwater environmental issues. The Depot site was cleared during the spring of 2011. As a result, there are no structures or paved areas currently existing on the site. The contaminants of concern in the soil include benzo (a) anthracene, carbazole, and inorganics (antimony, lead, and mercury). The exposure routes for one or more of the aforementioned contaminants include the soil component of the groundwater ingestion exposure route, the soil inhalation, and soil ingestion as determined in the Comprehensive Site Investigation Report (May 2011).

The groundwater contaminants of concern include the volatile organic compound trichloroethylene, along with the inorganics antimony and manganese. These exceed Tier 1 Remediation Objectives. Kent Creek borders the site to the south and is the most limiting receptor. Tier 2 modeling for soil and Tier 3 modeling for groundwater is proposed, in order to predict the extent of impacts and whether surface water can be expected to be impacted at concentrations greater than the derived water quality criteria, or the maximum distance from the site to Tier 1 Remediation Objectives.

*ii) Cleanup Plan:* In response to identified environmental issues in the soil and groundwater, the City of Rockford proposes to perform the following Cleanup activities at the Depot Site:

- 1) Installation of an engineered barrier over the entire Depot Site. This engineered barrier would include a new Amtrak station with supported parking, landscaping and open space.
- 2) Monitoring of the groundwater at the southern edge of the Depot Site, closest to Kent Creek, to verify effectiveness of the groundwater treatment system at the adjoining up gradient Lorden /Eclipse Site. This will also address the issue of the potential contamination of Kent Creek.

b. Budget for USEPA Funding and Leveraging Other Resources

*i) Budget Table*

Budget Categories	Project Tasks				Total
	Task 1	Task 2	Task 3	Task 4	
(programmatic costs only)	Community Involvement	Cleanup Planning / Action Plan	Installation of Engineered Barrier <sup>4</sup>	Groundwater Monitoring	
Personnel					
Fringe Benefits					
Travel <sup>1</sup>					
Equipment <sup>2</sup>					
Supplies					
Contractual <sup>3</sup>		\$15,000	\$160,000	\$25,000	\$200,000
Other (specify) _____					
<b>Subtotal</b>					
<b>Cost Share</b>	\$5,000	\$10,000	\$25,000		\$40,000
<b>Total</b>	\$5,000	\$25,000	\$185,000	\$25,000	\$240,000
1 Travel to Brownfield-related training conferences is an acceptable use of these Grant Funds.					
2 USEPA 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.
3 Applicants must comply with the procurement procedures contained in 40 CFR 31.36, or <u>for non-profits, with 40 CFR 30.40 through 30.48</u>
4 Estimated cost of the Engineered Barrier is \$350,000. The Budgeted Amount will be supplemented with leveraged funds through the Rockford Metropolitan Agency for Planning.

**Task 1: Community Involvement**

The objective of the Community Involvement task is to inform the City as a whole, and the community within the Depot Site area, of the City’s intent to conduct environmental cleanup activities and to provide timely details on cleanup plans and redevelopment efforts for the site. The City intends to rely primarily upon the following Community Outreach efforts: 1) monthly Ward Meetings conducted within the Targeted Community with Alderman Venita Hervey; 2) promotion of Planning and Development Committee Meetings of the City of Rockford, which are open to the public, published in all the media, and reported upon by the media; 3) the City of Rockford website, press releases and legal notices in the local newspapers; 4) monthly meetings with the Brownfield Community Partners, and; 5) quarterly meetings with the Brownfield Redevelopment Advisory Committee. A Community Relations Plan will be prepared. Mr. Wayne Dust, the City of Rockford Brownfields Coordinator, will oversee these efforts. A \$5,000 Cost Share amount is budgeted for this task.

**Task 2: Cleanup Planning/ Action Plan/ Cleanup Bid Specifications/ RFP Process**

The Brownfields Coordinator is Wayne Dust, who has served as a Planning Administrator for 37 years and has eight (8) years of Brownfields experience. Mr. Dust coordinates with the Illinois Environmental Protection Agency (IEPA) on a regular basis, including the enrollment of sites in the Site Remediation Program (SRP) and the review of Remedial Action Plans. An environmental consulting firm will be selected to assist in the preparation of these documents. Mr. Dust will use his extensive experience on past Brownfields Assessment and Cleanup programs to manage and oversee the activities that are necessary for the Depot Site prior to remediation. This includes the preparation of draft bid specifications for contractors in order to ensure that the appropriate tasks are completed and required regulations are followed. This also allows the City to obtain fair pricing and follow the appropriate procurement process. Mr. Dust will also prepare the Action Memo and review the final ABCA. The \$25,000 budgeted for this Task includes Contractual Costs of \$15,000 and City Cost Share of \$10,000.

**Task 3: Installation of the Engineered Barrier (Site Cleanup)**

Based on the draft ABCA, an engineered barrier is needed for the entire 2.5 acre site. The total cost of this engineered barrier is expected to be \$350,000. Leveraged funds through the Rockford Metropolitan Agency for Planning (RMAP) will be used to supplement the \$185,000 Budget in this Cleanup Grant proposal. The Site Cleanup, Task 3, includes labor hours for cleanup activities management, IEPA SRP fees, and provision of security.

**Task 4: Groundwater Monitoring**

The monitoring of the groundwater on the Depot Site will occur upon completion of the soil and groundwater treatment at the adjacent and up gradient Lorden/ Eclipse Site. The total cost is budgeted at \$25,000. This monitoring will determine the need for additional treatment at the Lorden site, or potentially, the issuance of a No Further Remediation Letter from the IEPA.

*ii) Tracking and Measuring Progress:* Groundwater Monitoring on the Depot site will be the key component for monitoring progress towards achieving both the short term and long term project outcomes and outputs for both the Depot site and the adjacent Lorden site.

The short term project outputs of this groundwater monitoring activity will be the measurable lowering of the groundwater contaminants of concern towards the TACO Tier I standard required by the IEPA. The short term project outcome will be the Draft No Further Remediation Letter from the IEPA and the decision to program the installation of the engineered barrier in conjunction with the construction of the new Amtrak Station.

The long term project outputs of this groundwater monitoring activity would be the measurable compliance of the groundwater contaminants of concern with the TACO Tier I standards. The long term project outcome would be the receipt of the Final No Further Remediation Letter from the IEPA.

*iii) Leveraging:* Through RMAP, the Rockford Metropolitan Agency for Planning, the Illinois Department of Transportation has made a funding commitment for \$4 million in Amtrak Station funding. This funding is to be used for site design and engineering, Amtrak station design and construction of the passenger platform and canopy. There is potential for an additional \$8 million in funding for station construction following the completion of the first phase of the project.

Rockford has been seeking to restore Amtrak operations for several years after losing service 30 years ago. Therefore, the City will make extensive efforts to find and utilize every possible funding source to restore this service. In addition, the City will attempt to utilize the State of Illinois River Edge Program to fill any Cleanup funding gap.

In addition to the River Edge Program funding, the City is prepared to use its TIF Bonding capability to contribute to the Amtrak project at the Depot Site, for either the site cleanup and preparation stage or another stage of the Amtrak project. The City has used this TIF bonding capability effectively in the redevelopment of two additional Brownfield sites. At the Reed-Chatwood Storage Site, TIF Bonding and a Brownfields Economic Development Initiative (BEDI) Grant were used to redevelop a corner of a Brownfield site for construction of new grocery store in 2003. IEPA Assessment Grant funds had been used for the assessment. During the summer of 2008, the City of Rockford used its TIF Bonding Authority to leverage \$1.1 million to prepare a portion of the City Yards site for a \$10 million expansion of Liebovich Steel, which initially included the addition of an 80,000 square foot structure and creation of 10 jobs. This is the first phase of a four-phase expansion that will cost \$40 million and produce 40 jobs when completed. The City expects that similarly, developers will come forward once the City initiates remediation activities at the Depot Site.

#### c. Programmatic Capability and Past Performance

*i) Programmatic Capability:* The Brownfields Program Management System in place at the City of Rockford consists of the Planning Administrator, Wayne Dust, and support staff in both the Community and Economic Development Department (CED) and the Finance Department.

Wayne Dust is the Planning Administrator for the City of Rockford and a designated Brownfields Coordinator by USEPA Region 5 since 2003. Mr. Dust has a Masters Degree in Geography from Kent State University and over 36 years of City Planning experience, 31 years of which have been

with the City of Rockford. He is a member of the American Institute of Certified Planners (AICP). As the Brownfields Coordinator, he manages the USEPA Brownfields Grants as well as the environmental consultants under contract with the City for the Brownfields Program. Wayne prepares the Quarterly Reports for each grant, maintains the spreadsheet for each grant, reviews the technical reports and invoices prepared by the environmental consultants, coordinates with the City Administration, communicates with the Aldermen and community representatives of the Brownfield-impacted communities, and provides a wide variety of additional Brownfield-related work items.

The support staff in the CED for the Brownfields Program has been and will continue to be Jonah Katz, Arianne Clark and Brenda Alegria. Jonah Katz, Associate Planner, has a Master's Degree in City Planning from the University of Illinois and 5 years of city planning experience. He received his certification from the American Institute of Certified Planners (AICP). Mr. Katz provides assistance in the Brownfield Redevelopment planning process and coordinates with local citizen groups such as the South Main Revitalization Strategy's Project Study Group. Mr. Katz assisted the Planning Consulting firms hired to perform the "South Main Revitalization Strategy" with conducting 4 community workshops between January and October of 2011. Between 40 and 80 people attended these community workshops, with the Project Study Group, the local stakeholders, well represented at each community workshop. Mr. Katz is the third Associate Planner that Mr. Dust has trained to assist in the Brownfields program. In the event that Mr. Katz should leave the City of Rockford, the position would be filled in a timely manner since it is a budgeted position.

Arianne Clark, Administrative Assistant to the CED Director, has a degree in Computer Science and 10 years of experience in payroll, accounts payable and general office administration. Ms. Clark handles all payments to the environmental consultants under contract with the City of Rockford, and coordinates with Anthony Cortez of the Finance Department who performs the draw downs from USEPA. Brenda Alegria has translated many of the Planning Division's documents into Spanish. With Mr. Katz, Ms. Alegria has walked the commercial area in the 900-1100 blocks of South Main Street to introduce Hispanic business owners to the South Main Revitalization Strategy effort. Ms Alegria will translate community involvement notices and reports for the Community Involvement process in conjunction with future USEPA Grant awards.

Current environmental consulting firms under contract with the City had competed through an RFP process for an earlier USEPA Assessment Grant, and have been granted extensions by the Rockford City Council to perform work required for the FY 2011 Assessment Grants. Upon receiving word of a successful grant application for FY 2013, the City of Rockford will initiate a new RFP process for that grant or grants.

*ii) Adverse Audits:* There has been only one (1) minor adverse finding from the July 26, 2006 OMB Circular A-133 Audit performed by Mc Gladrey and Pullen for 2005. Finding 2005-7 stated that..."the City is required to submit quarterly reports to the USEPA within 30 days after the end of each quarter that details expenditures and other activities under the programs, as well as progress being made at the clean-up sites. We noted that out of eight quarterly reports that should have been filed for the year ended December 31, 2005, six of the reports were late..." The Cause stated "Delays in submitting the quarterly reports have been due to delays in receiving billings from the five environmental consulting firms under contract to perform the environmental work for the City. Section 2.2 of the required quarterly report by USEPA requires documentation of the "Funds Expended" during the reporting period". The Management's Response by the City stated... "If

necessary, we are prepared to send an incomplete report to meet the USEPA Cooperative Agreement deadline to be followed by a final report when we have received all of the information". It should be noted that all quarterly reports from July 30, 2006 through the present have been submitted on time, with the exception of two reports submitted one day late.

*iii) Past Performance: Currently has USEPA Brownfields Grants and has received Previous Grants:* The Brownfields Coordinator, Wayne Dust, Planning Administrator for the City of Rockford, has 37 years of City Planning experience and has managed numerous USEPA Grants during the past eight (8) years. During the fall of 2003, the City of Rockford entered into a Cooperative Agreement with USEPA for two (2) Assessment Grants totaling \$400,000 awarded to Rockford during the 2002-2003 grant cycles. Contracts were awarded to two (2) environmental consulting firms in January of 2004 and these assessment activities were completed during the spring of 2008, with numerous ESAs performed and all funds expended. Significant accomplishments of the 2004 Hazardous Substance Assessment Grant include: partial completion of a Phase II ESA and Remedial Action Plan for the 12 acre Barber Colman industrial complex, and completion of a desktop Phase I for the fifty plus (50+) acre North and South Barber Colman Village Areas. For the Petroleum Grant, Phase I ESAs were performed at seven (7) West State Street Corridor sites and two (2) Downtown sites, including a four-block area cleared and currently occupied by the new County Justice Center. The Quarterly Reports were prepared by Mr. Dust, submitted to USEPA, and approved on a regular basis. The FY 2004 Assessment Grants were closed out at the end of 2008.

During the fall of 2005, the City of Rockford entered into a Cooperative Agreement with USEPA concerning two (2) Assessment Grants totaling \$400,000 awarded to Rockford during the 2004-2005 grant cycle. Contracts were awarded to three (3) environmental consulting firms during February of 2006 and this Assessment Grant was completed in the summer of 2008, with all funds expended. Major Phase II ESA work was performed at the City-owned Barber Colman sites. Phase I and Phase II ESAs were completed for the City-owned former Ingersoll Site, a 5 acre property on the bank of the Rock River. This site was then enrolled in the IEPA Site Remediation Program. Phase I ESAs were also performed on Keith Creek Greenway Sites prior to City acquisition. For the Petroleum Grant, several additional Phase I ESAs and one Phase II ESA were performed in the West State and Downtown areas. Quarterly reports were submitted by Mr. Dust, and approved on an ongoing basis for these Grants. The FY 2006 Assessment Grants were extended to September 30 of 2008 and closed out later that year.

The City of Rockford received a \$400,000 Community Wide Assessment Grant for the FY 2008 period. This grant has been used to complete Phase II ESA work at the Barber Colman Complex (Hazardous Substances) and for Phase I and Phase II ESA work at several Downtown Sites. This Grant is completed and will be closed out in 2010. Three Cleanup Grants were received in 2008. Asbestos removal contracts have been awarded to implement a major portion of this Grant. Groundwater Remediation has also taken place at this 15 acre site. After a six-month extension this grant was completed in early 2011 and has been closed out (confirmed by correspondence from USEPA). The City is under a pre-development agreement with Belmont Sayre concerning the feasibility of an adaptive reuse project with the intent to provide housing, riverfront open space, educational opportunities, and additional retail activity at the Barber Colman Site following completion of the cleanup.

The City of Rockford also received a Brownfields Revolving Loan Fund Award of \$500,000 in 2000. Under Mr. Dust's supervision, this Revolving Loan was used to clean up the Invensys Metal Plating

site at Barber Colman during 2005, and the site is to be used as a future section of the Riverfront Greenway along the Rock River. The Revolving Loan Fund Grant has been completed and closed out, with all funds expended (confirmed by correspondence from USEPA). The City is taking steps to revolve these funds through legal action against a former property owner. In addition, two (2) IEPA Assessment Grants totaling 240,000 were awarded, completed, and closed out between 2001 to 2004. These assessment efforts, together with the City's acquisition and clearing of a mixed industrial and commercial site, culminated in the receipt of a No Further Remediation letter from the IEPA. This five (5) acre site has been acquired by the City of Rockford for the New Federal Courthouse, which is now nearing completion by the US General Services Administration.

The Brownfield Pilot Grant and the current Assessment Grants have been instrumental in preparing two (2) sites for major governmental facility construction projects, including the new Federal Courthouse and the Winnebago County Justice Center. Each of these projects was a \$100 million dollar construction project. A current Cleanup Grant for the Ingersoll Site will pave the way for the adaptive reuse of a large open industrial building for an indoor sports facility.

### **3. Community Engagement and Partnerships**

#### **a) Plan for Involving the Affected Community:**

Rockford understands the importance of involving the community in Brownfield redevelopment. The City has been actively involved with various stakeholders within the community in its Brownfield initiatives. As the Depot Site is located within the Fifth Ward, Wayne Dust, local Brownfield Coordinator and Planning Administrator for the City of Rockford, has presented an overview of the City's intent to apply for USEPA Brownfield Assessment and Cleanup Grants at several of the Fifth Ward meetings at the Montague Branch Library, at City Hall and at other nearby sites. When Alderman Victory Bell did not run for alderman for the 2008 election after over 30 years of service, Mr. Dust saw the need for a general and detailed presentation of the USEPA Brownfields program for the new Fifth Ward Alderman, Venita Hervey. A general presentation was made at the June 26<sup>th</sup>, 2008 Fifth Ward Meeting and a more detailed presentation was made at a September 25, 2008 Meeting. At this September 2008 meeting, Mr. Dust provided a status report on current environmental assessment activities and indicated the City's intentions to apply for Assessment and Cleanup Grants and perform environmental assessments at additional locations within the Fifth Ward. Status reports on the Brownfield program and the City's plans to apply for Brownfield grants have been submitted throughout 2009, 2010 and 2011. Most recently, brief presentations were made at the fifth Ward Meetings on January 27<sup>th</sup>, 2011 April 14<sup>th</sup> 2011, June 28<sup>th</sup> 2011 and October 27<sup>th</sup> 2011. A public hearing concerning the Cleanup at the Ingersoll Site and the use of RLF funds at the Tapco Site was conducted October 31, 2011 at City Hall as was the November 21, 2011 Public Meeting concerning the current USEPA Grant Program and the proposed submittals. The citizens residing within the Fifth Ward have been kept well informed of the City's efforts to redevelop numerous Brownfield sites, and continue to be very supportive of the City's efforts. Mr. Dust will continue to provide status reports and seek input from the community at these Fifth Ward Meetings. In addition, Brenda Alegria will accompany Mr. Dust to answer questions and provide information to the Hispanic Community. The current Fifth Ward Alderman, Venita Hervey and the Retired Fifth Ward Alderman who has remained active in the community, Victory Bell, have both been very supportive of the Brownfield Program.

#### **b) Identification and Establishment of State and Local Partners:**

Although the City of Rockford had been awarded two IEPA Brownfield Assessment Grants some time ago, the recent designation of the City of Rockford River Edge Zone has created a major new

opportunity to partner with IEPA on redevelopment projects that are planned for Brownfields sites requiring cleanups. The IEPA funds are severely restricted and do not include cleanup other than soil and groundwater. Combined with USEPA programs, however, the City will strive to tap into this valuable resource to accomplish the redevelopment of Brownfield sites. Mr. Dust has met with Mr. Doug Scott, the IEPA Director at the time, concerning this new program.

The City is actively developing partnerships for redevelopment projects at the local, state, and Federal levels. The City developed a Master Plan with the assistance of the Rockford Local Development Corporation (RLDC) for the Barber Colman Village area and continues discussions with potential developers. Working with the RLDC, after assessment and remediation was completed, a portion of the former Barber Colman facility was redeveloped as a grocery store in order to serve the surrounding area. The City has also partnered with Winnebago County and the U.S. General Service Administration for the development of the \$100 Million Winnebago County Justice Center (completed in July of 2007) and the \$100 Million Federal Courthouse (completed late in 2011).

The City plans to develop additional partnerships to successfully accomplish sustainable development at the Depot Site. A good example is the partnership developed for the Ingersoll Site as part of the redevelopment of the Ingersoll /Watch Factory Targeted Brownfield area located on the east bank of the Rock River in the Third Ward. This site is planned to become a whitewater park (kayaking and rafting) adjacent to a major indoor sports facility proposed at the former Ingersoll facility. Success for this project requires a partnership between the City, who owns half of the proposed site; Commonwealth Edison, who owns the other half of the proposed site in addition to the dam ; the Winnebago County Health Department, located adjacent to the ComEd site, and; the Illinois Department of Natural Resources, who is interested in both modifying the dam to become a fish passage and serving the proposed Whitewater Park. The City of Rockford has completed a study of the structural integrity of the dam and the feasibility of re-watering the former hydro-electric plant water race; this \$187,000 investment demonstrates the City's commitment to this project. The Rockford Park District anticipates owning and operating the Whitewater Park when completed. Brownfield issues at this site include a former coal-fired powered generating plant, former hydro-electric plant, two (2) former foundries, a former transformer storage yard, and underground petroleum storage tanks. The USEPA could be a possible partner in this site for time critical removal actions similar to the Sparkle Cleaners site in Rockford during February of 2008.

Successful redevelopment efforts at the Depot Site will require partnership with the State of Illinois concerning the improvements required for the new Amtrak station and the Rockford Park District, to implement the plan for pathways and greenway corridors along the Rock River, as well as major creeks flowing into the Rock River. Kent Creek is adjacent to the Depot Site and is the general corridor for the long-planned Davis-Pec Path connection. This trail will link together an extensive pathway system that extends north and east from Davis Park with the Pecatonica Prairie Path, extending to Freeport, Illinois. When completed, the Davis-Pec connection will provide a continuous pathway from Freeport to the east edge of McHenry County, a distance of about sixty miles.

c) Description of and Role of the Key Community-based Organizations:

i) The Rockford Local Development Corporation (RLDC) is a not-for-profit development company, certified by the Small Business Administration, that strives to be a champion for small business and economic development. RLDC has frequently partnered with the City, including the

development of a Gray's IGA Store on a former Brownfield site on South Main Street, and a Brownfields Cleanup at the former Invensys Site. Most recently, the RLDC partnered with the City for the redevelopment of a portion of the Reed-Chatwood Storage Site for development of a medical clinic and general merchandise store. RLDC has also partnered with the City to relocate families from the flood-impacted Keith Creek floodway, an area where over 100 homes were severely damaged by two severe floods in less than one year's time. Mr. John Phelps is the Executive Director of the RLDC [815.987.8675].

ii) The Rockford Metropolitan Agency for Planning (RMAP) is the Metropolitan Planning Organization for the Rockford Metropolitan Area under the supervision of the Federal Transportation Administration. Over the past several decades, this organization and its predecessor, the Rockford Area Transportation Study, have provided the transportation planning required by the Federal Highway Act of 1962( "3 C" Planning Process). In recent years, RMAP has partnered with the City of Rockford specifically in the development of a new Amtrak Station at the site of the previous station where service had been terminated in 1982. This Depot Site, and the adjacent Lorden site, were acquired by the City of Rockford in September of 2010 from the Canadian National Railroad. Upon remediation of the Depot Site and Lorden Site, RMAP will channel funding commitments for the pre-construction phases of the Amtrak Station and will continue its efforts to secure funding for Amtrak Station construction. Steve Ernst is the Executive Director of RMAP [815-964-7627].

iii) The Rockford Park District is a separate regional taxing district with an elected governing board. The District has been a long term Community Partner with the City of Rockford in the development of Parks and Pathway systems. The City of Rockford and the District have coordinated planning efforts for several decades, including the City's incorporation of the Park District's Park and Pathway plans into the City's 2000 Comprehensive Plan (approved in 1982) and the 2020 Plan (approved by City Council in 2004. Additional efforts with the District included the construction of the Bicentennial Bike Path (1970's), the Mel Anderson Path (1980") and 10<sup>th</sup> Avenue Park expansion (during the last few years). The District and City are currently coordinating the extension of the Rock River Recreational Path through the Water Power District, Morgan Street Corridor, Barber Colman Complex, and the Davis –Pec Path through the Lorden and Depot sites. One of the Park District's most premier assets, the Tinker Swiss Cottage Museum constructed during the late 1860's,, is located very close to and overlooking the Depot site.. Monthly coordination meetings are held between the City of Rockford's CED , Public Works Department, and the Park District staff. The Director of the Rockford Park District is Tim Dimke [815.987.8800].

#### **4. Project Benefits**

We understand the importance of identifying the outcomes and outputs for our Brownfields Program and how they promote the general welfare of the Targeted Community through the improvement of the public health and safety , economy and environment . We also understand that it is important to document how these outcomes will contribute to the community "vision" for the revitalization of the City's Brownfield sites. A summary of the outcomes and outputs is followed by more detailed documentation of specific project benefits to the Targeted Community:

##### *Outcomes of Cleanup Grant Funding:*

- Acreage of land in which environmental threats have been characterized: for this proposed Cleanup Grant at the Depot Site this is 2.5 acres

- Acreage of land positioned for reuse: based on the “South Main Revitalization Strategy” recently completed by the Lakota Group, the Cleanup of the Depot Site and subsequent construction of the Amtrak Station would be the catalyst for an additional 15 to 20 acres of mixed use redevelopment on adjacent privately-owned properties within the South Main Rail Yards and along South Main Street
- Jobs leveraged: with the Amtrak Station, approximately 5 full time jobs: with subsequent mixed use redevelopment on adjacent land, anticipated to be 50 to 100 jobs
- Funding leveraged: through RMAP, Illinois Department of Transportation funding of \$4 million initially and up to \$8 million in additional funds during 2012-2013
- Acreage of green space created or preserved: approximately 20% of the site or .5 acres would be green space and would include a portion of the Davis-Pec Path

*Outputs of Cleanup Grant Funding:*

- Measurements of the Contaminants of Concern: monitoring of groundwater contaminants at the Depot Site until TACO Tier 1 objectives are met and a No Further Remediation letter is received from IEPA for the Depot Site
- Installation of the engineered barrier to eliminate contaminated soil exposure pathways

a) Welfare and Public Health: There are several public health and welfare benefits of the proposed Cleanup. The Depot Site is located along Kent Creek. Kent Creek at this location is a popular fishing spot for the local community. Groundwater Cleanup on the adjacent Lorden/Eclipse site would be measured at the Depot Site near Kent Creek. The removal of contaminants from the groundwater would improve stream quality and have a positive impact on the quality of the fish taken from Kent Creek. At a larger scale, another important public health benefit of the Depot Site Cleanup would be tied to the economic benefits of the resulting Amtrak Station and mixed use development that would occur. These developments and the resulting economic development activity are anticipated to result in the reversal of the decline of population and housing quality of the Targeted Community. New housing construction, removal of the worst housing units and lead based paint abatement as part of housing renovation are all expected to occur. These positive housing developments should considerably lower the percentage of housing units with lead-based risk from the current level of 65.6%. An additional welfare and public health benefit of the proposed Cleanup and resulting development of the Amtrak Station is the inclusion of the Davis-Pec Path link on this site. With this pathway system serving the future Amtrak station on the Depot site, the City will encourage using non motorized transportation and public transportation to access this future Amtrak Station. The Amtrak Station site will be one of several development nodes that will encourage non-motorized transportation as part of a lifestyle that will promote personal health and reduce air emissions.

b) Economic Benefits and/or Green Space:

*i) Economic Benefits:* Without the City’s concern for the redevelopment of Brownfields within the Rock River corridor and the railroad corridors, and without the USEPA programs to assist with these redevelopment efforts, there is considerable evidence that these Brownfield areas would simply expand and intensify over time as more and more industrial buildings approach the end of their useful life. Instead, many buildings along the Rock River corridor and the rail corridors have been acquired by the City or other public or private entities that have been working with the City of Rockford towards the phased redevelopment of these areas. Each of these plans include adaptive reuse or redevelopment of these areas to replace Brownfield properties with residences, retailers, offices, and public destination points, such as the future Amtrak station, all of which contribute to

the tax base as these areas are revitalized. All include retail services for the surrounding community and job creation. Prevention of Brownfields, and prevention of existing Brownfields from expanding or intensifying, is extremely important to surrounding neighborhoods which, are already economically disadvantaged, as demonstrated in Section 1, Community Need,

The Northeast-Midwest Institute (NEMW) report on the Environmental and Economic Impacts of Brownfields Redevelopment states, “public investments in Brownfields leverage total investments at a ratio of approximately \$1/ public investment to \$8/ total investment...Brownfield sites in severely distressed areas require higher subsidy levels...” With the potential for investment by the State of Illinois for the development of the Amtrak station on the Depot Site and for investment by the Rockford Park District on both the Depot and Lorden/ Eclipse sites, the potential for private investment is considerable. Future development at the Depot Site could achieve the \$1 to \$8 ratio or better. The Cleanup Grant for the Depot Site is a prerequisite for the Amtrak Station, a major economic catalyst for the other public investments. The “South Main Revitalization Strategy”( The Lakota Group, September 2011), indicates a strong potential for redevelopment of properties adjacent to the Depot site with mixed use development including residential and retail. The combination of the Amtrak Station and major public investments being made to South Main Street and the Morgan Street are some of the key reasons for this development potential.

*ii) Other non-economic benefits for sites to be used for green space:* The City’s primary non-economic benefit goal within the Brownfield Program is to provide adaptive reuse and/or redevelopment of these Brownfield areas to include a major public open space component. Plans for the Depot Site incorporate the City’s and Rockford Park District’s plans for a continuous system of greenways and pathways along the Rock River and its major tributaries, including Kent Creek. These paths will link with the major regional pathway system including the Rock River Recreational Path to the northeast and the Pecatonica Prairie Path further west, each of which is a major component of the Grand Illinois Trail. The “Boone and Winnebago (Counties) Greenways Plan” (Greenways Plan), prepared by the Rockford Metropolitan Agency for Planning (RMAP), also includes converting the Illinois Railway trestle over the Rock River to a pedestrian pathway, linking the east and west sides of the Rock River. The City will soon take ownership of this trestle structure and the approaches. The section of the Davis-Pec Path connection to be constructed within the Depot Site during redevelopment will link with this trestle pathway, as well as the existing Rock River Recreation Path that currently ends in Davis Park (three blocks to the northeast) and the Pecatonica Prairie Path (further west). This development will be completed using existing public right-of way, existing Rockford Park District property and existing easements. It is anticipated that several of the pathways will be completed within the next few years. With this pathway system serving the future Amtrak Station on the Depot site, the City will encourage using non motorized transportation and, in bad weather, public transportation to access this future Amtrak Station.

Pathway access to the Depot site increases the desirability of the area as a place to live, work and play. The Depot Site, for example, has potential for enhanced property values and economic benefits from increased commuter and tourism activity, restaurants, and other retailers and additional landscaped public open space. Tinker Swiss Cottage Museum and Park, an existing tourist attraction owned by the Rockford Park District, sits on a limestone bluff overlooking the Depot site and Kent Creek. A reconstructed wooden suspension bridge already connects Tinker Cottage with the Depot site. More activity on the Depot Site and the expected development of adjacent underutilized properties will certainly result in more interest in Tinker Swiss Cottage as a tourist

destination. This increased tourism would improve the “Quality of Life” in the Targeted Community as well as the City as a whole.

The City of Rockford is committed to including Green space and open space in urban redevelopment strategies for its Brownfields sites. The 2020 Plan for Rockford places an emphasis on smart growth techniques, which includes making a commitment to preserving the Green space that is available to the City and preventing the consumption of land on the City’s fringe. Protecting and preserving the Rock River Corridor and its tributaries by providing an open space component in all Brownfield redevelopment proposals provides a major amenity to the redevelopment taking place in these Brownfield areas. The Depot site is an important focus of a much more extensive plan for pathways, open space and recreation. Although the open space component of the Depot site will only be .5 acres, it’s role in the Davis-Pec Path and providing safe pedestrian and non-motorized transportation access to the Amtrak Station from several directions are key considerations

c) Environmental Benefits from Infrastructure Reuse/ Sustainable Reuse: The overall goals for the Cleanup and Redevelopment of the Depot Site to become the Amtrak Station Site and the Davis-Pec Path link will heavily emphasize the City’s Goals for Infrastructure Reuse and Sustainable Development. The City will do everything it possibly can to retain the Amtrak service once it has been reestablished, so it will do everything in its power to sustain all aspects of the Depot Site Cleanup and Redevelopment. Working with the Rockford Park District and the Illinois Department of Transportation, these important will be incorporated into our redevelopment efforts both at the Depot Site and in the surrounding area. A major component of infrastructure reuse will be the improved public access to Kent Creek as well as improved non-motorized and public transportation access between the future Amtrak Station and Downtown Rockford; the core of Downtown is located just one mile to the north. All public utilities at and near the Depot site will be better utilized with redevelopment. Native landscaping will be restored as the Davis-Pec Path link is completed. The City and Rockford Park District will have several opportunities to develop storm water management and reuse innovations, including the ability to incorporate water quality improvements and water features into the site design for the Amtrak Station improvements and Davis-Pec Path link. By providing an attractive and safe environment that encourages non-motorized transportation and public transportation as well as the use of the Amtrak service, the sustainability of this redevelopment will be optimized and the environmental benefits, including air quality and water quality will also be optimized.

The Rockford Metropolitan Agency for Planning has received a Sustainable Communities Grant from the EDA and “Preferred Sustainability Status” for the Region, including the City of Rockford.

It should also be noted that the NEMW report states that one acre of redeveloped Brownfields has been estimated to save 4.5 acres of greenfields sprawl development. The Depot Site, at 2.5 acres, is estimated to save over 11 acres of greenfields sprawl development. This is noteworthy as other Amtrak Station sites have been proposed by neighboring communities on farmland sites to the east of Rockford. Curbing sprawl is another major benefit of this development and of redevelopment of adjacent Brownfield areas which are expected once the Amtrak Station is under construction.

## **Threshold Criteria for Cleanup Grant**

### **1. Applicant Eligibility**

#### **a. Eligible Entity**

Rockford is a municipal corporation formed by the authority of the State of Illinois. Rockford is eligible to apply for Cleanup Grants from the USEPA.

#### **b. Site Ownership**

The City of Rockford currently owns the Proposed Cleanup Site which is the Depot site located at 815 South Main Street and adjacent to Tinker Swiss Cottage Museum Park. The City intends to perform remediation activities on this 2.5 acre site, after which time the site will be redeveloped for an Amtrak station with support commercial uses and parking.

### **2. Letter from the State or Tribal Environmental Authority**

The Letter from the Illinois Environmental Protection Agency is provided in Attachment ii).

### **3. Site Eligibility and Property Ownership Eligibility**

#### Site Eligibility

##### **a. Basic Site Information**

- (a) Name of the Site: Depot Site
- (b) Address: 815 South Main Street, Rockford, Ill. 61102
- (c) Current Owner: The City of Rockford

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

- (a) Type of Contaminant: Hazardous Substances
- (b) Operational History and Current Uses: The Depot site includes an area that had a rail siding and large freight depot which was removed after a major fire in the freight depot. The passenger depot was removed during April of 2011. This site is also adjacent to property that has had several manufacturing and metal plating operations in several industrial buildings, one of which, the Lorden/Eclipse Building, was still standing until the spring of 2011.
- (c) Environmental Concerns: The environmental concerns for the Depot Site consist primarily of activities that took place at the freight depot and the metal plating activities including the solvents used to degrease parts that took place on the adjacent Lorden/Eclipse Site. The Depot Site is downstream from the Lorden /Eclipse site. Phase I and Phase II environmental site assessments (ESA) were conducted on this site. The Phase I indicated that the former industrial nature of the site and surroundings properties was an environmental concern. The Phase II ESA, completed in October of 2010, indicated soil contamination with lead and PNAs in the upper layer of soil to a depth of 1.5 feet on approximately one acre of the site.

- (d) **Nature and Extent of the Contamination:** This site became contaminated due to the historical use of the freight depot area and the historical use of the adjacent property with several manufacturing facilities. The draft ABCA indicates the presence of benzo(a)anthracene, carbazole, and the inorganics antimony, lead, and mercury in the soil. Trichloroethylene along with the inorganics antimony and manganese were found in the groundwater. ( See Attachment v)

c. Sites Ineligible for Funding

- (a) **Listing on NPL:** The site is not and is not proposed to be listed on the National Priorities List.
- (b) **CERCLA:** The site 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) **United States Government:** The site is not subject to the jurisdiction, custody, or control of the United States Government

d. Sites Requiring a Property-Specific Determination

The Depot Site does not require a Property-Specific Determination. This site is eligible for funding from the USEPA.

e. Environmental Assessment Required for Cleanup Proposals

A Phase I ESA was conducted on the property during November of 2009 and updated on May 21, 2010. City Acquisition of the Depot site by Quit Claim Deed took place on September 20, 2010. These Phase I ESAs conformed with ASTM E1527-05. A Phase II ESA was conducted on the property in September/October 2010. The results of the Phase II investigation were summarized in a Phase II Summary Report. A Comprehensive Site Investigation Report was prepared during May of 2011 and was used to develop the Draft ABCA.

f. CERCLA 107 Liability

The City of Rockford is not a potential liable party for contamination at this Site under CERCLA's bona fide prospective purchaser provision. The City has provided proof that this provision was met to the USEPA Region V Brownfield Division for the FY2011 Site Specific Assessment Grant , Cooperative Agreement BF-00E00434-0.

g. Enforcement Actions

The City is not aware of any enforcement actions for this property. The City of Rockford has recently enrolled the site into the Illinois EPA voluntary Site Remediation Program with the intent of receiving a No Further Remediation (NFR) letter for the property.

h. Information on Liability and Defenses/Protections

**i) Information of Property Acquisition:** The City of Rockford acquired the property by Quit Claim Deed on September 20, 2010 as a result of an effort to purchase Downtown Brownfield sites, provide a site for a new AMTRAK Station and provide the opportunity Davis-Pec Path Connection, linking the Downtown Riverfront with Tinker Swiss Cottage

Museum. The previous owner was the Canadian National Railway. The City is the sole owner of the property.

- Acquired Ownership: The City of Rockford Acquired Ownership by negotiated purchase from the Canadian National Railway.
- Date of Acquisition: The City of Rockford acquired the property on September 20, 2010 following the updating of the Phase I ESA (May of 2010)
- Type of Ownership: The City of Rockford has title to this property by Quit Claim Deed
- Previous Owner: Canadian National Railway.
- The City of Rockford had no familial, contractual, corporate or financial relationships with any prior owners or operators or potentially responsible parties

**ii) Timing and /or Contribution Toward Hazardous Substance Disposal:** Any disposal of hazardous substances occurred at the site prior to ownership by the City of Rockford. The City has not caused or contributed to any release of hazardous substances at the site. The City has not arranged and will not arrange to have hazardous substances disposed of or transported to the site.

**iii) Pre-Purchase Inquiry:** The City of Rockford performed a Phase I ESAs on November 25, 2009 in accordance with ATSM E1527-00 This Phase I was updated on May 21, 2010. The City conducted a Phase II ESA during October of 2010. These ESAs were performed through the use of a USEPA Brownfield Assessment Grant. The Phase I and Phase II ESAs were performed by Fehr-Graham and Associates, a regional engineering/environmental professional consulting firm.

**iv) Post-Acquisition Users:** The City of Rockford has not used this site.

**v) Continuing Obligations –** The City has cleared the Depot site of structures and buildings and patrols the property from South Main Street Both the Rockford Park District and the Canadian National Railway use the Depot site to access their respective facilities. This helps to control and deter any illegal activities. The City entered the property into the IEPA voluntary remediation program. The City has conducted Phase I and Phase II ESAs in accordance to both the USEPA Brownfield program and the IEPA Site Remediation Program to determine if there are any concerns to human health and the environment. This cleanup grant opportunity will facilitate the removal of hazardous substances from the property so that the property may be redeveloped and the Rock River will be protected from potential release of hazardous substances into Kent Creek and to the Rock River. The City of Rockford will comply with all of the land use restrictions and institutional controls that are applicable to the property's remediation activities. The City will provide full access to the contractor's responsible for the remediation activities at the site. The City will comply will all information requests and administrative subpoenas that have or may be issued in connection with the property. Any legal notices required as part of remediation activities will be provided by the City of Rockford.

i) Petroleum Sites – This is a Hazardous Substance Site.

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

1. The City of Rockford has recently entered the Depot Site into the IEPA Site Remediation Program (SRP). This is a voluntary based cleanup program for the State of Illinois. The last remaining step under this program is the cleanup activities for the site. The City is preparing this

grant application in the hopes of acquiring the necessary dollars to conduct cleanup activities for the site. Remedial action for the property will be carried out in accordance with the IEPA SRP as well as any City ordinances and the Winnebago County Health Department regulations. An environmental consultant will conduct cleanup oversight and will provide details of the cleanup activities. A Remedial Action Completion Report (RACR) will be submitted to the City of Rockford, to demonstrate that remediation has occurred, and to the IEPA in order for the site to receive an NFR.

2. The City of Rockford will not require access to adjacent properties to conduct the hazardous substance cleanup; therefore, access to these properties is not a concern for the remediation activities.

#### **F. Cost Share**

The City of Rockford will provide for the 20% cost share of the \$200,000 cleanup grant through the use of programmatic expenses. The \$40,000 will be made up from:

- the labor hours of the Brownfield Coordinator for management and oversight of the cleanup activities.
- the City's public works department to prepare and solicit public bids for the remediation activities at the site and the management of these contractors.
- Legal fees in relation to cleanup activities and the filing and reviewing of the NFR. The review fees applied by the IEPA SRP to review and provide for the NFR will be paid by the City of Rockford.
- The Resolution committing the City to this local match is attached within Attachment iv.
- The Community Notice Documentation, summary of comments received, meeting notes and sign in sheet are provided in Attachment iv.