

III.B. Threshold Criteria for Cleanup Grants

1. Applicant Eligibility

New Garden Park, Inc. (NGP) is the 501(c)3, non-profit arm of the Worcester Business Development Corporation (WBDC). The WBDC, created by an act of the Massachusetts State Legislature, is a private, not for profit, business organization with a public purpose mission to serve as an innovative and leading force in the economic development of the City of Worcester and the region. As the 501(c)3, non-profit arm of the WBDC, NGP's Board of Directors consists of officials from the WBDC, as well as other business leaders and community minded individuals. **Please see Attachment A for 501(c)3 certification.**

2. Previously Awarded Cleanup Grants

The proposed Brownfield site has not applied for and/or received EPA Cleanup Grant funds prior to this application.

3. Expenditure of Existing Multipurpose Grant Funds

The proposed Brownfield site has not applied for and/or received EPA Brownfields Multipurpose Grant funds.

4. Site Ownership

As of November 9, 2022, NGP owns a portion of the Saint Gobain Abrasives (SGA) campus, including 1 New Bond Street (known as "Project Site") in Worcester, MA. NGP will maintain sole ownership of this site until cleanup activities funded by the grant are complete.

5. Basic Site Information

The proposed Brownfield site, commonly referred to as the "400-Block" is an 8-acre parcel that is part of a larger ~51-acre campus. The proposed project site is confined to one tax parcel - 1 New Bond Street, Worcester, MA 01606 (MBL 37-001-00001) that is ~16 acres. As of November 9, 2022, NGP is the owner of this property.

6. Status and History of Contamination at the Site

SGA has been an industrial stalwart in Worcester since 1885, recognized as a world leader in manufacturing abrasives and high-performance materials. The proposed project site, commonly referred to as the "400 Block", is an 8-acre site within the SGA campus that is comprised of 320,000 square feet of building structures. These building structures are a series of eleven (11) interconnected buildings that served as the primary location for the manufacturing of SGA's super-abrasives, grinding and finishing products. In recent history, SGA had been utilizing the 400-block complex for storage of its manufacturing materials. Today, these buildings are vacant and are unsuitable for reuse.

Due to the historical industrial and manufacturing uses on the site, and the high prevalence of hazardous substances associated with these uses, the entire SGA campus, including the 400 Block, has numerous Recognized Environmental Conditions (RECs). These include, but are not limited

to, the documented presence of Asbestos Containing Materials (ACMs), Lead-Based Paint (LBP), Polychlorinated Biphenyls (PCBs) and heavy metals in building materials, requiring abatement prior to building demolition. In addition to the hazardous building materials, subsurface investigations have revealed a number of contaminants in soil with concentrations that exceed the MassDEP Reportable Concentrations, including 1,1,2,2-Tetrachloroethane, 1,4-Dioxane, Acenaphthylene, Lead and Arsenic. The arsenic concentrations are due, in part, to the City of Worcester being documented by the US Geological Survey as an area of elevated arsenic concentrations in soil and groundwater and do not represent a “reportable concentration”. Additionally, Trichloroethene was detected in groundwater at concentrations exceeding the MassDEP standards.

The contamination present at the proposed Brownfield site is due to the historic industrial processes that have occurred throughout the campus for the past 130 years. SGA is a global leader in the manufacturing and production of superabrasives. The production of these superabrasives is done through a manufacturing process that utilizes compression and bonding of synthetic diamonds and other highly durable grains. To ensure proper bonding and maximization of manufacturing output, the production equipment is required to be extensively cleaned. The cleaning materials utilized during this process included TCE, a recognized source of contamination within the footprint of the building.

7. Brownfields Site Definition

The proposed Brownfields site meets the definition of a Brownfield site under CERCLA § 101(39) as a real property, the expansion, redevelopment, or reuse of which may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant. The proposed project site is not listed and/or proposed for listing on the National Priorities List (NPL), 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, and is not subject to the jurisdiction, custody, or control of the US government.

8. Environmental Assessment Required for Cleanup Grant Applications

BETA Group, Inc. issued a Phase I Environmental Site Assessment (ESA) on April 26, 2022 and updated the document on October 18, 2022. The Phase I ESA was prepared in accordance with the processes described in the American Society for Testing and Materials (ASTM) Standard Practice for the Phase I Environmental Site Assessment Process – Designation **E1527-21** ASTM E 2600-10. Standard Guide for Vapor Encroachment on Property Involved in Real Estate Transactions; and with U.S. Environmental Protection Agency’s (USEPA) 40 CFR Part 312 – Standards and Practices for All Appropriate Inquiries (AAI) Final Rule of November 1, 2005, as amended December 30, 2013.

In addition to the Phase I ESA, BETA Group, Inc. completed a comprehensive Phase II evaluation in June 2020 with an additional subsurface investigation which was completed September 2022. Additional testing was completed to establish the horizontal limits of suspected subsurface contamination so a remedial action plan could be discussed and formulated. The Phase II ESA utilized the US EPA SW-846, US EPA Methods for Chemical Analysis of Water and Wastes per

40 CFR Part 136, APHA Standard Methods for the Examination of Water and Wastewater, ASTM, and other recognized methodologies.

9. Site Characterization

The proposed project site is regulated by the MassDEP under 310 CMR 40.0000 et seq. also known as the Massachusetts Contingency Plan (MCP) and has been enrolled in said program. Please see Attachment B for the correspondence from the Massachusetts Statewide Brownfields Coordinator from MassDEP that confirms the site's recognition under the MCP. In addition to this confirmation, the correspondence also confirms the sufficient level of site characterization from the environmental site assessment performed to date to allow for remediation work to begin on the project site.

10. Enforcement or Other Actions

The property is not subject to any known ongoing or anticipated environmental enforcement or other actions related to the site for which funding is being sought.

11. Sites Requiring a Property-Specific Determination

The property is not subject to any of the factors requiring a property-specific determination in order to be eligible for funding.

12. Threshold Criteria Related to CERCLA/Petroleum Liability

a. Property Ownership Eligibility – Hazardous Substances

NGP is not potentially liable for the contamination at the site under CERCLA 107. NGP has purchased and is protected under the iii. Landowner Protections for CERCLA Liability (1) Bona Fide Prospective Purchaser Liability Protection provision.

(a.) Information on Property Acquisition

NGP purchased the property through a negotiated purchase and sale agreement with SGA of Malvern, Pennsylvania. NGP acquired the property on November 9, 2022 and currently owns fee simple title to the property under NGP. There are no known familial, contractual, corporate, or financial relationships or affiliations between NGP and the prior owners, operators, or other responsible parties of the property.

(b.) Pre-Purchase Inquiry

Prior to the purchase of the site, NGP contracted with a Qualified Environmental Professional (QEP) from the BETA Group, Inc. to complete a Phase I ESA. This report was issued on April 26, 2022 and was updated on October 18, 2022. Further, NGP has utilized a 2012 Pre-Decommissioning and Demolition Feasibility Report from Golder Associates, Inc. to identify known hazardous materials within the site that will require remediation.

The Phase I ESA report was prepared in accordance with the processes described in the American Society for Testing and Materials (ASTM) Standard Practice for the Phase I Environmental Site Assessment Process – Designation E1527-21 ASTM E 2600-10.

Standard Guide for Vapor Encroachment on Property Involved in Real Estate Transactions; and with U.S. Environmental Protection Agency's (USEPA) 40 CFR Part 312 – Standards and Practices for All Appropriate Inquiries (AAI) Final Rule of November 1, 2005, as amended December 30, 2013.

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

As the current owner of the project site, NGP affirms that all disposal of hazardous substances at the site occurred prior to NGP's acquisition of the property. Further, NGP has not caused or contributed to any release of hazardous substances at the site and/or arranged for the disposal of hazardous substances at the site or transported hazardous substances to the site.

(d.) Post-Acquisition Uses

NGP purchased the property on November 9, 2022. Prior to this closing date, the 400 Block (known as the Project Site) had been utilized by Saint Gobain Abrasives (SGA) for the storage of manufacturing materials. Upon purchase of the property, SGA has removed all previously stored materials and the buildings are vacant. NGP does not intend to reuse these buildings for any purpose and the project site will be properly secured until remediation efforts commence.

(e.) Continuing Obligations

NGP has taken a number of reasonable steps to ensure that the project site does not continue to release hazardous substances into the site and/or the surrounding area and is actively preventing any threatened future release or exposure to the surrounding area. NGP has completed extensive assessment of the proposed Brownfields site and have defined the boundaries of the in-ground contamination and have confirmed that the contamination is isolated to the site and is not migrating to adjacent properties. NGP will continue to take all reasonable steps, including securing the site and limiting access to the property, continuously monitoring known contaminants and maintaining full compliance with state and local requirements.

NGP confirms its commitment to comply with any and all land use restrictions and will not impede the effectiveness or integrity of any institutional controls. Further, NGP is committed to assisting and cooperating with those professionals performing the cleanup, providing access to the property. Finally, NGP is committed to complying with all information requests, administrative subpoenas that have or may be issued in connection with the property and will provide all legally required notices.

13. Cleanup Authority and Oversight Structure

a. The proposed project site is regulated by the MassDEP under 310 CMR 40.0000 et seq. also know as the Massachusetts Contingency Plan (MCP) and has been enrolled in said program.

Under this program, the Worcester Business Development Corporation (WBDC), who shares staff with NGP, employs a full time Licensed Professional Civil Engineer on staff who will work on this project as an in-kind donation. Also, in accordance with State regulations, NGP will independently contract with an environmental firm to provide environmental oversight and regulatory compliance for all building materials, groundwater, and soil remediation work. . The combination of in-house staff and sub-contracted professionals fulfill and exceed all local regulatory requirements. The same staff and resources will be utilized to implement the grant and future remedial work.

b. Due to the campus setting of the proposed project area, no special access agreements are required. In the event access is required on adjacent or neighboring properties, NGP is prepared to execute a special site access agreement with the necessary properties.

14. Community Notification

a. Draft Analysis of Brownfield Cleanup Alternatives

NGP has contracted with a QEP to draft an Analysis of Brownfield Cleanup Alternatives (ABCA). The draft ABCA is attached with this grant application for consideration. The ABCA provides information on the proposed project site and its contamination issues, as well as the cleanup standards and all applicable laws. The ABCA provides three (3) cleanup alternatives to be considered, including the one alternative that NGP is anticipating to employ on the project site. Each proposed alternative will outline the effectiveness, the ability to implement, the ability to combat adverse impacts on the site, costs and overall reasonableness.

b. Community Notification Ad

NGP hosted a public meeting on November 16, 2022. A formal notice of this public meeting was in MassLive on November 8, 2022 and also in the Worcester Telegram & Gazette on November 10, 2022. The ad announced meeting times and locations and announced that a draft of the grant was available on the WBDC's website (www.worcesterbdc.com) and NGP's website (www.worcesterbdc.com/newgardenpark). The ad provided opportunity for comments to be entertained at the meeting or by email at an email address that was setup specifically for this purpose at info@worcesterbdc.com. NGP has worked closely with community stakeholders to identify target communities that may have limited English proficiency, as well as community members with disabilities, to ensure that all were able to receive this notification and respond, if interested.

c. Public Meeting

NGP hosted a public meeting on November 16, 2022 at 5:30 P.M. This meeting was held at Abby Kelley Foster Charter School, within a tenth of a mile to the proposed project site. At this public meeting, NGP made copies of the draft ABCA available for review and comment, as well as a copy of the EPA grant application.

d. Submission of Community Notification Documents

The following documents are attached as part of this EPA application:

Document	Attachment
Draft ABCA	C
Copy of Community Notification Ad(s)	D
Summary of Public Comments Received	E
Applicant's Response to Public Comments	F
Meeting Notes	G
Meeting Participant List	H

15. Contractors and Named Subrecipients

NGP has independently secured a QEP contractor for the purposes of completing the environmental assessment of the proposed Brownfields site. NGP has selected this contractor through a competitive procurement procedure. NGP will not be utilizing any of the requested EPA Cleanup funds to pay for the QEP services throughout the grant period.