



## Narrative Information Sheet

### 1.) Applicant Identification

The Defiance County Land Reutilization Corporation (Land Bank), located at 500 W. Second Street, Suite 101 Defiance, OH 43512, will be the lead applicant for the U.S. EPA Brownfield Cleanup Grant. The Land Bank was incorporated through the State of Ohio as a Domestic Nonprofit Corporation on April 26, 2019.

### 2.) Funding Requested

#### a. Grant Type

The Defiance County Land Reutilization Corporation is requesting funding for a Single Site Cleanup.

#### b. Federal Funds Requested

i. \$1,153,100

ii. The Land Bank will not be requesting a cost share waiver.

#### c. Contamination

Requested funds will be used for Hazardous Substances.

### 3.) Location

The project site is located in Census Tract 9586, Defiance Township, Defiance County, Ohio.

### 4.) Property Information

The former Zeller property is located at 1307 Baltimore Street Defiance, OH 45312.

### 5.) Contacts

#### a. Project Director

Vickie Myers, Secretary/Treasurer, Defiance County Land Reutilization Corporation  
419-782-8741

[vmyers@defiancecounty.oh.gov](mailto:vmyers@defiancecounty.oh.gov)

500 W. Second Street, Suite 101 Defiance, OH 43512

#### b. Chief Executive/Highest Ranking Elected Official

David Kern, President, Defiance County Land Reutilization Corporation  
419-782-4761

[dkern@defiancecounty.oh.com](mailto:dkern@defiancecounty.oh.com)

500 Court Street, Suite A Defiance, OH 43512

**Defiance County Land Reutilization Corporation**

500 W. Second St., Suite 101 | 419-782-8741 | [treasurer@defiance-county.com](mailto:treasurer@defiance-county.com)



6.) Population

The project site is located in Defiance Township, Defiance County, OH. Defiance Township has a total population of 2,762 according to the U.S. Census Bureau American Community Survey (ACS) (220). The target area is Census Tract 9586, which encompasses a portion of Defiance Township and the south side of Defiance City and has a total population of 3,630 (ACS 2020).

1.)

<b>Other Factors</b>	<b>Page #</b>
Community population is 10,000 or less.	1
The applicant is, or will assist, a federally recognized Indian tribe or United States territory.	N/A
The priority brownfield site(s) is impacted by mine-scarred land.	N/A
The priority site(s) is adjacent to a body of water (i.e., the border of the priority site(s) is contiguous or partially contiguous with a body of water but for a street, road, or other public thoroughfare separating them).	1
The priority site(s) is in a federally designated flood plain.	N/A
The redevelopment of the priority site(s) will facilitate renewable energy from wind, solar, or geothermal energy; or any energy efficiency improvement projects.	2
30% or more of the overall project budget will be spent on eligible reuse planning activities for priority brownfield site(s) within the target area.	N/A

8.) Letter from the State or Tribal Environmental Authority

Please see the attached letters from the Ohio EPA.

# **Narrative Ranking Criteria – Defiance County Land Bank Cleanup Application**

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

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

#### **1.a.i. Background and Description of Target Area**

Defiance County is situated in rural northwest Ohio, south of the Michigan border and west of Indiana. The area has a rich history built upon Fort Defiance, located in the Defiance City limits, which was fortified prior to the Battle of Fallen Timbers (1794) and later used during the War of 1812 to defend Ohio against invading British soldiers. Two major rivers, the State designated Scenic & Recreational Maumee River and the Auglaize River merge into a confluence at the Fort's base. The Maumee River flows northeast into Lake Erie, connecting Defiance to Fort Wayne, IN to the southwest and Toledo, OH to the northeast. The County's population of 38,144 is centered in the City of Defiance, which has the largest population (16,971) in the five-County region.

Approximately 1.6 miles west of the Defiance Fort Grounds lies the former Zeller site, now a defunct and abandoned brownfield. The site is located on the west side of Defiance in Defiance Township (population: 13,216), encompassing a target area that spans the City's west side. The target area is characterized by industry, small businesses, and moderately priced residences.

The General Motors Foundry, three miles east of Zeller site, has experienced huge losses in the past few decades. The GM Foundry was once a source of high-paying jobs for area laborers; but has since exported business out of Defiance and eliminated jobs in the process. The target area has suffered this kind of disinvestment over decades. The Defiance County Land Bank, County Economic Development, and City are working tirelessly to reinvigorate the area through job creation, new development, and creative incentives.

#### **1.a.ii. Description of the Brownfield Site**

The former Zeller site has been abandoned since 2001. The site has been a top priority of the County and community for years, stalled by back taxes and lack of ownership. The blighted area is an eyesore for the entire west side of Defiance City and Defiance Township. The 4.172-acre site is comprised of concrete pads and old building foundations in poor condition. The site is located just 300 feet south of the Maumee River, which is the only source of drinking water for Defiance City.

The site is contaminated by both hazardous substances and petroleum, which could potentially impact soil and groundwater. The facility was used for manufacturing since at least 1905. The most recent operating entity, Zeller, functioned as a manufacturing plant that produced automobile components. According to the Phase I Environmental Site Assessment, processes conducted included steel forging, machining, heat treating, and plating. Supporting features such as

underground storage tanks (USTs), transformers, hydraulic machinery, trenches and drains formerly existed at the facility.

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

### **1.b.i. Reuse Strategy and Alignment with Revitalization Plans**

The northwest Ohio region's Comprehensive Economic Development Strategy (2023) aligns with the redevelopment of brownfield sites along key transportation corridors as an initiative to address current and future infrastructure needs in the region: <https://www.mvpo.org/ceds>. This specific brownfield site is on a major truck route (State Route 424) as well as an active railroad.

Defiance County has been working towards the reuse of this site for several long years. After working with both the U.S. and Ohio EPA Targeted Brownfield Assessment coordinators to obtain assessment funding and complete the Phase I and Phase II site assessments, the County then formed a Land Bank to acquire the property.

A metal fabrication shop located adjacent to the site to the west at 1357 Baltimore Street plans to potentially reuse the site for a warehousing facility expansion. Input from Defiance County Economic Development led to the reuse strategy for the site, with the site to remain in its current land use (light industrial manufacturing) or renewable energy. The remediation and cleanup of the property will add roughly 4 acres of developable land. With regards to the public and residential nature of the target area, warehousing was determined as the most suitable investment for the location and need. This type of development will lessen environmental concerns and be unobtrusive for surrounding residences and businesses.

### **1.b.ii. Outcomes and Benefits of Reuse Strategy**

The two key outcomes of the reuse strategy are 1) the cleanup of contaminated soil and groundwater; and 2) the redevelopment of the site, which will generate tax revenue back to the community.

The proposed reuse strategy will be the development of the site by BNRG, a solar power provider, for solar panels and battery storage. The reuse of the property for economic development will spur job creation and revitalize the area surrounding the site.

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

### **1.c.i. Resources Needed for Site Reuse**

The Defiance County Land Bank, as the grant applicant, provided funding for the update of the Phase I Site Assessment. Investments will be made by the Land Bank's project partner, BNRG, which will fund the construction of the solar facility. To date, the U.S. EPA, Ohio EPA, and Ohio Department of Development has invested \$230,000 in the Zeller Property Environmental Site Assessments.

The Land Bank will also leverage grant funds in conjunction with the US EPA cleanup funds through programs such as the Ohio Brownfield Fund, which provides up to \$5 million in loan

funding for remediation; and JobsOhio Revitalization Program funds for remediation, building renovation, asbestos and lead paint abatement, site preparation, and infrastructure. Two options are available under the Revitalization Program: JobsOhio Revitalization Loans - \$500,000 to \$5 million for 20%-75% of eligible costs; JobsOhio Revitalization Grants - up to \$1 million in grants to fill funding gaps where remediation costs exceed the anticipated net gain in land and improvement value.

### **1.c.ii. Use of existing infrastructure**

Existing infrastructure consists of roads, railroad, water, sewer, and communication lines. Baltimore Street / State Route 424 runs east to west, just north of the project site and the CSX railroad traverses east to west just south of the site. State Route 424 traveling parallel to the north of the brownfield, is a recognized truck route and connects the City to State Route 18 and U.S. Route 24. As a warehousing facility, the availability and quality of the existing roads will be integral to the success of the redevelopment.

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

### **2.a. Community Need**

#### **2.a.i. The Community's Need for Funding**

The Land Bank, County, City, and Township do not have the resources to cleanup a site of this size and extent. The area population is steadily declining and aging, depleting workforce and increasing health care costs. The target area community has a low median income, \$14,000 less than the county median. Investments must be prioritized in this area to revitalize the community, which is exactly what the Defiance County Land Bank has done. A driving factor of forming the Land Bank was to cleanup brownfield properties. Zeller directly impacts a low-income, high minority, and high poverty area, which was why it was selected as the Land Bank's top priority.

Within the target area is Defiance's last General Motors Foundry, which has eliminated jobs steadily over the past decade. Small businesses and modest residential homes line the neighborhood surrounding the brownfield site. It is impossible for Zeller to ever be cleaned up without a direct funding opportunity, as resources are stretched thin across Defiance County. Reclaiming this site for the community will have a tremendously positive impact on the area and will enable reinvestment in an area that depends on it.

#### **2.a.ii. Threats to Sensitive Populations**

##### ***(1) Health or Welfare of Sensitive Populations***

The community of Census Tract 9586 is one of the most distressed in the entire County. Census Tract 9586 has a staggering poverty rate of 19.8% compared to the County (9.5%) and Ohio (14.4%) and food stamps are being used by 20.2% of the community. Even more alarming is the rate of poverty among youth aged 18 and younger at 37%, which is considerably higher than that of the State and County. Census Tract 9586 has the lowest percentage of individuals with a high school degree or higher at 87.9%, lower than the State and County averages. Low educational attainment is linked to higher incidences of chronic disease and shorter life spans (Defiance County Health Equity Report 2020).

	<b>Tract 9586</b>	<b>Defiance Township</b>	<b>City of Defiance</b>	<b>Defiance County</b>	<b>Ohio</b>	<b>U.S.</b>
<b>Population</b>	3,630	13,216	16,848	38,311	11,609,756	321,004,407
<b>Minority %</b>	17.5%	17.2%	11.2%	6.6%	16.4%	23.0%
<b>Disability</b>	11.0%	15.3%	27.7%	26.5%	26.9%	25.5%
<b>Poverty Rate</b>	19.8%	14.6%	13.6%	10.3%	14.4%	13.8%
<b>Children in Poverty</b>	37.0%	26.4%	24.5%	16.4%	21.3%	20.3%
<b>Food Stamps</b>	20.2%	14.4%	15.8%	11.2%	14.2%	12.6%
<b>HS Graduate</b>	87.9%	91.6%	90.3%	90.7%	89.8%	87.3%

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

Individuals are dying at a younger age in Census Tract 9586 than in several other tracts in the county, with an average age of 75.4 years, as compared to the U.S. age of 78.8 (Defiance County Health Equity Report 2022). The leading causes of death in Defiance County were heart disease, cancer, chronic lower respiratory disease, unintentional injuries, and cerebrovascular diseases. Additionally, the median household income for those individuals is over \$20,000 less than the County average.

	<b>Tract 9586</b>	<b>Defiance County</b>	<b>Ohio</b>	<b>U.S.</b>
<b>Without health insurance</b>	5.7%	9.1%	8.5%	11.7%
<b>Median Household Income</b>	\$51,386	\$50,822	\$50,674	\$55,322
<b>Unemployment</b>	2.2%	6.8%	7.2%	7.4%
<b>Average Age of Death (years)</b>	75.4	74.8	77.5	78.8

***(3) Disproportionately Impacted Populations***

Census Tract 9586 is defined as an area where residents experience greater health inequities. From the Health Equity Report (2022), it was reported that the area had the lowest median income and the highest percent of poverty and residents on food assistance in the entire County. With a high poverty rate and low household incomes, it is apparent that Census Tract 9586 may be more susceptible to environmental justice challenges. Revitalizing this area will have a tremendously positive impact on the community and will open the door for even greater investments.

**2.b. Community Engagement**

**2.b.i. Project Partners**

The Land Bank is partnering with Maumee Valley Planning Organization and Defiance County Economic Development. Maumee Valley Planning Organization is the regional planning agency and provides grant administration and planning expertise for community and economic development, housing, and transportation for all communities within the five-county area. Defiance County Economic Development is a Community Improvement Corporation that assists businesses with project development and provides workforce development, incentive programs, and site selection.

**2.b.ii. Project Partner Roles**

<b>Partner Name</b>	<b>Point of contact</b>	<b>Specific project role</b>
Maumee Valley Planning Organization	Estee Miller / 419-784-3882 plannerem@mvpo.org	Grant administration, public involvement, planning
Defiance County Economic Development	Erika Willitzer / 419-784-4471 Erika@defiancecounty ED.com	Promote County growth, coordinate site reuse

**2.b.iii. Incorporating Community Input**

The Land Bank formed in 2019 with a determination to tackle the brownfield projects that have plagued the community for decades. This site has been in discussion within the public realm over the past few years. The Land Bank has targeted this site and in doing so, it has been a topic of conversation at the board’s monthly meetings, which are always open to the public and press.

The Land Bank will continue to meet monthly on a regular schedule, which will always be available to the public. Updates and progress reports will be shared with the community at-large to ensure project momentum and transparency throughout the project lifetime. Meetings and publications will be available in English and translators will be provided upon request, as there is a low percentage of limited English proficient and foreign-language speakers in the County.

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

**3.a. Proposed Cleanup Plan**

The proposed cleanup plan involves the following: 1) in-situ treatment of contaminated soil by mixing with an oxidizer and then removing soil from the property as non-hazardous waste; 2) removal of former concrete pads and building foundations prior to backfilling and grading the excavations.

This alternative has the greatest ability of preparing the site for redevelopment. The alternative would entail the removal of contaminated soil, which would meet remediation objectives of the Ohio EPA Voluntary Action Program standards. Thus, the risks posed by VOCs, TPHs, and VOCs would be mitigated and reduce impacts to human health and the environment.

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

**3.b.i. Project Implementation – 3.b.iv. Outputs**

The proposed budget for this cleanup grant focuses on remediation of the Zeller site.

<b>Task 1: Final ABCA/QAPP/Remediation Design Plans: \$34,000</b>
<b>i. Project Implementation:</b> This task involves the environmental consultant (procured under Task 4) preparing documents for the cleanup project of both hazardous substances and petroleum. The consultant will 1) finalize the draft Analysis of Brownfield Cleanup Alternatives (ABCA), totaling \$4,000; 2) develop the Quality Assurance Project Plan (QAPP) for confirmation, air monitoring, and sampling the cleanup for USEPA approval for \$5,000; and 3) develop the cleanup design plans and specifications totaling \$25,000.

<p><b>ii. Anticipated Project Schedule:</b> This work would be completed during the 1<sup>st</sup> to 2<sup>nd</sup> quarter of the project.</p>
<p><b>iii. Task/Activity Lead:</b> The environmental consultant will be the lead for Task 1.</p>
<p><b>iv. Outputs:</b> Final ABCA document, final plans and specifications for the in-situ treatment and soil excavation.</p>
<p><b>Task 2: Site Cleanup: \$1,100,000</b></p>
<p><b>i. Project Implementation:</b> The cleanup of hazardous substances will be conducted by environmental contractors for the in-situ treatment of hazardous soil totaling \$900,000: 1) in-situ treatment and disposal of hazardous soil for \$300,000; 2) removal and disposal of non-hazardous soil for \$300,000; 3) backfilling of the site with clean soil for \$260,000; and 4) environmental testing and reporting including preparation of a No Further Action (NFA) letter for Ohio EPA’s approval to issue a Covenant Not to Sue for the Site for \$200,000. Also included will be the development of health and safety plans and health monitoring for the safety of the workers and public.</p>
<p><b>ii. Anticipated Project Schedule:</b> The site cleanup will occur once the environmental consultant is secured and the plans are prepared, likely by the 2<sup>nd</sup> to 3<sup>rd</sup> quarter.</p>
<p><b>iii. Task/Activity Lead:</b> The environmental consultant will be the lead for Task 2.</p>
<p><b>iv. Outputs:</b> The consultants and contractors will follow all the OSHA health and safety regulations, and the cleanup project will comply with all the standards of Ohio EPA’s VAP. The biggest output from Task 2 will be the No Further Action letter for Ohio EPA’s approval to issue a Covenant Not to Sue for the site, which will begin the redevelopment process.</p>
<p><b>Task 3: Community Outreach: \$8,600</b></p>
<p><b>i. Project Implementation:</b> Community outreach efforts will involve the entire project site and combine costs for hazardous substances and petroleum. This task will involve promotion of the Land Bank’s cleanup project to the greater community during six public meetings, consisting of a kickoff meeting, four project status meetings, and a final event at project completion. Costs include: 1) 100 staff hours at \$40/hour = \$4,000; 2) \$1,000 in meeting materials; and 3) \$3,600 for the environmental consultant to attend the six meetings.</p>
<p><b>ii. Anticipated Project Schedule:</b> The kickoff meeting will be held during the 1<sup>st</sup> quarter. The four progress meetings will be held quarterly within the first year; the final progress meeting will be held in the 2<sup>nd</sup> quarter of the second year and the final meeting in the 4<sup>th</sup> quarter of the second year.</p>
<p><b>iii. Task/Activity Leads:</b> This task will be jointly led by Land Bank Staff and their partner organization, Maumee Valley Planning Organization.</p>
<p><b>iv. Outputs:</b> Six community meetings to disseminate information about the progress of the cleanup project.</p>
<p><b>Task 4: Programmatic Costs: \$10,500</b></p>
<p><b>i. Project Implementation:</b> Programmatic costs will consist of the Land Bank’s initial solicitation and negotiation of the environmental consultant to oversee the cleanup project for both hazardous substances and petroleum and reporting to USEPA. The cost breakdown will include: 1) solicitations to secure remediation contractors (60 hours x \$40/hour = \$2,400); 2) Land Bank staff to lead meetings, review, evaluate, and submit required reports to USEPA (i.e. quarterly and annual progress reports) (60 hours x \$40/hour = \$2,400); and 3) oversight by the environmental consultant and remediation contractors for technical and quality assurance/quality control issues (80 hours x \$40/hour = \$3,200); and 4) travel expenses for two</p>



Land Bank staff members to attend the national brownfield conference and regional brownfield conference (\$2,500).
<b>ii. Anticipated Project Schedule:</b> Procuring an environmental consultant will be completed in the 1 <sup>st</sup> quarter of the project. Solicitations for remediation contractors will occur in the 2 <sup>nd</sup> quarter, once cleanup plans are underway. Reports will be completed and submitted quarterly to USEPA. Land Bank Staff will attend the conferences when scheduled.
<b>iii. Task/Activity Leads:</b> This task will be jointly led by Land Bank Staff, Maumee Valley Planning, and the environmental consultant.
<b>iv. Outputs:</b> Contract with an environmental consultant and remediation contractors, quarterly reports to USEPA, and education of Land Bank Staff at brownfield conferences.

### 3.c. Cost Estimates

Budget Categories: Hazardous Substances		Project Tasks				Total
		Task 1	Task 2	Task 3	Task 4	
Direct Costs	Personnel			\$4,000	\$4,800	\$8,800
	Fringe Benefits					
	Travel				\$2,500	\$2,500
	Equipment					
	Supplies			\$1,000		\$1,000
	Contractual	\$34,000	\$1,100,000	\$3600	\$3,200	\$1,140,800
	Other					
Total Direct Costs		\$34,000	\$1,100,000	\$8,600	\$10,500	\$1,153,100
Indirect Costs		\$ -	\$ -	\$ -	\$ -	\$ -
<b>Total Federal Funding</b>		<b>\$34,000</b>	<b>\$1,100,000</b>	<b>\$8,600</b>	<b>\$10,500</b>	<b>\$1,153,100</b>
<b>Total Budget</b>		<b>\$34,000</b>	<b>\$1,100,000</b>	<b>\$8,600</b>	<b>\$10,500</b>	<b>\$1,153,100</b>

### 3.d. Measuring Environmental Results

The Land Bank will track project progress through the ACRES systems, providing activity results (outputs), milestones, and outcomes in US EPA quarterly reports and during community meetings. Outputs will include the final ABCA, bidding specifications for contractors, Ohio EPA No Further Action Letter, and community meetings. The Land Bank anticipates the project to take 3 years, in order to fast track the site's redevelopment with its investor. Progress monitoring will be the bulk of the Land Bank's oversight on the project, in order to smoothly transition the site from remediation to redevelopment. Redevelopment of the site will create outcomes of new workforce opportunities.

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

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

#### **4.a.i. Organizational Structure**

The Land Bank will successfully manage the entirety of the grant and oversee remediation and cleanup activities with internal staff, environmental consultants, and project partners. The Land Bank is managed by Vickie Myers, the Defiance County Treasurer. Ms. Myers is supported by the Land Bank's regional partner, the Maumee Valley Planning Organization. Ms. Myers will work in conjunction with Estee Miller from MVPO to manage the grant reporting requirements, contractor selections, project schedules, activity implementation, and public involvement.

Ms. Myers have experience posting legal notices, tracking schedules, budgeting, and completing drawdown submissions. Ms. Miller has experience drafting and soliciting bid specifications, overseeing contractors, and coordinating public involvement. The Land Bank will also rely on Erika Willitzer, Defiance County Economic Development, to coordinate the redevelopment of the site. Mrs. Willitzer has 10 years of experience securing development opportunities and delivering high-paying jobs to Defiance County.

#### **4.a.ii. Description of Key Staff**

Ms. Myers has 29 years of paralegal experience and over 10 years of experience as a Real Estate Title Agent. She has experience in drafting and filing legal documents, searching real estate titles, and closing mortgage loans. Ms. Myers has served as Defiance County Treasurer for 7 years. In this role, she is responsible for collecting real estate, mobile home taxes, and monies from County departments; and managing and investing the County portfolio consisting of over \$60 million. She is also a member of the Budget Commission and Board of Revision.

Ms. Miller has several years of experience working with five County Land Banks and has administered their residential demolition programs. She has also worked alongside environmental consultants to oversee brownfield revitalization projects, such as Ohio's Abandoned Gas Station Cleanup grant. As a planner and grant administrator for the five-county region, she has experience working with contractors, fulfilling grant reporting obligations, and working with the public.

Erika Willitzer has been the Executive Director of Defiance County Economic Development for the past 3 years. During her tenure, she has secured millions of dollars in business investments and hundreds of jobs throughout the County. A few notable projects include the A Packaging Group (APG) which built a new facility in Defiance, adding 135 high paying positions and over \$70 million in new investment (2021); the new siting of Tessengerlo Kerley Inc. (TKI) which is a chemical manufacturer for the ag industry. They invested over \$30 million and plan to add 30 to 50 positions and went to an industrial park, which had been vacant for over 20 years. (2021). In total the over the last three years, there has been over \$300 million in new investment for Defiance County. In addition to her experience as Economic Development Director, Willitzer has worked in the utility industry, as well had over a decade experience in the media industry.

#### **4.a.iii. Acquiring Additional Resources**

Defiance County Economic Development and Maumee Valley Planning Organization maintain relationships with pre-qualified contractors for environmental, cleanup, and site development. The Land Bank and its partners will ensure timely hiring of contractors for the environmental and cleanup demands, as well as contractors for site redevelopment.

#### **4.b. Past Performance and Accomplishments**

The Defiance County Land Bank has been very successful in obtaining and implementing a variety of grants. In 2022, the Land Bank received a \$522,224.00 Building Demolition and Site Revitalization grant from the Ohio Department of Development. The Land Bank successfully demolished 22 residential structures as part of this program and plans to demolish 2 commercial and 8 more residential structures using what is left of the grant. The Defiance County Land Bank maintains working relationships with other local government entities and maintains a list of future projects, which positions the Land Bank to be prepared when grant opportunities present themselves. The Land Bank also received roughly \$1.5 million in Brownfield Remediation funds from the Ohio Department of Development in 2022. These funds were used on three different Brownfield sites for assessment and remediation costs. In addition, a USEPA grant was awarded to the Land Bank in 2020 in the amount of \$456,000.00 for a Brownfield Site



SUPPORTING DOCUMENTATION FOR  
FY24 BROWNFIELD CLEANUP GRANT

**SECTION III – ELIGIBILITY INFORMATION AND  
THRESHOLD CRITERIA**

## **Section III. Eligibility Information and Threshold Criteria**

### **III.B. Threshold Criteria for Cleanup Grants**

#### **III.B.1. Applicant Eligibility**

Defiance County Land Reutilization Corporation  
500 W. Second Street, Suite 101 Defiance, OH 43512  
Nonprofit Corporation  
Tax Exempt Status under Section 115(1) of the Internal Revenue Code

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

Defiance County Land Reutilization Corporation affirms that the Zeller site, located at 1307 Baltimore Street Defiance, OH 43512, has not received funding from a previously awarded EPA Brownfields Cleanup Grant.

#### **III.B.3. Expenditure of Existing Multipurpose Grant**

Defiance County Land Reutilization Corporation does not have an open multipurpose grant. Defiance County is in process of closing a 2020 Clean Up grant and has attached the proper documentation demonstrating they have disbursed more than 70% by October 1, 2023.

#### **III.B.4. Site Ownership**

Defiance County Land Reutilization Corporation took ownership of the Zeller site, located at 1307 Baltimore Street Defiance, OH 43512, from the Defiance County Auditor's forfeited land list pursuant to Ohio Revised Code 5723.04 on October 6, 2023.

#### **III.B.5. Basic Site Information**

- a) Site Name: Zeller Site
- b) Site Address: 1307 Baltimore Street Defiance, OH 43512
- c) Current Owner: Defiance County Land Reutilization Corporation

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

- a) This site is contaminated by both hazardous substances and petroleum.
- b) The facility was used for manufacturing since at least 1905. The most recent operating entity, Zeller, functioned as a manufacturing plant for automobile components. The site has been abandoned since 2001.
- c) Processes conducted by Zeller included steel forging, machining, heat treating, and plating.
- d) Contamination discovered on site originated from underground storage tanks and equipment associated with manufacturing and forging. The on-site buildings were demolished in 2011, but dilapidated concrete pads and old building foundations remain on-site.

### **III.B.7. Brownfields Site Definition**

- a) Defiance County Land Reutilization Corporation affirms that the Zeller site, located at 1307 Baltimore Street Defiance, OH 43512, is not listed on the National Priorities List,
- b) 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) The Site is not subject to jurisdiction, custody, or control of the United States government. It is a commercial real estate property, which at one point functioned as a manufacturing facility to produce automobile components, where redevelopment and reuse is complicated by the presence of hazardous substances and petroleum contaminants.

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

Tetra Tech conducted an Ohio Voluntary Action Program (VAP) Phase I Property Assessment (PA) in August 2022 prior to the Defiance County Land Reutilization Corporation taking ownership on October 6, 2023. The physical inspection was performed by environmental scientist Katie Erny. The Phase I was done for the Defiance County Land Reutilization Corporation to satisfy the bona fide prospective purchaser provision. A previous Phase I Environmental Site Assessment (ESA) was conducted by SME in 2011 and was completed in conformance with the standards of ASTM E1527-21 and OAC 3745-300-06 "Phase I Property Assessment" for Voluntary Action Program and the "All Appropriate Inquiry" (AAI) as defined in CERCLA (42 U.S.C 9601 (35)(B)). SME conducted the initial Phase II Property Assessment field investigation, which included soil and groundwater sampling activities, in 2012.

Tetra Tech performed a Phase II ESA at the site in 2017 to further evaluate contaminants of concern (COC) detections from the initial field investigation. Soil results indicated detections of volatile organic compounds (VOC), Resource Conservation and Recovery Act (RCRA) metals, total petroleum hydrocarbon gasoline range organics (TPH-GRO), TPH diesel range organics (DRO), TPH oil range organics (ORO), and polychlorinated biphenyl (PCB) compounds in soils across the Property. Only one sample (the 0-2 ft. bgs sample from SB-28) contained concentrations exceeding applicable standards. SB-28 (0-2) contained TPH-GRO at 1,100 milligrams per kilogram (mg/kg) and TPH-ORO at 5,500 mg/kg, both exceeding their BUSTR Soil Saturation Limits of 1,000 mg/kg and 5,000 mg/kg, respectively. Groundwater results indicated detections of semi-volatile organic compounds (SVOC) and RCRA metal compounds in groundwater. One monitoring well (MW-01) contained an exceedance of the Ohio VAP Unrestricted Potable Use Standards (UPUS). The SVOC dibenzo(a,h)anthracene was detected at 0.17 micrograms per liter ( $\mu\text{g/L}$ ) which exceeded its UPUS of 0.092  $\mu\text{g/L}$ . Unfiltered metal samples contained COCs exceeding VAP UPUS in MW-03 and MW-04, though the filtered sample results for those samples were less than laboratory detection limits.

The Ohio EPA's Site Investigation Field Unit conducted a vapor intrusion site investigation in August and September 2017. The investigation included the installation and sampling of 5 soil gas implants and nine vapor pins. The vapor pins were installed below the residual building slab and the soil gas probes were completed at depths of between 4 and 12 feet bgs. The results of soil gas and indoor air results were evaluated using U.S. EPA's vapor intrusion screening level (VISL) calculator. In accordance with VAP protocol, default criteria were used for a hazard index of 1, an

excess cancer or non-cancer risk of 10E-5, a temperature of 25 degrees Celsius (°C), and a commercial industrial risk. Multiple locations were found to contain concentrations of VOCs which exceeded their VISL screening levels.

### **III.B.9. Site Characterization**

- b.i. This site is eligible to be enrolled in the Ohio Voluntary Action Program (VAP).
- b.ii This site intends to enroll in the VAP.
- b.iii There is sufficient level of site characterization performed to date for the remediation work to begin on site.

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

There is no known ongoing or anticipated environmental enforcement or other actions related to the site for which Brownfields Grant funding is sought.

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

The Site does not need a Property-Specific Determination.

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

#### **III.B.12.a Property Ownership Eligibility - Hazardous Substance Sites**

Does Not Apply.

#### **III.B.12.a.i Exemptions to CERCLA Liability**

Does Not Apply.

#### **III.B.12.a.i.3 Property Acquired Under Certain Circumstances by Units of State and Local Government**

- a) Vickie Myers, Treasurer, Defiance County, Ohio foreclosed Zeller, located at 1307 Baltimore Street Defiance, OH 43512 for unpaid taxes (totaling \$85,309.57). The Defiance County Commissioners moved to approve a resolution on April 15, 2023 pursuant to ORC 1724.10(A)(2) designating the Defiance County Land Reutilization Corporation as the agency for the reclamation, rehabilitation and reutilization of vacant, abandoned, tax foreclosed, and other real property in the County, directing the Corporation to act on behalf and in cooperation with the County in exercising the powers and performing the duties of the County under ORC 5722. Property was offered for sale by the Defiance County Sheriff's department on August 8, 2023 and again on August 22, 2023 and did not sell. Therefore, it was forfeited to the State of Ohio on September 15, 2023.
- b) Defiance County Land Reutilization Corporation requested the deed from the Defiance County Auditor on October 5, 2023. The deed was recorded October 6, 2023.
- c) Disposal of any hazardous substances at the site occurred before the Defiance County Land Reutilization Corporation acquired the property.
- d) The Defiance County Land Reutilization Corporation affirms that we did not cause or contribute to any release of hazardous substances at the site.

- e) The Defiance County Land Reutilization Corporation affirms that we did not transport hazardous substances or otherwise to or from the Zeller site, located at 1307 Baltimore Street Defiance, OH 43512.

### **III.B.12.iii. Landowner Protections from CERCLA Liability**

#### **Bona Fide Prospective Purchaser Liability Protection**

- a) Information on the Property Acquisition: The property was acquired by the Defiance County Land Reutilization Corporation on October 6, 2023 through a forfeited land transfer by Auditor's Deed. The Defiance County Land Reutilization Corporation has no familial, contractual, corporate, nor financial relationships or affiliations with any prior owners or operators of the property.
- b) Tetra Tech conducted an Ohio Voluntary Action Program (VAP) Phase I Property Assessment (PA) in August 2022 prior to the Defiance County Land Reutilization Corporation taking ownership on October 6, 2023. The physical inspection was performed by environmental scientist Katie Erny. The Phase I was done for the Defiance County Land Reutilization Corporation to satisfy the bona fide prospective purchaser provision.
- c) The Defiance County Land Reutilization Corporation affirms that we did not transport hazardous substances or otherwise to or from the Zeller site, located at 1307 Baltimore Street Defiance, OH 43512.
- d) The Defiance County Land Reutilization Corporation has not used the property for anything since acquisition on October 6, 2023.
- e) Through the updated Phase I Assessment, the Defiance County Land Reutilization Corporation understands that there are no immediate threats of exposure at this time. If in the future, there are threats from hazardous substances releases, the Corporation will stop any continuing releases, prevent any threatened future releases; and prevent and limit exposure to any previously released hazardous substance. The Land Reutilization Corporation affirms that we will comply with any land use restrictions and not impede the effectiveness or integrity of any institutional controls; and we will assist and cooperate with those performing the cleanup and provide access to the property; we will comply with all information requests and administrative subpoenas that have or may be issued in connection with the property; and we will provide all legally required notices.

### **III.B.13. Cleanup Oversight and Oversight Structure**

- a) We intend to hire an environmental consulting firm to manage and coordinate with Ohio EPA through the Voluntary Action Program (VAP). Once it is determined we have been awarded the grant we will put out a request for proposal to the environmental community to satisfy the competitive procurement process.
- b) Adjacent property access is not needed. However, if needed we will get a site access agreement in place.

### **III.B.14. Community Notification**

- a) See attached Draft Analysis of Brownfields Cleanup Alternatives.
- b) Land Bank: The Defiance County Land Bank hosted three public meetings (August 29, September 26, and October 31) at 11 a.m. in the E-911 conference room, 500 Court St., Defiance. The purpose was to discuss application for a U.S. EPA brownfields cleanup grant



to remediate the former Zeller Site. The application is due November 13, 2023. The draft application and the analysis of brownfield cleanup alternatives were available for public comment in paper format and online at [www.mvpo.org/brownfields](http://www.mvpo.org/brownfields). Comments received were incorporated into the final application.

Published in the "People & Places" section of The Crescent News on Friday, October 15, 2023

- c) See attached documentation from the October 31, 2023 public meeting.
- d) See attached submission of the community notification documents.

### **III.B.15 Contractors and named subrecipients.**

- a) Not applicable.



SUPPORTING DOCUMENTATION FOR  
FY24 BROWNFIELD CLEANUP GRANT

**OH EPA Letter of Support**

- OH EPA Letter of support for DCLRC Cleanup Grant Proposal

**Defiance County Land Reutilization Corporation**

500 W. Second St., Suite 101 | 419-782-8741 | [treasurer@defiance-county.com](mailto:treasurer@defiance-county.com)



November 7, 2023  
U.S. Environmental Protection Agency, Region 5  
ATTN: Ashley Green  
77 West Jackson Boulevard  
Mail Code SB-5J  
Chicago, IL 60604-3507

**RE: Defiance County Land Reutilization Cleanup Grant Proposal**

Dear Ashley Green:

I am pleased to offer Ohio EPA's support for the Defiance County Land Reutilization Corporation (DCLRC) Cleanup Grant Proposal. The DCLRC is applying for a cleanup grant totaling \$1,200,000. We have worked with the DCLRC in the past and hope to provide support under the Assessment, Cleanup and Revolving Loan Fund Grant program established by the Small Business Liability Relief and Brownfield Revitalization Act (P.L. 107-118).

The funding the DCLRC is requesting under their cleanup grant proposal would be used to address a 4.172-acre property that is currently vacant with only slabs and foundations remaining. The site was first developed in 1905 with six buildings that were occupied by the National Box Company, a manufacturer of wagon boxes. By 1924, one building was occupied by the Kruse-Wierk Manufacturing Company (makers of milk cans) was located on the eastern portion of the property. From at least the late 1930s until 2000, automotive component parts manufacturing operations occurred on the property. Operations included steel forging, machining, heat treating, and plating. In 2011 the buildings on the property were demolished.

The Defiance County Land Reutilization Corporation provided a Voluntary Action Program/ASTM Phase I Environmental Assessment, a Phase II Assessment, Remedial Action Plan, and ABCA for the Zeller property in Defiance, Ohio. The Ohio EPA, Ohio Brownfields Section completed a review of these documents to allow DCLRC to respond to the site characterization threshold criteria for a US EPA cleanup grant application. The Ohio EPA affirms that the Zeller property is eligible to be enrolled in the state's Voluntary Action Program and it was determined the site intends to be enrolled. The Ohio EPA has found that there is a sufficient level of site characterization from the environmental site assessment performed to date, for remediation work to begin on the site.

If awarded, the grant would be used to clean up the 4-acre property that currently sits vacant and is a blight to the community. The City of Defiance plans to incorporate the future redevelopment of this property into their redevelopment plans for the city. Cleanup of the property will help facilitate future redevelopment both on this property, and adjacent properties, generating new property tax revenue for the city.

We look forward to working with the Defiance County Land Reutilization Corporation and U.S. EPA on this project. If you have any questions, please do not hesitate to contact me at 614-644-2295 or via e-mail at [Lisa.Shook@epa.ohio.gov](mailto:Lisa.Shook@epa.ohio.gov).

Sincerely,

*Lisa Shook*

Lisa Shook, Manager

Ohio Environmental Protection Agency

Voluntary Action Program

cc: Vickie Myers, Defiance County Treasurer, DCLRC

Gary Deutschman, Ohio EPA, DERR/NWDO