



# CITY OF MANITOWOC

WISCONSIN, USA

[www.manitowoc.org](http://www.manitowoc.org)

R05-24-C-014

**RE: Grant Proposal by the Community Development Authority of the City of Manitowoc, Wisconsin to the United States Environmental Protection Agency for a Brownfield Cleanup Grant for the Phase I Redevelopment Area at 1512 Washington Street.**

The Community Development Authority of the City of Manitowoc, Wisconsin (CDA) is pleased to submit the enclosed proposal to the United States Environmental Protection Agency (USEPA) for a cleanup grant for \$1,961,500 as part of the USEPA Fiscal Year (FY) 2024 Brownfield Grant Competition.

Per grant application requirements, the following identifies the applicant and contact for communication with USEPA:

## 1. Applicant Identification

- a. Name of Applicant: Community Development Authority of the City of Manitowoc
- b. Address of Applicant: 900 Quay Street; Manitowoc, WI 54220

## 2. Funding Requested

- a. Grant Type: Single Site Cleanup
- b. Federal Funds Requested: \$1,961,500

## 3. Location

- a. City: City of Manitowoc
- b. County: Manitowoc County
- c. State: State of Wisconsin

## 4. Property Information

- a. Property Name: Phase I Redevelopment Area
- b. Property Address: 1512 Washington Street; Manitowoc, Wisconsin 54220

## 5. Contacts

- a. Project Director - Community Development Authority of the City of Manitowoc:  
Name: Adam Tegen, Executive Director of the Community Development Authority of the City of Manitowoc  
Phone: (920) 686-6931  
Email address: [ategen@manitowoc.org](mailto:ategen@manitowoc.org)  
Mailing Address: 900 Quay Street; Manitowoc, WI 54220



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b. Chief Executive/Highest Ranking Elected City Official

Name: Justin Nickels, Mayor of the City of Manitowoc

Phone: (920) 686-6980

Email address: [jnickels@manitowoc.org](mailto:jnickels@manitowoc.org)

Mailing Address: 900 Quay Street; Manitowoc, WI 54220

**6. General Population (2020 US Census Bureau Estimate)**

a. City of Manitowoc = 34,626 (source: [policymap.com](http://policymap.com), with subscription)

**7. Other Factors**

<b>Other Factors</b>	<b>Page #</b>
Community population is 10,000 or less.	
The applicant is, or will assist, a federally recognized Indian Tribe or United States Territory.	
The proposed brownfield site(s) is impacted by mine-scarred land.	
Secured firm leveraging commitment ties directly to the project and will facilitate completion of the remediation/reuse; secured resource is identified in the Narrative and substantiated in the attached documentation.	P.2; Attachment A3 and A4
The proposed site(s) is adjacent to a body of water (i.e., the border of the proposed site(s) is contiguous or partially contiguous to the body of water, or would be contiguous or partially contiguous with a body of water but for a street, road, or other public thoroughfare separating them).	
The proposed site(s) is in a federally designated flood plain.	
The reuse of the proposed cleanup site(s) will facilitate renewable energy from wind, solar, or geothermal energy.	
The reuse of the proposed cleanup site(s) will incorporate energy efficiency measures.	P.2
The proposed project will improve local climate adaptation/mitigation capacity and resilience to protect residents and community investments.	
The target area(s) is located within a community in which a coal-fired power plant has recently closed (2013 or later) or is closing.	

**8. Releasing Copies of Applications**

Not Applicable

### **1.a. Project Area Description and Plans for Revitalization – Target Area and Brownfields**

**(i) Overview of Brownfield Challenges and Description of Target Area.** The City of Manitowoc (City), Wisconsin is located on the western shoreline of Lake Michigan at the confluence of the Manitowoc River (the River). Development in Manitowoc began in the early 1800s by European settlers and was focused on agricultural, fishing, lumber, and shipbuilding. Settlement was followed in the late 19<sup>th</sup> and early 20<sup>th</sup> Centuries by large-scale industrial developments (tanneries and metal works/foundry operations) in Census Tract 55071000500 (CT-5). The **Target Area** in CT-5 saw massive industrial growth and economic prosperity through the 20<sup>th</sup> Century due to the expansion of the aluminum foundry/forging industry, which provided exceptionally high-paying jobs to the community. Sadly, the collapse of aluminum manufacturing during the 1970s/1980s and the cascade of closings of supporting industries resulted in 182 potential brownfield sites (totaling 282 acres) in CT-5. This economic collapse resulted in a **28% decrease in population, 48% decrease in average income, and 258% increase in the poverty rate in CT-5**, which is why this once thriving area is prime for redevelopment. Prolonged industrial and railroad operations in the Target Area have resulted in considerable need for USEPA funding to clean up environmental contamination which vastly exceeds state cleanup levels at the priority brownfield. The greatest needs to be addressed with cleanup and redevelopment are (1) increased residential/worker housing options to support the rebuilding the Washington Street commercial district within the Target Area and (2) increased commercial and retail amenities to increase jobs and attract outside businesses. The cleanup and redevelopment of the Target Area is consistent with community needs and will bring catalytic improvements to quality of life in the City to address significant blight, poor economic conditions, and welfare discussed in Section 2.a.

**(ii) Description of the Proposed Brownfield Site.** In 1898, Henry Vits converted his tannery in downtown Manitowoc at 1512 Washington Street to the manufacturing of aluminum products. By 1927, the foundry (later referred to as “Mirro Plant 9”) had expanded to a parcel-wide 3.7-acre, 7-story, 1,000,000-square-foot industrial complex manufacturing a variety of aluminum goods. For reference, if this complex had a single-story layout like many early 20<sup>th</sup> Century manufacturing facilities, the complex would have had a footprint of over 20 acres. This behemoth facility was the economic powerhouse of the community until 1986, when under new ownership manufacturing was offshored, sending a tsunami of economic hardship to the community. Mirro Plant 9 was subsequently bought/sold by swindler developers seeking only to scrap any remaining value out of the buildings through the first decades of the 21<sup>st</sup> Century. After watching the buildings fall into decay until they became an immense community safety hazard, the Community Development Authority of the City of Manitowoc (**CDA; the grant applicant**) involuntarily took ownership of 1512 Washington Street on June 29, 2016 for the purpose of blight elimination. Astonishingly, in a 40-year period, CT-5 went from being the most prosperous community in Manitowoc to a housing-insecure environmental justice community. The Phase I Redevelopment Area (**the priority brownfield “Target Property”**) at 1512 Washington Street consists of the southern 2.3-acres of the former foundry. The Target Property was formerly occupied by an estimated 620,000 square feet of heavy aluminum manufacturing. The CDA removed all the remaining hazardous wastes and razed the former foundry buildings in 2017. The Target Property is currently vacant. This 2.3-acre property represents Manitowoc’s greatest potential to address immediate housing insecurity and catalyze immediate economic investment in the Target Area. Soil and groundwater at the Property are known to be impacted by heavy metals, polycyclic aromatic hydrocarbons (PAHs), volatile organic compounds (VOCs) and polychlorinated biphenyls (PCBs). The risks to human health from identified contaminants include birth defects, cancer (liver, brain, lung, biliary, bladder), and nervous system and reproductive system damage.<sup>1</sup> The Target Property is bisected by a stream, which discharges directly to the River and flows to Lake Michigan approximately ½ mile downstream. The proximity of Target Property contaminants (e.g., PCBs, metals) to the River could explain the fish advisory for PCBs and puts fishery quality at risk until cleanup occurs.

### **1.b. Project Area Description and Plans for Revitalization – Revitalization of the Target Area**

**(i) Reuse Strategy and Alignment with Revitalization Plans.** The cleanup and redevelopment of the Target Property in CT-5 for multi-family residential reuse is in direct alignment with existing reuse plans. The *City of Manitowoc Comprehensive Plan*, the *Manitowoc River and Trail Corridor Plan*, the *Tax Increment District No. 16 and No. 19 Project Plans*, the *Downtown Master Plan*, and the *Downtown Parking Analysis* (collectively referred to herein as the “Plans”) will guide reuse of the Target Property. The *Plans* collectively include redeveloping the Target Property for multi-family residential reuse which will cascade economic investment in the Target Area. This reuse strategy is in direct alignment with community priorities and needs, as expressed by underserved community members and members of the Brownfields Advisory Committee (BAC) during public meetings/charettes held during development of the *Plans*. For example, the underserved community struggles with a severe lack of housing in the downtown area; therefore, the proposed reuse of the Target Property is targeted to work force and low-income multi-family reuse. As a gateway property to downtown, redevelopment of the Target Property will advance the goals of the *Plans* by increasing residential

<sup>1</sup> Health impacts per [www.atsdr.cdc.gov/toxfaqs/index.asp](http://www.atsdr.cdc.gov/toxfaqs/index.asp)

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opportunities in the downtown area. By providing for increased housing options in downtown Manitowoc, redevelopment of the Target Property will catalyze infrastructure investment and commercial growth in the Target Area.

(ii) Outcomes and Benefits of Reuse Strategy. This redevelopment will be shovel-ready following cleanup and the Target Property was rezoned to facilitate the proposed reuse. **Wire Capital Group** (a minority developer with significant multi-family experience; herein “developer”) will acquire the Target Property following cleanup (Attachment A1 and A2) and construct a new apartment complex with 59 multi-family modern and ADA-compliant apartments targeted to Low-to-Moderate Income (LMI) households [**\$13,868,612** private leverage (Attachment A3) with renderings included in the Analysis of Brownfield Cleanup Analysis (ABCA) in Attachment B3]. Redevelopment is estimated to increase the property value by **\$1,600,000**; note that since this is a tax credit project, the increased value is typically estimated at 25 to 30% of a market rate project. Construction will begin in Q3 FY2025 and incorporate energy efficiency in the building and mechanical designs, with the goal of having the building qualify for Leadership in Energy and Environmental Design (LEED) status. A recent study found that buildings constructed to LEED standards contributed 50% fewer greenhouse gases compared to conventional construction.<sup>2</sup> This increase in energy efficiency will improve local climate adaptation/mitigation capacity and resilience to protect residents and community investment. Increased residential density will create a demand for supporting commercial uses in the Washington Street corridor. Planned future commercial development along Washington Street includes a grocery store/food co-op, which will further serve food insecure disadvantaged members of the community. Two rapidly expanding employers adjacent to the Target Property and along the bus line (Attachment A6) are adding a significant number of jobs which could provide employment opportunities for residents (Attachment A5, Wisconsin Al Foundry adding 80 jobs in 2023-2025). Based on USEIA’s 2021 employment estimates, this redevelopment is estimated to generate **69 construction jobs** (five jobs per \$1,000,000 investment).

**1.c. Project Area Description and Plans for Revitalization – Strategy for Leveraging Resources**

Leverage and coordinated public funding are cornerstones of the Manitowoc brownfields program. The CDA leveraged **\$3,000,000** in local and state funds to demolish the former buildings and PCB cleanup in the building. In addition to this grant, the leverage described below will be sufficient to complete the proposed redevelopment/reuse of the Property. The CDA is eligible and will pursue the following; the CDA also will support the developer in pursuing funding.

<b>Name of Resource:</b> WDNR Wisconsin Assessment Monies	<b>Purpose:</b> 1.c.i – Site Characterization / Planning	<b>Status:</b> Eligible; Unsecured
	<b>Additional Details:</b> Although not anticipated, if needed, the CDA could secure additional grant-funded assessment work through the WDNR Wisconsin Assessment Monies program.	
<b>Name of Resource:</b> Insurance Recovery	<b>Purpose:</b> 1.c.ii – Site Remediation	<b>Status:</b> Eligible; Unsecured
	<b>Additional Details:</b> The City is searching old general liability insurance policies issued to a prior operator to confirm if insurance recovery could fund remediation at the Target Property.	
<b>Name of Resource:</b> Manitowoc Brownfield Cleanup RLF	<b>Purpose:</b> 1.c.ii – Site Remediation	<b>Status:</b> Eligible for Loan; Secured
	<b>Additional Details:</b> The developer has a <b>\$200k</b> loan earmarked from the City’s Brownfield Cleanup RLF for constructing the hardscaped caps/barriers at the Target Property.	
<b>Name of Resource:</b> Wire Capital Group	<b>Purpose:</b> 1.c.iii – Site Reuse (Acquisition)	<b>Status:</b> Secured (Attachment A1 & A2)
	<b>Additional Details:</b> The developer will acquire the Target Property following cleanup.	
<b>Name of Resource:</b> Wire Capital Group	<b>Purpose:</b> 1.c.iii – Site Reuse (Construction)	<b>Status:</b> Secured (Attachment A3)
	<b>Additional Details:</b> The developer secured <b>\$13.8MM</b> from (9) sources to fund construction.	
<b>Name of Resource:</b> City of Manitowoc	<b>Purpose:</b> 1.c.iii – Site Reuse (Construction)	<b>Status:</b> Secured (Attachment A4)
	<b>Additional Details:</b> The City committed to a loan <u>up to</u> <b>\$1.4MM</b> at 0% interest with 20-year deferral.	

(iv) Use of Existing Infrastructure. As illustrated in Attachment A7, the future building is designed to reuse the former building’s pile-driven foundation system currently located beneath the slab. The cost savings of reusing the existing foundation infrastructure is estimated to be between **\$1,150,000** and **\$1,350,000** (Attachment A7). The cost savings for reusing crushed concrete onsite is estimated to be **\$688,800** (Attachment A8)The City was recently awarded **\$8,200,000** to replace lead service lines in CT-5 (and elsewhere in the City), which will directly improve water quality and ensure clean drinking water at the new development. Washington Street (south-adjacent road) was recently repaved (**\$480,000** City capital investment), which significantly improved traffic flow. Franklin Street (north-adjacent road) will be reconstructed in 2024, including new utilities, which will leverage **\$1,750,000** in capital infrastructure investment by the City. Utilities onsite are all abandoned and cannot be reused due to age; however, the City has budgeted **\$1,300,000** to rebuild S 15<sup>th</sup> and 16<sup>th</sup> Streets (east- and west-adjacent roads), including new utilities, to be completed concurrent with Target Property redevelopment. New bridges/sidewalks were constructed along the Manitowoc River to enhance the walkability in the downtown corridor (**\$102,000** City capital investment). Additional leverage includes infrastructure investments made by the City, such as better integration of bikeable and walkable streetscapes.

<sup>2</sup> <https://escholarship.org/uc/item/935461rm>

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**2.a Community Need and Community Engagement – Community Need**

**(i) The Community’s Need for Funding.** This grant will meet the needs of a community that has an inability to draw on other sources of local funding to conduct remediation due to a small population and low income due to job losses, exacerbated by COVID-19 and limited/restricted state/local funding. While some funding is specifically designated for utilities, construction, etc., few sources are available for remediation on this

Table 1. Indication of Community Need <sup>3</sup>	Target Area (CT-5)	City of Manitowoc	Manitowoc County	State of WI	US
Population (change since 1970)	2,731 <b>(-28%)</b>	34,626 (na)	81,359 (-1%)	5.9m (22%)	331.4m (na)
Percent Poverty Rate (change since 1970)	<b>19.9%</b> <b>(+258%)</b>	13% (na)	9% (+61%)	11% (+77%)	12.8% (na)
Percent Families in Deep Poverty	<b>7.3%</b>	4%	2.4%	2.6%	na
Mean Household Income (change since 1970 in 2023 \$\$)	<b>\$40,313</b> <b>(-48%)</b>	\$51,563 (na)	\$58,464 (-26%)	\$63.2k (-20%)	\$64.0k (na)
Single Mothers in Poverty	<b>48.7%</b>	50%	40%	32%	na
Percent Minority	<b>26%</b>	17%	12%	20%	42%
Percent Hispanic or Latino	<b>12%</b>	7%	5%	8%	19%
Percent Asian Poverty (change since 2009)	8% <b>(+2-fold)</b>	20% <b>(+2-fold)</b>	23% (na)	15% (na)	10.6% (na)
High School Graduate (only)	<b>39%</b>	34%	36%	30%	na
Bachelor’s Degree or Higher	<b>12%</b>	23%	22%	31%	na

scale. Further, municipal funds are restricted by law for designated purposes, and lenders would not loan funds for remediation without egregious interest rates/terms. Key indicators of disproportionately impacted populations summarized on **Table 1** reflect a gradual (sometimes punctuated) decline in economic condition since 1970 when manufacturing was the economic foundation in Manitowoc. Specifically, due largely to the collapse of the manufacturing sector, the Target Area experienced a **28% decrease in population, 48% decrease in average income, and 258% increase in the poverty rate<sup>3</sup>**, which is why revitalization of this area is critical. Concurrently, minority populations increased 4-fold and the Latino population is expected to keep growing due to a relatively sizable percentage of young persons and higher rates of immigration. The Hmong population continues to grow, and Asian poverty has more than doubled<sup>3</sup> since 2009 (data not available for 1970 when manufacturing was the economic foundation). Depressed economic conditions have reduced educational attainment where the high school and college graduate rate in the Target Area is significantly lower than the rest of the City, which could explain why the percentage of households in the Target Area considered cost-burdened are double the rate for the City or County.

**Small Population Size.** A limiting economic factor is the City’s lack of “entitlement status;” therefore, the City does not receive an annual allocation of Community Development Block Grants that could be a key source of cleanup funding. Also, the population is 34,626, so while fairly small it is too large to receive US Dept. of Agriculture brownfield funds.

**Loss of Jobs.** Manitowoc has experienced many economic challenges with globalization and its impact on the manufacturing sector. Rising global competitiveness and offshoring to reduce labor costs resulted in major job losses. When the Target Property closed, the initial economic impact was the loss of \$19,000,000 in annual wages and benefits associated with the 1,150 relatively high wage manufacturing jobs. In the past six years, the region’s manufacturing base has lost over 7,000 jobs, or 17% of peak employment. This continued loss in jobs has resulted in decreases in sales and property tax revenue that would otherwise be available to complete the necessary cleanup at the Target Property.

**Poor Economic Condition.** The vast majority of households in CT-5 rent. The average income of renters in CT-5 is \$30,982 (compared to \$34k in the City and \$37k in the County) and renters in CT-5 are using 50% of their income to pay rent, compared to 35% in the City and 24% in the County<sup>3</sup>. With the average rent in CT-5 increasing 49% from 2016 to 2020 combined with high food costs (estimated \$1,050 per month for a family of 4), it is clear that the housing burden is a significant contributor to the skyrocketing poverty rates in CT-5 since 1970 (especially for single mothers and elderly)<sup>3</sup>. Addressing housing insecurity for LMI families is the primary focus of the proposed redevelopment at the Target Property to improve the poor economic condition of the community.

**Limited City/State Funding.** To date, the City has spent **\$3,956,439** to abate asbestos, demolish former blighted buildings, and complete environmental investigations at the Target Property. In addition, the City has committed to a loan up to **\$1,400,000** at 0% interest for new construction. The City has exhausted all other state-funded cleanup grant opportunities, and given the vast amount of other projects in the City, it is clear the City has far exceeded its reasonably expected commitment to the project and desperately needs USEPA’s assistance to bring this project to reality.

<sup>3</sup> 2017-2021 Data available online with subscription at [policymap.com](https://www.policymap.com). Data from 1970 per [social Explorer.com](https://www.social Explorer.com) with a subscription. Target Area is CT-5. **Bold** indicates worse conditions than WI/US; **RED** is worse than or equal to City/County and WI/US. *na*=data not available.

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(ii.1) **Threats to Sensitive Populations – Health or Welfare of Sensitive Populations.** There are 55 residential parcels within 500 feet of the Target Property. Additionally, there are approximately 553 single- and multi-family residential parcels totaling 79 acres of land located within 300 feet of a potential brownfield in CT-5 in addition to 5 churches, 7 schools/clinics, and 9 daycares in/within 300 feet of CT-5, which puts sensitive groups more susceptible to impacts at substantial risk from brownfields. Further, as noted in Section 2.a.i and further summarized on **Table 2**, the USEPA Environmental Justice Screening (EJScreen) tool noted the demographic index of the Target Area ranks in the upper 80<sup>th</sup> percentile compared to the State due largely to the high percentage of low-income populations, suggesting a high exposure risk to sensitive populations. EJScreen indicates the Target Area ranks in 80<sup>th</sup> percentile in the State for low income and 96<sup>th</sup> percentile for linguistic isolation and education level.<sup>4</sup> As noted on **Table 1** in Section 2.a.i, the rate of children in poverty in the Target Area is double the rate of the rest of the County and State, and single mothers with children in the Target Area are nearly guaranteed to be living in poverty. Given that the future earning potential of a female growing up in unfavorable economic conditions in the Target Area is 30% less than males, multi-generational poverty is difficult to overcome. Further, 18% of people over 65 live in poverty, which is a 1-fold increase since 2020 and more than double the County and State poverty rates for the elderly (**Table 3**).<sup>3</sup> The poor economic condition of children, single mothers, and elderly (**Table 3**) could explain why 20% of families in the Target Area are receiving SNAP benefits, compared to 8% County-wide.<sup>3</sup> **Key welfare issues** to the sensitive populations include: lack of affordable and safe/healthy housing and access to healthy foods to combat childhood obesity and enhance the quality of elder living.

	Target Area (%ile in State)
Demographic Index	<b>87</b>
Low Income	<b>83</b>
Linguistic Isolation	<b>96</b>
< HS Education	<b>96</b>
Under 5 Years Old	20
People of Color	<b>86</b>

**Lack of Healthy Housing:** A significant need in the region is healthy workforce and LMI housing. Housing stock is very old in the Target Areas (98% of homes constructed prior to the ban on consumer lead paint in 1978)<sup>3</sup> which impacts children in the area and complicates finding healthy housing. Further, the median home value in CT-5 (\$75k) is less than half of the State median<sup>3</sup> confirming that income is not fairly distributed and finding healthy housing, especially for single mothers with children in poverty, is an unsurmountable challenge. The Census Bureau estimates that upwards of 40% of homeowners and 60% of renters are burdened by housing costs. This unfortunately forces sensitive populations to residential areas where lead based paint is present.

	Target Area (CT-5)	City	State of WI
Elderly (65 and older)	<b>9%</b>	9%	7%
Elderly in Poverty	<b>18%</b>	10%	8%
Disabled Citizens	<b>14%</b>	15%	12%
Disabled in Poverty	8%	22%	20%
Children (< 5 years)	<b>8%</b>	5%	6%
Poverty rate for children	<b>39%</b>	26%	15%
Hispanic Population	<b>11%</b>	7%	8%
Hispanics in poverty	0%	28%	19%

**Access and Food Security:** Food insecurity continues to be significant welfare issue in the Target Area. CT-5 is considered “Low Income, Low Access” areas by the USDA indicating community members travel more than 0.5 miles to the grocery store, which is difficult due lack of vehicle access<sup>3</sup>. As described in Section 2.a.ii.3.a, WDNR issued a fish advisory for the Manitowoc River for PCBs, which are a constituent of concern at the Target Property. Exposure to PCBs through fish consumption and could impact 910 Hmong residents in Manitowoc who fish daily for sustenance.

**Improve Welfare.** Cleanup and redevelopment of the Target Property for multi-family residential will improve welfare conditions by increasing healthy housing, increasing job options in affected neighborhoods, decreasing contaminant source areas, and making the surrounding neighborhoods safe and walkable. Overall well-being will be increased by cascading neighborhood improvements access to food (new stores) and increased recreation by safer/walkable areas.

(ii.2) **Threats to Sensitive Populations – Greater Than Normal Incidence of Disease and Adverse Health Conditions.**

**Asthma.** The 2021 USEPA Toxics Release Inventory indicates 4,300,000 pounds of toxic chemical waste was generated at 19 regulated facilities in the City, which is a 31% increase compared to 2018.<sup>5</sup> Air quality is significant, and although not available for the Target Area, data from the State of the Air 2021 report gives Manitowoc County an “C” for ozone pollution. Although data is not available for the Target Area, the percentage of children in Manitowoc County with asthma is **50% greater** than the adjoining county (Sheboygan Co.)<sup>6</sup>. Given the prevalence of childhood asthma, it is not surprising the adult rate of asthma is **30% greater** in Manitowoc County compared to the National average.<sup>10</sup> Undoubtedly, poor air quality has a disproportionate impact on sensitive populations (**Table 7**), and with the change in weather patterns in Manitowoc due to climate change, poor air quality days are increasing yearly.

<sup>4</sup> <https://ejscreen.epa.gov/mapper/>. RED indicates greater than the 90<sup>th</sup> Percentile & BLACK indicates greater than 80<sup>th</sup> Percentile compared to the State of Wisconsin.

<sup>5</sup> <https://www.epa.gov/toxics-release-inventory-tri-program>

<sup>6</sup> <https://www.cdc.gov/asthma/national-surveillance-data/asthma-prevalence-state-classification.htm> and <https://www.cdc.gov/asthma/nhis/default.htm>

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**Birth Defects.** Birth defect rates are not available for the Target Area. The Wisconsin Department of Health Services (WDHS) Manitowoc County Profile indicates the rate of congenital anomalies in the County is 1.1%, which is double the rate suffered by children in the adjacent county.<sup>7</sup>

**Overall Health and Cancer Rates.** Although data for the Target Area is not available, the 2023 Population Health Institute at the University of Wisconsin<sup>7</sup> ranked Manitowoc County 50 out of 72 Counties in Wisconsin for overall health based on characteristics associated with sensitive populations: morbidity (which included self-reported fair or poor health, poor mental health days, and percent of births with low birth weight); social and economic factors (which included measures of education, employment, income, family and social support, and community safety); and physical environment (which included many EJ parameters). Obesity remains a significant challenge in Manitowoc County and the Target Area, with 18% of the low-income preschool children considered obese and 36% of the adult population considered obese, which places the County in the highest quartile compared to other counties in Wisconsin. The WDHS Manitowoc County Profile<sup>7</sup> indicates the age-adjusted cancer rates for acute lymphocytic leukemia; bladder, brain/central nervous system, melanoma, and pancreatic cancer; and pediatric acute lymphocytic leukemia are all greater than the State rate. The poor health outcomes in CT-5 could be associated with lack of health insurance as the uninsured rate is **DOUBLE** the County and State.<sup>4</sup> Although the precise cause/source of identified poor health outcomes is likely due to a multitude of factors, known/suspect contaminants of concern identified at the Target Property are known to cause severe neurological damage and many of the poor health outcomes summarized above. Most directly impacting residents, WDNR issued a fish advisory for the River for PCBs, which are a constituent of concern at the Target Property.<sup>8</sup> The advisory is critical to the local Hmong (estimated population 1,518)<sup>9</sup> where language barriers exist and exposure risk is not always understood, but fishing is a popular sport. Based on a study in a nearby community, there could be 910 Hmong residents in Manitowoc impacted by the fish advisory.<sup>10</sup>

**Lead Exposure.** A total of 146 children (birth to age 6) were lead poisoned in CT-5 between 2000 and 2014 (data after 2014 not available), which is 5- to 7-times greater than the rate in the County or State<sup>11</sup>. As noted previously, 98% of the housing in CT-5 was built before lead paint was banned and lead paint is a known constituent of concern at the Target Property. Additionally, 4,721 lead water supply laterals totaling over 13 miles in length have been identified in the City, with a high density located at residential properties in CT-5 (567 properties). The rate of childhood (age <18 years) cognitive disability in CT-5 (10.3%) is more than double the rate of the State (4.0%) and nearly double the rate of the US (5.4%). Additionally, the percent of all disabled individuals with a cognitive disability in CT-5 (59%) is nearly double the rate of the State (37%) and of the US (38%). Although the cause of cognitive disabilities in children and in the disabled population is likely due to a multitude of factors, cumulative lead exposure is known to cause severe neurological damage.

**Reduction of Health Risk.** Cleanup and redevelopment of the Target Property will mitigate these health conditions by decreasing contamination mass and source areas (including lead laterals; Section 1.c.iv); improving surface water quality which will result in an increase in the quality of local fisheries; and increase opportunities for healthy living as summarized in Section 1.b.ii by increased healthy housing and increased alternative energy/transportation options.

(ii.3.a) Environmental Justice (EJ) - Identification of EJ Issues. In combination with zoning, persistent policies and questionable industrial operators have historically disproportionately impacted the community. The City's legacy of heavy industrial activity and associated pollution has resulted in a disproportionate burden to sensitive populations (women, elderly, children) in this minority-majority neighborhood. Those lacking formal education, single mothers in poverty, and children in poverty are especially threatened. **Table 4** summarizes disproportionate EJ negative impacts in the Target Area and in a community disproportionately burdened with poor air quality (e.g., National Air Toxics Assessment [NATA]; particulate, and ozone indices), increased risk to children from lead exposure in housing (lead paint indicator), and abundant risks to water quality (risk management plan and wastewater discharge indices).

<b>Table 4. EJ Index Percentile (CT-5 compared to State)</b> (% in WI with lower risk vs. target neighborhoods) <sup>5</sup>	<b>Target Property</b>
EJ Index - NATA Diesel Particulate Matter	<b>82</b>
EJ Index - NATA Air Toxic Cancer Risk	<b>86</b>
EJ Index - NATA Respiratory Hazard Index	<b>78</b>
EJ Index - Particulate Matter	49

<b>Table 4. EJ Index Percentile (CT-5 compared to State)</b> (% in WI with lower risk vs. target neighborhoods) <sup>5</sup>	<b>Target Property</b>
EJ Index - Ozone	<b>89</b>
EJ Index - Lead Paint Indicator	<b>90</b>
EJ Index - Risk Management Plan	<b>91</b>
EJ Index - Wastewater Discharge	<b>90</b>

<sup>7</sup> <https://www.dhs.wisconsin.gov/stats/phprofiles/manitowoc.htm> and <https://www.countyhealthrankings.org/app/wisconsin/2020/rankings/>

<sup>8</sup> <https://dnr.wi.gov/topic/fishing/consumption/>

<sup>9</sup> <https://www.htnnews.com/story/news/2021/05/10/manitowoc-second-wisconsin-city-celebrate-hmong-american-day-may-14/7354587002/>

<sup>10</sup> <https://www.sciencedirect.com/science/article/abs/pii/S0380133094711631>

<sup>11</sup> <https://www.dhs.wisconsin.gov/lead/data.htm>

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**Climate and Economic Justice.** As noted in Section 1, equitable housing is one of the greatest needs in Manitowoc. Therefore, it is not surprising the Climate and Economic Justice Screening Tool (CEJST)<sup>12</sup> identified the Target Area (CT-5) as being **disadvantaged for sustainable housing**, which is attributable to housing cost burden and older housing stock with a high lead paint risk compounded by low household income and low education attainment of the community. CT-5 has an extensive legacy of industrial operations; therefore, it is not surprising the CEJST tool also identified CT-5 as further **disadvantaged due to legacy pollution** due to the high proximity to hazardous waste sites.

**Access and Food Security:** Obesity and food insecurity continue to be significant social justice issues in the Target Area. The density of fast-food restaurants in the City (by zip 6.75 per 10,000 population) is one of the greatest in the State<sup>13</sup>. The Wisconsin Food Security Project estimates 10% of the population of the City are in food-insecure households<sup>16</sup>. Even more worrisome, the study estimates that 13.7% of children in the City are food-insecure, which places the Target Area in the upper 95% of counties in the State for food-insecurity. The food pantry 5 blocks from the Target Property is seeing overwhelming demand, distributing 3,500 pounds of food per day<sup>14</sup>, which is not surprising given the low income of the community described in Section 2.a.i.<sup>15</sup>

**Lack of Healthy Housing:** A significant need in CT-5 is healthy workforce and LMI housing, as echoed by the disproportionate need in the CEJST database and summarized in Section 2.a.ii.1.

**Unique Environmental Exposure - Fish Advisory.** WDNR issued a fish advisory for the River for PCBs, which are a constituent of concern at the Target Properties<sup>5</sup>. The advisory is critical to the local Hmong (estimated population 1,518)<sup>6</sup> where language barriers exist and exposure risk not understood, but sustenance fishing is popular. Based on a study in a nearby community, there could be 910 Hmong residents in Manitowoc impacted by the fish advisory.<sup>7</sup>

**Lack of Transportation:** Very few members of the community utilize public transportation to get to work (ex. 2.9% in CT-5 compared to 5.1% in the US)<sup>4</sup>. Instead, many walk (7.6% compared to 2% in the US)<sup>4</sup>, which is especially difficult in the winter due to the estimated 42 inches of snow in the City (double US average) and wind chills down to -20°F disproportionately impacting minority populations, who are more likely to walk due to inherent challenges with language barriers (percent who walk and speak English less than “very well” in Manitowoc ~33%, compared to 5% for the State).

(ii.3.b) EJ – Advancing EJ. Legacy immigration and minority housing policies (e.g., redlining) created highly segregated communities in the upper Midwest.<sup>16</sup> Cleanup and redevelopment of the Target Property will advance the *Path to Achieving Justice40 Initiative* in the disproportionately impacted underserved community by making a more livable/walkable community via increasing access/options to healthy housing, increasing food security, improving air quality by decreasing traffic, and decreasing crime. Redevelopment is specifically targeted to housing for workforce and LMI households (i.e. healthy housing at varying price points); therefore, displacement of the underserved community will not occur. The CDA will host problem-solving meetings and establish a Community Benefit Agreement.

**2.b. Community Need and Community Engagement – Community Engagement**

(i) Project Involvement and (ii) Project Roles. The Manitowoc BAC was established ten years ago and has met to provide significant oversight/input on the City’s phenomenally successful Brownfields program. BAC members reviewed and provided input on this application. BAC members will continue to bring important community voices to the table and were selected to address needs discussed in Section 2.a. The general public and those affected directly by the Target Property will be engaged through a Community Involvement Plan (CIP) to be developed in Fall 2024 in collaboration with the BAC. As described in 2.b.iii. Partners listed on **Table 5** affirm their commitment to serve on the BAC.

**Table 5. Members of the Brownfields Advisory Committee**

<b>Organization (focus)</b>	<b>Point of Contact</b>	<b>Partner Role / Specific Expertise on BAC</b>
The Chamber of Manitowoc County ( <i>economic and business development</i> )	Abby Quistorf 920-684-5575 abbey@chambermanitowoccounty.org	Facilitate redevelopment by identifying and finding resources to encourage commercial businesses to locate/build at the Target Area
Progress Lakeshore ( <i>housing and business development</i> )	Jamie Zastrow 920-482-0540 jamie@progresslakeshore.org	Facilitate redevelopment by identifying and finding additional resources to assist Wire Capital Group in redeveloping the Target Property.
Bank of Luxemburg ( <i>local lending institution</i> )	Dennis Tienor; 920-652-3240 dennistienor@bankoflux.com	Provide insight on financial/funding guidance on cleanup/reuse.

<sup>12</sup> <https://screeningtool.geoplatform.gov/en/#13.62/44.09501/-87.67279>

<sup>13</sup> <https://foodsecurity.wisc.edu/> and <http://wgntv.com/2016/04/19/ranked-u-s-cities-with-the-most-fast-food-restaurants-per-capita/>

<sup>14</sup> <https://peterspantry.org/>

<sup>15</sup> <https://screeningtool.geoplatform.gov/en/#13.62/44.09501/-87.67279>

<sup>16</sup> <https://mapmaker.nationalgeographic.org/map/10f16803d86a4e3d94966ca4659caac0?lat=30.7639&lon=-105.2984&zoom=3>

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Organization (focus)	Point of Contact	Partner Role / Specific Expertise on BAC
Lakeshore Technical College (local tech. college)	Rachel Kroepfli; 920-946-9111 rachel.kroepfli@gotoltc.edu	Provide linkage to job training opportunities to students.
Community Member At Large (housing, food security, social & env justice)	Mike Huck [REDACTED]	Facilitate translation of project materials into Spanish and Hmong and facilitate engagement of the <b>minority underserved community</b> .
Friends of the Manitowoc River Watershed (watershed group)	James Kettler 920-304-1919; jim@lnrp.org	Represent stakeholders who recreate on the Manitowoc River.
USEPA and WDNR Project Managers	<b>To Be Determined</b> - Provide technical assistance and review of work products in Tasks 1, 2, and 3; outlined in Section 3; (e.g., QAPP, SSSAP, RAP/MMP, Construction Documentation Report)	
The Director of the Manitowoc County Health Department. (Stephanie Lambert; 920-683-4155) will attend BAC meetings and community outreach meetings to answer any health-related questions/concerns related to the cleanup.		

(iii) Incorporating Community Input. The cornerstone of the City's Brownfields Program is enhancing public education/communication through continued workshops, resident questionnaires, and web-based engagement. Community involvement in the decision-making process at the Target Property began decades ago and continued through development of the *Plans* described in Section 1.b.i. Within one month of award, the CDA (grantee) will develop a site-specific CIP to leverage the expertise and networks of the BAC (members listed in Sections 2.b.i and 2.b.ii). The CIP will be designed specifically to engage and inform the underserved community members and to provide an avenue for input/feedback from the community. The CIP will also discuss how community input will be considered and responded to. The approved CIP will be implemented in Fall 2024 to integrate community involvement utilizing the BAC to engage the community and local businesses in the cleanup, and overall redevelopment of the Target Property. The timeline for community meetings will be outlined in the CIP. The CDA (grantee) will hold at least one meeting per quarter at key points during the project, including: (A) a meeting after grant award to discuss the project/grant with the community to discuss the process/what they can expect and timeframe of key activities; (B) a meeting upon posting of the final ABCA; (C) a meeting when cleanup activities begin; (D) multiple meetings periodically during active cleanup; and (E) a final meeting when cleanup is complete.

Since 2020, the BAC has used online meeting platforms (e.g., Zoom or Microsoft Teams) for outreach meetings. Virtual tools have worked extremely well in the past to connect citizens to City-led brownfield redevelopment projects. The CIP will include a variety of socially distanced engagement practices, including expanding virtual tools (e.g., online meeting platforms, social media, and webpage/email updates). Project information will continue to be shared by the mayor during his routine local radio show. As renderings are developed, the local newspaper will likely be a significant source of information dissemination. Displays of Target Property renderings at the summer farmer's market will also allow for socially distanced feedback with QR codes on posters will allow for direct and immediate feedback on the project.

It is anticipated that most project communications will be in English. However, as the brownfield redevelopment project is likely to affect residents with Spanish and/or Hmong as their first language, translations of project materials will be developed in coordination with the BAC. Community meetings will be held in the evenings to accommodate work schedules of stakeholders. In addition, meetings will be held at a location served by the mass transit system and within walking distance of the Target Area. The meeting facility will be ADA-compliant to accommodate needs of sensitive populations (i.e., disabled or elderly).

### 3.a. Task Descriptions, Cost Estimates, and Measuring Progress – Proposed Cleanup Plan

Contaminated Media to be Addressed: Hazardous substances (e.g., VOCs, PAHs, PCBs, and heavy metals) were detected in soil/fill and groundwater at the Target Property at concentrations significantly greater than applicable health-based direct contact soil quality standards rendering the site unsuitable for multi-family residential redevelopment. The impacted soil targeted for active remediation appear to be associated with historic releases from former industrial operations on the Target Property. Institutional controls to maintain the engineered barriers and prevent contact with groundwater will be enacted by Wire Capital Group (developer) following construction. This cleanup plan is consistent with the Reuse Plans.

Cleanup Method: Upon award, the ABCA will be finalized, groundwater monitoring wells abandoned, and waste characterization sampling conducted to develop waste profiles and a RAP/MMP prepared for landfill, WDNR, and USEPA (TSCA program) concurrence on the proposed cleanup at the Target Property. The RAP/MMP will describe cleanup methods to facilitate multi-family residential reuse. The selected remedial approach to be completed by appropriately licensed/certified remedial contractors, with work overseen by the Qualified Environmental Professional (QEP) firm and regulatory agencies (USEPA and WDNR) under this grant will likely include: (1) demolition of concrete building slab to access subsurface for cleanup; (2) excavation, transportation, and offsite disposal of soil from two

comingled VOC/PCB source areas per USEPA and WDNR requirements to reduce contaminant mass; (3) abandonment of utility tunnel network to prevent vapor migration; (4) excavation and offsite disposal of contaminated soil not suitable for reuse onsite; (5) importing clean fill to construct sitewide engineered barriers per WDNR specifications to mitigate the potential for direct contact with residual soil impacts and reduce the risk for mobilization of soil impacts to groundwater; (6) design a sub-slab depressurization system (SSDS) to mitigate the risk for vapor intrusion. As part of the redevelopment efforts, Wire Capital Group (developer) will install the SSDS and establish institutional controls to provide for long-term control of residual soil and groundwater impacts post-construction. A Construction Documentation Report (CDR) will be prepared following completion of active remediation.

Disposal Requirements: Soil with significant PCB impacts will be managed as a TSCA-waste and transported to an appropriate TSCA-landfill. Other removed soil passes TCLP and can be managed as a solid waste and transported and disposed of at a licensed solid waste landfill. Crushed concrete will remain onsite for reuse. Dewatering is not anticipated.

**3.b.i – 3.b.iv Task Descriptions, Cost Estimates, and Measuring Progress – Description of Tasks/Activities and Outputs.** The CDA has developed the appropriate tools and procedures to immediately begin implementation of the grant. The CDA retained a QEP per 2 CFR 200.317-200.326 and 2 CFR 1500. This shovel-ready project will be completed in 12 months (estimated Q4 FY25), as reflected in the task descriptions below:

<b>Task 1 - Activity: Program Management</b>
<u>i. Project Implementation:</u> Manage QEP, prepare Quarterly Reports, Annual Financial Reports, and MBE/WBE Reports; update ACRES database; prepare Grant Closeout Report
<u>ii. Anticipated Project Schedule:</u> Quarterly progress reports will be submitted by Jan. 30th, Apr. 30th, Jul. 30th, and Oct. 30th of each year, with the first due on Jan. 30, 2025. Annual DBE reports will be submitted by Oct. 30th, with the first due on Oct. 30, 2025. Grant closeout expected Q1 FY26
<u>iii. Task/Activity Leads:</u> CDA Project Manager and CDA Project Coordinator (with input from QEP)
<u>iv. Outputs:</u> Admin Records; Contractor Procurement Documentation; (4) Quarterly Reports; (1) Annual Financial Reports; (1) MBE/WBE Reports; (1) Grant Closeout Report. (# of outputs assumes schedule holds)
<b>Task 2 - Activity: Cleanup Oversight</b>
<u>i. Project Implementation:</u> Finalize ABCA, adapt current QAPP, abandon monitoring wells, and complete waste characterization sampling to develop waste profiles and prepare RAP/MMP. Develop bid specifications, retain remedial contractor, oversee cleanup activities and Davis-Bacon Act compliance, and prepare CDR.
<u>ii. Anticipated Project Schedule:</u> Finalize ABCA, adapt current QAPP, abandon monitoring wells, complete waste characterization sampling (Q1 FY25), develop waste profiles and RAP/MMP for WDNR and landfill approvals (Q1 FY25). Develop bid specs, retain remedial contractor, and implement cleanup plan (Q1 FY25). Complete Davis Bacon Act (DBA) compliance documentation concurrent with Task 3. Prepare CDR and design sub-slab depressurization system (SSDS) (Q3-Q4 FY25). If early work request granted, schedule will shorten by (1) quarter
<u>iii. Task/Activity Leads:</u> CDA Project Manager (PM), QEP, with input from WDNR and USEPA PMs
<u>iv. Outputs:</u> ABCA; QAPP; waste profiles; RAP/MMP; bid spec; DBA Summary; Const. Doc. Report, SSDS design
<b>Task 3 - Activity: Cleanup (Remediation Contractor Only)</b>
<u>i. Project Implementation:</u> Implement cleanup plan described in Section 3.a
<u>ii. Anticipated Project Schedule:</u> Q1 FY25 through Q4 FY25
<u>iii. Task/Activity Leads:</u> CDA PM, Remedial Contractor(s) PM(s) (to be retained in Q1 FY25), and QEP PM
<u>iv. Outputs:</u> Daily construction logs; landfill tickets
<b>Task 4 - Activity: Community Outreach</b>
<u>i. Project Implementation:</u> Prepare and implement a Site-Specific CIP. Host quarterly public meetings to discuss Target Property cleanup and redevelopment plans; community events; present at National Brownfield Conference
<u>ii. Anticipated Project Schedule:</u> First meeting Q1 FY25, then quarterly; Brownfield Conference in 2025
<u>iii. Task/Activity Leads:</u> CDA PM and BAC, with input from QEP
<u>iv. Outputs:</u> CIP, meeting deliverables, reuse plans, presentation materials

**3.c. Task Descriptions, Cost Estimates, and Measuring Progress – Cost Estimates.** The City of Manitowoc Department of Community Development serves as the fiduciary and managing agent of the CDA (the grant applicant). Personnel (\$38/hr) and fringe (\$12/hr) are an average of City staff. Contractual and construction estimates are based on responses to a bid issued by the CDA in August 2023 for cleanup work elsewhere in the City funded under a FY23 USEPA Brownfield Cleanup Grant, and therefore subject to the Davis Bacon Act (DBA). Note that the Target Property was formerly occupied by 620,000 ft<sup>2</sup> of industrial manufacturing, which makes this budget request a very reasonable **\$3.16/ft<sup>2</sup>**. This shovel-ready project will be complete in 12 months (estimated Q4 FY25), as reflected in the budget below.

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Budget Categories		Task 1	Task 2	Task 3	Task 4	Total
		Program Management	Cleanup Oversight	Cleanup	Community Outreach	
Direct Costs	Personnel	\$3,952	\$3,800		\$1,824	\$9,576
	Fringe	\$1,248	\$1,200		\$576	\$3,024
	Supplies				\$2,450	\$2,450
	Travel				\$3,100	\$3,100
	Contractual	\$6,000	\$195,400		\$5,500	\$206,900
	Construction			\$1,730,600		\$1,730,600
	Other (WDNR Fees)		\$5,850			\$5,850
<b>TOTAL BUDGET</b>		<b>\$11,200</b>	<b>\$206,250</b>	<b>\$1,730,600</b>	<b>\$13,450</b>	<b>\$1,961,500</b>

**Task 1 – Program Management: Total Budget = \$11,200**

**Cost Basis and Assumptions:** Personnel/Fringe Costs of \$5,200 are budgeted for an estimated 104hr (@\$50/hr) of work by the CDA PM and staff to manage the cooperative agreement as follows: manage QEP activities (5hr/month\*12 months=60hr), preparation of quarterly reports and maintenance of the ACRES database (5hr/quarter\*4 quarters=20hr), annual financial and disadvantaged business enterprise reporting (8hr/year), prepare grant closeout report (16hr). Contractual Costs of \$6,000 are budgeted for an estimated 48hr (@ \$125/hr) of work by QEP in providing assistance in completing various required reports.

**Task 2 – Cleanup Oversight: Total Budget = \$206,250**

**Cost Basis and Assumptions:** Personnel/Fringe Costs of \$5,000 are budgeted for an estimated 100 hr (@\$50/hr) of work by the CDA PM and staff for developing and issuing bid specs (40hr); review project deliverables (20hr); and coordination during onsite field work (40hr). Other “WDNR fees” for regulatory oversight reviewing project deliverables is \$5,850. Contractual Costs of \$195,400 are budgeted for the following work to be performed by the QEP: complete pre-design waste characterization sampling (\$36,900, includes driller and lab costs); seal monitoring wells (25 wells @ \$700 per well); finalize the ABCA, adapt the existing QAPP for use on the project, develop landfill waste profiles and prepare a Remedial Action Plan / Material Management Plan (100hr @ \$150/hr); prepare two bid specs and assist City in bidding (120hr @ \$150/hr); securing appropriate permits (40hr @ \$150/hr); remedial contractor oversight and DBA documentation (50 days @ \$1,500/day); preparing a construction documentation report (100hr @ \$150/hr); designing a Sub-Slab Depressurization System (SSDS; 80hr @ \$150/hr).

**Task 3 – Cleanup: Total Budget = \$1,730,600**

**Cost Basis and Assumptions:** Construction Costs of \$1,730,600 are budgeted for demolition/crushing of the remaining concrete building slab to create an engineered barrier (104,000 ft<sup>2</sup> @ \$3/ft<sup>2</sup>); excavation and offsite disposal of PCB- and VOC-impacted soils into TSCA landfill (2,000 yd<sup>3</sup> @ average \$440/yd<sup>3</sup>); demolition and abandonment of utility tunnel network to prevent vapor migration (1,500 ft at @ \$20/ft); place/compact crushed concrete and construct engineered barrier in parking lot (33,800 ft<sup>2</sup> @ \$3/ft<sup>2</sup>); excavation and offsite disposal of contaminated soil into a solid waste landfill (2,800 yd<sup>3</sup> @ \$90/yd<sup>3</sup>); import clean fill to construct engineered barriers (2,800 yd<sup>3</sup> of clay and topsoil for greenspace @ \$19/yd<sup>3</sup>; 3,400 yd<sup>3</sup> of granular fill for building/sidewalks/playground @ \$30/yd<sup>3</sup>).

**Task 4 – Community Outreach: Total Budget = \$13,450**

**Cost Basis and Assumptions:** Personnel/Fringe Costs of \$2,400 are budgeted for an estimated 48 hr (@\$50/hr) of work by the CDA PM and staff for planning/hosting (4) outreach activities (12hr/quarter @ \$50/hr). Supply Costs of \$2,450 are budgeted for printing costs (\$1,500) and mailing costs for public notices (\$950). Travel Costs of \$3,100 are for (2) City staff to attend the three-day National Brownfield Conferences in 2025 [\$1,560 for meals and for lodging (@\$260/person/night); \$700 for registration (@\$350/person); \$700 for air travel (@\$350/person); and \$140 for ground transportation (@ \$70/person)]. Contractual Costs of \$5,500 are budgeted for an estimated 44 hr of work by the QEP (@ \$125/hr) to prepare a site-specific CIP and assist with outreach activities.

**3.d. Task Descriptions, Cost Estimates, and Measuring Progress – Plan to Measure and Evaluate Environmental Progress and Results.** Project results/outputs and outcomes will be tracked, and progress measured/evaluated weekly using existing tools developed by the CDA and summarized in quarterly progress reports and annual financial reports prepared during the project under Task 1. Project outputs, progress, and schedule will be tracked continuously using Microsoft Project to ensure the grant funds are expended in a timely and efficient manner to the greatest benefit of the community. For measuring and evaluating progress, outputs will be compared to the project schedule proposed in Section 3.b; if a deviation of more than one fiscal quarter is reached, interventions (ex. increased team meetings) will be implemented to maintain the project schedule. Project outcomes and accomplishments, including project milestones/deliverables, and leveraged resources will further be tracked on a **monthly/quarterly** in the ACRES. Project-specific outcomes will be tracked and quantified in the final progress report by comparing future community demographics/welfare characteristics to current conditions and will include: (1) increase in shovel-ready portions of the

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Target Property suitable for multi-family residential redevelopment and (2) leveraged investment in the Target Property. Outcomes advancing the City’s Brownfield Objectives include (3) increase in developer interest in the adjoining Phase II Redevelopment Area of the former Mirro Plant 9, and more broadly, (4) increase in property values in the vicinity of the Target Property. If the timelines for advancing one or more phases of work at the Target Property are not well-aligned with the USEPA grant project period, then the CDA and QEP will work with WDNR/USEPA to adjust the approach to maintain progress on achieving the project outcomes. Outcomes will be **tracked long-term** on a five-year basis by the CDA and reported in future brownfield conferences, fact sheets and/or the City website.

#### **4.a. Programmatic Capability and Past Performance – Programmatic Capability**

(i) Organizational Structure. By State statute and local ordinance, the City of Manitowoc Department of Community Development serves as the fiduciary and managing agent of the CDA, the grant applicant. This grant will be managed by the same high-performing team of City staff members who established the City’s Brownfields program over a decade ago and are currently involved with management and implementation of the FY23 and FY22 USEPA cleanup grants, the FY21 USEPA coalition grant, the previous FY18 USEPA SSA, and the FY13, FY15, and FY18 USEPA CWA grants. The CDA has retained a QEP consulting firm per the requirements of 2 CFR 200.317 - 200.326. The CDA will also use the expertise of the BAC, City, WEDC, and USEPA to provide guidance and marketing to promote Site reuse.

#### (ii) Description of Key Staff.

**Mr. Adam Tegen**, Executive Director to the CDA and the Community Development Director of the City of Manitowoc, will continue to serve as the Brownfield Project Manager for this project and will be responsible for project performance and coordination with USEPA/WDNR. Mr. Tegen has served in planning, zoning, and economic development for over 20 years and leads all of the City’s brownfield and economic development efforts. Mr. Tegen currently serves as the project manager for the CDA’s FY23 and FY22 cleanup grants and the City’s FY21 Coalition Assessment Grant and served as the project manager for the CDA’s successful FY18 USEPA SSA, FY18 USEPA CWA and FY13 RLF.

**Mr. Paul Braun**, City Planner, will continue to serve as the Brownfield Project Coordinator for this project and will coordinate work with the QEP and other City departments. Mr. Braun has provided oversight and management of all USEPA grants, including the FY23 and FY22 cleanup, FY21 USEPA coalition; FY13, FY15, FY18 USEPA CWA, FY18 USEPA SSA; FY13 RLF and \$1.5MM in State brownfield grants. In this role, Mr. Braun verified compliance with all reporting and financial responsibilities for the CDA and the City to successfully meet all USEPA milestones. Mr. Braun has been involved in daily grant operations for the previously funded USEPA grants and will become familiar with the new grant operations so he can immediately step in as either interim or replacement project manager in the case of loss/reassignment of the active Project Manager, Mr. Adam Tegen. Mr. Tegen and Mr. Braun will capitalize on the expertise a GIS Specialist, a Planner, and admin. support staff. **Mr. Shawn Alfred**, Finance Director, will continue to provide financial tracking and grant documentation support to ensure that grant requirements are met.

(iii) Acquiring Additional Resources. The City actively recruits MBE/WBE subcontractors as part of ongoing *6 Good Faith Efforts*. Remedial contractors retained under this grant will be retained per 2 CFR 200 and 2 CFR Part 1500. The City developed an active program to promote local hiring/procurement and link members of the community to brownfield redevelopment work. As documentation of this program, 100% of the brownfield cleanup/redevelopment work from 2020-2023 (all bid per 2 CFR 200) was awarded to prime and secondary contractors in the City.

#### **4.b. Past Performance and Accomplishments – Previously Received a USEPA Brownfields Grant.**

##### (i) USEPA Brownfield Cleanup Grant for Hazardous Substances (FY22; \$500K)

1. Accomplishments: The CDA exceeded performance expectations and completed the grant 2-years ahead of schedule. Work included removal of 2,442 cubic yards of highly contaminated soil and creating two parcels (1.7 acres) of land ready for multi-family (1.2 acres) and commercial (0.5 acres) reuse. Achievements are accurately reflected in ACRES.

2. Compliance with Grant Requirements: The CDA maintained compliance with the workplan/schedule and the terms/conditions of the cooperative agreement. The CDA submitted the required annual financial reports, quarterly reports, and project deliverables in a timely manner per both the workplan and cooperative agreement schedule. The CDA kept the ACRES database up to date during the grant performance period. The closeout report will be submitted ahead of schedule. No funds will remain when the final report is submitted.

##### (i) USEPA Brownfield Cleanup Grant for Hazardous Substances (FY23; \$500K)

1. Accomplishments: Work began on July 15, 2023. The CDA retained a QEP and remedial contractor, and remediation work will be finished by December 31, 2023 (3 years ahead of schedule). Achievements are reflected in ACRES.

2. Compliance with Grant Requirements: The CDA is maintaining compliance with the workplan/schedule and the terms/conditions of the cooperative agreement. The CDA will submit the required annual financial reports, quarterly reports, and project deliverables in a timely manner per the workplan and cooperative agreement schedule. The CDA will keep the ACRES database up to date during the performance period.

## **ATTACHMENT B: THRESHOLD CRITERIA RESPONSES**

**Name of Applicant:** **Community Development Authority of the City of Manitowoc, Wisconsin**

### **1. Applicant Eligibility**

The Community Development Authority (CDA) of the City of Manitowoc, Wisconsin (the grant applicant and current property owner) is a quazi-governmental entity that operates under the supervision and control of, and as an agent of, the City of Manitowoc, Wisconsin, which is a “general purpose unit of local government” as that term is defined in 2 CFR 200.64. Therefore, the Community Development Authority of the City of Manitowoc is eligible to receive a USEPA cooperative assistance agreement.

The Community Development Authority of the City of Manitowoc consists of seven resident/citizen Commissioners appointed by the Mayor with confirmation from the Manitowoc Common Council. The Community Development Authority of the City of Manitowoc has powers, duties and functions set out in Section 66.1335 of the Wisconsin Statute for housing and redevelopment authorities. Duties of the Community Development Authority include blight elimination, slum clearance, urban renewal, and redevelopment.

Documentation that the CDA is an eligible applicant is provided in **Attachment B1**.

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

The proposed site (Phase I Redevelopment Area of 1512 Washington Street) has not received funding from a previously awarded USEPA brownfields cleanup grant.

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

The grant applicant does not have an open USEPA Brownfields Multipurpose Grant; therefore, this threshold criteria does not apply.

### **4. Site Ownership**

For the purpose of blight elimination and slum clearance, the Community Development Authority of the City of Manitowoc acquired the subject Brownfield property on June 29, 2016. If awarded, the CDA will retain ownership of the Property for the duration of the time in which Brownfield cleanup grant funds are disbursed.

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

Name of the Site: Phase I Redevelopment Area (approximately 2.3 acres)

Address of the Site: 1512 Washington Street; Manitowoc, WI 54220

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

- (a) Site Contamination: The target Brownfield property is contaminated with hazardous substances (and petroleum) related to previous heavy industrial use of the Site, primarily for the manufacturing of aluminum goods.
- (b) Operational History and Current Use of the Site: As described in the Stantec (2016b) *Phase I ESA*, the property appears undeveloped in 1835. By 1878 the property was platted as 18 contiguous parcels of land within lot 246. By 1893, the property was occupied by the Henry Vits tannery and 6 apparent residential structures. In 1898, Henry Vits converted his tannery located at the northeast corner of the subject property for the manufacturing of aluminum products as the Manitowoc Novelty Company. By 1909 Henry Vits consolidated aluminum manufacturing operations at the target property with Joseph Koenig and the New Jersey Aluminum Company and constructed a large multi-story aluminum manufacturing plant on the northeast quarter of the property operated as the Aluminum Goods Manufacturing Company. In 1917, the company undertook an aggressive sales and advertising campaign to introduce the tradename “Mirro,” and by 1927, Sherman Creek (which formerly bisected the northeast portion of the property) had been contained within a culvert, residential structures removed, and the property occupied by a parcel-wide 3.7-acre multi-story industrial complex utilized for the manufacturing of aluminum goods. In 1957, stockholders voted in favor of changing the company’s name to the Mirro Aluminum Company for the purpose of improving brand recognition.

The primary manufacturing process at the target Brownfield property was pressing sheet aluminum. The heaviest equipment for the initial pressing work was located on the first floor. Materials were then sent via large freight elevators to higher floors for final pressing, polishing, finishing, and assembly. The configuration of equipment on the upper floors could be modified according to the specific needs of product orders. In general, trimming and finish operations were located on the 2nd and 3rd floors (sometimes the 5<sup>th</sup> floor), while buffing occurred on the 3rd and 4th floors. Department offices were located on the top floors.

It is important to realize that unlike most typical heavy-industrial buildings constructed in the Midwest during the early 20th Century (i.e. single-story construction utilizing linear manufacturing processes), due to space limitation at the time of industrial expansion/development (ca. 1890s-1929), the Former Mirro Plant 9 complex was constructed at the target Brownfield property as a massive multi-story facility and utilized vertically-integrated manufacturing processes. For comparison purposes, the Former Mirro Plant 9 building complex contained approximately 980,000 total square feet of floor area in buildings ranging from three to seven stories in height. If this complex had been laid out in a single story like many early 20th century manufacturing facilities, the complex would have had a footprint of over 20 acres.

Industrial operations ceased at the Site in 1986 when the Mirro Aluminum Company was acquired by the Newell Company; however, Mirro corporate and engineering offices remained on the 6th and 7th floors until 2001. The property was purchased from Newell

Holdings Delaware, Inc. by Union Street Partners, LLC on March 26, 2004 who sold the property to Kenneth J. Lemberger, Sr. on November 18, 2005. The property was then transferred to Mirro Building, LLC on March 23, 2006. EJ Spirtas Manitowoc, LLC purchased the property from Mirro Building, LLC on June 2, 2006 and initiated demolition of site buildings in 2014. The Community Development Authority of the City of Manitowoc involuntarily took ownership of the property on June 29, 2016 for the purpose of blight elimination in an environmental justice community.

Utilizing a combination of bonded/borrowed funds, a cleanup grant from the Wisconsin Economic Development Corporation Idle Sites program, and funding from the City's Brownfields cleanup RLF, the Community Development Authority of the City of Manitowoc abated the remaining friable and potentially friable asbestos, removed a small quantity of restricted waste, demolished the remaining former industrial buildings down to the foundations, and removed concrete/wood flooring with PCB concentrations greater than 50 milligrams per kilogram during the summer of 2017. With the removal of the buildings, large portions of the Site became accessible to allow for continuance of subsurface environmental assessment activities.

The Site is currently vacant. The southern 2.3 acres of 1512 Washington Street is targeted for this cleanup grant request to address the very significant contamination left behind after more than a century of heavy industrial operations. Remediation of the Phase I Redevelopment area will facilitate a shovel-ready low/moderate-income housing project.

(c) Environmental Concerns: Multiple phases of due diligence have occurred at the Site. A Phase I ESA was completed on behalf of the current owner/grant applicant (the Community Development Authority of the City of Manitowoc) on June 28, 2016 by Stantec (2016b) utilizing USEPA Brownfield Assessment grant funding provided to the City of Manitowoc. The Stantec (2016b) Phase I ESA provides a summary of the following reports, which document residual hazardous substance and petroleum impacts to Site soil/groundwater/building materials:

- AECOM, 2009a, Phase I Environmental Site Assessment, January 19, 2009.
- AECOM, 2009b, Phase II Subsurface Assessment, June 4, 2009.
- AES, Inc., 2011, Targeted Brownfields Assessment, March 2011.
- ES&T, 2005, Phase II Environmental Site Assessment, March 10, 2005.
- Legend Technical Services, 2008, Limited Asbestos Visual Inspection Survey Report, July 29, 2009.
- OTIE, 2011, Site Assessment Report, March 15, 2011.
- Stantec, 2016a, Property-Specific Determination of Eligibility Request for USEPA Community-Wide Brownfields Assessment Grant for Hazardous Substances. June 14, 2016.
- Stantec, 2016b, Phase I ESA for 1512 Washington Street, Manitowoc, Wisconsin, June 28, 2016.
- STN Environmental JV, 2009, Presentation of Building Inspection Results, December 23, 2009.
- STS, 2003, Phase I Environmental Site Assessment, June 20, 2003.

- Symbiont, 2015, PCB Contaminated Concrete Sampling and Unlabeled Drum Characterization Results, May 13, 2015.
- USEPA, 2011, Pollution/Situation Report #2, September 29, 2011.
- WDNR, 2016, Clarification of the Local Government Unit Liability Exemption Related to the Potential Acquisition of the Former Mirro Plant #9, March 8, 2016.

After the Community Development Authority of the City of Manitowoc involuntarily took ownership of the property on June 29, 2016, environmental assessment activities have continued at the Site as part of continuing obligations and have included investigations documented in the following capstone outputs:

- Stantec, 2016c, Site-Specific Sampling and Analysis Plan, July 6, 2016.
- Stantec, 2016d, Mirro Buildings Structural Condition Assessment, July 25, 2016.
- Stantec, 2016e, Photographic Documentation of Former Mirro Building Current Ground Floor Features, July 28, 2016.
- Stantec, 2016f, Addendum 1 to the July 6, 2016 Site-Specific Sampling and Analysis Plan, July 28, 2016.
- Stantec, 2016g, Geophysical Survey Results and Site Survey, August 15, 2016.
- Stantec, 2016h, Inventory of Floor Stains and Photographic Documentation of the Former Mirro Building, August 17, 2016.
- Stantec, 2016i, RLF Eligibility Determination Supplemental Information on Continuing Obligations, September 27, 2016.
- Stantec, 2016j, Site and Property Owner/Borrower Eligibility Determination Request for USEPA Brownfield Revolving Loan Fund Subgrant for Hazardous Substances. August 29, 2016; Rev September 27, 2016.
- Stantec, 2016k, Inspection of Subsurface Service Tunnel Network, August 31, 2016.
- Stantec, 2016l, Mirro Building Structural Condition Assessment, September 13, 2016.
- Stantec, 2016m, Site-Specific Sampling and Analysis Plan for Phase II ESA – Characterization of Floor Stains and Delineation of PCB Impacts to Concrete, September 15, 2016.
- Stantec, 2016n, National Register of Historic Places Determination of Eligibility, September 20, 2016.
- Stantec, 2016o, Asbestos and Lead Based Paint Pre-Demolition Survey, September 21, 2016.
- Stantec, 2016p, Analysis of Brownfield Cleanup Alternatives, October 7, 2016.
- Stantec, 2016q, Addendum 1 to the September 15, 2016 Site-Specific Sampling and Analysis Plan, October 12, 2016.
- Stantec, 2016r, Documentation of Good Faith Efforts for Abatement of Asbestos Containing Materials, October 14, 2016.
- Stantec, 2016s, Brownfield Assessment and Cleanup Grants: Application for Petroleum Eligibility Determination, October 17, 2016.
- Stantec, 2016t, RLF Subgrant Application for Abatement of Friable and Potentially Friable Asbestos, October 18, 2016.
- Stantec, 2016u, Containerized Waste Characterization, October 18, 2016.



- Stantec, 2016v, Addendum to the Pre-Demolition Inspection for Asbestos and Lead Paint, November 9, 2016.
- Stantec, 2016w, Community Involvement Plan, November 16, 2016.
- Stantec, 2016x, Decision Memorandum for CDA Subgrant Application, November 16, 2016.
- Stantec, 2016y, Pre-Demolition Inspection: Restricted Waste Inventory, November 17, 2016.
- Stantec, 2017a, Wipe Sampling of Former PCB Electrical Transformer Components, January 3, 2017.
- Stantec, 2017b, Waste Characterization – Former Heat Treating Pit, January 3, 2017.
- Stantec, 2017c, Estimate of Probable Costs for Building Demolition, January 13, 2017.
- Stantec, 2017d, Waste Characterization of Demolition Debris, February 22, 2017.
- Stantec, 2017e, Identification and Delineation of TSCA-Level PCB Impacts to Porous Building Materials, February 22, 2017.
- Stantec, 2017f, Characterization and Assessment of Petroleum Floor Stains, February 24, 2017.
- Stantec, 2017g, Application for Low Hazard Waste Exemption for Reuse of Concrete Coated with Lead-Bearing Paint, May 17, 2017.
- Stantec, 2017h, Supplemental PCB Investigation, May 31, 2017.
- Stantec, 2017i, PCBs in Demolition Debris by Loading Dock, July 14, 2017.
- Stantec, 2017j, Site-Specific Sampling and Analysis Plan for a Phase II Environmental Site Assessment -Characterization and Assessment of Polychlorinated Biphenyl Impacts to Soil and Groundwater Beneath the Loading Dock and Area 8, August 1, 2017.
- Stantec, 2018a, Phase II ESA - Characterization and Assessment of Impacts to Surface Soil Beneath the Loading Dock and Area 8, January 25, 2018.
- Stantec, 2018b, PCB Removal and Cleanup Documentation Report, February 7, 2018.
- Stantec, 2018c, Demolition Waste Summary Report, March 1, 2018.
- Stantec, 2018d, Pre-Demolition Summary Report, March 1, 2018.
- Stantec, 2018e, Deregistration of PCB Transformers, March 2, 2018.
- Stantec, 2019a, Site-Specific Sampling and Analysis Plan for a Chapter NR 716 WAC Site Investigation, January 9, 2019.
- Stantec, 2019b, Replacement of Plastic Sheeting over Two PCB Release Areas, June 28, 2019.
- Stantec, 2020a, Phase II ESA - Investigation of PCB Impacts to Soil Beneath the Loading Dock and Area 8 and Continued Assessment of Site-Wide Impacts to Soil and Groundwater, March 19, 2020.
- Stantec, 2020b, Supplemental Underground Storage Tank Assessment, May 18, 2020.
- Stantec, 2020c, Further Characterization of Light Non-Aqueous Phase Liquid in MW-12, June 16, 2020.
- Stantec, 2021, Supplemental Phase II ESA - Underground Storage Tank Removal and Soil Sampling Former Mirro Facility, August 1, 2021.

Utilizing a combination of borrowed funding, State brownfield cleanup funding, and a subgrant from the City's RLF, the CDA:

- Abated friable and potentially friable asbestos remaining at the Site (Stantec, 2018d),
- Removal of a small quantity of remaining restricted wastes (Stantec, 2018d),
- Demolished the remaining multi-story former industrial buildings down to the foundations (Stantec, 2018c), and
- Removed concrete and wood flooring with PCB concentrations greater than 50 milligrams per kilogram (Stantec, 2018b).

Recent assessment work to delineate the horizontal and vertical extents of impacts is summarized by Ramboll in the reports below:

- Ramboll, 2020, Site Investigation Workplan, October 16, 2020.
- Ramboll, 2021a, Notification of Soil Sample Results, June 7, 2021.
- Ramboll, 2021b, Notification of Groundwater Sample Results, June 28, 2021.
- Ramboll, 2021c, Notification of Soil Sample Results on Off-Site Properties, December 17, 2021.
- Ramboll, 2022a, Notification of Groundwater Sample Results on Off-Site Properties, January 7, 2022.
- Ramboll, 2022b, Site Investigation Workplan, June 6, 2022.
- Ramboll, 2022c, Groundwater Sample Results for October 2022 Sampling, December 23, 2022.
- Ramboll, 2023a, Groundwater Sample Results for January 2023 Sampling, February 23, 2023.
- Ramboll, 2023b, Groundwater Sample Results for April 2023 Sampling, June 20, 2023.
- Ramboll, 2023c, Notification of Groundwater Sample Results on Off-Site Properties, August 18, 2023.

The Wisconsin Department of Natural Resources (WDNR, 2016) letter prepared for the current owner prior to acquisition and subsequent assessment work acknowledges multiple hazardous substance constituents of concern are known to exist at the property, including known releases of volatile organic compounds [VOCs], polycyclic aromatic hydrocarbons [PAH], polychlorinated biphenyls [PCBs], semivolatile organic compounds [SVOCs], asbestos, and heavy metals.

The target Property is ideal to combat housing insecurity in Manitowoc. The extraordinary subsurface contamination summarized above is prompting the current owner to apply for this cleanup grant.

As documented in previous work summarized above, residual soil and groundwater impacts associated with prior industrial use and placement of historic fill are present and will complicate redevelopment, as summarized below.

Soil. As summarized in work completed to date, VOCs, PAHs, PCBs, SVOCs, and heavy metals were detected in soil at concentrations greater than applicable health-based ch. NR 720 WAC (NR 720) Residual Contaminant Levels (RCLs) and/or Background Threshold Values (BTVs). The most significant soil contamination requiring active removal is in two comingled VOC/PCB source areas with apparent free-phase product saturating nearly 1,000 cubic yards of soil (Stantec, 2018a, 2020a).

Groundwater. The potentiometric surface of shallow groundwater decreases towards the Manitowoc River, which serves as a constant head boundary for groundwater. VOCs, PAHs, PCBs, SVOCs, and heavy metals were detected in groundwater at concentrations greater than applicable health-based ch. NR 140 WAC (NR 140) groundwater quality standards. Per and polyfluorinated compounds were detected at concentrations greater than proposed NR140 groundwater quality standards.

Vapor. The Property is currently vacant. Therefore, the vapor intrusion pathway cannot be quantitatively evaluated at this point. However, soil and/or groundwater with residual VOC impacts may extend beneath areas of the proposed multi-family residential redevelopment area. Depending on final reuse plans and building alignments, residual VOC impacts could pose a threat to indoor air quality due to vapor intrusion.

As discussed in the Stantec (2023) ABCA, Remedial action activities to be funded in this grant are warranted to facilitate redevelopment at the Property and include:

- Limited excavation and offsite disposal of soil with PCBs, heavy metal, VOC, and/or polycyclic aromatic hydrocarbon (PAH) impacts as a source control measure;
- Construction of a sitewide engineered barrier; and
- Establishing institutional controls (continuing obligations) and maintenance plans to provide for long-term control of residual impacts.

(d) How the Site Became Contaminated and Nature/Extents of Contamination: Based on historic Site maps, work completed by others, and observations at the Site, the Stantec (2016b) Phase I ESA identified seven Recognized Environmental Conditions (REC); one controlled REC; and two historic RECs. Any of these RECs could be a source of contamination. The proposed cleanup project will focus on addressing comingled residual impacts associated with heavy industrial uses of the property dating back to the late 19<sup>th</sup> Century described previously.

## 7. Brownfield Site Definition

Site is real property, the expansion, redevelopment, or reuse of which is being complicated by the presence or potential presence of hazardous constituents associated with previous Site operations. Per CERCLA §§ 101(39)(B)(ii), (iii), and (vii) and Appendix 1, the property targeted for this site-specific assessment is (a) **not** listed or proposed for listing on the National Priorities List; (b) **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 (c) **not** subject to the jurisdiction, custody, or control of the U.S. government.

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

Following acquisition, the CDA continued environmental assessment activities as documented in the reports outlined in Section 6(e). The Phase II ESAs [i.e., Stantec 2017j, 2019a, 2020a-c] were all completed per ASTM E1903-19 with subsequent Site Investigations [i.e., Stantec 2021, Ramboll 2020, 2021a-c, 2022a-c, 2023a-c] conducted under state cleanup program oversight.

## **9. Site Characterization**

A letter from the Wisconsin Department of Natural Resources is provided in **Attachment B2**.

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

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

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

A property-specific determination of eligibility was prepared by Stantec (2016a) and approved by a USEPA attorney (Mr. Peter Felitti; Region 5) and the USEPA program manager (Mr. Jon Peterson; Region 5) on June 23, 2016. A Site and Property Owner/Borrower Eligibility Determination Request for USEPA Brownfield Revolving Loan Fund Subgrant for Hazardous Substances was prepared on August 29, 2016 (Stantec, 2016i) and further revised on September 27, 2016 (Stantec, 2016j) and approved by a USEPA attorney (Mr. Peter Felitti; Region 5) and the USEPA program manager (Mr. Jon Peterson; Region 5) on September 29, 2016. As USEPA has already approved a property-specific determination for the target Brownfield property and the grant applicant, submittal of an additional property-specific determination associated with this grant application does not appear warranted. The following provides a summary of information provided previously in the Stantec (2016a) eligibility determination supplemented with details of work completed since 2016 at the Site.

(a) CERCLA Planned or Ongoing Removal Action: None currently under oversight by USEPA.

(b-i) Unilateral Administrative Order: No orders are known.

(b-ii) Court Order: No orders are known.

(b-iii) Administrative Order on Consent: No orders are known to exist.

(b-iv) Judicial Consent Decree: No orders are known.

(b-v) Permit issued under RCRA, FWPCA, TSCA, and SWDA: No permits or corrective actions are known.

(c) RCRA-Permitted facility on the Site subject to corrective action: No facilities are known.

(d) Properties that are land disposal units that have submitted a RCRA closure notification: No closure notifications are known.

(e) PCB Release Subject to Remediation Under TSCA: None currently under oversight by USEPA. Previously identified PCBs subject to TSCA were removed from the property by the previous owner and phase one of the removal action is considered complete by USEPA. USEPA returned oversight for phase two of the removal action at the Property to WDNR in 2013. Concrete and wood flooring with PCB concentrations greater than 50 milligrams per kilogram was recently removed under coordinated approval by WDNR/USEPA per the WDNR/USEPA OCP MOA (Stantec, 2018b); therefore, the active portion of phase two of the removal action is complete. Removal of PCB-impacted soil will occur under WDNR oversight in collaboration with USEPA under the OCP MOA.

(f) Assistance for Response Activity at the Site has Been Obtained for A Portion of the Site under Subtitle I of the SWDA from the LUST Trust Fund Established under Section 9508 if the IRS Code 1986: No portions are known.

## **12. (a) Threshold Criteria Related to CERCLA**

iii. Landowner protections from CERCLA Liability. A Phase I ESA was completed by Stantec (2016b) per the All Appropriate Inquiries rule detailed in 40 CFR §312.21 utilizing ASTM E1527-13 on behalf of the current owner (The Community Development Authority of the City of Manitowoc) on June 28, 2016. The current owner involuntarily took ownership of the property on June 29, 2016 for the purpose of blight elimination and secured a liability exemption for local governmental units (LGUs) from WDNR per ch. 292.11(9) of the Wisconsin Administrative Code. Since taking ownership, the CDA has maintained compliance the required continuing obligations and no records have been identified indicating the Community Development Authority of the City of Manitowoc is considered potentially liable or known to be affiliated with any other person that is potentially liable for contamination at the Site.

### **(1) Bona Fide Prospective Purchaser Liability Protection**

#### **a. Information on Property Acquisition**

- i. The Community Development Authority of the City of Manitowoc involuntarily took ownership of the property from the previous owner (EJ Spirtas Manitowoc, LLC) on June 29, 2016 for the purpose of blight elimination.
- ii. The CDA acquired the property on June 29, 2016
- iii. The nature of ownership is fee simple
- iv. The CDA acquired the property from EJ Spirtas Manitowoc, LLC

- v. No records have been identified indicating the Community Development Authority of the City of Manitowoc was affiliated or related to prior owners or operators through familial, contractual, corporate, or financial relationships.
- b. Pre-Purchase Inquiry
- i. A *Phase I ESA* was completed by Stantec (2016b) per the All Appropriate Inquiries rule detailed in 40 CFR §312.21 utilizing ASTM E1527-13 on behalf of the current owner (The Community Development Authority of the City of Manitowoc) on June 28, 2016. The current owner involuntarily took ownership of the property on June 29, 2016 for the purpose of blight elimination and secured a liability exemption for local governmental units (LGUs) from WDNR per ch. 292.11(9) of the Wisconsin Administrative Code.
  - ii. The Stantec (2016b) Phase I ESA was completed by registered Professional Engineers, Professional Geologists, and environmental professionals (collectively ‘qualified environmental professionals’) as those terms are defined and required per § 312.10 of 40 CFR 312.
  - iii. The Phase I ESA was completed on June 28, 2016 and ownership transfer occurred on June 29, 2016. Therefore, the Stantec (2016b) Phase I ESA is considered valid for the purpose of establishing CERCLA liability defense.
- c. Timing and/or Contribution Toward Hazardous Substances Disposal. Disposal of all hazardous substances at the site occurred before the property was acquired by the Community Development Authority of the City of Manitowoc. The current owner has not caused or contributed to any release of hazardous substances at the site. Further, the current owner has not, at any time, arranged for the disposal of hazardous substances at the site or transported hazardous substances to the site.
- d. Post-Purchase Uses. The Site has remained vacant since ownership was transferred to the Community Development Authority of the City of Manitowoc. Between Fall 2016 and Summer 2017, the CDA abated the remaining asbestos containing materials (Stantec, 2018d), removed all remaining restricted wastes (Stantec, 2018d), demolished the remaining buildings (Stantec, 2018c), and removed concrete/wood flooring with PCB concentrations greater than 50 milligrams per kilogram (Stantec, 2018b).
- e. Continuing Obligations. Per the request of USEPA during development/revision of the Stantec (2016j) RLF subgrant eligibility determination, Stantec (2016i) prepared a summary letter providing an itemized explanation of activities the current owner has conducted to demonstrate compliance with continuing obligations required under CERCLA §§ 101(40)(C)-(G). The summary letter was reviewed and approved by approved by a USEPA attorney (Mr. Peter Felitti; USEPA Region 5) and the City’s USEPA program manager (Mr. Jon Peterson; USEPA Region 5) on September 28, 2016. The following provides a summary of

information presented in Stantec (2016i) and details activities conducted after September 2016 related to continuing obligations.

- i. Stop continuing releases. As noted in the Stantec (2016b) Phase I ESA, all USTs were removed or cleaned/closed in place under WDNR Case Nos. 03-36-274209, 02-36-216391, and 03-36-000085 prior to property transfer. No previously undocumented potential source areas (i.e. tanks/pits) were identified during the site-wide geophysical survey (Stantec, 2016g). Therefore, no sources of continuing subsurface release were thought to be present at the time of property transfer. As noted in the Stantec (2016b) Phase I ESA, weathered asbestos containing building materials had fallen from the exterior of the building into site buildings, site soil, and to the public rights-of-way. In addition to immediately installing a perimeter fence to prevent access to the Site and rights-of-way after taking ownership, the CDA retained an asbestos abatement contractor who removed remaining friable and potentially friable asbestos containing building materials to stop the continuing likely release of asbestos to the air, buildings, site soil, and/or the rights-of-way. During the summer of 2017, the CDA abated the remaining asbestos containing materials (Stantec, 2018d), removed all remaining restricted wastes (Stantec, 2018d), demolished the remaining buildings (Stantec, 2018c), and removed concrete/wood flooring with PCB concentrations greater than 50 milligrams per kilogram (Stantec, 2018b). The USTs previously abandoned were late removed (Stantec, 2021). With the abatement of asbestos, demolition of the remaining buildings, removal of PCB-impacted flooring, and removal of USTs formerly abandoned in place, the CDA has taken all reasonable steps to stop a possible continued release.
- ii. Prevent threatened future release. Pursuant to an approved Site-Specific Sampling and Analysis Plan (Stantec 2016f), an inventory of remaining drums/totes was completed (Stantec, 2016e). Veolia ES Industrial Solutions accumulated, field screened, and bulked remaining liquid waste into DOT approved containers. Representative samples were collected and submitted to TestAmerica (Chicago, IL) for waste characterization purposes (Stantec, 2016u). The drums were secured, labeled appropriately, and transported offsite for disposal as a special waste. City police and building inspection staff drive by the Site during regular patrols to prevent illicit dumping. During the summer of 2017, the CDA abated the remaining asbestos containing materials (Stantec, 2018d), removed all remaining restricted wastes (Stantec, 2018d), demolished the remaining buildings (Stantec, 2018c), and removed concrete/wood flooring with PCB concentrations greater than 50 milligrams per kilogram (Stantec, 2018b). The USTs previously abandoned were late removed (Stantec, 2021). With the abatement of asbestos, demolition of the remaining buildings, removal of PCB-impacted flooring, and removal of USTs formerly abandoned in place,

the CDA has taken all reasonable steps to prevent a threatened future release.

- iii. Prevent or limit exposure to previously released hazardous substances. A tall perimeter fence was installed around the rights-of-way to prevent access to the property and the fence secured a padlock. Signage provides for additional Site control. City police and building inspection staff drive by the Site during regular patrols of the area to further control Site access and prevent illicit dumping. During the summer of 2017, the CDA abated the remaining asbestos containing materials (Stantec, 2018d), removed all remaining restricted wastes (Stantec, 2018d), demolished the remaining buildings (Stantec, 2018c), and removed concrete/wood flooring with PCB concentrations greater than 50 milligrams per kilogram (Stantec, 2018b). The USTs previously abandoned were late removed (Stantec, 2021). The remaining site-wide concrete building slab has been maintained as an engineered barrier to prevent direct contact with residual soil impacts and minimize horizontal migration of residual groundwater impacts. With the abatement of asbestos, demolition of the remaining buildings, removal of PCB-impacted flooring, and removal of USTs formerly abandoned in place, the CDA has taken all reasonable steps to prevent or limit exposure to previously released hazardous substances.

The Community Development Authority of the City of Manitowoc will continue to (i) comply with all land-use restrictions and institutional controls; (ii) assist and cooperate with those performing the assessment and provide access to the property; (iii) comply with all information requests and administrative subpoenas that have or may be issued in connection with the property; and (iv) provide all legally required notices.

### 13. Cleanup Authority and Oversight Structure

- a. The Property is enrolled in the Wisconsin Department of Natural Resources (WDNR) Environmental Repair Program (ERP) and is being tracked in the Bureau for Remediation and Redevelopment Tracking System (BRRTS) under case number 02-36-545108 (**Attachment B2**). All subsurface environmental assessment work completed at the Site to date by Stantec and Ramboll has been reviewed by the WDNR project manager. WDNR will provide oversight of the cleanup proposed under this grant to ensure that the project protects human health and the environment.

As described in the response to (15), Stantec Consulting Services, Inc. was retained in compliance with 2 CFR Part 200 and 2 CFR Part 1500 to serve as the QEP consulting firm to assist with implementation of this coalition assessment grant, if awarded. Stantec will assist the CDA in directly retaining the services of remedial contractors per the requirements of 2 CFR 200.317 through 200.327.



- b. As described in the Stantec (2023) ABCA, the proposed cleanup will not directly impact adjacent or neighboring properties.

#### 14. Community Notification

- a. Draft ABCA. Revision 0 of the Stantec (2023) ABCA was prepared on October 10, 2023 and made available for public comment on October 10, 2023.
- b. Community Notification Ad. The applicant published a community notification ad in the local newspaper on October 19, 2023.
- c. Public Meeting. A public meeting was held to discuss the draft application and consider public comments. The meeting was held on November 2, 2023.
- d. Community Notification Documents. Per the grant guidelines, the following is attached:
  - The draft Stantec (2023) ABCA (**Attachment B3**)
  - A copy of the newspaper ad (**Attachment B4**)
  - A summary of the comments received (**Attachment B5**)
  - The applicant’s response to those public comments (**Attachment B6**)
  - Meeting notes or summary from the public meeting (**Attachment B7**)
  - Meeting sign-in sheet/participant list (**Attachment B8**)

#### 15. Contractors and Named Subrecipients

Contractors. Stantec Consulting Services, Inc. was retained in compliance with 2 CFR 200.317-200.326, 2 CFR Part 1500, and USEPA’s Best Practices Guide to Procuring Services to serve as the QEP consulting firm to assist with implementation of this cleanup grant, if awarded.

The City of Manitowoc issued a Request for Qualifications for comprehensive brownfield services on December 12, 2022 with a due date of January 20, 2023 (39 days). The RFQ was published on the City’s website. The City of Manitowoc reached out directly by email to 13 potential contractors. The RFQ scored responses by **Business Organization; Management Outline and Project Approach; Experience and Capabilities;** and **Cost (25% of score)**. The City of Manitowoc received and considered 5 responses and selected Stantec.

The December 12, 2022 RFQ and Stantec’s contract are all through OneDrive. Please email the grant applicant (Adam Tegen <ategen@manitowoc.org> ) for the login and password.

Subrecipients. Subrecipients are not named in the grant application.



November 8, 2023

Adam Tegen  
Executive Director  
Community Development Authority of the City of Manitowoc  
900 Quay Street  
Manitowoc, Wisconsin 54220  
*Via Email Mail Only to ategen@manitowoc.org*

**Subject: State Acknowledgement Letter for City of Manitowoc  
FY24 EPA Brownfield Cleanup Grant**

Dear Adam Tegan:

The Wisconsin Department of Natural Resources (DNR) acknowledges the application of the Community Development Authority (CDA) of the city of Manitowoc for the U.S. Environmental Protection Agency (EPA) brownfield grant identified above.

The DNR is fully committed to a collaborative partnership with the CDA, and is able to support your brownfield assessment and remediation efforts in many ways, including:

- The DNR can identify key state and federal contacts for your specific project and coordinate Green Team meetings with individuals in your community to answer questions and discuss local plans, options and best practices.
- The DNR can assist you in identifying and obtaining additional financial assistance from state-managed grant and loan programs.

Obtaining U.S. EPA funding for this grant application is consistent with community needs, is vital to the local economy and will help bring needed improvements to the quality of life for residents. Federal funding will also help initiate cleanup activities, create jobs and leverage local investments in brownfield redevelopment.

**FY24 Cleanup Grant: Site(s) Eligibility, Characterization, and Readiness for Remediation**

For FY24, EPA requests that certain applicants for cleanup grants submit a letter from the state describing site eligibility and whether there is “a sufficient level of site characterization from the environmental site assessment performed to date (or will be by June 15, 2024).”

- **Eligibility.** This property is undergoing cleanup under Wisconsin’s cleanup program and its governing administrative code, Wis. Admin. Code chs. NR 700-799, and statute, Wis. Stat. ch. 292. The state cleanup program is regulatory and nonvoluntary. This property is eligible for the Voluntary Party Liability Exemption (VPLE) program under Wis. Stat. § 292.15. The applicant indicated that the applicant does not plan to enroll the site in the VPLE program.
- **Site characterization status.** Site characterization is not complete. The CDA indicated that while site investigation activities have not yet been completed, subsurface impacts in the Phase I Redevelopment Area appear sufficiently known to implement the selected remedial alternative. The CDA also indicated that post

construction monitoring of sub-slab vapor and groundwater will likely be required and that it plans to prepare a formal remediation documentation report following construction of the final engineered barrier surface(s).

- **Timeframe.** For the property described in the attached request, dated October 19, 2023, the applicant represented the following timeframe to the DNR:
  - *As described in the Stantec (2023) Analysis of Brownfield Cleanup Alternatives, waste characterization sampling is warranted to establish the necessary waste profiles to manage impacted soils. This work is likely to take place in Summer 2024, allowing the Remedial Action Plan and Material Management Plan to be developed in Summer 2024.*

Based on this representation, regulatory timeframes, and review timeframes, the DNR believes that it is feasible that site characterization will be complete by June 15, 2024.

Sincerely,



Christine Sieger, Director  
Remediation and Redevelopment Program  
Wisconsin Department of Natural Resources

Attachment:

Request dated October 19, 2023

Request revision dated October 31, 2023

cc:

Tauren Beggs, DNR NER – tauren.beggs@wisconsin.gov

Harris Byers, Stantec – harris.byers@stantec.com