

Attachment I

Threshold Criteria Responses

1. Applicant Eligibility

The City of Boston Department of Neighborhood Development (DND) is an eligible applicant as a “General Purpose Units of Local Government” as defined under 40 CFR Part 31. The Mayor of the City of Boston has designated DND to represent the city for this grant application.

2. Information on Previously Awarded Cleanup Grants

The proposed site has not received funding from a previously awarded EPA Brownfields Cleanup Grant.

3. Multipurpose Grant Documentation

The City of Boston DND does not have an open Multipurpose Grant.

4. Site Ownership Information

The City of Boston DND is the current sole owner of the site. The site consists of eleven (11) contiguous parcels of land, all of which were acquired by the City of Boston through tax foreclosure. Recorded documents confirming ownership are attached for each parcel.

5. Basic Site Information

- a. The site name is **Parker and Terrace**.
- b. The addresses of the parcels comprising the site are:
 - 778 Parker Street, Boston, MA 02120
 - 780 Parker Street, Boston, MA 02120
 - 782 Parker Street, Boston, MA 02120
 - 784 Parker Street, Boston, MA 02120
 - 786 Parker Street, Boston, MA 02120
 - 788 Parker Street, Boston, MA 02120
 - 790 Parker Street, Boston, MA 02120
 - 792 Parker Street, Boston, MA 02120
 - 794 Parker Street, Boston, MA 02120
 - 796 Parker Street, Boston, MA 02120
 - 77 Terrace Street, Boston, MA 02120
- c. Current owner of the Site is City of Boston DND.

6. Status and History of Contamination at the Site

- a. Contamination: The site is contaminated with hazardous substances, including arsenic, cadmium, chromium, lead, and polyaromatic hydrocarbons (PAHs).
- b. Operational History and Current Use: The ten parcels on Parker Street were historically occupied by multifamily residential dwellings. The large 77 Terrace Street parcel was occupied by a brewery from the late 1800's through the early 1900's. After prohibition, the brewery closed and was later repurposed as a plumbing supplier. Between 1964 and 1988, all structures on all the parcels had been demolished and the site has been vacant since that time. The community had utilized the vacant parcels along Parker Street for gardening and passive open space; however, access was restricted following the discovery of contamination.
- c. Environmental Concerns: The site is underlain by a deep layer of historic fill comprised of masonry, wood, and metal debris, gravel, sand, silt, and ash. Contaminants including arsenic, cadmium, chromium, lead and PAHs were detected primarily in this fill layer.
- d. How Site Became Contaminated/Nature & Extent of Contamination: Site contaminants appear to be ubiquitous in the historic fill layer throughout the Site and are also likely associated with the historic industrial uses on 77 Terrace Street and the historic use of lead-based paint.

7. Brownfields Site Definition

The Site is **NOT**: a) listed or proposed for listing on the National Priorities List; b) subject to unilateral administrative consent orders, court orders, administrative orders on consent, or judicial consent decrees issued to or entered into by parties under CERCLA; or c) subject to the jurisdiction, custody, or control of the United States government.

8. Environmental Assessment Required for Cleanup Grant Applications

An ASTM E1903-19 Phase II environmental site assessment was completed on November 1, 2021. The report describes previous assessments conducted at the site as well as supplemental subsurface investigation activities conducted in October 2021. Assessment activities conducted to date include a geophysical survey, test pits, soil borings, and the chemical analysis of soil samples. Results of assessment activities indicates that the site is contaminated with hazardous substances, including arsenic, cadmium, chromium, lead, and polyaromatic hydrocarbons (PAHs) exceeding applicable MCP Method 1 Cleanup Standards.

9. Enforcement or Other Actions

There are no known ongoing or anticipated environmental enforcement or other actions related to the site.

10. Sites Requiring a Property-Specific Determination

The Site does not meet any of the criteria of special classes that require a “Property-Specific Determination” from EPA to be eligible for grant funding.

11. Threshold Criteria Related to CERCLA/Petroleum Liability

- a. Property Ownership Eligibility – Hazardous Substances Site: The City of Boston DND is eligible for a Brownfields Grant to address hazardous substances at this site because the City is exempt from CERCLA liability.
 - i. Exemptions to CERCLA Liability
 - 3) Property Acquired Under Certain Circumstances by Units of State and Local Government:
 - a) Each of the parcels comprising the Site were acquired through tax delinquency;
 - b) The parcels were acquired between 1944 and 1991;
 - c) To the knowledge of City of Boston DND, all disposal of hazardous substances at the site occurred prior to acquisition;
 - d) The City of Boston DND has not caused or contributed to any release of hazardous substances at the site; and
 - e) The City of Boston DND has not, at any time, arranged for the disposal of hazardous substances at the site or transported hazardous substances to the site.

12. Cleanup Authority and Oversight Structure

- a. Because the site is a MassDEP-listed Disposal Site (Release Tracking Number 3-32280), it is currently enrolled in the voluntary Massachusetts Contingency Plan (MCP) cleanup program. Therefore, the proposed cleanup activities will be communicated directly to the MassDEP before, during, and after the cleanup in the form of Release Abatement Measure (RAM) reports. The work plan will be documented in a RAM Plan, the cleanup progress will be documented at regular intervals in RAM Status reports, and the outputs and outcomes will be documented in a RAM Completion report at the conclusion of the work. The cleanup will be overseen by a Massachusetts Licensed Site Professional (LSP) / Qualified Environmental Professional (QEP) procured by DND to design, monitor, oversee and document the cleanup. These services will be solicited using competitive procurement practices and in accordance with all federal and state requirements. Professionals with previous EPA Brownfields experience will be encouraged to compete. This technical expertise will be in place prior to beginning any cleanup activities. The LSP/QEP will comply with and submit all required state and federal requirements to ensure that the cleanup project protects human health and the environment. The Site will be monitored during cleanup activities to ensure that off-site migration of impacted soils does not occur. A QEP/LSP/Professional (P.E.) will

also develop review and necessary design and/or institutional control plans, as needed. All reports will be publicly available on the MassDEP and DND websites.

- b. DND does not anticipate that access to off-site properties will be required.. If access becomes necessary for other properties, the City / DND will work with the property owners to develop an acceptable access agreement for completing any necessary activities.

13. Community Notification

DND published a notice of public meeting and notice of intent to apply for an EPA grant and request for comments on the draft application and draft Analysis of Brownfield Cleanup Alternatives (ABCA) in the Boston Herald on October 15, 2021. The request for comments, draft ABCA, draft narrative, and other supporting documentation were posted on DND's website dedicated to this property (<https://www.boston.gov/buildinghousing/parker-and-terrace>) on November 1, 2021. Additionally, notification of a virtual public meeting with date, time, and login information for the meeting was concurrently published on the City's website.

In addition, a mailing was issued to property owners within a 300-foot radius of the site and relevant elected officials providing these meeting details.

The public meeting was held on November 4, 2021 at 6pm via the Zoom platform. Details about the site, draft application, and ABCA were presented, and residents were given the opportunity to ask questions and comment. Feedback was also sought for future use(s) of the site to incorporate into a planned Request for Proposals (RFP) for site redevelopment. Translation services were provided for those with limited English proficiency. A recording of the meeting and presentation were subsequently posted and remain available on the website.

Attached to the proposal are:

- A copy of the draft ABCA;
- A copy of the public notice notifying the public and soliciting comments
- Meeting notes/minutes, including comments from the public and the city's responses
- A summary of the public meeting; and
- A participants list.

14. Statutory Cost Share

DND will contribute a 20% cost share to the cleanup project, up to \$130,000 if the requested \$650,000 is awarded. The cost share will be a direct contribution of cash funding to support cleanup activities from DND's annual Brownfields program budget, which is a non-federal source. A letter from the Director of DND documenting this commitment is attached.

15. Waiver of the \$500,000 Limit

Cleanup costs for the site are expected to exceed \$780,000; therefore, DND is requesting a waiver of the \$500,000 limit and is requesting \$650,000. Justification for this waiver request is included as an Attachment.

16. Named Contractors and Subrecipients

Contractor(s): Not applicable. Contractor(s) will be selected in compliance with the fair and open competition requirements in 2 CFR Part 200 and 2 CFR Part 1500 subsequent to award. DND will follow public procurement best practices including EPA's Best Practice Guide for Procuring Services, Supplies, and Equipment Under EPA Assistance Agreements, Massachusetts public procurement law, and City of Boston guidelines and ordinances, including equitable procurement practices.

Subrecipients: Not applicable.