

## **Misty Ridge Reclamation Phase I Workplan**

### **Lackawanna Valley Conservancy Workplan for CERCLA Section 104(k) Cleanup Cooperative Agreement Oct 1, 2010 through Sept 30, 2013**

#### **CFDA: 66.818 Assessment, Cleanup and Revolving Loan Fund Grants**

#### **1. GOAL 4: Healthy Communities and Ecosystems**

##### **Objective 4.2 Communities – Sustain, Clean Up, and Restore Communities and the Ecological Systems that Support Them**

##### **SubObjective 4.2.3 Assess, Clean Up and Redevelop Brownfields**

#### **OBJECTIVE:**

The Small Business Liability Relief and Brownfields Revitalization Act (SBLRBRA) was signed into law on January 11, 2002. The Act amends the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), as amended, by adding Section 104(k). Section 104(k) authorizes the U.S. Environmental Protection Agency (EPA) to provide funding to eligible entities to inventory, characterize, assess, conduct planning related to, remediate, or capitalize revolving loan funds for, eligible brownfield sites. Entities are selected from proposals prepared in accordance with the “Proposal Guidelines for Brownfield Assessment, Revolving Loan Funds, and Cleanup Grants,” and submitted in a national competition. The Lackawanna Valley Conservancy (LVC) was selected for Cleanup funding in the FY 2010 competition.

Misty Ridge is a 36-acre site along the west bank of the Lackawanna River in Old Forge, Pennsylvania was the location of the Old Forge Colliery and Morgan Breaker of the Pennsylvania Coal Company (PCC). This Colliery had a huge industrial plant of coal processing facilities and waste piles. The site was left in an environmentally degraded condition when the company was dissolved in the 1960's. For years, people in this community have lived with this blighted property situated virtually in their back yards and contributing Acid Mine Drainage (AMD) to the watershed. It's environmentally degraded and abandoned state has become a nuisance in the intervening years, attracting illegal dumpers and encouraging other illicit activities including illegal ATV riding. An adjacent property was subject to action under the Super Fund program (Lehigh Electric Corporation)

Lackawanna Valley Conservancy (LVC) was formed as a non-profit, 501(c)(3) corporation in 1995 with a mission to acquire and conserve natural and historic resources in the Lackawanna River Watershed, Pennsylvania, through partnerships with government, business and educational institutions. LVC's mission focuses on reclaiming land and water resources damaged by past coal mining practices as well as on preserving ecologically important watershed lands. To date we have acquired over 100 acres of lands protecting nearly four miles of the Lackawanna River.

The project site is located within the Lackawanna River Watershed, a 350 square mile tributary of the Susquehanna River Drainage Basin. The watershed is extensively littered with mine spoil and refuse piles from the more than 100 years of anthracite coal mining operations in the area.

Contamination at the Misty Ridge site is as a direct result of the coal mining and coal processing performed at the site by PCC during the decades during which the site was an active coal mine. The coal wastes deposited on the site contain pyritic minerals such as iron, sulfur, aluminum and manganese. These wastes are deposited to form a bluff about 25feet high along the flood plane of the river. Storm water erodes this material into the river.

This project will reclaim mine-scarred lands by removing these materials and re-grade appropriate soils and amendments onto the site. The site will then be covered with compost, topsoil and seeded. This work will compliment and support reclamation work on upland portions of the area on adjacent properties that are subject to redevelopment as a residential housing community.

## **Background**

Lackawanna Valley Conservancy was formed as a non-profit, 501(c)(3) corporation in 1995 with a mission to preserve and restore natural resources in the Lackawanna River Watershed through partnerships with government, business and educational institutions.

The LVC is affiliated with and operates in partnership with the Lackawanna River Corridor Association, (LRCA), a non-profit 501(c)(3) corporation created in 1987 to promote the conservation and restoration of the Lackawanna River.

The LRCA developed the Lackawanna River Watershed Conservation Plan in 2001 to guide restoration and conservation work. This plan identified sites like Misty Ridge as priorities for conservation and sustainable redevelopment. At the suggestion of the Borough of Old Forge, The LVC and LRCA approached property developer John Giambra about collaboration to redevelop this Brownfield site for housing, recreation and conservation.

We suggested that his proposal for a senior (age 55 plus) housing community to be called Misty Ridge could be enhanced with a river access conservation and recreation component. This collaboration would also open up additional reclamation resources to advance the restoration and redevelopment of the site. This collaboration has resulted in the donation of 8 acres land for river greenway access and conservation. Reclamation work on the 8 acre LVC parcel at Misty Ridge will be partially funded through a Tax Incremental Finance District (TIF) for the residential subdivision. Through this TIF the local taxing bodies agree to escrow all increases in taxes on the newly created subdivision for 10 years to repay costs for development and infrastructure. We expect \$80,000 in TIF funding and \$52,000 in matching work through a PA DEP Growing Greener Grant.

## **Programmatic Capability**

LVC has been requesting and receiving funding from a variety of entities for the entirety of its 15-year existence. LVC operations are conducted jointly through our affiliate the LRCA. Both organizations have a history of managing funds appropriately, and this grant would be no different. With regard to managing the project, the Misty Ridge Reclamation Phase I will be overseen by a Lackawanna Valley Conservancy Project Manager (PM), in this case LVC President, and LRCA Executive Director, Bernard McGurl. He will coordinate all work to prepare the plans and permitting activities for the project, engage and supervise consultants and contractors, and review and inspect all phases of reclamation grading work. He will track and report all financial activity through the LVC-LRCA cooperative agreement for project management for subsequent reporting to EPA and other agencies.

Since 1995, LVC has received and managed grants totaling more than \$300,000.00. LVC is not now, nor previously been, required to comply with special “high risk” terms and conditions under agency regulations implementing OMB Circular A-102. LVC and its affiliate LRCA are subject to annual accountant’s reviews. Each year:

- The accountant’s review report’s expressed an unqualified opinion on the financial statements.
- No reportable conditions relative to the review of the financial statements were reported.
- There were no reportable conditions relative to Compliance in Accordance with OMB Circular A-133.

## **2. FUNDING**

Lackawanna Valley Conservancy will meet its required match of \$40,000 through a recent Pennsylvania Department of Environmental Protection (DEP) Growing Greener Grant in the amount of \$52,000 and an allocation of \$80,138 from the proceeds of the TIF district through the Lackawanna County Redevelopment Authority. The following grid shows funding for the project:

Misty Ridge Reclamation Phase I Project will be funded as follows:

Federal Brownfields Cleanup Grant	\$200,000	(pledged)
Lackawanna County TIF District	\$40,000	(pledged)
Project Total	\$240,000	

### 3. **BUDGET**

The following grid reflects the project funding sources, amounts and associated tasks of the Misty Ridge Reclamation Phase I project.

	Task 1 Project management	Task 2 Community relations	Task 3 Clean up	Task 4 N/A	Totals
Personnel	15,000	10,000	15,000		40,000
Fringe Benefits (XX% of Personnel)					
Travel	1,400	300	300		2,000
Equipment*					
Supplies	1,200	600	200		2,000
Contractual		3,000	153,000		156,000
Other (specify)					
<b>Total</b>	17,600	13,900	168,500		200,000
<b>Cost Share</b>			40,000		40,000

### 4. **PROJECT TASKS, DESCRIPTIONS AND TIMELINE**

Completion of this phase of the project is expected to take 18 months.

An outline of work to be performed and time table is as follows:

Item #	Task Description	Months
1.	Retain consultant and develop alternatives analyses ABCA process Retain engineer to prepare bid documents for proposed site work	1 and 2
2.	Complete planning/design work	2 to 4
3.	Develop authorized sole source contract	2 to 4
4.	Complete reclamation work	4 to 18
	Work will include:	
	Grading and re-contouring of the site using fill existing on site	
	Establishing storm water systems that improve the watershed	
	Capping reclaimed area with topsoil, mulch and seeding with mixtures	
5.	Public relations, including developing and implementing a Community Involvement Plan	1 to 24
6.	Over site of reclamation work	1 to 24
7.	Preparation of Quarterly reports	1 to 24
8.	Updating ACRES Data Base	1 to 24

The completed site will have a significant impact on restoring environmental health to the area. As this reclamation is part of a larger reclamation effort by LVC and our site partner JMG Construction, its completion will be the opening phase of the redevelopment of the site. Quantifying the benefit of this sites reclamation will be visible as the physical pathways for the coal waste transport into the watercourse of the Lackawanna River will be eliminated from the area of work.

## Task1: Project Management and Reporting

Activities (commitments)	Expected Timeframe for Accomplishment (FFY Quarter)	Projected Results of Activities (Outputs) & Reporting	Projected Environmental Improvement (Outcomes)
<b>Activity 1: Obtain QEP services.</b> Retain QEP Service through NRCS RC&D. Retain Community Relations consultant. Coordinate grading contract documentation and integrate with ABCA process. Secure EPA authorization for initiation of reclamation work. Conduct periodic project status meetings with contractors to discuss project issues and priorities.	1 <sup>st</sup> Quarter	High quality contractor work products that meets the recipient's and EPA's expectations; confirmation in quarterly report that contractor selection was competed and made.	Maintain effective work force to meet workplan commitments
<b>Activity 2: Reporting;</b> including Quarterly reports, preparation and updating of property profile forms	Ongoing activities	Report on Grant Activities	Ensures compliance with Terms & Conditions Reporting Requirements
<b>Activity 3: Request for Reimbursements or Advances</b>	Ongoing activities	Ensure payments for grant related activities and contractors	Keeps Project moving toward completion
<b>Activity 4: Travel &amp; Training;</b> Attend brownfields related meetings, training sessions and conferences	Ongoing activities	Meetings, conferences, training sessions attended	Increase knowledge of brownfields issues and programs

## Task 2: Community Involvement

Activities (Commitments)	Expected Timeframe for Accomplishment (FFY Quarter)	Projected Results of Activities (Outputs) & Reporting	Projected Environmental Improvement (Outcomes)
<b>Activity 1: Prepare Community Relations Plan</b>	2 <sup>nd</sup> quarter	Describes plan for notifying community about cleanup	Improve understanding and participation in cleanup and redevelopment process
<b>Activity 2: Establish Information Repository</b>	TBD	Allows public to review site assessment & cleanup history	Improves understanding of how cleanup alternative was selected
<b>Activity 3: Public Meetings</b>	TBD	Inform public of cleanup activities and provide a chance for input & comment	Improves understanding of cleanup and allows for potential modifications based on public input
<b>Activity 4: 30 Day Public Comment Period on ABCA</b>	TBD	Allows for review and comment of cleanup related documents	Allows for consensus on cleanup

### Task 3: Clean Up Activities

<b>Activities (Commitments)</b>	<b>Expected Timeframe for Accomplishment (FFY Quarter)</b>	<b>Projected Results of Activities (Outputs) &amp; Reporting</b>	<b>Projected Environmental Improvement (Outcomes)</b>
<b>Activity 1: Obtain necessary permits</b>	1 <sup>st</sup> quarter	Permits obtained	Assures clean up is conducted in compliance with all permitting requirements
<b>Activity 2: Prepare Analysis Of Brownfields Cleanup Alternatives and other State related remedial design and engineering Cleanup documents</b>	TBD	Approved Report documenting how and why cleanup alternative was selected; approved engineering design documents and approved budget	Assures cleanup alternative is selected and communicated to public; assures cleanup will be done in compliance with state response program and EPA funds will be used for eligible activities
<b>Activity 3: Conduct reclamation activities</b>	TBD	Removal of coal waste and culm bank areas	Effective treatment of AML. Site ready for economic development.
<b>Activity 4: Prepare Final Cleanup Report</b>	TBD	Report documenting cleanup is complete	Assurances that cleanup is protective of human health and the environment

### 5. PROJECT COMPLETION

Upon completion of project a brief report will be prepared and submitted to EPA that details the work completed as part of the project. Additionally, information about the project will remain on the LRCA-LVC website for informational purposes. A project update will be included in the annual newsletter that most closely follows the completion of the project.