

EPA Brownfield Cleanup Grant - Narrative Information Sheet

1. Applicant Identification:

City of Kingsville, Texas
400 West King Avenue
Kingsville, Texas 78363

2. Funding Requested:

- (a) Grant Type: Single Site Cleanup
- (b) Federal Funds Requested:
 - (i) Requested Amount: \$500,000
 - (ii) Not requesting a cost share waiver
 - (iii) Not requesting a waiver of the \$500,000 limit

3. Location:

- (a) City: Kingsville
- (b) County: Kleberg County
- (c) State: Texas

4. Property Information:

Former Kleberg County Hospital, 400 East Caesar Blk, Kingsville, Texas 78363

5. Contacts:

- (a) Project Director:
Uche Echeozo, Director of Planning and Development Services, Kingsville, Texas
361-595-8055
uecheozo@cityofkingsville.com
PO Box 1458, Kingsville, Texas 78364
- (b) Chief Executive/Highest Ranking Elected Official:
Sam Fugate, Mayor
361-595-8002
mayor@cityofkingsville.com
PO Box 1458, Kingsville, Texas 78364

6. Population: Kingsville - 25,315

7. Other Factors Checklist

None of the Other Factors apply to this community

8. Letter from the State or Tribal Environmental Authority

Please find attached a letter dated [insert date of letter] from Texas Commission of Environmental Quality acknowledging our intent to apply for FY22 grant funds and conduct cleanup activities.

9. Releasing Copies of Applications

**Former Kleberg County Hospital, Kingsville, Texas
FY2022 US EPA Brownfield Cleanup Grant Application**

1. PROJECT AREA DESCRIPTION AND PLANS FOR REVITALIZATION

1.a Target Area and Brownfields. 1.a.i Background and Description of Target Area:

Kingsville, Texas is a city located in the southern region of Texas. It is the county seat of Kleberg County and is located on US Route 77 near Corpus Christi. It is the most populous city in Kleberg County, Texas with a population of 25,315. Kingsville was established in 1904 and was originally called “Townsite on the Santa Gertrudis Ranch”. Kingsville is the home of Texas A&M University - Kingsville and Naval Air Station Kingsville, one of the US Navy's two locations for jet aviation training. The city is surrounded by farmland producing various crops such as cotton and sorghum. In the recent years, Kingsville's population has declined or remained stagnant due to the lack of new jobs being created in the commercial/industrial sector. According to the Census Bureau, the population growth rate is at -4.3 between 2010 and 2019. The poverty rate is 29.8%.

Named in honor of Captain Richard King, founder of the King Ranch, the first buildings in Kingsville were constructed in 1904 along the newly completed, now defunct, St. Louis, Brownsville & Mexico Railway line, located a short distance from the headquarters of the historic King Ranch, the largest ranch in Texas. Kingsville became the headquarters for the new railroad. With the building of the interstate, now known as US Highway 77, the need for the railroad diminished, thus leading to a decline in available jobs. The King Ranch corporate operations are no longer in Kingsville adding to the lack of available jobs in the area. According to the EJScreen tool, 37% of the population within the .3-mile radius of the site is considered low income. In Kingsville, 17.1% of the persons under the age of 65 are without health insurance. The former Kleberg County Hospital was opened on January 1, 1915, and primarily took in patients from the railroad. The brownfield site has fallen to a great state of disrepair, becoming a blight for the surrounding residential neighborhood and the St. Gertrudes Catholic Church located across the street. The target area is .2 miles from the Kingsville Historic District which encompasses the original townsite. The building that once aided in treating citizens contains asbestos containing materials and lead based paint and is an attractive nuisance to pests, children and vagrants.

1.a.ii Description of the Proposed Brownfield Site: In 1913, Kleberg County was a “railroad town” of 2,500 with limited hospital facilities. At the time, all citizens of Kleberg County would have to make the trek to the nearest hospital in Corpus Christi over 40 miles of unpaved roads in horse drawn ambulances. In 1915, the former Kleberg County Hospital, a three-story reinforced concrete and stucco structure, was constructed as the sole hospital within the county. The two floors and basement of the building housed the kitchen, dining room, x-ray room, pathology laboratory, boiler room, and storage room. Shortly after opening, two additional buildings were added to house special patients: one structure for smallpox patients and the other for tubercular patients. Male and female patients were placed in separate wards by sex and race. Several additions had been constructed between the 1920s through the 1970’s, including a three-story wing and other additions to the north and east sides of the building. Despite the numerous expansions, the needs of the community outgrew the hospital. It was declared obsolete in 1980

and abandoned for a new, larger facility constructed on the South end of Kingsville near US 77. For several years following its closure the structure was used as a storage facility, which came to an end in 2012. The building was condemned in 2013, but due to lack of funding was not demolished. While sitting unused, the building has suffered two fires and fallen into disrepair with the majority of the windows and doors being broken. Graffiti is present throughout the interior and exterior of the building as a result of ongoing trespassing. It is well to note that the miscellaneous debris from its previous use as a storage facility is still present in the majority of the interior of the structure, making it impossible for first responders to safely enter the building and respond to emergency calls. Additionally, the building has been used as shelter by vagrants and neighborhood children have trespassed into the structure despite efforts to secure the building. Though the current additions are not attractive to a developer, the city is actively working towards making the site attractive for redevelopment. The abatement and demolition of the building will have developers interested in redeveloping the property to affordable housing. Two commercial corridors run north/south along 6th and 14th Streets to the west and to the east of the proposed cleanup site, and the historic downtown district is approximately .2-miles due north. The structure is located across the street from St. Gertrude Church, a stakeholder and supporter of the abatement and demolition of the property. The primary land use in the vicinity is single family housing. The commercial corridor along 6th Street is located approximately 1,000 feet to the West with the other commercial corridor on 14th Street located 1/2 mile to the East. The redevelopment of this property will need more accessible roads, the city plans to extend an existing road through the redevelopment area.

Due to age of the original structure and the timeline of renovations, it was largely assumed that the building contained both asbestos-containing construction materials and lead-based paint. In September 26, 2018, Envirotest conducted an Asbestos Inspection Report and tested 96 samples of suspect asbestos containing materials. The total number of materials tested were 16 and 14 of the total materials tested were found to contain greater than one percent asbestos. There is approximately 32,700 sq. ft. of ACM in the flooring materials on floors 1 & 2. There is approximately 17,600 sq. ft. of ACM in the ceiling materials of floors 1 & 2. In October 2019 Texas Commission on Environmental Quality (TCEQ) funded a Phase I Environmental Site Assessment (ESA) that found no Recognized Environmental Conditions (RECs) but did note friable and non-friable asbestos that must be removed prior to renovation or demolition. In August 2019 TCEQ funded a Phase II ESA which sampled the site confirming the findings of the Phase I. An Analysis of Brownfields Cleanup Alternatives (ABCA) has been prepared by Aptim Environmental and Infrastructure, INC. that supports asbestos abatement.

1.b Revitalization of the Target Area 1.b.i Reuse Strategy and Alignment with

Revitalization Plans: Absent an active developer the City of Kingsville has worked with several organizations including USEPA, TCEQ, and TAB to develop a vision for the site, formulate a plan to move forward with that vision, and engage relevant stakeholders in the effort. A community meeting to explore redevelopment options for the site, and to present the Analysis of Brownfields Cleanup Alternatives (ABCA), was convened on October 25, 2018. Eight members of the public attended along with representatives from local media and the then owners of the building. Following the presentation of the ABCA the audience was broken up into two groups and tasked with developing and "voting" on 4 potential alternative uses for the site. Of the

proposed redevelopment options the public selected educational reuse as the best option. After consulting with the Kingsville Economic Development Council regarding these suggestions it was determined that abatement of the existing hazardous materials and demolition would need to occur in order for the property to have tangible value to any future developer regardless of use. Additionally, it was determined that due to location and small lot size of 3 acres the property would be most attractive to developers as affordable housing.

The development of residential properties fits into the City's overall planning effort related to the combatting of sprawl as documented in the most recent City Master Plan from 2008 as well as filling a need for affordable housing within the community. Specifically, the Master Plan calls for the encouragement of compact and efficient development patterns served by existing infrastructure and promoting historic preservation, though at the time the preservation efforts were aimed at the historic downtown. An additional public hearing will occur on November 22, 2021, to gather any additional and/or new input from the community and to present the suggestion of developing affordable housing to serve a community demand.

1.b.ii Outcomes and Benefits of Reuse Strategy: Cleanup and demolition of the former Kleberg County Hospital site would create opportunity for development on what is currently 3 acres of urban blight. This site has a history of trespass and vandalism by vagrants as well as neighborhood kids playing in the open areas surrounding the buildings. The current conditions of the site make preventing this type of trespass an ongoing battle. Additionally, Kingsville as a community has a shortage of affordable housing properties. Due to the site's location adjacent to residential neighborhoods it is a prime location for the development of new housing to combat this housing shortage. One of the major factors considered by any new enterprise looking to establish a presence in a community is the availability of housing for employees. If this property were to be developed into residential housing as proposed by the EDC there would be a direct and tangible impact in the community's evaluation by potential developers. There is an opportunity zone located within the city limits which could benefit from more available housing.

1.c Strategy for Leveraging Resources. 1.c.i Resources Needed for Site Reuse: Part I of the project will consist of the abatement of asbestos as indicated within the suggestions in the ABCA provided by APTIM. The cost of this abatement of friable and non-friable ACM is \$235,000. The City of Kingsville has committed to provide applicable funding for cost share associated with the clean-up grant. The lack of interest from developers with regard to the former Kleberg County Hospital is due in large part to the costs associated with properly abating and disposing of hazardous materials (i.e. asbestos) located with the structure. Once the site no longer poses a risk to health and safety the city will work with local developers to create a site plan for the affordable housing. Part II will consist of demolition of the structure located on the site. Costs of this demolition have been estimated at \$385,000. The presence of ACM throughout the entirety of the hospital along with the lead-based paint once again throughout the building, demolition of the structure is essential. The combined total of the abatement and demolition amounts to \$620,000. The city plans to put in \$400,000 of their funds to fund the rest of the project which includes landfill costs as well as the cost of disposing the trash from demolition. Upon completion of the project, the property will be sold to a developer with the redevelopment plan to build affordable housing.

1.c.ii **Use of Existing Infrastructure:** City of Kingsville infrastructure including streets, sidewalks, sewer, water, and stormwater systems are present. Additionally, the property is fully within the city limits and therefore serviced by both Kingsville Police Department and Kingsville Fire Department. With the intended reuse being affordable housing, the existing utilities and sidewalks will play a crucial role in the meeting of building code and providing City services to future residents. Since the City of Kingsville is tasked with providing access to these utilities and services as part of its responsibilities as a municipality all work required to build additional infrastructure, if needed, is accommodated for within the normal operating budget of the city. Additionally, during redevelopment, a road will be built that would run through the affordable housing to further provide fire and emergency accesses among aiding in the drainage to the current flood prone area around the Brownfields site.

2. COMMUNITY NEED AND COMMUNITY ENGAGEMENT

2.a **Community Need 2.a.i The Community's Need for Funding:** Though Kingsville had experienced some growth from the King Ranch, railroad, Naval Air Station and University, its population has staggered throughout the last few decades. According to the Texas Almanac, Kingsville’s population was at its highest in 1970 with 28,995. Due to low enrollment of the College along with the closing of the Humble Oil and Refining Company (now Exxon Company, USA) and the depressed condition of the petroleum industry contributed to the slowing of the population growth rate. In 1980, the population declined to 28,808, in 1990 to 25,276. According to the Census Bureau, Kingsville’s population is 25,315. The median household income in Kingsville is at \$42,452 whereas Texas is at \$61,874. Kingsville’s Per Capita income is at \$22,011 whereas Texas being at \$31,277. The unemployment rate and poverty rate in Kingsville are 7.3% and 29.8% respectively whereas in Texas, they are 5.6% and 13.6% respectively. These economic conditions are primarily the result of an aging population and a low number of high paying jobs within the community itself. There is a large segment of residents which commute to and from surrounding areas for work. Due to these economic conditions, it is unlikely that any member of the community would be capable and willing to undertake the necessary steps to both properly remediate the site and then develop/reuse the property. If awarded the grant, City of Kingsville would take on the task of remediating and readying the site for reuse/development for affordable housing. The development will bring new jobs during and after the construction of these homes along with providing affordable housing will be able to spend more funds on nutritious food and healthcare. As well as increased taxes and additional revenue for local governments.

	Kingsville	Kleberg County	Texas	US
Population	25,315	30,680	28,995,881	328,239,523
Median Income	\$42,452	\$43,730	\$64,034	\$65,712
Unemployment Rate	7.3%	-	5.6%	4.5%
Poverty	29.8%	23.3%	13.6%	11.4%

2.a.ii **Threats to Sensitive Populations 1 Health or Welfare of Sensitive Populations:**

Table	Kingsville (.3 miles from Brownfields site)	Texas	US
People of Color	52%	58%	36%
Low Income Population	37%	35%	33%
Population under 5 years of age	7%	7%	6%
Population over 64 years of age	13%	12%	15%
Population without Health insurance	15.4%	18.4%	8.6%
Fertility	6,860	7,150,260	-

<https://data.census.gov/cedsci/profile?g=1600000US4839352>

The Brownfields site contains hazardous substances such as materials containing asbestos as well as lead-based paint, which is assumed due to the age of the construction of the hospital and its additions. According to the Agency for Toxic Substances and Disease Registry, exposure occurs by breathing contaminated air in workplaces that make or use asbestos. It is known to cause serious lung problems and cancer. There are roughly 1,150 people in a .3-mile radius surrounding the site and even though there are measures of keeping people from entering the site such as boarding of windows and doors. Due to the limited choices for housing within the community and the economically challenged conditions of residents within the area, there is still the threat of children, adolescents as well as homeless attempting and sometimes succeeding in breaking into the site. The disturbing of the asbestos-containing material releases particles and fibers into the air and thus exposing vulnerable populations. Additionally, exposure to lead through the lead-based paint present in the building is an additional risk to the health of the vulnerable population mentioned above. Sources of lead in dust and soil can include lead from the weather and chipping of lead-based paint from buildings and other structures. The route of exposure could either be orally or absorbed through the skin, causing neurological effects in both children and adults as well as birth defects. According to the Agency for Toxic Substances and Disease Registry, children are more vulnerable to the effects of lead than adults. It's exposure may cause impairment of neurological development, low birth weight, decreased gestational age etc.,. Additionally, the burden of medical treatment costs associated with exposure to hazardous substances would tax an already economically challenged community where many low-income families lack medical insurance and the means to cover basic medical needs as is.

The EPA Grant will aid in the removal and demolition of the former Kleberg County Hospital and eliminate the threat of exposure to hazardous substances which will eliminate the risk of exposure to the sensitive populations mentioned in this text.

(2) **Greater Than Normal Incidence of Disease and Adverse Health Conditions:** Both friable and non-friable asbestos is present with the structure located on the proposed clean-up site. Asbestos is known to contribute to respiratory diseases and ailments such as asthma, lung cancer, and asbestosis. According to the Texas Cancer Registry, Kleberg County has a higher-than-average prevalence of cancers including those of the lungs and bronchus compared to average for the State of Texas where cancers are the 2nd highest leading cause of death. Due to the age of the structure located on the site there is also a high level of lead present in the paint and other surface treatments of the building. Exposure to heavy metals can lead to numerous health issues

including cancers and birth defects and is particularly dangerous to young children who may ingest paint chips and the indigent population which may shelter within the building and expose themselves at a greater than normal level.

(3) **Promoting Environmental Justice**: This grant will allow for both the abatement of the asbestos containing material and lead-based paint and the demolition of the building. According to the Environmental Justice Screen Tool by EPA, the EJ Index for Lead Paint Indicator within a .3-mile radius of the former Kleberg County Hospital reads at 90 compared to both the US and State percentile that reads 88. With the demolition of the building, the lead-paint would be removed thus lessening the high index of Lead Paint. The reuse strategy would provide affordable housing for the area and built with regulated materials.

	Demographic Index	Lead Paint	NATA Cancer Risk	NATA Respiratory Hazard
EPA Region (.3 miles of site)		90	57	57
Texas		88	51	51

Source: EPA EJSCREEN - EPA Region 6

2.b **Community Engagement 2.b.i Project Involvement & Roles:**

City of Kingsville

Kingsville Economic Development Council assisted with providing regional data along with the search for interested developers for the reuse strategy for the site.

Kleberg County

List of Organizations/Entities/Groups & Roles1

Name of organization/entity/group	Point of contact (name, email & phone)	Specific involvement in the project or assistance provided
Kingsville Economic Development Council	Manny Salazar, 361-	Provided economical data for the region and assisted in searching for developers for the reuse strategy of the site.
Add rows as needed		

2.b.iii Incorporating Community Input: The City of Kingsville will hold public meetings and mail updates to all interested stakeholders at all major project milestones and upon any major occurrence or variances from the plan as discussed and implemented based on public input. These milestones include the beginning of abatement, 50% completion, and final completion of clean-up efforts. Information will also be made publicly available on the City of Kingsville website for review by any interested parties. Feedback can be provided by phone or email by

members of the public at any time. All information will be available in both English and Spanish in order to accommodate both languages of majority within the community.

3 TASK DESCRIPTIONS, COST ESTIMATES, AND MEASURING PROGRESS

3.a **Proposed Cleanup Plan:** Contaminated media to be addressed: approximately 50,300 sq. ft. of asbestos containing floor tile and mastic adhesive, sheet vinyl flooring, soft and popcorn ceiling texture, black pipe insulation sealant mastic, light fixture heat shield, general adhesive, window and door frame caulk, thermal system pipe insulation and elbows, expansion joint caulk, exterior transite panels and roofing materials. The City of Kingsville will contract with qualified abatement contractors to complete the abatement and demolition of the brownfield site. A third-party contractor will monitor the abatement and air quality. Abatement consists of removing the ACM from any location where it is present, properly bagging the ACM and disposing of it at an approved landfill. The city has identified a contractor with appropriate certifications for the abatement and demolition of the site.

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

<u>Task 1 – Project Management</u>
i.
ii. <u>Schedule:</u>
iii. <u>Lead:</u>
iv. <u>Outputs:</u>
<u>Task 2 – Community</u>
i.
ii.
iii.
iv.
<u>Task 3 – Cleanup Planning</u>
i.
ii. <u>Schedule:</u>
iii. <u>Lead:</u>
iv. <u>Outputs:</u>
<u>Task 4 – Site Cleanup</u>
i.
ii. <u>Schedule:</u>
iii. <u>Lead:</u>
iv. <u>Outputs:</u>

c. **Cost Estimates Task 1 – Project Management**

Task 2 – Community Outreach

Task 3 – Cleanup Planning:

Task 4 – Site Cleaning:

Budget Categories	Task 1 Project Management	Task 2 – Community Outreach	Task 3 Cleanup Planning	Task 4 Site Cleanup	Totals
Personnel/Fringe					
Travel/Supplies/Other					
Contractual					
Total Direct Costs					
Indirect Costs					
Total Federal Funding					\$500,000
Cost Share					\$100,000
Total Budget					

3.d **Measuring Environmental Results:**

4 **PROGRAMMATIC CAPABILITY AND PAST PERFORMANCE**

4.a **Programmatic Capability: 4.a.i and ii Organizational Structure & Key Staff:**

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

4.b **Past Performance and Accomplishments**

2 Compliance with Grant Requirements

IV.E.4.b.ii Has Not Received an EPA Brownfields Grant but has Received Other Federal or Non-Federal Assistance Agreements

IV.E.4.b.ii.1 Purpose and Accomplishments

IV.E.4.b.ii.2 Compliance with Grant Requirements

IV.E.4.b.iii Never Received Any Type of Federal or Non-Federal Assistance Agreements (8 pts.)

THRESHOLD CRITERIA RESPONSE
FY2022 US EPA Brownfield Cleanup Grant Application
Former Kleberg County Hospital – Kingsville, Texas

1. Applicant Eligibility

The City of Kingsville is eligible to apply for an EPA Brownfields Cleanup Grant as a Purpose Unit of Local Government as defined under 2 CFR § 200.64

2. Previously Awarded Cleanup Grants

I affirm that the proposed site has not received funding from a previously awarded EPA Brownfields Cleanup Grant.

3. Expenditure of Existing Multipurpose Grant Funds

I affirm that my organization does not have an active EPA Brownfields Multipurpose Grant.

4. Site Ownership

The City of Kingsville is the sole owner of the Brownfields site known as the former Kleberg County Hospital.

5. Basic Site Information

- a) Name of Site: Former Kleberg County Hospital
- b) Property Address: 400 East Caesar Blk, Kingsville, Texas, 78363
- c) Current Owner: City of Kingsville

6. Status and History of Contamination at the Site

- a) Type of Contamination: The site is contaminated by hazardous substances such as asbestos and lead.
- b) Operational History and Current Use of Site: The site operated as the Kleberg County Hospital from 1915 to the 1980's; Assumed vacant until January 1993; New property owner in January 1991, the former hospital was utilized as a storage facility from 1993 to 2013 and was discontinued sometime prior to 2013.
- c) Environmental Concerns: Given the date in which the Hospital was built and the timeline established above, it is evident that the building would contain hazardous materials such as asbestos and lead due to the construction materials used at the time. Overtime, the upkeep of the hospital has been neglected which resulted in the roof caving in, causing asbestos containing materials such as ceiling tiles and roofing materials making the once non-friable asbestos into friable asbestos. An Asbestos Inspection Report that was conducted by Envirotest on September 5, 2018, with 96 samples of suspect asbestos-containing materials were collected. 14 materials were found to contain greater than one percent asbestos, such as floor tile, sheet vinyl flooring, ceiling texture and so forth. The report states that around 41,200 square feet of asbestos containing materials are throughout the building. According to the report, the asbestos-containing floor tile with mastic, letter adhesive, transite panels, and window glaze compound was in good condition and considered non-friable. The asbestos-containing black pipe insulation, sink undercoat, and roofing materials were in damaged condition and considered non-friable. The asbestos containing soft ceiling texture, popcorn ceiling texture, thermal system pipe insulation and elbows were in good condition, damaged and significantly damaged and

considered friable. There is no quantitative data for the lead-based paint but given the year of the site's construction, it could be said that the entirety of the building contains the hazardous substance.

d) With the age of the building, it is evident that the hospital was constructed with asbestos and lead-based paint were used in the construction of the building. The Asbestos Inspection Report indicates that over 41,200 square feet of ACM is present throughout the three-story building. The lack of upkeep during the years has caused the roof to collapse thus causing the once non-friable material to become friable.

7. Brownfields Site Definition

I affirm the site subject to this application is/are 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 Applications

An Asbestos Inspection Report was conducted and completed in September 2018 by Enivrotest. A Phase II Environmental Site Assessment report was prepared by APTIM and was completed August 12, 2019. The report included the nature, extent and concentration of asbestos throughout the building. Additionally, a Phase II Environmental Site Assessment was prepared by APTIM and was completed August 12, 2019.

9. Enforcement or Other Actions

There are no known ongoing or anticipated environmental enforcement actions, orders from federal, state, local government or other actions related to the site.

10. Sites Requiring a Property-Specific Determination

The site does not require a Property-Specific Determination.

11. Threshold Criteria Related to CERCLA/Petroleum Liability

a. Property Ownership Eligibility - Hazardous Substance Sites

i. Exemptions to CERCLA Liability

.ii Exceptions to Meeting the Requirement for Asserting an Affirmative Defense to CERCLA Liability

iii. Landowner Protections from CERCLA Liability

III.B.11.a.iii.1 Bona Fide Prospective Purchaser Liability Protection

(a) Information on the Property Acquisition

i) The City of Kingsville acquired the property through a regular real estate purchase process naming the City of Kingsville as sole owner of the property as of the closing date.

ii) City of Kingsville acquired the property on November 6, 2019

iii) City of Kingsville is the sole owner under a fee simple title

iv) Bufford W Hickman

v) Outside of the real estate purchase transition, no affiliations or obligations are held between the city and any prior owner or operators.

(b) **Pre-Purchase Inquiry**

i. A Phase I Site Assessment was prepared for the City of Kingsville. The Phase I was completed October 30, 2019. A Phase II Site Assessment was completed August 12, 2019.

ii. The Phase I Site Assessment was prepared by APTIM

iii. We affirm that all updates were conducted as applicable.

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

The City of Kingsville has not caused or contributed to any release of hazardous substances at the site. The City of Kingsville has not arranged for the disposal or transport of hazardous substances to the site.

(d) **Post-Acquisition Uses**

The property has been and continues to be a condemned, vacant site.

(e) **Continuing Obligations**

The City of Kingsville has taken measures to stop any continuing releases, prevent any threatened future release, and prevent or limit exposure to any previously released hazardous substance through the restriction of access to the property. Access is controlled through the use of fencing surrounding the property as well as the boarding up of all entrances and windows of the structure on the property to ensure that no exposure to hazardous conditions or materials occurs.

The City of Kingsville confirms that it will comply with any land-use restrictions and not impede the effectiveness or integrity of any institutional controls; assist and cooperate with those performing the cleanup and provide access to the property; comply with all information requests and administrative subpoenas that have or may be issued in connection with the property; and provide all legally required notices.

12. Cleanup Authority and Oversight Structure

(a) **Cleanup Oversight**

Prior to any demolition and/or renovation of the Site, the City of Kingsville will notify the Texas Department of State Health Services and Texas Commission on Environmental Quality of such activities even if asbestos is not present. The city will employ a State of Texas licensed contractor for any asbestos related work. A certified USEPA Asbestos Hazard Emergency Response Act (AHERA) accredited Asbestos Building Inspector in accordance with the Texas Administrative Code Title 25, Part 1 Chapter 295, and Subchapter C will perform the inspection.

(b) **Access to Adjacent Properties**

The City of Kingsville will have access to adjacent streets and alleys if necessary due to existing right of way. The City of Kingsville will work with the private property owners to secure access to properties if needed. The abating of the friable asbestos material will be done in containment as to prevent the release of asbestos.

13. Community Notification

a. **Draft Analysis of Brownfields Cleanup Alternatives**

A draft ABCA which briefly summarizes information about the site such as site and contamination issues, cleanup standards, applicable laws, cleanup alternatives considered, and the proposed cleanup was prepared for the site and was made available for public review on October 25, 2019 at St. Gertrude's Parish Hall and on November 25, 2019 during a regular City Commission meeting. It was also available at the City of Kingsville's Planning Department during regular business hours. Public comments were accepted until December 2, 2019. Please see Attachment A.

b. **Community Notification Ad**

The City of Kingsville published a community notification ad in the Kingsville Record on October 28, 2021. The ad stated that a copy of the grant application, including the draft ABCA were available for public review and comment; how to submit comments such as through e-mail or at the public meetings; the location of where the draft documents were located; and the date and time of the public meeting. Please see Attachment A.

c. **Public Meeting**

The City of Kingsville held a public meeting on Monday, November 22, 2021, at 5:00 PM at City Hall located at 400 West King in Kingsville, Texas. The meeting was an opportunity for the public to discuss and the city to hear public comments on the draft application along with a draft ABCA. Please see Attachment A.

d. **Submission of Community Notification Documents**

Submission of Community Notification Documents: The following documents have been attached to the application submitted to the EPA as Attachment A: A copy of the draft ABCA, a copy of the ad that advertised the public meeting and the opportunity for public review and comment; response to public comments; a summary of the public meeting including comments from the public and the city's response to those comments; and meeting sign-in sheets. Please see Attachment A.

14. **Statutory Cost Share**

III.B.16 **Name Contractors and Subrecipients**

The applicant is not including names of contractors nor subrecipients.