

Threshold Criteria for Cleanup Grants

1 Applicant Eligibility

Springfield Township is a municipality of the Commonwealth of Pennsylvania and therefore eligible for funding.

2 Previously Awarded Cleanup Grants

Springfield Township and the target area (the former TCCA site) has not received funding from a previously awarded EPA Brownfields Cleanup Grant.

3 Site Ownership

As of October 30, 2015, Springfield Township is the sole owner of the target area (the former TCCA property).

4 Basic Site Information

- (a) Site name: Former Tank Car Corporation of America (TCCA) site
- (b) Address: 1725 Walnut Avenue, Oreland, PA 19075
- (c) Current Owner: Springfield Township is the current owner

5 Status and History of Contamination at the Site

The target area, the former TCCA site, was contaminated by hazardous substances due to its prior use as a railroad tank car rehabilitation facility under the ownership of the TCCA (operating from 1921-2001). The operations at the Site included the removal of various residual materials from tank cars as well as sandblasting/painting/repairing tank cars. At least two surface water impoundments/lagoons reportedly were used at the Site to store various potentially hazardous materials that were removed from the tank cars. In addition, at least four buried railroad tank cars and other aboveground tank cars and tanks reportedly were used to store hazardous materials.

Between 2007 and 2011, the United States Environmental Protection Agency (USEPA) implemented site characterization and remedial activities at the Site. The characterization activities included the collection and analysis of numerous on-Site surface and subsurface soil samples; the collection and analysis of surface soil samples from adjacent off-site residential properties; the collection and analysis of surface water samples from the property directly north of the Site; and the installation of three new monitoring wells and the sampling of these new wells and three existing monitoring wells. The results of the site characterization activities revealed various compounds, mainly volatile organic compounds (VOCs), polynuclear aromatic hydrocarbon (PAH) compounds, and metals in surface and subsurface soils and ground water at the Site at concentrations exceeding Medium Specific Concentration (MSC) cleanup standards developed pursuant to Pennsylvania's Land Recycling and Environmental Remediation Standards Act (Act 2). PAH and metal exceedances of Act 2 MSCs also appear to have been identified in surface soil samples collected on adjacent off-site residential properties.

In response to these investigation activities, the USEPA performed significant remedial activities at the Site, including such actions as:

- Removal and off-Site disposal of liquids from piping systems, the removal of tanks to facilitate the removal of contaminated soils, and removal and off-Site disposal of visually contaminated soils.
- Implementation of temporary erosion and sedimentation controls to control storm water through the Site and to minimize migration from the Property.
- Removal, and consolidation onto the Property, of sandblast grit containing hazardous substances from the residential properties adjacent to the Property as well as on the Property itself.
- Removal, and temporarily storage of, shallow underground water to facilitate removal of the black tarry material from the lagoon area.
- Removal and off-Site disposal of the black tarry material and affected soils from the lagoon area.
- Construction of a cover atop the consolidated sandblast materials.
- Installation of permanent erosion and sedimentation controls to minimize future migration of hazardous substances from the Site.
- Placement of signage identifying the location and characteristics of hazardous substances remaining at the Site.
- Demolition of the paint shed on the northern boundary of the Property and off-Site disposal of the debris.
- Demolition of the sandblast shed on the Property and off-Site disposal of the debris.
- Exterior cleaning of nearby structures and equipment on neighboring properties and installation of vegetation around the Property perimeter.

Since there are still environmental impacts at the site beyond what was remediated by USEPA, including impacted soil and ground water and hazardous building materials, additional remediation activities are required before the property can be converted to a public recreational amenity.

6 Brownfields Site Definition

Springfield Township affirms that the target area (the former TCCA site) 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/or (c) not subject to the jurisdiction, custody, or control of the United States government.

7 Environmental Assessment Required for Cleanup Applications

BL Companies, on behalf of the Township, currently is in the process fully delineating the environmental impacts that require remediation. One component of this work is delineating the residual surface and subsurface soil and groundwater impact at the site. This work is ongoing. Once fully delineated, the residual surface and subsurface impacts will be capped with several feet of clean fill material.

In addition to the residual soil and groundwater impacts, hazardous materials remain in the buildings on the property. A Hazardous Building Materials Investigation & Waste Disposal Inventory was conducted on September 29, 2020, focusing on the remediation and demolition of the remaining on-site structures listed below:

- A two-story, slab-on-grade, Office Building, located in the south-central portion of the Site;
- A one-story, slab-on-grade, Warehouse Building, located in the southwestern portion of the Site;
- A one-story, slab-on-grade Small House, located in the southwestern portion of the Site;

- A one-story, slab-on-grade Boiler House, located in the northwestern portion of the Site; and
- A one-story, slab-on-grade Paint Shop Building, located in the northwestern portion of the Site.

The purpose of the survey was to determine the nature and estimated extent of asbestos containing materials (ACMs) present in the Site buildings prior to renovation, along with addressing the potential presence of other HBMs, including lead-based paint (LBP), polychlorinated biphenyl (PCB)-containing fluorescent light ballasts, mercury-containing fluorescent light tubes and thermostat switches, and miscellaneous wastes that may have specialized disposal requirements. It should be noted that the asbestos portion of this investigation generally followed the Occupational Safety and Health Administrations (OSHAs) regulations and the United States Environmental Protection Agency's (USEPAs) National Emission Standards for Hazardous Air Pollutants (NESHAP) protocol.

Hazardous Building Materials Investigation & Waste Disposal Inventory Results

- Approximately 100 linear feet of roof sealant and approximately 500 square feet of 9-inch by 9-inch, resilient floor tile would be classified as Category I non-friable ACMs;
- Approximately 500 square feet of joint compound; approximately 38,000 square feet of transite typewall and/or roof panels; approximately 100 linear feet of window glaze; and approximately
- 20 square feet of boiler backerboard panel would be classified as Category II non-friable ACMs.
- Large quantities of LBP in all five on-site buildings;
- PCB-containing fluorescent light ballasts in four of the five buildings;
- 432 linear feet of Mercury-containing fluorescent light tubes and four thermostat switches

To address these hazardous materials, the environmental consultants recommend that the on-site structures be abated of asbestos and lead-based paint and that the hazardous materials be removed in accordance with state and federal guidelines. Once these abatement/removal activities are completed, the buildings will be demolished.

8 Enforcement or Other Actions

The Township is unaware of any ongoing or anticipated environmental enforcement or other actions related to the site. The Township has been in close coordination with state agencies and DEP regarding the site, which would lead and be aware of such enforcement actions. The Township is aware, however, that the EPA previously initiated a cost recovery action against TCCA to recover the costs incurred by EPA in connection with its Removal Action. The Township understands that this cost recovery action has been resolved, and that the primary relief to EPA was taking assignment of one or more insurance policies owned by TCCA.

9 Sites Requiring a Property-Specific Determination Not applicable.

10 Threshold Criteria Related to CERCLA/Petroleum Liability

10.a Property Ownership Eligibility - Hazardous Substance Sites

10.a.i Exemptions to CERCLA Liability

- 1. Indian Tribes - Not applicable.**
- 2. Alaska Native Village Corporations and Alaska Native Regional Corporations - Not applicable.**

3. Property Acquired Under Certain Circumstances by Units of State and Local Government

In 2015, Springfield Township acquired the targeted area (the former TCCA property) by condemnation through a filing of a Declaration of Taking with the Montgomery County Court of Common Pleas pursuant to Chapter 3, Section 302 of the Pennsylvania Eminent Domain Code, 26 Pa. C.S. 302 on October 30, 2015. As indicated in the attached County record for the property, the date of sale and subsequent transition of ownership to Springfield Township occurred on October 30, 2015.

A letter dated January 12, 2016 from the EPA Region III Office confirms that that the disposal of hazardous substances occurred at the site prior to the Township's acquisition of the property and that the Township did not cause or contribute to any release of hazardous substances at the site. The Township can also confirm that the Township has not, at any time, arranged for the disposal of hazardous substances at the site or transported hazardous substances to the site since acquiring ownership. The only work undertaken by the Township at the property has been the Phase I and now Phase II environment assessments and the recently completed Hazardous substance inventory referenced in previous sections of this application.

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

1 Publicly Owned Brownfield Sites Acquired Prior to January 11, 2002

Not applicable. As noted, the property was acquired on October 30, 2015.

10.a.iii Landowner Protections from CERCLA Liability

1 Bona Fide Prospective Purchaser Liability Protection

1.a Information on the Property Acquisition

In 2015, Springfield Township acquired sole ownership of the targeted area (the former TCCA property) from the Tank Car Corporation of America. The acquisition occurred by condemnation through a filing of a Declaration of Taking with the Montgomery County Court of Common Pleas pursuant to Chapter 3, Section 302 of the Pennsylvania Eminent Domain Code, 26 Pa. C.S. 302 on October 30, 2015. As indicated in the attached County record for the property, the date of sale and subsequent transition of ownership to Springfield Township occurred on October 30, 2015.

The elected officials and appointed officers of Springfield Township have not had nor do they currently have any familial, contractual, corporate, or financial relationships or affiliations with any prior owners or operators associated with the Tank Car Corporation of America.

1.b Pre-Purchase Inquiry

Prior to the purchase of the property by Springfield Township, a Phase I Environmental Assessment (ESA) was conducted by Penn Environmental & Remediation, Inc. The Phase I ESA was conducted in general compliance with the ASTM E1527-13 standard. It was initiated on May

6, 2015, which was within 180 days of the purchase date of October 30, 2015. As part of its Phase I ESA, Penn E&R undertook the following actions, among others:

- Penn E&R conducted a file review at the Pennsylvania Department of Environmental Protection (PADEP) on May 21, 2015 to determine if the Department maintained pertinent files or documents associated with the Site.
- Penn E&R reviewed Site-specific files maintained on the United States Environmental Protection Agency (USEPA) website (<http://www.epa.gov/arweb>).
- Penn E&R contacted Springfield Township and Montgomery County to determine if these entities maintained any environmental reports, records of violations, or other information regarding environmental conditions at the Site.
- Penn E&R obtained and reviewed a commercial database report of federal and state environmental records to identify the location of properties within a 1-mile radius that might pose an unacceptable environmental risk to the Site.
- Penn E&R obtained and reviewed an environmental lien search report and historical aerial photographs and topographic maps to document past uses of the Site and surrounding areas.
- Penn E&R conducted a Site reconnaissance and interviewed knowledgeable personnel.

1.c Timing and/or Contribution Toward Hazardous Substances Disposal

A letter dated January 12, 2016 from the EPA Region III Office confirms that that the disposal of hazardous substances occurred at the site prior to the Township's acquisition of the property and that the Township did not cause or contribute to any release of hazardous substances at the site.

The Township can also confirm that the Township has not, at any time, arranged for the disposal of hazardous substances at the site or transported hazardous substances to the site since acquiring ownership. The only work undertaken by the Township at the property has been the Phase I and now Phase II environment assessments and the recently completed Hazardous substance inventory referenced in previous sections of this application.

1.d Post-Acquisition Uses

Since acquiring ownership in late 2015, the only use of the property has occurred through a leasing of the 5,000 square-foot warehouse to a welding company owned and operated by Bruce Allen (612 Edge Hill Road, Glenside, PA 19038). The lease between the Township and Mr. Allen is dated July 1, 2016 and has been continued on a month to month basis to the present date. As per the terms of the agreement, the tenant (Mr. Allen) is responsible for gas and electric utilities in addition to a base rate. The agreement also stipulates that the Landlord (the Township) shall not make any repairs, replacements, or renewals of all structure aspect of the warehouse in which the tenant is located. Mr. Allen has been the only tenant since acquisition of the site and is aware of the Township's intention to remediate and eventually redevelop the site.

1.e Continuing Obligations

Since acquiring ownership in 2015, the Township has actively restricted access to the site with the only exemption being the tenant of the one warehouse building. This was done in order to prevent

or limit exposure to any previously released hazardous substance and prevent any threatened future release. Fencing and signage surround the perimeter of the property and the Township has maintained its adherence to all federal and state rules and regulations in accordance to the guidelines shared with the Township following the EPA activity between 2006 and 2011.

The Township also continues to investigate and remediate the site under Pennsylvania's Act 2 program. The Township submitted to PA DEP a Notice of Intent to remediate and is currently conducting additional Phase II environmental assessment (which include additional soil and groundwater sampling as well as a hazardous substance inventory of the on-site structures).

Shortly after the Township acquired the property, USEPA issued a Superfund comfort/status letter. The letter stated that US EPA believes the following would be appropriate "reasonable steps" to stop continuing releases, prevent threatened future releases, and prevent or limit human, environmental, or natural resources exposure to earlier releases as required by CERCLA Section 101(40)(D).

1. Maintain the integrity of the EPA-constructed cover on the Property to prevent the release of, or exposure to, the contaminated soils and sands beneath the cover;
2. Do not decrease the thickness of the cover (it may, however, be increased);
3. Paving the capped area would be acceptable to the EPA as it would provide an additional layer of protection, provided the paving operation does not impact the cover's integrity;
4. Maintenance should be performed on the covered area commensurate with use of the area, weather conditions, etc. For example, if rain causes some of the cover to erode, additional material should be put in place and measures taken to prevent reoccurrence;
5. Before any work is undertaken within the covered area that may impact the integrity of the cover, notify the EPA and PADEP in writing of the work to be undertaken and the steps to be used in ensuring that there will be no releases and that human, environmental, and natural resource exposure to contaminants beneath the cover will be avoided;
6. Maintain the existing signage notifying users of the Property that digging in the covered area is prohibited.

The Township has taken/complied with each of these steps since acquiring the property. It also has assisted, cooperated with, and provided access to those performing the cleanup; complied with all information requests and administrative subpoenas that have been issued in connection with the property; and provided all legally required notices.

a.iii.2 Non-Publicly Owned Sites Acquired Prior to January 11, 2002

Springfield Township is a municipal entity of the Commonwealth of Pennsylvania and this section is not applicable.

10.b Property Ownership Eligibility - Petroleum Sites

10.b.i Information Required for a Petroleum Site Eligibility Determination

b.i.1 Current and Immediate Past Owners	Does Not Apply.
b.i.2 Acquisition of Site	Does Not Apply.
b.i.3 No Responsible Party for the Site	Does Not Apply.
b.i.4 Cleaned Up by a Person Not Potentially Liable	Does Not Apply.
b.i.5 Judgments, Orders, or Third Party Suits	Does Not Apply.
i.6 Subject to RCRA	Does Not Apply.
b.i.7 Financial Viability of Responsible Parties	Does Not Apply.

11 Cleanup Authority and Oversight Structure

11.a Cleanup Oversight

Cleanup Oversight: The Site is entered into the Pennsylvania DEP's Voluntary Response Action Program (Act 2). Under the Voluntary Response Action Program, the Pennsylvania DEP provides technical review and comment on all plans, reports, and activities pertaining to cleanup of the Site. The Town has also hired qualified environmental professionals (QEP), BL Companies for project management and assessment activity as well as Post & Schell, P.C. as environmental counsel for the Township. The consultants will obtain and evaluate remediation contractor bids, coordinate and oversee remediation activities, and document the remedial actions pertinent to the Pennsylvania DEP Voluntary Response Action Program. The Township Manager will oversee the activities of the consultants and will report regularly to Springfield's elected officials and the public on their conduct.

11.b Access to Adjacent Properties

Not applicable. No Cleanup (or associated confirmation sampling or monitoring activities) to be performed using US EPA funds will require access to neighboring properties.

12 Community Notification

12.a Draft Analysis of Brownfields Cleanup Alternatives

Draft Analysis of Brownfields Cleanup Alternatives is attached.

12.b Community Notification Ad

The residents of Springfield were notified of the Township intent to apply for the EPA Brownfields Grant program as well as instructions on how to comment on the draft application, its location, and the time, date, and location of the public meeting pertaining to this application through the Township website (www.springfieldmontco.org) as well as a personalized letter hand delivered to nearly two dozen properties surrounds the former TCCA site. Copies of the website notice and personalized letter are attached.

12.c Public Meeting

A public meeting pertaining to this grant application was held virtually via Zoom due to state restrictions on public gatherings. Approximately twenty residents attended in addition to Township representatives and elected officials. Meeting notes and sign-in sheets are attached to this grant application. Public comments and applicant responses to those comments are not included as no public comments were received outside of the public meeting.

12.d Submission of Community Notification Documents

The residents of Springfield were notified of the Township intent to apply for the EPA Brownfields Grant program as well as instructions on how to comment on the draft application, its location, and the time, date, and location of the public meeting pertaining to this application through the

Township website (www.springfieldmontco.org) as well as a personalized letter hand delivered to nearly two dozen properties surrounds the former TCCA site.

Copies of the draft ABCA, website notice and personalized letter informing residents in adherence to the guidelines of this application, meeting notes, and meeting sign-in sheet are attached. Public comments and applicant responses to those comments are not included as no public comments were received outside of the public meeting.

B.13 Statutory Cost Share

13.a Meet Required Cost Share

Springfield Township is committed to providing the local match share of \$88,009 through the use of the Township's healthy capital reserve fund. The Township's Board of Commissioners affirmed their commitment to using existing capital reserve funds for this grant's local match with the adoption of Resolution 1509 on October 14, 2020.

<https://www.springfieldmontco.org/media/2793/boc-october-business.pdf>

III.B.13.b Hardship Waiver Not applicable