



P.O. BOX 956  
HARLAN, KENTUCKY 40831

DAN MOSLEY  
HARLAN COUNTY JUDGE EXECUTIVE

PHONE: (606) 573-2600  
FAX: (606) 573-3522  
TDD: 1-800-247-2510  
(FOR HEARING IMPAIRED)

## NARRATIVE INFORMATION SHEET

1. Application Identification  
Harlan County Fiscal Court  
PO Box 956  
210 E. Central St.  
Harlan, Kentucky 40831
2. Website URL: <https://harlanonline.net/>
3. Funding Requested
  - a. Grant Type: Single Site Cleanup
  - b. Federal Funds Requested: \$4,000,000
4. Location:  
City: City of Lynch  
County: Harlan County  
State: Kentucky
5. Property Information:  
Coal Mining Heritage and Technology Park of Kentucky  
118 Depot Loop, Lynch, Kentucky 40855
6. Contacts
  - a. Project Director/Deputy Judge Executive:  
Mr. Colby Goss  
Phone: 606-573-2600  
[colbygoss@harlanonline.net](mailto:colbygoss@harlanonline.net)  
PO Box 956  
Harlan, KY 40831
  - b. Chief Executive/County Judge Executive:  
Mr. Dan Mosley  
Phone: 606-573-2600  
PO Box 956  
Harlan, KY 40831  
[dan.mosley@harlanonline.net](mailto:dan.mosley@harlanonline.net)

7. Population: 632 – City of Lynch, KY, the city in which the proposed site is located

Source: EJ Screen Community Report; ejsscreen.epa.gov

8. Other Factors:

Other Factors	Page Number
Community population is 15,000 or less.	1
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.	1, 2,3,4,5,6
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.	
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).	1,2,3,5
The proposed site(s) is in a federally designated flood plain.	3
The reuse of the proposed cleanup site(s) will incorporate energy efficient measures.	3,4
The proposed project will improve local climate adaptation/mitigation capacity and resilience to protect residents and community investments.	
The target area(s) is impacted by a coal-fired power plant that has recently closed (2014 or later) or is closing.	

9. Releasing Copies of Applications: N/A

**Site Map**  
**Coal Mining Heritage and Technology Park**  
**Rendering**  
**(Lynch, Kentucky)**



# **1. PROJECT AREA DESCRIPTION AND PLANS FOR REVITALIZATION**

## **Target Area and Brownfields**

### **a) Overview of Brownfield Challenges and Description of Target Area:**

The Harlan County Fiscal Court, the legislative governing body of Harlan County, Kentucky, is seeking \$4,000,000 in EPA Brownfield Cleanup Grant funding to remediate the former Lynch Coal Mining Complex (LCMC). Abatement activities will include, capping of impacted soils, soil removal and disposal, and demolition of a former maintenance shop. Based on the new community-approved, adaptive reuse of the site, the former Lynch Coal Mine Complex has been renamed the “*Coal Mining Heritage and Technology Park of Kentucky*”. The site is situated in southeastern Kentucky at the foothills of the Appalachian Mountain range. Along the northern edge of the property is Looney Creek, which is the headwaters of the Cumberland River which meanders westward off the mountains through Kentucky, Nashville, Tennessee and eventually into the Ohio River. The site is central to the City of Lynch which is the geographic target area where cleanup activities will occur. Nestled in a narrow mountain valley, the city is only 0.30 square miles in size with a population of 638 people ([www.census.gov](http://www.census.gov) (2020)).

In the early 1900s, the town was home to the *world’s largest coal producing operation* (Portal 31), and was owned by the US Steel Corporation. At its height, Lynch had more than 10,000 residents, over 4,000 of whom worked in the mines. The coal company constructed six miles of concrete paved streets, fifty miles of water lines, power lines, one of the largest company stores in the world, a hospital, a 120-room hotel, bank, post office, elementary and high schools, and over 1,000 homes. However, the need for coal declined by the 1980’s as more efficient, less polluting energy sources were identified and put into service. In the 1980s, the mine property was closed and has lain fallow for more than 40 years. Meanwhile, the target area (Lynch) is filled with legacy brownfields including shuttered mines, tipples, train depots, railroads, schools, hospitals, hotels, residential homes, which all contribute to blight, economic distress, and health issues. These brownfields are contaminated with asbestos, lead (both paint and industrial), volatile organic compounds (VOCs), semi-volatile organic compounds (SVOCs), metals and polychlorinated hydrocarbons (PCBs) and Polyaromatic hydrocarbons (PAHs).

The loss of coal-mining jobs has led to a massive decline in population and pushed citizens into some of the highest poverty rates in America, currently 31.7%, almost twice Kentucky’s poverty rate of 16.1% (American Community Survey 2022 5-year estimate). With such a small population of low-income impoverished residents, the declining population and dwindling tax base have severely impacted Harlan County’s and Lynch’s ability to provide essential public services. This EPA Cleanup grant will provide the needed funds to remove soil contamination, cap the surface and near-surface contaminants, raze contaminated structures thus eliminating exposure pathways, improving human health/environmental impacts, and finally redevelopment the over 15-acre site into the “*Coal Mining Heritage and Technology Park of Kentucky*” (CMHTP).

### **b) Description of the Proposed Brownfield Site(s):**

The site is located at 118 Depot Loop in Lynch, Kentucky. This rural, mountainous creek valley is one of the few remaining intact historic coal mining communities in the United States. From 1917 to the mid 1980’s, US Steel operated this large complex as a coal transfer, sorting and loading facility for coal mines (portals) 29, 30, and 31 and a major regional coal burning powerplant. Existing, relatively intact structures include a large four-story **coal fired power plant**, a former **rail car maintenance building**, a set of **coal storage bins**, rail car **loading tipples**, a **train depot** and the former **company office** and the **Portal 21 mine opening**. All the structures are vacant with the exception of the recently remodeled train depot which houses the Lynch High School Museum and a commercial tenant, called Backroads Appalachia. The rest of the property consists of vacant and overgrown areas with walking paths and gravel parking lots. The site is across the street from the county-owned “Portal 31 Mine Tour” and the Lamp House Café, also owned by the HCFC. The Portal 31 mine tour offer a unique opportunity for the public to ride authentic mine cars directly into the mine with fully animatronic replicas of mining operations. The Mine garners over 40,000 visitors per year, many school children. The Lamp House Café is a relic of coal mining operations and is constructed over Looney Creek.

As part of on-going revitalization plans for these historic sites, several plans have identified the Lynch Coal Mine Complex as a critical catalyst site for the region. Considering the legacy contamination typically associated with these sites, a Phase I Environmental Site Assessment (ESA) and several Phase II ESAs were

conducted between August of 2023 and July 2024. Environmental surveys have identified the following impacts to surface and subsurface soils. The presence of lead-based paint and asbestos: 1) the former power plant contains asbestos (non-friable), and elevated levels of lead-based paint that will need to be abated 2) the train maintenance shop contains elevated levels of subsurface soils containing VOCs, SVOCs, Metals, PCBs, PAHs and hexavalent chromium. The soil concentrations are sufficiently high in this building as to require removal and off-site disposal. To facilitate complete removal of impacted soil within the maintenance building, which was constructed in 1917, it will need to be razed. The decision to raze the building is supported by a 2023 structural engineering survey indicating it cannot be safely or economically be repaired. 3) The large coal storage bins are coated with lead-based paint and underlying soils are impacted with elevated levels of lead and PAHs. These soils can be safely capped with clean soil, or equivalent 4) rail car loading tipples contain lead-based paint 5) the train depot was recently remodeled and is currently occupied 5) the company office contains lead-based paint, non-friable asbestos and PAHs in surficial soils. 6) elevated levels of lead, arsenic and PAHs are ubiquitous across the entire complex, and according the Kentucky Division of Waste Management (KDWM) can be economically and safety capped, under KRS 415.

Additionally, *groundwater* wells were installed throughout the site, including both up and downgradient wells and along Looney Creek. Looney Creek runs parallel to the northern border of the site and serves as the headwaters to the Cumberland River. In 2024, a comprehensive *surface water* quality and *bio habit* study was funded by Assessment Grant funds from the Cumberland Valley Area Development Districts (CVADDs) Brownfield Assessment grant. The stream assessment focused on Looney Creek from its headwaters near the top Black Mountain, Kentucky's highest elevation (4,145 feet) through Lynch to the town of Cumberland. The study indicated that water quality is characterized as "good" at the headwaters, but deteriorates to "poor" as water flows past the "Complex" to a point where the Kentucky Division of Water (KYDOW) has characterized Looney Creek as "impaired" and has placard the creek against public use. Pollutants include low oxidation reduction potential (ORP) values, VOCs, SVOCs and high levels of fecal coliform bacteria. To make the situation even worse, a poorly functioning legacy wastewater sewage plant in Lynch has accumulated Kentucky Division of Water (KYDOW) fines to the point of crippling the town into near bankruptcy. It is very fortunate that the County owns the subject site and has the technical and management capacity fully redeveloped this site.

### **Revitalization of the Target Area**

#### **c) Reuse Strategy and Alignment with Revitalization Plans:**

The goal of the Harlan County Fiscal Court (HCFC), the current property owner, is to overcome the legacy impacts resulting from past mining activities. A collaborative *public/private* partnership creating greenspace and a new data center will promote an improved quality of life for all of Harlan County residents including job creation with an increase in tax base. HCFC proposes to redevelop the former Lynch Coal Mine Complex (CMTP) property into two distinct operational units, re-named the **"Coal Mining Heritage and Technology Park of Kentucky"**.

The new Park/Technology Complex will include a public park with a great lawn for outdoor events, a playground, an amphitheater, coal mining museum, recreational vehicle (RV) parking, safe creek-level access to Looney Creek and an ADA-approved, guided historical walking trail through coal mine relics, such as the coal-fired powerhouse, train depot, tipples and miner lamp houses.

Secondly, a **mid-sized data center** located inside the existing 3-story powerplant building is planned. Anticipated data center metrics are: 1) 3 Megawatts (MW) of power density, 2) 10,000 sq. ft floor space 3) 1,200 racks, and 4) a liquid solution cooling via underground water from beneath Portal 31. Although Looney Creek is directly adjacent to the former powerplant, more than sufficient cooling water is available from underground mine water. The mine water has been environmentally tested with no elevated constituents of concern. This site meets or exceeds all anticipated project needs by: 1) already permitted site 2) direct on-site access to a 50 MW substation 3) an existing 3-story concrete building 4) direct access to high-speed internet, and 5) direct access to a constant flow of year-round 57-degree cooling water from the formal Portal 31 coal mine. Waste heated-water will be used as a source of heat as needed and then pumped back into the mine for recycling (cooling). This will essentially be a closed loop system with no environmental impacts to water. A typical requirement for Data

center customers (Amazon/Google, etc.) is that data centers be carbon neutral. Luckily, adjoining the site is the nearly complete [Lewis Ridge Pumped Storage Project](#), a large-scale hydropower facility converting a former coal mine into a "water battery" using gravity to store and generate on-demand electricity, providing clean energy for thousands of homes and boosting the local economy. This \$1.3 billion project, led by [Rye Development](#) and supported by a significant federal grant, uses upper and lower reservoirs to move water, releasing it through turbines to create power when needed, stabilizing the grid and creating jobs. This grid will be tied to the (CMTP) grid meeting the customer requirement of a green-neutral project. The proposed reuse of the (CMHTP) directly aligns with the regional redevelopment plan for South Eastern Kentucky which is in transition from coal mining to tourism and new technical jobs. Over the past decade Kentucky has invested heavily in upgrading the fiber optic network in this region. This transition will help enhance the health of the residents and the many visitors, including school children, who tour the Portal 31 Coal Mine located directly across the street from the complex.

The historic nature of this site and the need to save these legacy buildings and structures is paramount to residents who still feel a close connection to their mining heritage. A recent Assessment grant awarded to Cumberland Valley Area Development District (CVADD) was used to hire planners for preliminary design renderings developed in conjunction with three public meetings held in Lynch. HCFC with the assistance of local planners collaboratively met with and solicited input from the community and local government to develop the series of *conceptual site plans* which became the basis of the final *adaptive reuse plan* (see ABCA). Additionally, CVADD through public meetings and extensive input from with local governments, businesses, nonprofits, and community members, developed a long-term, five-year *Comprehensive Economic Development Strategy* (CED) for Lynch. The reuse plans directly align with the CEDS' goals of 1) Promoting Economically Sustainable Growth, Enhance Tourism Opportunities, and Provide a Healthy Community Environment tied to Looney Creek that runs through the site.

#### **d) Outcomes and Benefits of Reuse Strategy:**

Once fully remediated and redeveloped, this site, currently contaminated with legacy coal-related hazardous and petroleum substances, will be replaced with a multi-focused public/private partnership benefiting the local community creating a revitalization "model" for other legacy coal mining communities. Capping the site will have direct environmental and health benefits by eliminating dermal exposure. With the opening of the park visitors will need lodging, food and camping supplies that will foster additional businesses opportunities, as was experienced following the reopening of the adjacent *Portal 31 Coal Mine Tour*. Both the creation of the park with museum-like exhibits, combined with an opportunity to actually see and experience the inner workings of a data center will be true model for future communities. The data center alone will employ over twenty full-time positions, with anticipated new businesses providing approximately fifty additional jobs for area residents. Of great need will be the near instant increase in property and occupational tax for local government operations.

In terms of *renewable* and *energy efficiency* measures, all *data center* and *park* power will come from the adjoining [Lewis Ridge Pumped Storage Project](#) and an already operating on-site, 40-panel solar array producing approximately 80 kilowatt-hours (kWh) of electricity per day. Additionally, excess heated water, considered a waste by data centers will be used by the City of Lynch for heating or if not needed pumped back into Portal 31 for re-cyclative cooling. Therefore, specific outcomes include 1) a cleaner and safer community, 2) creation of new jobs 3) increase in the local tax-base 4) increase in tourism 5) decrease in blight, 6) restoration of a coal mining historical site.

#### **Strategy for Leveraging Resources**

##### **e) Resources Needed for Site Characterization:**

Since mine closures in the 1980's numerous site assessments have been conducted by the County and overseen by the KDWM. Recent discussions with the KDWM indicate that data gaps existed, especially in the former maintenance shop that necessitated more subsurface investigation. Geographically, the site lies within the boundary of the Cumberland Valley Area Development District (CVADD) whose prior assessment grant funds allowed for the completion of comprehensive Phase II assessments that closed all data gaps. The Phase II, dated July 22, 2024 renders the site as fully assessed and in no need of additional assessment. We are confident that the site has been fully characterized, and the KDWM concurs (see attached letter). No additional funds for site characterization are needed.

**f) Resources Needed for Site Remediation:**

The total estimated cost for cleanup of the Coal Mining and Technology Park is \$4,000,000. An ABCA was completed in November 2024 and updated in January of 2026 which took into account current market prices of materials and current Davis-Bacon Wage Rates. This funding will fully remediate the site with no additional funding required. The HCFC utilized the expertise of several local planners and architects to assist in preparing detailed renderings which allowed for very accurate volumetric calculations of capping materials.

**g) Resources Needed for Site Reuse:**

Reuse is centered around two general themes. *First and foremost*, the site will serve as a recognition of the sacrifices made by all coal miners not just Kentuckians. The resources needed to complete the museum/park are committed via Harlan County general funds capped with additional funding from other sources. Since the entire site needs to be capped, EPA funds will serve the dual purpose of cutting off exposure pathways, but also serve as trails and pathways for the new park. Additionally, the CVADD, has agreed to assist the Harlan County Fiscal Court in applying for additional funds to finance the creation of trails, development of the outdoor amphitheater, reconstruction of the fully-glassed replica of the former maintenance shop, with funding sources including:

**Land and Water Conservation Fund**, funded by the Department of the Interior’s National Park Service, provides federal grant funds to protect important natural areas, acquire land for outdoor recreation and to develop or renovate public outdoor recreation facilities such as campgrounds, picnic areas, sports & playfields, swimming facilities, boating facilities, fishing facilities, trails, natural areas and passive parks. The maximum funding is \$250,000.

**The Recreational Trails Program**, funded by the Federal Highway Administration, can be used to provide assistance for development and/or maintenance of recreational trails and trailhead facilities for both motorized and non-motorized use. The maximum funding is \$250,000.

**Appalachian Regional Commission (ARC):** All target areas in “Distressed” classified counties are eligible for the highest percentage of ARC funding, this includes Lynch. Objective 3.5 of ARC’s 2022-2026 *Strategic Plan* is to redevelop and repurpose unused, underutilized, or neglected sites, brownfields and to fuel economic development. The Harlan County Fiscal Court has been very successful in securing ARC and many other funds.

The *second objective* of utilizing existing infrastructure and natural resources to establish a data center and technology hub is being met by the overwhelming need to site these in areas where they will not pose a negative impact to the community. Once the site has been remediated with EPA grant funds the site is considered “shovel-ready” for development. The HCFD has been in contact with numerous datacenter developers who are very committed to fully considering this site as it is remediated. Due to confidential considerations, we cannot elaborate on the specific developers at this time. The HCFC will prepare development plans to be published in a formal Request for Proposal (RFP).

**h) Use of Existing Infrastructure:**

The proposed reuse as a multi-function park and data center will not require a need for significant infrastructure upgrades. Parks require limited electricity, water and or wastewater treatment. The Data Center will require significant power (3 megawatts) that will be provided via the adjacent Kentucky Utilities substation and during peak demand via the *Lewis Ridge Pumped Storage Project*. Free cooling water, currently directed into Looney Creek, will be pumped from Portal 31 to the adjoining data center to cool the computer chips with excess heated water returned back to the mine for cooling. Traffic flow will not be significantly impacted as US 119 flows directly thru the Lynch valley. Supplemental electricity will be easily connected to the existing solar grid that is already on-property. The County has sufficient water and sewer capacity to accommodate rest room facilities. From an infrastructure perspective the local community will not be negatively impacted by any part of the project and no significant infrastructure upgrades are needed.

**2. COMMUNITY NEED AND COMMUNITY ENGAGEMENT**

**Community Need**

**a. The Community’s Need for Funding:**

This grant will meet the needs of the community by fully funding the remediation of a property contaminated with legacy coal mining substances, including both hazardous and petroleum contaminants. The property has sat dormant for more than 40 years under the ownership of the County, who received it for \$1 from the Ark Land

Company. As a small, local government agency with a very limited tax base, Lynch is dependent on these critical grant funds to complete the transition from coal mining. HCFC is unable to draw on other sources of remediation funding due to the small, low-income population of the target area, which is the City of Lynch. Lynch has a population of 632 persons, of whom 57% are low income ([www.census.gov](http://www.census.gov) (2020)). Their per capita income is an astounding **\$20,460** as compared to \$33,515 for Kentucky and \$41,261 for the U.S. (ejscreen.epa.gov).

**b. Health or Welfare of Sensitive Populations:**

The sensitive populations in the target area consist of 57% low-income residents (poverty), 32.5% with disabilities, and 27% aged 65 and older (senior citizens) ([www.census.gov](http://www.census.gov) (2020)). The negative outlook of all these groups vastly exceeds those in the rest of Kentucky and the U.S. While the target area does not have a disproportionate number of children, an astounding 82% of the children in Lynch under the age of 18 live in poverty (censusreporter.org). Within Lynch there are many legacy brownfields associated with past mining activities that exhibit elevated levels of volatile and semi-volatile organic compounds, metals, and polyaromatic hydrocarbons. These include the former, now vacant Lynch elementary and high school, the company store, the company bank, and a former medical clinic. Many of these buildings are not secured. Although it is not possible to address all of the issues related to these contaminated buildings, grant funds will address contaminants at the (CMHTP). This cleanup grant will provide the funds needed to fully abate hazardous materials and contain the surficial hazardous materials with an engineered cap thus eliminating the potential for dermal exposure and resulting health problems. These hazardous substances pose serious health risks including damage to the liver, kidneys, heart, spleen, nervous system, asthma, birth defects and ultimately cancer ([www.atsdr.cdc.gov](http://www.atsdr.cdc.gov)). Sensitive populations who may have other risk factors, compromise immune systems, and/or lack access to adequate health care are especially vulnerable.

**b. Greater than Normal Incidence of Disease and Adverse Health Conditions:**

As previously mentioned, the (CMHTP) site and surrounding Brownfields are contaminated with many known carcinogens and dust (airborne) contaminants. Prior CVADD Assessment Grant funds were also used to evaluate localized health impacts used to evaluate both cancer and asthma records in comparison with both State and U.S. statistics. Asbestos and airborne dusts from legacy Brownfields can often be a serious health concern, especially if combined with known cancerous materials. In comparing health statistics, it is apparent that Harlan County’s legacy mining operations (Brownfields) are likely connected to the higher-than-normal incidence of cancer and asthma rates. Former buildings, including those at the (CMHTP) have the potential for releasing contaminants as buildings deteriorate and potentially released into the air and soil. Asbestos exposure increases the risk of mesothelioma and other lung cancers. Even small amounts of lead can cause serious health problems. Children younger than six years are especially vulnerable to lead poisoning, which can severely affect mental and physical development. At very high levels, lead poisoning can be fatal. Exposure to mold exacerbates allergies, asthma and other respiratory problems (mayoclinic.org). No specific data was available for Lynch, but the entirety of Harlan County is representative of the overall mining industry as noted in the (CMTP).

Health Condition	Harlan County	Kentucky	U. S.	Data Source
5-yr All Cancers Incidence*	531	513	444	statecancerprofiles.cancer.gov
5-yr Lung and Bronchus Cancer*	112	84	53	statecancerprofiles.cancer.gov
2020 Prevalence of Adult Asthma	16.3%	11.7%	8.4%	Kentuckyhealthfacts.org

\*Age-adjusted rate per 100,000 population

By abating or capping site contaminants, the grant will both *address* and *reduce* direct dermal exposure of site soils, facilitate better air quality by abating asbestos in the former Maintenance Building, and improve the groundwater quality of looney Creek from general site contaminant runoff.

**c. Economically Impoverished/Disproportionately Impacted Populations**

Identified economically distressed populations include a disproportionate percentage of low income, elderly and those with disabilities. The lack of even poverty-level jobs implies that those with the ability to move from the

community have done so, leaving behind the most vulnerable populations to live among brownfields. As previously noted, 57% of the population are of low income with a per capita income of only \$20,460. The shuttering of the coal mines, especially Portal 31 in Lynch have resulted in a community fraught with legacy Brownfields (tipples, waste piles, abandoned rail lines, under maintained roads, etc.) with Lynch losing its only medical facility, closure of all schools, and shuttering of the only public library. The town has no ambulance service with the nearest medical facility located is the town of Harlan, approximately 27 miles away. Good paying jobs just do not exist. The elderly find themselves often alone and unable to care for even their most basic needs. With the opening of the new park/technology center and the associated new businesses openings this will bring hope to a community that has lost so much. The transition from a coal-based economy to more sustainable, higher paying jobs will reverse negative trends as the population can increase and the elderly will be better supported. With an increase in the tax-base Lynch we be able to improve its legacy water and waste-water systems which have come under intense scrutiny by the Kentucky Division of Water. It should not be understated that this transformative reuse of a legacy coal-fired power plant into such an innovative beneficial reuse will serve as a “model” for other communities to follow. Our legacy coal mining communities deserve a chance and this project will do just that.

### Community Engagement

#### e/f. Project Involvement

The following diverse group of community partners have committed to directly assist the project and provide valuable input in regard to the property cleanup and future reuse strategies:

Name of Organization	Entity’s Mission	Contact Information	Direct Role
Kentucky Main Street & Tri Cities Heritage Development Council	Economic Development	Erica Eldridge, 606-589-5151 <a href="mailto:mainstreet@blackbearmtn.org">mainstreet@blackbearmtn.org</a>	Outreach; education; advocacy. Input on use of affected facilities
City of Lynch	City Management	Mayor Justin Wren <a href="mailto:lynchcityhall@gmail.com">lynchcityhall@gmail.com</a>	Outreach; disseminating information; information posted on Facebook page
Harlan County Tourism Commission	Promote Tourism	Nick Sturgill <a href="mailto:Portal31@accesshsd.net">Portal31@accesshsd.net</a>	Outreach; education; advocacy
Harlan County Health Department	Community Health	Bobbie Crider <a href="mailto:BobbieV.Crider@ky.gov">BobbieV.Crider@ky.gov</a>	Provide health monitoring as needed
Tri Cities Chamber of Commerce	Business Assistance	Jeff Wilder <a href="mailto:tct35-ADMIN@tricitienursing.com">tct35-ADMIN@tricitienursing.com</a>	Advocacy/education; expertise in incorporating smart growth principles

**g. Incorporating Community Input:** Mr. Colby Goss, the Project Director will serve as the outreach coordinator to meets with the public, at least quarterly, through a variety of media outlets, the Tri-Cities News newspaper, radio and the HCFC website. Commitment to follow-through on community concerns, values and suggestions will be the ultimate responsibility of the Harlan County Judge Executive, Mr. Dan Mosley, the Executive Director. According to census data, 100% of residents are English speaking, but other language interpreters will be provided upon advance request, as well interpreters for the deaf. Platforms, such as Zoom or Teams, will be offered in addition to attending the meeting in-person or when social distancing may be needed to limit in-person meetings.

As a small, rural, eastern Kentucky County, Harlan County Fiscal Court (HCFC) recognizes the need to keep the community informed and more importantly involved in the site restoration/reuse. For this project HCFC has teamed with the Cumberland Valley Area Development District (CVADD) as a non-grant funded, experienced, outreach assistant. The CVADD has successfully managed many assessment grants, all of which have been invaluable in completing site assessments and community outreach for this project. We will continue to access CVADD grant assessment funds to supplement awarded cleanup funds in furtherance of this very important project. Community engagement has been a cornerstone of this project, with the CVADD funding many planning and outreach activities. Past Assessment grant funds were used to prepare preliminary development plans with a targeted focus on the Lynch Coal Mine Complex and a primary catalyst site. Architects with a

planning focus were engaged to prepare the design renderings based on community input and shown in the ABCA. The Harlan County Fiscal Court will continue to solicit, consider, and respond to all residents' questions, comments, and concerns in regard to the redevelopment activities. HCFC will respond within 30 days of the receiving comments or questions via email or postal mail if email is not available. HCFC will follow the EPA's *Steps for Effective Public Involvement* which includes planning and conducting public involvement activities, as well as reviewing and implementing input and providing feedback.

**3. TASK DESCRIPTIONS, COST ESTIMATES, AND MEASURING PROGRESS**

**a. Proposed Cleanup Plan**

As a legacy coal mining complex, confirmed contaminants include oils, greases, cleaners, fuel residue, metals, PCBs, and tons of inert waste materials. Other identified contaminants of concern (COC) include VOCs, SVOCs, metals, PAHs, hexavalent chromium, and BETX. Typical of the times, a permanent cap was never installed over impacted surficial soils, rendering site redevelopment as nearly impossible. The ABCA outlines three alternative methods for addressing legacy environmental concerns at the site:

Alternative No. 1 - No Action

Alternative No. 2 - Removal of all Waste

Alternative No. 3 - Abatement of asbestos, lead, “hot spot” removal and site-wide capping.

Alternative 1: No Action is ineffective for controlling or preventing exposure of receptors to site contaminants. This alternative is not considered protective, effective, reliable and essentially would leave the site as is and undevelopable.

Alternative 2: Removal of all Waste is effective in removing the risk of exposure and is protective and reliable. However, the removal of over 500,000 cubic yards of waste to another landfill is both cost-prohibitive and contributory to tons of greenhouse gases. The Kentucky Division of Waste Management (KDWM) and the Harlan County Fiscal Court (HCFC) ruled this option out many decades ago.

Alternative 3: Abatement of asbestos, building contaminants, lead, “hot spot” removal of impacted soils and site-wide capping.

Capping - This alternative involves removing asbestos, abating lead-based paint from structures, removal and proper disposal of highly impacted soils from the former Maintenance Building and applying a base covering of geotextile material over surficial waste material on all other areas of the site then covering with a KDWM approved capping material. The state approved *Site Management Plan* indicated that various cap materials could be considered as long as they are protective, effective and reliable. Approved capping materials include 2-feet of clean (tested) soil, asphalt, concrete, and pavers. Whichever meets the design goals of the project and is most cost-effective. Due the mountainous local terrain and high costs of trucking-in “clean” soil, asphalt, concrete, or pavers will be evaluated as potentially more cost-effective. The HCFC will consult with our assigned EPA Project Officer in consultation prior making these decisions.

**Description of Tasks / Activities, and Outputs**

<b>Tasks/Activities:</b>	<b>Task 1 – Cooperative Agreement Oversight</b>
3.b. Project Implementation	The Harlan County Fiscal Court, will oversee grant implementation, including financial and programmatic management to ensure compliance with the cooperative agreement, schedule, and terms and conditions for the four-year grant period. Harlan County Fiscal Court will initiate a competitive qualification-based selection process in compliance with state and federal (2 CFR 200.317-326) guidelines to select a Qualified Environmental Professional (QEP) firm. With the assistance of the CVADD and the QEP, Harlan County Fiscal Court will ensure all quarterly reports, MBE/WBE forms, and the ACRES database updates are completed on time. The Harlan County Fiscal Court project director (Colby Goss) and our community outreach coordinator will attend regional and national Brownfield conferences.
3.c. Anticipated Project Schedule:	This task will be initiated upon grant award and will continue throughout the four-year project period or when the project is completed, whichever occurs first.
3.d. Task/Activity Lead(s):	Harlan County Fiscal Court, and the properly procured QEP
3.e. Output(s):	4 conferenced attended, 16 Quarterly reports, 1 closeout report, ACRES Updates, annual MBE/WBE reporting

<b>Tasks/Activities:</b>	<b>Task 2 – Community Education &amp; Outreach</b>
3.b. Project Implementation:	This task includes public meetings, community education concerning brownfields and the subject site, gathering community input and incorporating comments and ideas into the on-going development plan. All information will be made public through a variety of distribution channels, including the Tri-Cities News newspaper, both HCFC and CVADD websites, WTUK 105.1 FM Radio and Facebook social media sites. Due to the likely fast pace of this project a public meeting will be held at the time of issuance of the Cooperative Agreement and quarterly thereafter, Supplies needed for public meetings will include printed handout materials and public notices advertised via newspaper. The Community Involvement Plan (CIP) will be prepared within 30 days of issuance of the Cooperative Agreement (CA).
3.c. Anticipated Project Schedule:	This task will be initiated within 1 month of grant award and continue throughout the project period.
3.d. Task/Activity Lead(s):	Harlan County Fiscal Court, CVADD, and QEP
3.e. Output(s):	A minimum of 8 community meetings, 1 CIP
<b>Tasks/Activities:</b>	<b>Task 3 – Remedial Planning</b>
3.b. Project Implementation:	This task includes preparing the QAPP, Health and Safety Plan, finalizing the ABCA, coordinating with state and federal regulatory agencies to prepare remedial action plans, specifications and bid documents for selection of the abatement contractor, which will be procured in accordance with federal guidelines (2 CFR 200.317-326).
3.c. Anticipated Project Schedule:	This task will be initiated within 2 months after award and completed within 6 months after award.
3.d. Task/Activity Lead(s):	Qualified Environmental Professional (QEP)
3.e. Output(s):	1 QAPP, 1 ABCA, 1 HASP, remedial plan, 1 set of bid documents.
<b>Tasks/Activities:</b>	<b>Task 4 – Site Cleanup</b>
3.b. Project Implementation:	This task includes contractor abatement costs for capping of waste materials. This task will also include QEP oversight of the selected abatement contractor by our selected environmental consultant.
3.c. Anticipated Project Schedule:	This task will be initiated within 6 months of cooperative agreement award and completed within 24 months after award. We anticipate a fast-moving project.
3.d. Task/Activity Lead(s):	QEP, State Licensed Cleanup Contractor
3.e. Output(s):	Completion of cleanup, report and Certification Letter to the USEPA.

### 3.f. Cost Estimates

Budget Categories	Project Tasks – USEPA FUNDS			
	Task 1 Cooperative Agreement Reporting/ Program Management	Task 2 Community Involvement/ Outreach	Task 3 Remediation, Cleanup, Reporting	Total
Personnel	\$43,386	\$11,596	\$7,575	\$62,557
Fringe Benefits	\$19,590	\$5,284	\$6,197	\$31,071
Travel	\$9,455	\$617		\$10,072
Equipment				
Supplies				
Contractual	\$72,998	\$36,750	\$305,920	415,668
Construction			3,480,632	3,480,632
Total Direct Costs	\$145,429	\$54,247	\$3,800,324	\$4,000,000
Indirect Costs				
Total Budget	\$145,429	\$54,247	\$3,800,324	\$4,000,000

**Task 1:** Harlan County Fiscal Court – \$43,386 Personnel costs (staff 1: 548hrs x \$34.25/hr.; staff 2: 1,932 hrs. x \$12.74/hr.) and \$19,590 Fringe (staff 1: 137hrs x 32.37/hr.; staff 2: 483hrs x \$11.10/hr.) for review/approval of reports for submittal; attend monthly progress meetings; process funds/payments; review and approve various plans developed by environmental consultant as part of the grant requirement; ACRES reporting; \$9,455 for travel: 1 person to attend 2 National Conferences, 2 Regional Conferences, and 3 State Conferences during the grant (\$1,000 for registration fees, \$2,000 airfare to national and regional conferences, \$2,420 mileage for conferences and meetings, \$225/night hotel for 13 nights, daily per diem \$74/day for 15 days travel total); – QEP \$72,998 (456 hrs. x \$160/hr.); **TASK 1 Total \$145,429**

**Task 2** – Harlan County Fiscal Court \$11,596 Personnel costs (staff 1: 93hrs x \$68.51/hr.; staff 2: 205hrs x \$25.48/hr.) and \$5,284 Fringe Costs (staff 1: 93hrs x \$32.37/hr.; staff 2: 205hrs x \$11.10/hr.) for staff time with community meetings, workshops, review/approval educational material, advertisements and solicitations; \$617.50 Travel: Travel to project area for community meetings and kickoff meeting (76 miles per trip x \$0.625/mile x 13 trips); QEP - \$36,750 (230 x \$160) **TASK 2 Total: \$54,247**

**Task 3** – Harlan County Fiscal Court – \$7,575 Personnel costs (staff 1: 221hrs x \$34.25/hr.) and \$6,197 Fringe (staff 1: 191hrs x 32.37/hr.) for review/approval of reports for submittal; attend monthly progress meetings; process funds/payments; review and approve various plans developed by environmental consultant as part of the grant requirement; ACRES reporting; Construction (Abatement) at \$3,480,632 (engineered cap, demolition, abatement); (Contractor) QEP at \$305,920 : QAPP \$9,600 (60hrs.x \$160/hr.), HASP \$4,800 (30hrs.x\$160/hr.) Final ABCA \$8,000 (50hrs. x \$160/hr.); Bid Documents/Specs \$24,000 (150 hrs.x\$160/hr.); Engineering Plans \$32,000 (200hrs.x\$160/hr.) Project Oversight, Field Work (Air Monitoring, Sampling, Oversight) (1445hrs.x\$120/hr.) \$173,400 Completion Report \$28,000 (175 hrs. x \$160/hr.); Per Diem \$21,360 (\$178/dayx120 days): Mileage \$4,760 (400 miles roundtrip x 17 weeks x \$0.70mile).

**TASK 3 Total \$3,800,324**

**b. Plan to Measure and Evaluate Environmental Progress and Results**

Harlan County Fiscal Court will continuously review progress of the project in relation to milestones and outputs listed above. Monthly progress meetings will be held, and progress reporting will be required of environmental consultants and contractors once their work begins. The Qualified Environmental Consultant will ensure contractor work plans meet proper cleanup methods, and that contractors are adhering to proper remediation methods. Corrective Action will be taken immediately if needed.

**4. Programmatic Capability and Past Performance**

**Programmatic Capability**

**a. Organizational Structure**

The Harlan County Fiscal Court is structured to ensure timely and successful expenditure of funds and successful completion of the proposed project. The organization is established for staff to manage, approve, and track project funding through established financial policies and procedures. Harlan County Fiscal Court follows General Accepted Accounting Procedures (GAAP) and completes annual audits by an independent audit firm within 4 months of the end of each Fiscal Year. Auditor suggestions for improvement are incorporated as necessary. The organization is led by an elected County Judge Executive, and an Assistant Judge Executive and maintains adequate separation of duties so vital roles are not duplicated.

**b. Description of Key Staff**

**Key Staff:** Mr. Colby Goss, Project Director has 20 years of business and management experience, including over 10 years as the Deputy Judge Executive. Mr. Goss will provide oversight of total project completion for Harlan; sign pay applications & reporting and approve change orders as necessary.

Ms. Keri Stevens, Harlan County Executive Administrative Assistant, has been with Harlan County for over 8

years and has been in charge of handling all of the County’s grant funds. Ms. Stevens will oversee all financial aspects of this Cleanup Grant and will be in charge of making all required draws through the ASAP system.

**c. Acquiring Additional Resources**

The City of Lynch lies within the geographic boundaries of the Cumberland Valley Area Development District who will provide additional expertise and assessment and planning services through their *FY25 Assessment Coalition Grant*. Lynch was one of the three target areas specifically identified in their CVADD application/workplan. Harlan County Fiscal Court has not procured a Qualified Environmental Professional (QEP) or subrecipient. The procurement process will comply with 2 CFR 200.317-326. A cost-based, *Request for Proposals* will be advertised in the local newspaper and on the County's website. Minority and women owned businesses will be encouraged to apply, and notification will be sent through the Kentucky Procurement Technical Center. Additionally, the Kentucky Brownfields Program staff will be consulted and invited to participate during the project term. The Harlan County Fiscal Court promotes strong labor practices by ensuring that construction contracts include prevailing scale wages, and will advertise any available employment opportunities to the local community.

**Past Performance and Accomplishments**

**d. Currently Has or Previously Received an EPA Brownfields Grant – N/A**

**e. Has Not Received an EPA Brownfields Grant, but has Received Other Federal or Non-Federal Assistance Agreements**

**(1) Purpose and Accomplishments**

Funding Agency	Grant Portion	Accomplishments/Outputs
ARPA Funding	\$5,052,138.00	Appropriations to Harlan County from ARPA
AMLER	\$2,361,180.00	Renovation of Portal 31 Underground Mine Tour, renovations to the historic Lynch Bath House, and the construction of an observation tower on Black Mountain, Kentucky's highest point.
ARC	\$2,000,000.00	To expand broadband access to underserved areas of Harlan County
CDBG	\$1,250,000.00	Construction of a new fire station for Sunshine VFD
CARES Funding	\$1,185,181.00	Appropriations to Harlan County from the CARES Act.
Commonwealth of Kentucky	\$300,000.00	Development of a certified build-ready economic development site in Harlan County.
CDBG	\$801,100.00	Operations funding for Cumberland Hope drug treatment facility for women
Frazier Foundation	\$50,000.00	Replace a portion of the Benham Inn roof.
Frazier Foundation	\$20,000.00	Replaced the roof to historic standards on the Lynch Depot building.
Commonwealth of Kentucky	\$29,016.26	Replacement of roof on the Putney Ranger Station.
Kentucky Administrative Office of the Courts	\$86,950.00	Replacement of roof on Harlan Conty Justice Center
Commonwealth of Kentucky	\$218,750.00	Purchased new voting machines and other equipment for Harlan County elections.
FEMA/ KYEM	\$201,450.00	Buyout of homes endangered by landslide on Gilbertsville Road.
KYEM	\$86,677.13	Funding of Emergency Management personnel
US Army Corps of Engineers	\$825,000.00	Sewer line extension in Harlan County using Section 531 funding.

**Total \$14,617,453**

**(2) Compliance with Grant Requirements –** The Harlan County Fiscal Court has complied with all the terms/conditions on both grants and each was completed successfully.

**iii. Never Received Any Type of Federal or Non-Federal Assistance Agreements –N/A**

## THRESHOLD CRITERIA

### **1. Applicant Eligibility:**

- a. Harlan County Fiscal Court (Harlan) affirms that it is a local government organization and eligible for a Cleanup Grant.
- b. Harlan County Fiscal Court is not exempt from Federal taxation under section 501(c)(4) of the internal revenue code.

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

Harlan County Fiscal Court **affirms** that the proposed site has not received funding from a previously awarded EPA Brownfields Cleanup Grant.

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

Harlan County Fiscal Court affirms it does not have an open EPA Brownfields Multipurpose Grant.

### **4. Site Ownership**

Harlan County Fiscal Court holds fee simple title and is the sole owner of the property identified for purposes of this cleanup proposal. Harlan County Fiscal Court will retain sole ownership of this property for the duration of time in which Brownfields Cleanup Grant funds are disbursed for the cleanup of the site.

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

- a) Name: Coal Mining Heritage and Technology Park of Kentucky
- b) Address: 118 Depot Road Lynch, KY 40855

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

- a) The site is contaminated with both petroleum & hazardous substances as defined by the USEPA Brownfields Program, with predominate contamination being hazardous substances.
- b) The site was previously utilized as a coal sorting, transportation complex that also had a large coal fired powerplant, a train tracks, train depot, maintenance shop and miners lamp house. The site currently has a commercial tenant (Backroads Appalachia) and a high school memorabilia museum in the train depot, along with the Lamp House Café across the street from the Portal 31 Mine Tour. [www.Portal31MineTour.org](http://www.Portal31MineTour.org)
- c) Environmental concerns are confirmed as SVOCs, VOCs, Metals, BETX, PCBs and PAHs. The nature and extent of the contamination is well defined and 15.63 acres.
- d) The site became contaminated beginning in 1917 through legacy coal mining operations from sorting and transportation of coals to the on-site large coal-fired powerplant and movement across the site to rail lines for distribution throughout America. Through numerous Phase II environmental site assessments, it has been determined that the entire site contains ubiquitous coal and coal-related contaminants, solvents, oils, greases underneath the maintenance shop and non-offsite impacts to groundwater.

### **7. Brownfields Site Definition**

Harlan County Fiscal Court **affirms** that the site meets the definition of a brownfield site and is NOT:

- a) listed or proposed for listing on the National Priorities List,

- b) 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) subject to the jurisdiction, custody, or control of the United States government.

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

Since its closure in 1980, numerous **Phase II ESAs** have been conducted by a qualified environmental professional in accordance with current ASTM standards. The most recent is dated **July 22, 2024**. The assessment focused on defining the horizontal and vertical extent of waste materials and constituents of concern and filling in data gaps, identified by the KDWM. Temporary groundwater monitoring wells were installed and sampled with analytical data being reported to the KDWM. Annual site surveys are being conducted to ensure security and silt fences are maintained. This information is also being reported to the KDWM. Cumberland Valley Area Development District (CVADD) whose prior assessment grant funds allowed for the completion of comprehensive Phase II assessments that closed all data gaps. The Phase II, dated July 22, 2024 renders the site as fully assessed and in no need of additional assessment. An updated ABCA was completed in November 2024, and updated for this application in January 2026 which takes into account current market prices of materials and Davis-Bacon Prevailing Wage Rates.

**9. Site Characterization**

- a. N/A
- b. N/A
- c. i. Current letter from the Kentucky Department for Environmental Protection is attached.
- ii. The Kentucky Department for Environmental Protection certifies in the attached letter that there is a sufficient level of site characterization from the environmental site assessment performed to date for the remediation work to begin on the site. Additionally, an environmental professional (as defined in 40 CFR 312.10) has certified that there is a sufficient level of site characterization from the environmental site assessment performed to date for the remediation work to begin.

**10. Enforcement or Other Actions**

Harlan County Fiscal Court **affirms** 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**

Harlan County Fiscal Court **affirms** that the subject site does not require a property-specific determination.

**12. Threshold Criteria Related to CERCLA/Petroleum Liability**

- a. Property Ownership Eligibility – Comingled Hazardous & Petroleum (Hazardous predominant)  
Harlan qualifies for funding because the property is publicly owned, was acquired prior to January 11, 2002, and Harlan has not caused or contributed to a release or threatened release of hazardous substances at the property.

**13. Cleanup Authority and Oversight Structure**

- a. Harlan County Fiscal Court will comply with all applicable federal and state laws and will ensure that the cleanup project protects human health and the environment. Harlan County

Fiscal Court has met numerous times with the KDWM (Superfund Branch) who is overseeing the current regulatory status of the site. Harlan County Fiscal Court Brownfields Project Director, Colby Goss, will oversee and manage the overall cleanup project. Additional technical expertise and assistance will be acquired by procuring a qualified environmental professional and licensed abatement contractor(s) per 2 CFR 200.317 to 200.327 prior to beginning cleanup activities. Harlan County Fiscal Court procurement will include a Request for Proposals published in the local newspaper and on our website. The responses will be thoroughly reviewed based on predetermined criterion in order to select the most qualified firm(s) and to ensure fair and open competition. Local, Women-Owned and Minority-Owned firms will be encouraged to apply.

- b. Access to adjacent properties is not anticipated in order to conduct cleanup activities, however, if it is determined that access is needed, Harlan County Fiscal Court will work with adjacent property owners to obtain access to their properties.

#### **14. Community Notification**

- a. A draft copy of the application narrative and Analysis of Brownfield Cleanup Alternatives was made available in the offices of the Harlan County Fiscal Court a week prior to the community meeting
- b. Community Notification Ad - attached  
On December 31, 2025, Harlan County Fiscal Court published the Public Notice in the Tri-Cities Newspaper to inform the public of its intent to apply to the United States Environmental Protection Agency for a grant to clean up the former *Lynch Coal Mine Complex* located at 118 Depot Loop, Lynch, Kentucky. The notice informed the public of the availability of the draft grant application and ABCA for review and invited comments on the documents.
- c. The Public Meeting was conducted in-person at the Lynch Depot (ADA accessible) 118 Depot Loop, on January 9<sup>th</sup>, 2025 (5:00 To 7:00). It should be noted that due to inclement weather, those who could not attend provided questions to the HCFC. Responses were made available at the Tri Cities Main Street office in Cumberland, where the ABCA was posted,
- d. Submission of Community Notification Documents and draft ABCA are attached.

#### **15. Contractors and Named Subrecipients**

Contractors – N/A; a contractor has not been procured  
Subrecipients – None



**Andy Beshear**  
GOVERNOR

**ENERGY AND ENVIRONMENT CABINET**  
**DEPARTMENT FOR ENVIRONMENTAL PROTECTION**

300 Sower Boulevard  
Frankfort, Kentucky 40601  
Phone: (502) 564-2150  
Fax: 502-564-4245

**Rebecca Goodman**  
SECRETARY

**Anthony R. Hatton**  
COMMISSIONER

January 20, 2026

Dan Mosley  
Judge Executive  
Harlan County Fiscal Court  
PO Box 956  
Harlan, KY 40831

Re: Letter of Support for FY26 Brownfield Cleanup Grant

Dear Judge Mosley:

The Kentucky Department for Environmental Protection (DEP) acknowledges that Harlan County Fiscal Court plans to conduct the cleanup of a brownfield site and is applying for a FY26 EPA Brownfields Cleanup Grant. DEP is the state agency charged by the legislature with the responsibility of implementing the Kentucky equivalent of the federal Superfund program, and as such, is an essential component of any attempt to systematically address brownfields redevelopment. Harlan County Fiscal Court has developed an application requesting site-specific federal Brownfields Cleanup funding for the site located at 118 Depot Loop, Lynch, Kentucky 40855.

DEP issues this letter to acknowledge your proposed cleanup project and to affirm the following:

- Based on supporting documentation, Harlan County Fiscal Court is eligible to be overseen by DEP's voluntary response program.
- The property located at 118 Depot Loop, Lynch, KY is currently not enrolled in the voluntary response program; however, DEP acknowledges that Harlan County Fiscal Court intends to submit an application for enrollment.
- Based on supporting documentation and upon DEP's approval of a cleanup plan prior to conducting remediation activities, it would be reasonable that the site has had a sufficient level of site characterization for the remediation work to begin.

DEP supports your application for a FY26 EPA Brownfields Cleanup Grant and we look forward to continuing our work with your community on this important issue.

Sincerely,



Kiersten O'Leary  
Brownfield Coordinator

Cc: Ken Logsdon, Division of Waste Management  
Chase Whitis, Division of Waste Management, London Regional Office  
Colby Goss, Harlan County Fiscal Court