

CITY OF FAIRBURY

P.O. Box 554, 612 D Street - Fairbury, NE 68352
Phone (402) 729-2476 • Fax (402) 729-3906 • www.fairburyne.org

RE: FY2026 EPA Brownfields Cleanup Grant Application

The City of Fairbury, Nebraska is pleased to submit this proposal for FY2026 Brownfields Cleanup Grant funding. Below we provide the information requested.

1. Applicant Identification:

City of Fairbury, Nebraska
612 D Street
Fairbury, Nebraska 68352

2. Website URL: <https://www.fairburyne.org/>.

3. Funding Requested:

- (a) Grant Type: Single Site Cleanup
- (b) Federal Funds Requested: \$2,000,000

4. Location:

- (a) City: Fairbury
- (b) County: Jefferson
- (c) State or Reservation: Nebraska

5. Property Information:

Former Fairbury Iron and Metal Site
200 "C" Street
Fairbury, NE 68352

6. Contacts:

- (a) Project Director:
Name: Laura Bedlan, Development Services Director
Phone: (402) 729-5261 (ext. 2) | Email: lbedlan@fairburyne.org
Mailing Address: 612 D Street, Fairbury, NE 68352

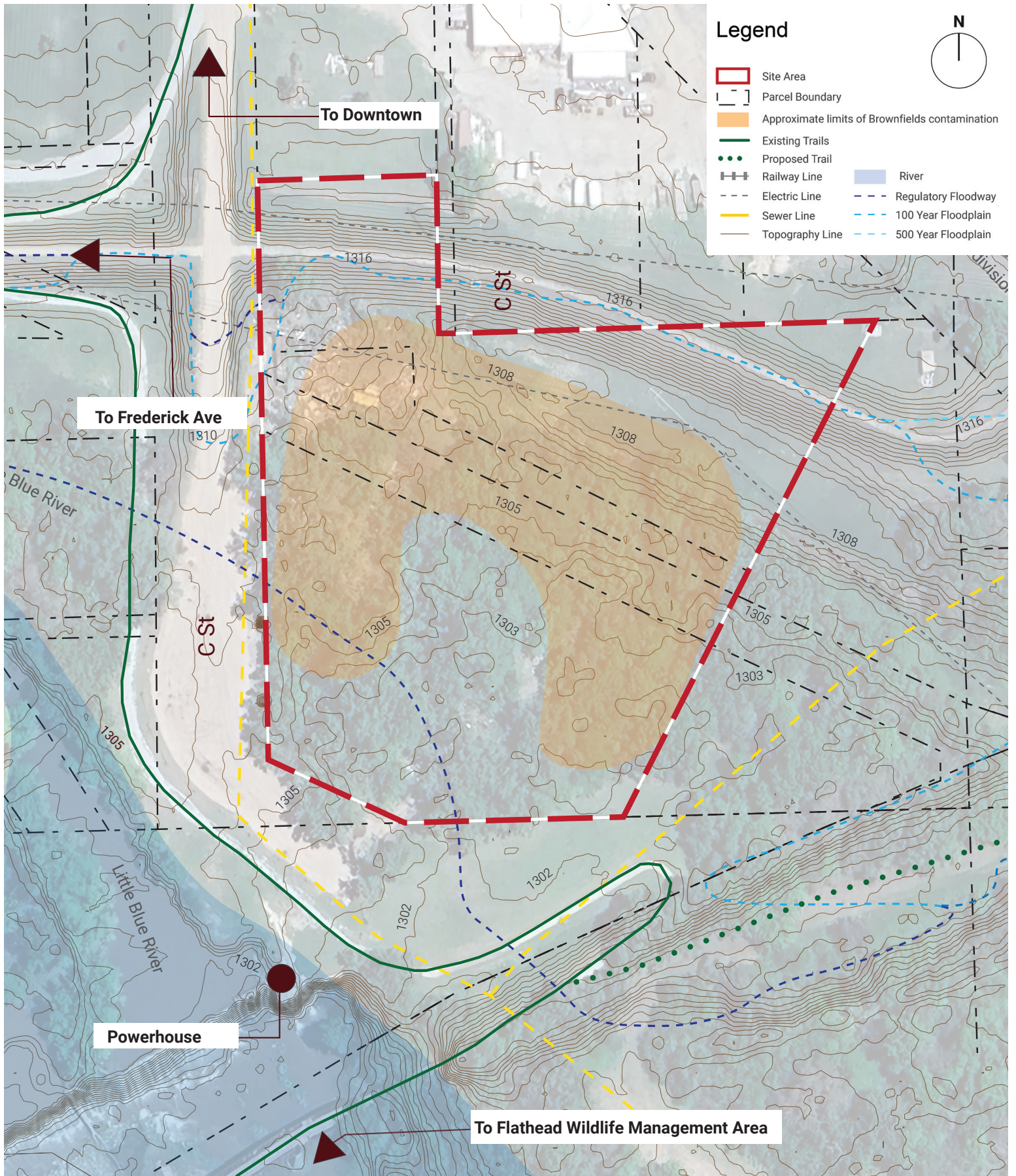
- (b) Chief Executive/Highest Ranking Elected Official:
Name: Kelly Davis, Mayor
Phone: (402) 587-1456 | Email: mayor@fairburyne.org
Mailing Address: 612 D Street, Fairbury, NE 68352

7. Population: 3,905 (From American Community Survey 2019-2023)

8. Other Factors Checklist:

Other Factors	Page #
Community population is 15,000 or less.	1
The applicant is, or will assist, a federally recognized Indian Tribe or United States Territory.	NA
The proposed brownfield site(s) is impacted by mine-scarred land.	NA
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.	3, 4, Atch. A
The priority site(s) is adjacent to a body of water (i.e., the border of the priority 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
The proposed site(s) is in a federally designated flood plain.	1,2
The reuse of the proposed site(s) will facilitate renewable energy from wind, solar, or geothermal energy.	NA
The reuse of the proposed site(s) will incorporate energy efficiency measures.	2
The proposed project will improve local resilience to the impact of extreme weather events and natural disasters.	2
The target area(s) is impacted by a coal-fired power plant that has recently closed (2015 or later) or is closing.	NA

9. Releasing Copies of Applications: Not Applicable.



1. PROJECT AREA DESCRIPTION & PLANS FOR REVITALIZATION:

Target Area & Brownfields 1.a. Overview of Brownfield Challenges & Description of Target Area: The City of Fairbury, population 3,905, in rural Southeast Nebraska, has experienced steady economic decline and population loss due to economic conditions and migration to urban centers for decades. Founded in 1869, Fairbury was once a significant railroad hub of the Chicago, Rock Island & Pacific Railway (Rock Island), and the two-story Fairbury Railroad Depot built in 1914 was one of the largest of its kind.¹ During its time as the Western Division Headquarters for Rock Island, Fairbury served as the dispatch center for all Rock Island trains west of Des Moines, employing over 500 people in Fairbury and connecting it to communities across its 1,000+ mile route spanning from Chicago to Denver. Passenger rail boosted economic development in Fairbury by providing job opportunities and increasing mobility in and to this rural community. The population peaked in 1935 at 6,500 residents, and Rock Island continued to prosper through the middle of the 20th century. The 1950's proved to be difficult for the rail industry with the transition from steam to diesel locomotives and increased competition with other modes of modern transportation infrastructure (highways and airlines), which lessened the importance of Fairbury as a transportation service hub. The Western Division Headquarters relocated out of state in 1965, and Rock Island fully discontinued rail operations in 1980, resulting in significant job loss and economic downturn in the community with ripple effects on other businesses in the Fairbury area that are still evident today. Fairbury continues to see a decline in population, resulting in an aging citizenry with significant health disparities and quality of life challenges that are, in part, attributable to the legacy of brownfields in the community. The **Target Area (TA)** of this grant is the South Fairbury Census Tract (CT31095963800) which is approximately 1.4 square miles and has over 50 brownfields, including a former power plant, a manufactured gas plant, vacant railroad properties, abandoned manufacturing facilities, service stations, and other vacant/underutilized lots. Brownfields in the community have led to significant blight and risks to community health and welfare, as **35% of residents in the TA live in extreme poverty** (compared to 10% in Nebraska and 12% in the US), **which is a 161% increase over the past 25 years** (compared to a 6% increase for Nebraska and 0% increase for the US over the same time period).² As an incongruous mix of blighted residential, industrial and commercial properties, the TA is an open canvas for improving community economic and health outcomes, and its proximity to both the Little Blue River and to Downtown Fairbury makes redevelopment especially attractive. A unique TA feature along the banks of the Little Blue River is [Mill Dam Park](#). While a historic gem and potential cornerstone tourist attraction, access and aesthetics of the park are severely threatened by the adjoining brownfields (including the subject property of this application, described in Section 1.b) that inhibit broader and safer recreational use of the area. The City needs financial assistance to overcome the significant cost burden associated with cleanup and redevelopment of brownfields in our community. Award of a FY 26 Cleanup Grant to Fairbury would empower the City to address community challenges associated with economic decline and health disparities from TA brownfields by 1) expanding the City's parks and trail system, 2) connecting to the Downtown Historic District, and 3) promoting tourism and active lifestyles for all residents.

1.b. Description of the Proposed Brownfield Site(s): The former Fairbury Iron & Metal (FI&M) Site represents the single-greatest opportunity for revitalization in the TA. The FI&M Site is adjacent to Mill Dam Park in moderately wooded lowland along the banks of the Little Blue River. A gravel drive along the FI&M Site's western border (C Street) leads to Mill Dam Park to the south/west. The Little Blue River levee adjoins the FI&M Site to the north, and vacant City property adjoins to the east. The **Target Property** of this application is approximately 3.0 contiguous acres comprised of 1) the entire original FI&M parcel, 2) the former railroad right of way (ROW) traversing the FI&M parcel, and 3) a portion of a City parcel that adjoins the FI&M Site to the north. The City acquired the FI&M parcel and former railroad ROW on January 12, 2026, and January 21, 2026, respectively, and is leading the cleanup and redevelopment of the Target Property into a cornerstone expansion of Mill Dam Park.

FI&M began operations as a metal scrapyards in 1951. In 2023, public safety and environmental concerns were raised for the FI&M Site, and at the request of the City the site was inspected by the Nebraska Department of Water, Energy and Environment (NDWEE) to investigate encroachment and alleged dumping associated with FI&M operations onto the adjoining City property and former railroad ROW. The inspection revealed a large accumulation of over 300 improperly managed steel drums, areas of stained soil, and a wide swath of impacts from historical operations at the Target Property with potential to impact soil, groundwater and surface water quality in the adjoining Little Blue River. As a result of the 2023 NDWEE inspection, FI&M engaged a recycling firm to remove a large amount of salvageable metal and debris from the site including a railcar, shack, trailer, crane, vehicles and drums. The removal allowed better access to ground conditions for completion of additional investigation at the Site. The City connected with NDWEE's Brownfields and Voluntary Cleanup Program staff to initiate Phase I and Phase II Environmental Site Assessment (ESA) services for the site under NDWEE's Section 128(a) Targeted Brownfields Assessment (TBA) program. "Recognized Environmental Conditions" identified by the Phase I ESA for the FI&M Site included the indiscriminate accumulation of drums and debris, the site's proximity to the north-adjacent former Fairbury Gas Company manufactured gas plant, and former railway operations.

¹<https://visitnebraska.com/fairbury/rock-island-railroad-museum>

²Policymap.com

Subsequent Phase II ESA investigations completed under the NDWEE's TBA program identified **widespread metal impacts including arsenic, lead, cadmium, chromium and mercury** exceeding Remediation Goals (RGs) of NDWEE's Voluntary Cleanup Program (VCP). Areas of the site where hundreds of drums had been improperly stored revealed **metal impacts in shallow soils** along with concentrations of **volatile organic compounds (VOCs), polycyclic aromatic hydrocarbons (PAHs) and polychlorinated biphenyls (PCBs) exceeding VCP RGs in shallow and subsurface soils**. From site investigation work performed to date under the NDWEE TBA program, the **extent of soil and groundwater impacts at the Target Property has been largely defined** but is being further characterized for purposes of refining figures for soil excavation and disposal under a US Environmental Protection Agency (EPA) Brownfields Coalition Assessment Grant (Cooperative Agreement no. BF 96723401) administered by the Southeast Nebraska Development District (SENDD). The Target Property is currently vacant (no structures or salvageable metal debris remains) and is primed for cleanup and redevelopment with funding support from an EPA Brownfields Cleanup Grant.

Revitalization of the Target Area: 1.c. Reuse Strategy & Alignment with Revitalization Plans: Cleanup and redevelopment of the Target Property will provide a much-needed expansion and beautification of Mill Dam Park by removing environmental, health and safety risks associated with the former FI&M operations bordering the park, improving attractiveness of the area and encouraging visitors and residents to frequent the Little Blue River via an improved trail system and other planned park amenities. Preliminary concepts for park improvements include a kayak launch, improved trailhead and parking, picnic grounds, native prairie plantings, a "natural" playground, fish cleaning station, and educational and historical signage. Largely in the floodplain and partially situated in the floodway of the Little Blue River³, redevelopment of the Target Property will be permitted at the local level prior to construction. Installation of permanent structures (bathroom, picnic shelter) will be strategically sited, and grading will be completed in a manner that will not result in an increase in water surface elevations in the floodway profile during a flood discharge.

Just a short walk from Downtown Fairbury, the planned reuse of the site aligns with the City of Fairbury's *2021 Downtown Revitalization Plan (DRP)* recommendations to secure and **expand multi-modal trail connections** between the City Park System, Downtown, and the Little Blue River; and to enhance and **preserve the historic character** of the Downtown area, **improving blighted conditions**, and **providing a destination for Downtown visitors and trail users**. Significant public input was secured in the development of the DRP to align its recommendations with the priorities of the community. Contributors to the plan included our SENDD project partners who conducted pre-planning community surveys, and Jefferson County Health and Life (JCHL) as a steering committee member. Preliminary park features and layouts developed by the City's project team for the Target Property were further vetted during an open house held on January 12, 2026, at Fairbury's City Hall, providing the public and other stakeholders with an opportunity to review and comment on the Target Property cleanup plan and preliminary park concepts for the Mill Dam Park expansion. Feedback from this session is included in **Attachment B**, along with required community notification documentation.

1.d. Outcomes & Benefits of Reuse Strategy: Cleanup and redevelopment of the Target Property as park/greenspace will mitigate environmental exposure hazards and significantly improve recreational opportunities and active lifestyle outcomes for the community. Proposed redevelopment will also have cascading economic benefits for the TA by increasing resident and visitor foot traffic via the extension of the riverfront trail system, revitalizing Downtown Fairbury as a destination for trail users (a major goal of the City's DRP). Much of the existing tree stock in the northern portion of the FI&M Site is dead or dying. One sustainable reuse strategy being considered for redevelopment at the Site is utilizing the woody feedstock produced during dead/dying tree removal to produce a [Biochar soil amendment](#) for incorporation into site revegetation efforts with equipment and funding support available through the Nebraska Forest Service (NFS) and/or NDWEE's [ONE RED Emission Reduction Grant Program](#). In addition to Biochar production and use, the Target Property redevelopment project may also pursue ONE RED program incentives for renewable energy and/or energy efficiency and electrification upgrades for non-residential facilities, incentives for micro-solar arrays for critical infrastructure in low-income rural communities, and/or funding for solar projects on unused/contaminated land (brownfields). With or without ONE RED assistance, energy-efficient LED lighting will be installed at the park for restroom, picnic shelter and exterior lighting. As appropriate to the site redevelopment or potentially in consideration of other properties in the TA, the ONE RED grant program is an important resource to consider, given that Fairbury ranks above the 90th percentile for expected population loss, building loss, flood risk and wildfire risk as also evidenced by two disaster declarations made in 2025 due to severe winter and summer storms.⁴ Clearing dead/dying trees and revegetation of the Target Property with appropriate native plantings and ground cover will decrease wildfire risks, reduce stormwater runoff, stabilize site and adjoining shoreline soils, and control soil erosion during extreme rainfall events while improving local flood resiliency.

Strategy for Leveraging Resources 1.e. Resources Needed for Site Characterization: 1.f. Resources Needed for Site Remediation: 1.g. Resources Needed for Site Reuse: Fairbury has long benefited from a wide variety of grant and related assistance programs. Primary resources currently secured or being pursued for purposes of site characterization, remediation

³ <https://www.fema.gov/flood-maps>; or <https://experience.arcgis.com/experience/9bfb7a6de17048aaaf34c2262970335b>.

⁴Policymap.com

and/or reuse are summarized in Table 1. EPA cleanup grant funding in addition to the relevant leveraged resources described in Table 1 will be sufficient to complete the proposed remediation and reuse of the Target Property.

Table 1: Funding Resources to Leverage for Site Characterization, Remediation & Reuse		
Resource: SENDD FY 25 Coalition Assessment Grant	Purpose: 1.e - Characterization Details: \$1,200,000 awarded in August 2025. While the site has largely been assessed under the NDWEE TBA program, funds from this grant are being used to fill in minor data gaps for purposes of waste characterization and disposal, and any other unforeseen conditions to address.	Status: Secured (Attachment A1)
Resource: NDWEE Section 128a TBA Grant Funding	Purpose: 1.e – Characterization & 1.f - Remediation Details: This funding offers additional characterization support and limited remediation funding. While Fairbury has recently utilized this resource for assessment services, additional funding is unsecured but likely available if needed for characterization and in small amounts for remediation (e.g., < \$50 K).	Status: Eligible; Unsecured
Resource: PlantNebraska	Purpose: 1.f – Remediation & 1.g - Reuse Details: Free technical assistance by professional arborists in tree marking for removal associated with site remediation and reuse of the site. <i>PlantNebraska also has three grant programs: free trees for fall planting, landscaping support for public projects, and urban and community forestry grants; the City is positioned to apply for these resources for remediation and reuse activities facilitated by this assistance.</i>	Status: Eligible; Unsecured
Resource: Nebraska Game & Parks Commission RTP	Purpose: 1.g – Reuse Details: On January 23, 2026, the City was notified of award for a \$250,000 Recreational Trails Program (RTP) grant for repair of the Fairbury Railroad Trail Bridge, which connects the Target Property to the City’s trail system and represents a critical piece of funding for park development .	Status: Secured (Attachment A2)
Resource: USDA Natural Resource Conservation Service	Purpose: 1.f – Remediation & 1.g - Reuse Details: Technical assistance related to natural resource restoration in the TA including recommendations for grass/forb seeding and tree and shrub planting.	Status: Eligible; Unsecured
Resource: NDWEE <u>"ONE RED" Emission Reduction Grant</u>	Purpose: 1.f – Remediation & 1.g – Remediation/Reuse Details: Grant funding offering incentives for Biochar production and use, energy efficiency and electrification upgrades for non-residential facilities, incentives for micro-solar arrays in low-income rural communities, and funding for solar projects on unused/contaminated land. This unsecured resource could potentially support aspects of remediation and site reuse.	Status: Eligible; Unsecured
Resource: General Fund (City of Fairbury)	Purpose: 1.g – Reuse Details: The City of Fairbury has committed and secured a total of \$160,000 in general funds in FY 26 & FY 27. These funds are allocated to ‘Parks’ & ‘Trails’ redevelopment at the Target Property to <i>“improve recreational opportunities and active lifestyle outcomes”</i> for the community.	Status: Secured (Attachment A3)
Resource: Keno Fund (City of Fairbury)	Purpose: 1.g – Reuse Details: The City of Fairbury has committed and secured a total of \$24,000 in Keno funding for FY 26 & FY 27. Keno funds are designated for community betterment purposes, including benefitting persons <i>“by relieving or protecting them from disease, suffering, or distress, by contributing to their physical well-being”</i> , which are consistent with project/site reuse goals.	Status: Secured (Attachment A3)
Resource: Hardy Trust (City of Fairbury)	Purpose: 1.g – Reuse Details: The City of Fairbury has committed and secured a total of \$16,000 in FY 26 from the Hardy Trust. The trust was created for the explicit use of <i>“improvement and beautification of the City”</i> , goals that will be realized as part of proposed park redevelopment.	Status: Secured (Attachment A3)

Additional resources from public/private local and national foundations are being pursued to support broader investment in park amenities (reuse) including, but not limited to, the Little Blue Natural Resource District, Black Hills Energy, [Union Pacific Railroad Community Ties Grants](#), Aurora Coop, Exmark, and Fairbury Foods. Fairbury has “done all the right things” in **responsibly acquiring** these blighted properties, **leveraging key state and federal resources** for site assessment and planning work to date, and **committing \$200,000** in City funds to the project, and continues to seek out public/private support in turning this underutilized property into a genuine community asset with economic and non-economic benefits.

1.h. Use of Existing Infrastructure: Apart from minor relocations dependent upon final park layout, **all utilities and roadway infrastructure are already in place** and accessible for the planned park development, making reuse of the site an attractive proposition; therefore, additional infrastructure needs/upgrades are not a key reuse factor. Though floodway and floodplain considerations will dictate specific placement of the public restroom facilities, their proposed placement in the northwest (upland) portion of the site along the access road would be ideal and most cost-effective for complete utility access, including safety lighting for trail and park users. City Public Works staff will also provide support for any minor water/sewer modifications that may be required as an additional leveraged support commitment.

2. COMMUNITY NEED & COMMUNITY ENGAGEMENT:

Community Need 2.a. The Community’s Need for Funding:

As a small community with a population of 3,905 with limited resources, a dwindling tax base and increasingly high poverty

rates, Fairbury is ill-equipped to fund this ambitious cleanup and redevelopment of the Target Property without federal assistance. As illustrated in Table 2, the TA has experienced significant (20%) population loss since 2000 (a continuing trend from the mid-1970’s due to rail sector decline and flight to urban centers), and an attendant rise in poverty rates that presents a stark economic reality in the TA and the City when compared to the State and the US. Per capita income for the TA is **less than half** of the per capita income for the State and US, and the percentage of TA residents whose household income is less than 200% of the federal poverty level is **greater than 95% of households in the State and 92% of households in the US.**⁵ The rate of poverty in the TA is **triple** the State and US rates and has continued to worsen over time, with the **TA poverty rate increasing by 161% since 2000 compared to 0% for the US.** As evident in Table 2, while the rest of the State and Nation grow and prosper, Fairbury is being left behind. Without support from an EPA Brownfields Cleanup grant, our small, under-resourced community will be prevented from transforming the blighted FI&M Site into a valuable community asset offering expanded recreational and healthy lifestyle opportunities with economic benefits for all residents, regardless of their economic status.

2.b. Health or Welfare of Sensitive Populations:

An aging and disabled population with escalating poverty rates represents the primary sensitive populations at risk in the TA. As summarized on Table 3, **over 1/3 of elderly residents and nearly 2/3 of disabled residents in the TA live in poverty**, which is triple the poverty rates for these sensitive populations for the rest of the State and US. **The percentage of residents with a disability in the TA is greater than 99% of State/US communities.** Of the disabled population living in the TA, nearly 20% report having a cognitive difficulty, which is four times the rate of the rest of the State (4.9%). Although causes of cognitive disabilities are due to a multitude of factors, cumulative lead exposure is known to cause severe neurological damage and **99%** of housing in the TA was built before lead paint was banned. Lead is a known constituent of concern at the FI&M Site. The *2022 Community Health Needs Assessment* indicates that 40% of adults living in Jefferson County are obese, and 27% report having a sedentary lifestyle (both higher than State rates). A contributing factor to obesity may be that **only 56% of County residents live close to a park** or recreation facility, compared to 85% for the State and 84% for the US.⁸ These

Table 2. Community Need ⁶	Target Area	Local, State & National		
	South Fairbury	City	State of NE	US
Current Population	1,199	3,905	1.97 M	332 M
Population in 2000	1,497	4,271	1.71 M	281 M
% Change from 2000	-20%	-9%	+15%	+18%
Per Capita Income	\$18,118	\$27,702	\$40,637	\$43,289
Current Poverty Rate	35.1%	15.1%	10.3%	12.44%
Poverty Rate in 2000	13.4%	10.2%	9.71%	12.38%
% Change from 2000	161%	49%	6%	0%

BOLD & RED indicates the Target Area/City has greater levels of distress than the State of Nebraska. Shading indicates Target Area/City has greater levels of distress than the US.

Table 3. Threats to Health & Welfare ⁷	Target Area	Local, State & National			
	South Fairbury	City	County	State of NE	US
% Elderly (65+)	21%	24%	25%	16%	17%
% Elderly in Poverty	36%	19%	13%	9%	10%
% Disabled	32%	25%	21%	12%	13%
% Disabled in Poverty	63%	60%	57%	22%	21%
% Population without Health Insurance	20%	11%	8%	7%	9%
Lead Paint in Homes (pre-1979 construction)	99%	92%	83%	58%	51%

BOLD & RED indicates the Target Area/City/County has greater incidence than the State of Nebraska. Shading indicates Target Area/City/County has greater incidence than the US.

additional health and welfare threats demonstrate that the elderly and disabled in poverty within Fairbury and Jefferson County are further challenged with lack of health care coverage, limited proximity to parks/open space and significantly older housing stock presenting lead based paint risks to sensitive populations. Funding from this grant will enable the City to complete cleanup and redevelopment of the FI&M Site, which will mitigate one source of lead and other contaminant risks to sensitive populations who will be offered greater opportunities to enjoy a newly expanded park space promoting active healthy lifestyles in the TA. Along with this cleanup and redevelopment, the City, supported by project partners Jefferson County Health and Life (JCHL) and Blue Valley Community Action (BVCA) will be engaging sensitive populations in the community to seek out their preferences on planned park amenities, and will continue outreach to

⁵Data from Policymap.com for low income (state) and (national) layers

⁶Data from Policymap.com based on ACS, 2019-2023

⁷Policymap.com

⁸ [Jefferson, Nebraska | County Health Rankings & Roadmaps](#)

encourage active lifestyles leading to better health outcomes.

2.c. Greater Than Normal Incidence of Disease & Adverse Health Conditions:

Diabetes, heart disease and life expectancy. The obesity, nutrition and sedentary lifestyles residents reported in the 2022 *Community Health Needs Assessment* correlate to the greater than normal incidences of diabetes, heart disease and low life expectancy not just in the County, but also to the TA (Table 4). For example, the County was ranked 10th out of 93 counties for rate of heart disease (the leading cause of death in the State), which translates to residents of the TA experiencing **heart disease at a rate greater than 90% of communities in the US.**

Cancer. The National Cancer Institute indicates the age-adjusted incidence rates for melanoma and breast, colon, lung, and prostate cancers in the County are all greater than State and National rates, with an overall **cancer incidence rate 10 to 14% greater** than the State/US.¹⁰ Jefferson County additionally had a **15 to 18% higher rate of cancer deaths** than the State/US in 2022, with 173 cancer deaths per 100,000 people compared to 148 and 144 deaths per 100,000 people, respectively.¹¹

Birth defects. Birth defect rates are not available for the TA. However, a study published by the University of Nebraska Medical Center in 2022 notes that 6% of all babies born in the State had at least one birth defect (double the US rate of 3%).¹² While the cause of birth defects is complicated and multifaceted, environmental conditions play a role; the study found that over 80% of the State’s watersheds have above-average birth defect rates and correlated a higher prevalence of birth defects to higher contaminant concentrations to groundwater.

Lead exposure. In addition to the elderly and disabled, another unique attribute of the TA is that 100% of all children living in poverty in Fairbury (39) reside in the TA. Compounding risk to this sensitive population is that Fairbury is one of only 15 communities in Nebraska with **elevated blood lead levels** in children under 6. According to the 2020 Nebraska Department of Health & Human Services (NDHHS) “Elevated Blood Lead Levels for Children 0-6 Report”¹³ NDHHS “*strongly recommends that all children living in these communities be tested for lead poisoning at 12 and 24 months of age. Children between 25 and 72 months of age need to be tested as soon as possible, if not previously tested.*” In addition to the outreach activities by our partners JCHL and BVCA to seniors and the disabled, there is a need for an increased focus on testing for blood lead levels in children in Fairbury. This cleanup grant will fund redevelopment at the Target Property that will address/reduce threats to the TA community and improve health outcomes by increasing trail access to encourage active, healthy lifestyles to combat heart disease, and cleanup of residual contamination to reduce adverse health conditions and impacts to human health and the environment. Further, while a direct connection has not been verified, water quality in stretches of the Little Blue River that accepts runoff from the Target Property (a popular local fishing spot at Mill Dam Park) have been listed by the NDWEE as impaired for recreation and aquatic life with **fish consumption advisories for mercury, atrazine, aluminum, and lead**, and as a threat to public drinking water for atrazine, arsenic, and aluminum – with arsenic, lead and mercury confirmed in surficial soil at the Target Property.¹⁴

Table 4. Disease/Adverse Health Conditions ⁹	Target Area (South Fairbury)
	Percentile (US)
Diabetes	74
Heart Disease	90
Low Life Expectancy	89
BOLD & RED indicates the Target Area has higher rank of health burden than 75% of all other communities in the US	

2.d. Economically Impoverished/Disproportionately Impacted Populations:

As summarized on Table 5, economic adversity within the community includes business vacancies at nearly triple the State rate and lagging of educational attainment. Over **one out of every four businesses in the TA are vacant**, disproportionately impacting sensitive populations in the TA that has resulted from disinvestment in blighted properties with known/suspected contamination, such as the FI&M Site.

Securing this cleanup grant will assist in stimulating economic activity in the TA through temporary construction jobs, enhanced community image/attractiveness for visitors and potential new residents as well as to encourage Fairbury Public School (FPS) students to pursue higher

Table 5. Adverse Economic Impact ¹⁵	Target Area South Fairbury	Local, State & National		
		City	State of NE	US
% Business Vacancies (Q2/2025)	29%	31%	11%	(not avail.)
% Without H.S. Education	20%	10%	8%	11%
% Bachelor’s degree or Higher	8%	17%	34%	35%
BOLD & RED indicates the Target Area/City has greater levels of distress than the State of Nebraska. Shading indicates Target Area/City has greater levels of distress than the US.				

⁹ Data from Policymap.com based on ACS, 2019-2023 unless otherwise noted

¹⁰ <https://statecancerprofiles.cancer.gov/index.html>

¹¹ <https://seer.cancer.gov/statfacts/html/all.html>

¹² <https://www.upperbigblue.org/new-study-explores-common-water-quality-impairments-linked-negative-birth-outcomes-nebraska>

¹³ <https://dee.nebraska.gov/sites/default/files/publications/42685091.002.pdf>

¹⁴ <https://dee.nebraska.gov/sites/default/files/publications/42685091.002.pdf>

¹⁵ Policymap.com based on ACS, 2019-2023 unless otherwise noted

education in environmental sciences, engineering, public administration or other related fields through direct involvement in this beneficial project in their hometown.

Community Engagement 2.e. Project Involvement: 2.f. Project Roles:

The City’s project partners are summarized in Table 6 and have reviewed/provided input on this application. Through their roles and involvement during cleanup and future reuse, project partners will help achieve project objectives of enhanced recreational/health outcomes, improved economic conditions, educational opportunities and intergenerational collaboration.

Name of Organization	Organizational mission	Point of contact	Specific involvement in the project or assistance provided as a project partner
<p>Southeast Nebraska Development District (SEND D)</p>	<p><i>“SEND D is a voluntary association of counties and municipalities, formed under the Nebraska Interlocal Cooperation Act, with a focus in community, economic, and housing development that identifies common problems, their solutions, and to provide continuing support for efficient and effective government among its members.”</i></p>	<p>James Owens jowens@sendd.org</p>	<p>As the Cooperative Agreement Recipient of Coalition Assessment Grant no. BF 96723401, SEND D will provide support for supplemental site investigation services (ongoing and additional as required) and general support for project planning, including additional community engagement services to finalize plans for the Mill Dam Park expansion.</p>
<p>Blue Valley Community Action (BVCA)</p>	<p><i>“BVCA changes people’s lives, embodies the spirit of hope, improves communities, and makes America a better place to live.”</i></p>	<p>Shari Weber sweber@bvca.net</p>	<p>Represent at-risk communities in planning for cleanup and redevelopment of the Target Property. Provide translation services where needed.</p>
<p>Jefferson Community Health and Life (JCHL)</p>	<p><i>“Inspiring healthy living by providing exceptional health and life services for every person, every time.”</i></p>	<p>Lana Likens Lana.likens@jchealthandlife.org</p>	<p>Provide leadership through the <i>Jeffco on the Move</i> initiatives to encourage healthy lifestyles in Fairbury. Support/provide input to Fairbury’s expanded trail system and park planning.</p>
<p>Plant Nebraska</p>	<p><i>“We plant Nebraska for healthy people, vibrant communities and a resilient environment. We do this through tree planting, garden making, community building, and environmental education and outreach.”</i></p>	<p>Kendall Weyers kweyers2@unl.edu</p>	<p>Consultation for appropriate tree removal and grant support for tree re-planting.</p>
<p>Nebraska Forest Service</p>	<p><i>“To enrich the lives of all Nebraskans by protecting, restoring and utilizing Nebraska’s tree and forest resources.”</i></p>	<p>Kim Slezak kslezak2@unl.edu</p>	<p>Biochar production and reuse related to site clearing and grubbing and use as a soil amendment in site revegetation.</p>
<p>Fairbury Public Schools (FPS)</p>	<p><i>“Empowering future leaders through education.”</i></p>	<p>Devin Embray dembray@fairburyjeffs.org</p>	<p>Student involvement, learning and community engagement in the site cleanup and park planning aspects of the project.</p>

2.g. Incorporating Community Input:

Following community engagement activities associated with Fairbury’s Downtown Revitalization Planning process and preliminary park concepts and cleanup plans, the City will continue outreach to residents and other stakeholders through implementation of the cleanup remedy and final park plans. Together with our project partners BVCA and JCHL, we will provide targeted outreach to stakeholders, including elderly and disabled residents of the TA, in securing their input regarding specialized needs or concerns they may have relative to cleanup and future park amenities. A public visioning session will be held in early Spring of 2026 to further refine preliminary concepts shared during the January 12, 2026, public open house. All communications relating to the project (including meeting notices, project status reports and responses to comments) will be posted on the City’s Website and shared through the City’s Facebook page. Records of stakeholder input will be documented with the City’s response to questions or concerns posted on the City Website. When appropriate and to reach more area residents due to mobility or access concerns, the City will offer outreach sessions through virtual means, ensuring accommodation for stakeholders with disabilities and language barriers. FPS students involved in the project will participate in outreach as well, helping to foster generational engagement around common community betterment goals.

3. TASK DESCRIPTIONS, COST ESTIMATES, & MEASURING PROGRESS:

3.a. Proposed Cleanup Plan:

Contaminated Media to be Addressed: Soil and debris contaminated with hazardous substances (e.g., metals, PAHs, PCBs,

and VOCs) exceeds RGs requiring removal and off-site disposal to prevent exposure to future park visitors and construction workers, as well as to prevent continued leaching to groundwater and migration to the Little Blue River, less than 150 ft. from the southern edge of the Site.

Cleanup Method: Due to a large amount of deadfall and dying trees interspersed throughout the former salvage operation, a significant and critical tree marking and removal task must first be performed to more efficiently remove contaminated soils across some portions of the site. This task will be performed prior to any site excavation work with the resultant woody mass ground for park mulch and/or production of Biochar for a soil amendment for park plantings should the City be able to secure funding support from the NFS and/or NDWEE. As described in the Draft Analysis of Brownfields Cleanup Alternatives (ABCA) included as **Attachment B2**, the proposed remediation of the site will consist of selective removal and off-site disposal of debris and the more highly contaminated soils within the defined limits of soil contamination at the Site, followed by placement of a high visibility demarcation barrier to alert future park construction workers of the presence of impacted soils below the barrier, backfilling with clean imported soil and placing a protective cap of low permeability soil over the excavation areas and/or hard surface (paving/sidewalks related to park development) to prevent exposure to residual soil contaminants and infiltration of rainwater potentially mobilizing contaminants to groundwater. A protective environmental covenant/deed restriction will be filed for the Site requiring long term maintenance of the soil cap and hard surface coverings, a prohibition on installation of drinking water wells and development of a Material Management Plan (MMP) to guide future park operations and maintenance activities that could penetrate the cap. A significant amount of coordination will be required with the U.S. Army Corps of Engineers in finalizing site excavation and fill activities to ensure levee protection and compliance with floodplain and floodway requirements.

Disposal Requirements: Soil and debris can largely be managed as non-hazardous “Special Waste” but some of the soils exhibiting high levels of metals will be tested to ensure such wastes do not exceed the Toxicity Characteristic Leaching Procedure (TCLP) requiring management as Hazardous Waste in accordance with Nebraska Title 128. Several “hot spots” of PCB – impacted soils will also be further characterized to ensure proper disposal in accordance with 40 CFR 761.

Description of Tasks/Activities & Outputs: 3.b. Project Implementation, 3.c. Anticipated Project Schedule, 3.d. Task/Activity Lead, 3.e. Outputs: Proposed project tasks, schedule, leads, and outputs are listed in Table 7 below.

Table 7. Summary of Tasks, Schedule, Lead, and Outputs
Task 1: Program Management
b. Project Implementation: Competitively procure and manage final contracts for a Qualified Environmental Professional (QEP) & Remedial Construction Contractor (RCC); prepare quarterly, annual & closeout reports; update Assessment, Cleanup and Redevelopment Exchange System (ACRES) database.
c. Anticipated Project Schedule: QEP selection by Q1/FY27 & procure RCC following Federal Acquisition Regulations by Q2/ FY28; quarterly progress reports will be submitted by Jan. 30 th , Apr. 30 th , Jul. 30 th and Oct 30 th of each year, with the first one due on Jan. 30, 2027. ACRES database to be maintained as required over the full duration of project. Annual financial reports are due Oct. 30th of each year. Grant closeout anticipated Q2/FY29 (no later than Mar. 31, 2029).
d. Task/Activity Lead(s): City Project Director with assistance from QEP.
e. Output(s): Administrative records; QEP & RCC procurement documentation; ACRES updates; (10) quarterly reports; up to (3) annual financial reports; (1) grant closeout report (# of outputs assumes schedule holds).
Task 2: Community Outreach
b. Project Implementation: Prepare/implement a project-specific Community Engagement Plan (CEP); attend National Brownfield Conference; host public progress meetings & address stakeholder questions/concerns; conduct site tour.
c. Anticipated Project Schedule: Project-specific CEP (Q2/FY27). Attend National Brownfield Conference in Salt Lake City, Utah in May 2027. Public progress meetings to coincide with milestones including 1) grant kickoff (Q1/FY27), 2) NDWEE approval of Remedial Action Plan (RAP; <i>prepared in Task 3</i>) (Q4/FY27), 3) RCC selection & Notice to Proceed (Q2/FY28), and 4) project completion (Q2/FY29). Public site tour showcasing project completion (Q2/FY29).
d. Task/Activity Lead(s): Project Director with assistance from QEP.
e. Output(s): (1) Project-specific CEP; (4) sets of meeting deliverables, meeting minutes & presentation materials.
Task 3: Cleanup Oversight
b. Project Implementation: Submit VCP application & execute NDWEE Memorandum of Agreement (MOA); finalize ABCA; prepare RAP & Quality Assurance Project Plan (QAPP); prepare NDWEE & US Army Corps of Engineers (USACE) permit applications (NPDES, Section 408 levee encroachment and floodplain) & Storm Water Pollution Prevention Plan (SWPPP); prepare waste profiles, bid specifications & construction planning documents (e.g., tree survey & removal plan, topographic/boundary survey, grading plan); oversee cleanup activities & Davis-Bacon Act (DBA) compliance; prepare material management plan (MMP) & file restrictive covenant with Jefferson County for final site reuse; prepare final remedial action completion report (RACR).

c. Anticipated Project Schedule: Submit/execute VCP application & MOA, finalize ABCA, prepare RAP & QAPP (Q4/FY27); prepare NDWEE/USACE permit applications & SWPPP, waste profiles, bid specifications & construction planning documents (includes tree survey/removal plan, topographic survey, hydrologic modeling and grading plans) (no later than Q1/FY28); construction oversight & DBA compliance (Q2/FY28 – Q4/FY28); prepare MMP, covenant filing & RACR (no later than Q2 FY29).

d. Task/Activity Lead(s): City Project Manager & QEP, with input from NDWEE & EPA Project Officer

e. Output(s): (1 each) VCP application/MOU, final ABCA, RAP, QAPP, USACE/NDWEE Permits, SWPPP, waste profiles, bid specifications, construction observation reports, DBA compliance summary, MMP, covenant filing & RACR.

Task 4: Cleanup (RCC Only)

b. Project Implementation: Implement cleanup plan once approved, as described in Section 3.a.

c. Anticipated Project Schedule: Q2/FY28 – Q4/FY28 (270 days) (RCC procurement/NTP Q2-Q3/FY28 done in Task 1)

d. Task/Activity Lead(s): City Project Manager, RCC Project Manager & QEP.

e. Output(s): Daily construction logs, landfill tickets; completed punch list, remediated site ready for park development.

3.f. Cost Estimates: Personnel (\$45/hr) and fringe (\$15/hr) are an average of City staff rates. Contractual and construction estimates are **based on preliminary quotes, published rates and knowledge of competitive local pricing** in Table 8 below.

Table 8. Budget Cost Basis and Assumptions

Task 1: Program Management: Total Budget = \$19,840

Personnel/Fringe: Costs of **\$8,640** estimated for 144 hr of work @ \$60/hr by City Project Director & staff for: procuring/managing QEP (40 hr) & RCC (40 hr); ACRES updates & prepare (10) quarterly progress reports (4 hr each), up to (3) annual financial reports (4 hr each), (1) project closeout report (12 hr).

Contractual: Costs of **\$11,200** estimated for 64 hr of work @ \$175/hr by QEP for: assistance in preparation of quarterly progress reports, annual financial report, project closeout report & ACRES updates.

Task 2: Community Outreach: Total Budget = \$21,890

Personnel/Fringe: Costs of **\$2,640** are estimated for 44 hr of work @ \$60/hr by City Project Director & staff to: review/approval of CEP (4 hr); prepare/host (4) community meetings (8 hr each); and conduct final site tour (8 hr).

Travel: Costs of **\$4,350** for (3) City staff to attend a three-day EPA National Brownfields Conference (flights @ \$500/person, 3 nights of lodging @ \$200/night/person, per diem @ \$100/day/person & ground transportation @ \$50/day).

Contractual: Costs of **\$14,000** estimated for 80 hr of work @ \$175/hr by QEP to: prepare CEP (32 hr); provide support for (4) milestone community meetings (10 hr each including travel); and attend site tour (8 hr including travel).

Other: Costs of **\$900** estimated for (3) City staff to register to attend the National Brownfield Conference (@ \$300/person).

Task 3: Cleanup Oversight: Total Budget = \$251,620

Personnel/Fringe: Costs of **\$17,520** are estimated for 292 hr of work @\$60/hr by City Project Manager & staff to: execute MOA (16 hr); review, approve & process critical reports, permit applications and plans/specifications prepared by QEP itemized below under “Contractual” costs (156 hr); and field support for remedial action construction oversight (120 hr).

Contractual: Costs of **\$229,100** are estimated for 1,252 hr of work @\$175/hr by QEP to: finalize ABCA (32 hr); prepare RAP (60 hr); prepare QAPP (40 hr); bid specifications/procurement support (80 hr) construction planning documents (540 hr); USACE & NDWEE permitting (160 hr); SWPPP (40 hr); remedial construction oversight & DBA documentation (160 hr); environmental covenant (40 hr); prepare MMP (40 hr); prepare RACR (60 hr); & confirmation lab fees (\$10,000).

Other: Costs of **\$5,000** (lump sum) are estimated for the NDWEE VCP application and program oversight.

Task 4: Cleanup: Total Budget = \$1,706,650

Construction Costs: Costs are based on preliminary quotes, published rates and knowledge of competitive local pricing and consist of: mobilization (**\$40,000**); traffic control (**\$2,000**); construction staking (**\$15,000**); construction entrance and fencing (**\$5,000**); tree removal/grinding for mulch and/or Biochar production (**\$95,000**); silt fence (625 ft @\$2.50/ft); erosion control blanket (95,000 SF @\$0.25/SF); load/haul/removal of nonhazardous debris piles (750 CY @ \$95/CY); contaminated soil excavation, loading, hauling and disposal as non-hazardous special waste (3,000 CY @ \$110/CY); contaminated soil excavation, loading, hauling and disposal as hazardous/PCB waste (200 CY @ \$550/CY); high visibility soil barrier post-excavation/prior to placement of clean fill (4,000 SY @ \$6.00/SY); clean fill soil cap placement (6,000 CY @\$35/CY); soil excavation and reuse on site as deep fill (1,800 CY @ \$20/CY); top soil placement (950 CY @\$45/CY); hydroseeding with native turf grass (10,500 SY @\$4.00/SY); 6” concrete pavement with 8” aggregate base (3,250 SY @ \$90/SY); 4” concrete sidewalk with 6” aggregate base (12,500 SF @ \$8.00/SF); concrete curb and gutter (1,700 ft @ \$65/ft); plus 10% construction contingency (**\$155,150**). *Note rounding up accounted for \$187.50 of the total.*

Budget Categories		Task 1	Task 2	Task 3	Task 4	Admin.	Total
		Program Management	Community Outreach	Cleanup Oversight	Cleanup		
Direct Cots	Personnel	\$6,480	\$1,980	\$13,140			\$21,600
	Fringe Benefits	\$2,160	\$660	\$4,380			\$7,200
	Travel		\$4,350				\$4,350
	Equipment						
	Supplies						
	Contractual	\$11,200	\$14,000	\$229,100			\$254,300
	Construction				\$1,706,650		\$1,706,650
	Other		\$900	\$5,000			\$5,900
TOTAL BUDGET		\$19,840	\$21,890	\$251,620	\$1,706,650	\$0	\$2,000,000

3.g. Plan to Measure and Evaluate Environmental Progress and Results: Progress in completing the anticipated *outputs* will be tracked and reported to EPA and project stakeholders through completion regular updates to ACRES and via quarterly reports, as well as on the City’s website. The City will track, evaluate and document progress on deliverables listed in Section 3.e. (Table 7) on a quarterly basis. Of equal importance, tangible *outcomes* will additionally be tracked (e.g., number of participants) related to community engagement in Mill Dam Park visioning sessions, FPS student participation and education in Target Property restoration practices, connecting seniors and the disabled in active lifestyle health offerings by project partner JCHL, and monitoring blood lead levels in children for the TA. Other critical longer-term outcomes and metrics this project hopes to improve upon after site restoration and park expansion include 1) increased park attendance by visitors, trail usage, and foot traffic between Downtown Fairbury and the Little Blue River, 2) water quality improvement of the impaired waters of the Little Blue River, and 3) job creation and increased tax revenues in the TA. These longer-term outcomes will also be tracked by the City and reported in future conferences, bulletins, and/or the City website. If the timelines for advancing one or more phases of work at the Target Property become unaligned with the EPA grant project period, the City will work with its EPA project officer to adjust the approach to maintain progress on achieving the project outcomes.

4. PROGRAMMATIC CAPABILITY & PAST PERFORMANCE: Programmatic Capability

4.a. Organizational Structure: 4.b. Description of Key Staff: Despite Fairbury’s small population (3,905) and limited staff, the City has the organizational structure and capacity to effectively administer this cleanup grant. The City has secured and successfully administered a wide variety of state and federal grant and loan programs over the last decade and has been able to do so through in a timely and effective manner through the commitment and dedication of staff and a supportive community. Fairbury has a long history of working on environmental and health related issues, including offering trained asbestos inspectors to the public, actively working to abate unsafe and condemned structures, code enforcement over illegal dumps sites, opening green space for flood mitigation, and replacement of lead water lines. A QEP will be procured in accordance with Federal Acquisition Regulations that will add critical technical capacity in the finalization and oversight of cleanup plans and specifications required under the grant. Grant oversight, governance, and decision making will be led by the City with the collective input and support of our project partners as a function of their roles. A description of our project team and relevant grant experience follows:

Project Director, Laura Bedlan, Fairbury Development Services Director: Laura will serve as the overall Project Director accountable for project success. Laura began working for the City of Fairbury in August of 2008 as the City Street Superintendent, quickly expanding duties across public works and utility infrastructure development. Laura has managed dozens of grants and projects ranging from \$10K to over \$2M including infrastructure improvements, redevelopment and environmental improvements with regulatory engagement across the state and federal spectrum. Laura’s knowledge and experience, along with her community, business and governmental connections, are optimal attributes in gaining community and regulatory acceptance, securing leveraged funding and volunteers, and seeing the FI&M Site remediation and Mill Dam Park expansion projects through to success.

Project Manager, Dan Lufkin, Fairbury Code Enforcement: Dan will serve as the project manager for the Target Property cleanup project, including participation in the competitive selection of and oversight/coordination with the QEP and remedial contractor. Dan has served the City of Fairbury since April 2019 and has extensive experience in code enforcement and project management. Dan is a certified Asbestos Inspector and Asbestos Management Planner and oversaw the inspection, sampling and asbestos abatement of the former office structure at the FI&M Site in 2023. His work includes enforcing local municipal and zoning codes and coordinating closely with state and local agencies, including NWDEE,

NDHHS, public works, utility staff, private contractors and residents/businesses to successfully manage abatement and other environmental projects ranging from \$6,000 to over \$1M. Known for his strong problem-solving abilities, project management expertise, and excellent people skills, Dan will be responsible for day-to-day project coordination.

Project Fiscal Officer, Erin Reimer, Fairbury City Clerk: Erin has served as the treasurer for the City of Fairbury since 2019, a role in which she oversees all municipal funds and ensures the city's financial stability and transparency. In this vital position, Erin is responsible for managing revenue streams, including taxes, licenses, permits and grant proceeds, and coordinating annual audit processes with external accountants. Erin works closely with the Mayor, City Council and state/federal regulatory agencies to develop the annual budget, monitor expenditures, and provide regular, detailed financial reports to ensure sound fiscal decision-making. Erin's role in this project will be to monitor financial success/compliance, including processing QEP invoices and ensuring timely *ASAP.gov* drawdowns.

4.c. Acquiring Additional Resources: Fairbury routinely contracts for engineering, consulting and construction services and has the management and procurement procedures in place to secure services through a competitive qualification and/or bidding process adhering to 2 CFR 200 and 2 CFR Part 1500. Fairbury will utilize these procedures to procure a QEP firm to assist with grant implementation and construction oversight tasks as well as a suitable remedial contractor to execute the cleanup project. Fairbury's management team is also continuously tracking additional opportunities to pursue leveraged funding resources supporting outcomes envisioned through this project.

Past Performance & Accomplishments 4.e. Has Not Received an EPA Brownfields Grant but Has Received Other Federal or Non-Federal Assistance Agreements: 4.e.(1) Purpose & Accomplishments: 4.e.(2) Compliance with Grant Requirements:

(1) Purpose and Accomplishments: In September 2023, Fairbury received a \$300,000 grant (no. 24-11-118) awarded by the Nebraska Department of Economic Development (NDED) through the Travel, Tourism, and Outdoor Recreation Program (TTOR) through the American Rescue Plan Act (ARPA) for construction of the City Park Middle Loop Trail project consisting of 800 feet of trail improvements, enabling Fairbury citizens to better utilize the City Park and create a safe recreational walking area. The need for the project was identified by "Jefferson County on the Move", a group led by our project partner JCHL and formed during the *Fairbury Recreation Facilities Master Plan* to be a voice of advocacy for recreational and quality of life enhancements in Jefferson County. ***(2) Compliance with Grant Requirements:*** A critical prerequisite of the Mill Dam Park and trail connections to the Little Blue River envisioned by this Brownfields Cleanup Grant application, the project was completed and will be closed out in January 2026 expending 100% of the grant funds plus an additional \$140K in City match and leveraged funding with no compliance issues relative to the project work plan, schedule, terms and conditions, or reporting.

(1) Purpose and Accomplishments: In June 2023, Fairbury received \$500,000 in grant funding (no. 23-03-306) awarded by NDED through both the Community Development Block Grant (CDBG) and Hazard Mitigation Grant Program (HMGP) for buyout of (7) residential and/or vacant lots in the Little Blue River Floodplain. The buyouts were critical to protection of the levee and flood prone areas in addition to cleaning up properties adjacent to the trail extensions planned for connection with the Target Property, another critical prerequisite to this cleanup grant application. ***(2) Compliance with Grant Requirements:*** Completed in mid-2025, 100% of grant funds were expended with no compliance issues relative to the project work plan, schedule, terms and conditions, or reporting.

(1) Purpose and Accomplishments: In May 2023, Fairbury received a \$750,000 grant (no. 23-11-294) awarded by NDED through ARPA for construction of a business incubator facility across from City Hall at 611 D St. The purpose of the facility was to encourage entrepreneurs to start businesses in the TA. The facility includes office space rented out by entrepreneurs as well as a multi-use community room that can be utilized for business meetings and other community-wide events, such as leadership development or City council meetings. Subgrants were allocated to 11 new or local businesses through a Business Incentive Grant Program that assisted with marketing, job training, lease/mortgage payments, utility payments on the space they are renting, and computer software. ***(2) Compliance with Grant Requirements:*** This grant is substantially complete with \$724,000 of the funds expended (96.5%) and no compliance issues relative to the project work plan, schedule, terms and conditions, or reporting.

Along with the above listed grants, the City (and members of the team dedicated to managing this project) has executed a wide variety of wastewater and drinking water infrastructure upgrade projects as well as substantial engagement with NDWEE in utilization of their Section 128(a) TBA program focused on turning the Target Property into a true community asset and gaining insights and experience with the EPA Brownfields program.

Attachment B - Threshold Criteria for Fairbury Iron and Metal Site Cleanup Grant Application

1. APPLICANT ELIGIBILITY:

- a. The City of Fairbury, Nebraska is a “general purpose unit of local government” as that term is defined in 2 CFR 200.64 and is therefore eligible to receive EPA Brownfields Cleanup Grant funding.
- b. The City of Fairbury is not a 501(c)(4) organization, and it does not receive federal tax-exempt status under 501(c)(4) of the Internal Revenue Code. Its tax exemptions arise from its status as a municipal government and relevant statutes, not as a 501(c)(4) social welfare organization.

2. PREVIOUSLY AWARDED CLEANUP GRANTS:

The City of Fairbury affirms that the proposed site has not received funding from a previously awarded EPA Brownfields Cleanup Grant.

3. Expenditure of Existing Multipurpose Grant Funds:

The City of Fairbury affirms that it does not have an open EPA Brownfields Multipurpose Grant.

4. SITE OWNERSHIP:

The City of Fairbury is the current owner of the site which is a combined contiguous parcel including the former Fairbury Iron and Metal (FI&M) property, former Chicago, Rock Island & Pacific Railway (Rock Island), right of way parcel bisecting the FI&M parcel and City of Fairbury owned land upon which FI&M operations had encroached upon (now collectively referred to as the FI&M Site). The City of Fairbury acquired the FI&M parcel on December 30, 2025, and the former Rock Island right of way parcel (owned by Joseph Kneib) on January 21, 2026.

The City of Fairbury intends to retain ownership of the site in perpetuity as public open space and thus, if awarded an FY 26 Cleanup Grant, the City of Fairbury will retain ownership of the Site for the duration of the time in which Brownfield cleanup grant funds are disbursed. It should be noted that both the FI&M parcel and the former Rock Island have previously been determined by USEPA Region 7 to be eligible properties for purposes of assessment and planning activities conducted under the Southeast Nebraska Development District’s Coalition Assessment Grant Cooperative Agreement BF-96723401, of which Fairbury is a non-lead Coalition member.

5. BASIC SITE INFORMATION:

- a) Fairbury Iron and Metal Site
- b) 200 C Street, Fairbury, Nebraska 68352

6. STATUS AND HISTORY OF CONTAMINATION AT THE SITE:

- a) The site is contaminated with hazardous substances including metals, polynuclear aromatic hydrocarbons (PAH), volatile organic compounds (VOCs) and polychlorinated biphenyls (PCBs)

Attachment B - Threshold Criteria for Fairbury Iron and Metal Site Cleanup Grant Application

b) The site history consists of railroad operations for over 120 years and metal salvage operations for over 70 years. The site is currently vacant/unoccupied pending additional cleanup and redevelopment as a public park.

c) Phase II ESA investigations have identified widespread metal impacts including arsenic, lead, cadmium, chromium and mercury exceeding Remediation Goals (RGs) of the Nebraska Department of Water, Energy and Environment (NDWEE's) Voluntary Cleanup Program (VCP). Areas of the site where hundreds of drums had been improperly stored revealed metal impacts in shallow soils along with concentrations of volatile organic compounds (VOCs), polynuclear aromatic hydrocarbons (PAHs) and polychlorinated biphenyls (PCBs) exceeding VCP RGs in shallow and subsurface soils.

d) The site is presumed to have become contaminated from releases to the soil from railroad and scrap metal operations including mismanagement of drummed material handled at the former scrap metal operations. Soil contamination is largely limited to the upper three feet of the site with a few notable deeper impacts. Groundwater is largely not impacted along the perimeter of the site, though ongoing supplemental investigations will verify the nature and extent of groundwater impacts on site.

7. BROWNFIELDS SITE DEFINITION:

The 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 c) not subject to the jurisdiction, custody, or control of the U.S. government.

8. ENVIRONMENTAL ASSESSMENT REQUIRED FOR CLEANUP GRANT APPLICATIONS:

One Phase II Environmental Site Assessment (ESA) has been completed at the site in general accordance with ASTM E1903-19 and a second is nearing completion based on field investigations completed in November of 2026. The first Phase II ESA prepared by EA Engineering, Science, and Technology, Inc. PBC (EA) was issued in March of 2025 under the NDWEE Targeted Brownfields Assessment (TBA) Program that revealed exceedances of RGs for metals and PAHs in shallow soils. Subsequent investigation conducted in November of 2025 by EA has revealed broader impacts across the site including exceedances of VCP RGs and/or RBCA guidelines for metals, PAHs, VOCs, PCBs and Waste Oil in shallow soils and deeper soils at multiple locations and step-out sampling points from initial sampling reported in March of 2025. While preliminary data has been shared by EA for purposes of this application, the supplemental Phase II report has not been issued as of the date of this application.

9. Site Characterization:

The City of Fairbury intends to enroll the FI&M site in the NDWEE's VCP. A letter affirming the City's intent and the NDWEE's acknowledgement of this intent is included as Attachment B-1. Additional assessment being conducted under an EPA Brownfields Coalition Assessment Grant led by the Southeast Nebraska Development District (SENDD) under Cooperative Agreement BF-

Attachment B - Threshold Criteria for Fairbury Iron and Metal Site Cleanup Grant Application

96723401 will ensure the site will be adequately characterized by June 15, 2026, for remediation work to begin.

10. ENFORCEMENT OR OTHER ACTIONS:

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:

The Site does not require a property-specific determination.

12. THRESHOLD CRITERIA RELATED TO CERCLA/PETROLEUM LIABILITY:

Former Fairbury Iron and Metal (FI&M) Site Acquisition

iii. Landowner protections from CERCLA Liability. A Phase I ESA was completed by EA (October 2025) on the FI&M Site per the All-Appropriate Inquiries rule detailed in 40 CFR §312.21 utilizing ASTM E1527-2021) on behalf of the current owner (The City of Fairbury). The current owner acquired the Site on December 30, 2025, for the purpose of blight elimination, cleanup and redevelopment as a park. Since taking ownership, the City of Fairbury has maintained compliance with the required continuing obligations and no records have been identified indicating the City of Fairbury is considered potentially liable or known to be affiliated with any other person that is potentially liable for contamination at the Site.

(1) Bona Fide Prospective Purchaser Liability Protection

a. Information on Property Acquisition

- i. The City of Fairbury acquired the property through a negotiated purchase and Warranty Deed with the previous owner (Steven Beetley, President of Fairbury Iron and Metal) on December 30, 2025, for the purpose of blight elimination.
- ii. The City of Fairbury acquired the property on December 30, 2025.
- iii. The nature of ownership is fee simple.
- iv. The City of Fairbury acquired the property from Steven Beetley, President of Fairbury Iron and Metal.
- v. No records have been identified indicating the City of Fairbury was affiliated with or related to prior owners or operators through familial, contractual, corporate, or financial relationships.

b. Pre-Purchase Inquiry

- i. A *Phase I ESA* was completed by EA (October 2025) per the All-Appropriate Inquiries rule detailed in 40 CFR §312.21 utilizing ASTM E1527-13 on behalf of the current owner (The City of Fairbury) on October 3, 2025. The current owner acquired the property on December 30, 2025 for the purpose of blight elimination.

Attachment B - Threshold Criteria for Fairbury Iron and Metal Site Cleanup Grant Application

ii. The Phase I ESA was completed by registered Professional Engineers, Professional Geologists, and environmental professionals (collectively 'qualified environmental professionals') as those terms are defined and required per § 312.10 of 40 CFR 312.

iii. The Phase I ESA was completed on October 3, 2025, and ownership transfer occurred on December 30, 2025. Therefore, the EA (2025) Phase I ESA is considered valid for the purpose of establishing CERCLA liability defense.

c. Timing and/or Contribution Toward Hazardous Substances Disposal. Timing and/or Contribution Toward Hazardous Substances Disposal. Disposal of all hazardous substances at the site occurred before the property was acquired by the City of Fairbury. The current owner has not caused or contributed to any release of hazardous substances at the site. Further, the current owner has not, at any time, arranged for the disposal of hazardous substances at the site or transported hazardous substances to the site.

d. Post-Acquisition Uses. Following acquisition, the City of Fairbury has continued to patrol the property to ensure no unauthorized entry.

e. Continuing Obligations. The following provides a summary of activities conducted after acquisition related to continuing obligations.

i. Stop continuing releases – no confirmed continuing releases have been observed. Additional site investigation will be performed to further delineate the nature and extent of contamination at the site. Therefore, the City of Fairbury has taken all reasonable steps to identify and stop continuing releases.

ii. Prevent threatened future release. As noted above, all potential sources of releases appear to have been removed by the previous owner prior to acquisition of the Site by the grant applicant. As such, no sources of threatened future release are known to exist on the Site. The Site is secure and City police and building inspection staff drive by the Site during regular patrols to prevent illicit dumping. Therefore, the City of Fairbury has taken all reasonable steps to identify and prevent a threatened future release.

iii. Prevent or limit exposure to previously released hazardous substances. Like ii. above, the City of Fairbury has taken all reasonable steps to limit exposure to previously released hazardous substances.

The City of Fairbury will continue to:

(i) comply with all land-use restrictions and institutional controls;

(ii) assist and cooperate with those performing the assessment and provide access to the property;

Attachment B - Threshold Criteria for Fairbury Iron and Metal Site Cleanup Grant Application

(iii) comply with all information requests and administrative subpoenas that have or may be issued in connection with the property; and (iv) provide all legally required notices.

Former Rock Island Right of Way Parcel

Due to the proximity of the Rock Island Right of Way to the FI&M site, all the above criteria and statements equally apply to the Rock Island Right of Way parcel with the following exceptions:

Date of Phase I ESA meeting All-Appropriate Inquiry Requirements (ASTM E1527-2021): January 8, 2026 (Stantec)

Date of Acquisition: January 21, 2026, negotiated purchase and quit claim deed with prior owner Joseph A. Kneib of Colorado Springs, CO.

13. CLEANUP AUTHORITY AND OVERSIGHT STRUCTURE:

a) The FI&M Site will be enrolled in the NDWEE VCP to ensure adequate oversight and regulatory control over site cleanup operations. All Phase II ESA work performed at the site to date has been conducted under the NDWEE's Targeted Brownfield Assessment (TBA) program but will be completed under the EPA Brownfield Coalition Assessment Grant administered by SENDD in cooperation with NDWEE. Entering the VCP will require preparation of a Memorandum of Agreement and payment of oversight fees. Concurrent with the administrative requirements of VCP participation the City of Fairbury and SENDD will coordinate with NDWEE to ensure ongoing assessment meets pre-remedial assessment requirement for participation in the VCP. If the grant is funded, the City of Fairbury will retain the services of a Qualified Environmental Professional (QEP) per the requirements of 2 CFR 200.317 through 200.327 to ensure the technical expertise is in place prior to beginning cleanup activities

b. Properties adjoining the FI&M site are owned/controlled by the City of Fairbury, so no access concerns related to additional assessment or off-site response actions are anticipated for the cleanup project.

14. COMMUNITY NOTIFICATION:

a. A draft Analysis of Brownfields Cleanup Alternatives (ABCA) was prepared and made available to the public prior to the January 12, 2026, Open House held to discuss the ABCA and Draft EPA Brownfields Cleanup Grant Application. The original Draft ABCA ***was modified based on public feedback at the Open House and other written submittals regarding safe development of the site as a park and floodplain considerations*** and is included as Attachment B-2.

b. A community notification ad published in the January 7, 2016, Fairbury Journal News alerting the public to the Open House and availability of the draft ABCA and Grant Application is provided as Attachment B-3.

Attachment B - Threshold Criteria for Fairbury Iron and Metal Site Cleanup Grant Application

c. A summary of the public meeting (Open House), comments received and the City of Fairbury's response to comments is provided as Attachment B-4. Posting to the City's website of the City's response to comments is provided in Attachment B-5 along with a posting of the meeting notes (Attachment B-6), and Open House Sign-in Sheet (Attachment B-7).

15. Contractors and Subrecipients:

Not Applicable. A contractor (or QEP) has not been selected for support of this grant if awarded. QEP support will be solicited upon notification of award and approval of the Cooperative Agreement Work Plan in accordance with 2 CFR Part 200, 2 CFR Part 1500 and 40 CFR Part 33.

NEBRASKA

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Jim Pillen, Governor

JAN 15 2026

Ms. Susan Klein
Regional Brownfields Coordinator
Environmental Protection Agency Region 7
11201 Renner Blvd.
Lenexa, KS 75270-2162

Dear Ms. Klein:

The Nebraska Department of Water, Energy, and Environment (DWEE) acknowledges that the City of Fairbury plans to conduct the cleanup of brownfield sites and is applying for an FY26 104(k) EPA Brownfields Cleanup Grant.

The City of Fairbury has developed an application requesting site-specific federal Brownfields Cleanup funding for the Fairbury Iron and Metal property located at 200 C Street, Fairbury, Nebraska. DWEE affirms that:

- i. The property is eligible to be enrolled in the Nebraska Voluntary Cleanup Program (VCP);
- ii. The property is currently not enrolled, but the City of Fairbury intends to enroll the property in the VCP.
- iii. Additional assessment is needed to sufficiently characterize the property for remediation work to begin. The DWEE Section 128(a) Brownfields Program has completed a Phase II Environmental Site Assessment (ESA) and a supplemental Phase II ESA at the property that have been able to roughly quantify the amount of soil that would conservatively need to be removed to meet remediation goals. Southeast Nebraska Development District (SENDD) is currently planning an additional supplemental Phase II ESA that will provide a more accurate estimate. The Environmental Professional working with SENDD informed DWEE that this supplemental Phase II ESA will provide a sufficient level of site characterization for the remediation work to begin and will be performed by June 15, 2026.

For any questions regarding this letter, please contact the DWEE Brownfields Coordinator, Taryn Horn, at 402-471-6411.

Sincerely,

A handwritten signature in blue ink that reads "Jesse Bradley".

Jesse Bradley, P.G.
Director