

US EPA ARCHIVE DOCUMENT

October 2007

Atlantic Steel

Facility: Formerly Atlantic Steel Company, currently Atlantic Station

Location: Atlanta, Georgia

Status: The facility was regulated under a RCRA post-closure permit for the Former Furnace Dust (hazardous waste) handling unit. The facility permit was closed due to the completion of all permit conditions consistent with RCRA corrective action requirements under a Remediation Workplan as administered by the State of Georgia Environmental Protection Division (GAEPD). The property is now covered by a conservation easement with the property owner.

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Project Description

The former Atlantic Steel Mill is a 138-acre property located near Atlanta's central business district and closed in December 1998. In 1997, Jacoby Development, Inc. purchased the property with the intent of developing Atlantic Station, a mixed-use complex with commercial, residential, and recreational space designed with smart growth principles in mind. Atlantic Station became an EPA "Project XL" project. Project XL allowed the EPA, GAEPD and the City of Atlanta flexibility to sort through a host of Clean Air environmental requirements to meet the transportation control measures (TCM) as required in the Final Project XL Agreement. The GAEPD pursuant to the authority of Georgia's Hazardous Waste Management Program required a residential risk based cleanup standard based on the EPA Region 3 risk based concentration table for facility cleanup. Representatives of the state met with the developer, the seller, consultants and attorneys representing the parties as often as necessary to make real-time decisions to keep the cleanup going. The parties agreed to voluntarily enter into a conservation easement, which serves as a basis to guarantee institutional and engineering controls are in place.

Cleanup and Redevelopment

The former Atlantic Steel Mill operated for approximately 100 years. The property had soil and groundwater contamination. The soil and groundwater contamination were addressed under a RCRA Remediation Workplan. Prior to acquisition by the Jacoby Development Group, the permit was revised and re-issued as necessary to comply with state and federal requirements. The RCRA permit was the instrument the seller used to develop and implement a Remediation Workplan. The Atlantic, L.L.C (ALLC) Remediation Plan was approved by GAEPD, December 10, 1999. All work in the ALLC Remediation Plan was monitored by the GAEPD. GAEPD approved the ALLC Remediation

Plan Certification Report December 7, 2001. As provided in the ALLC Remediation Report, the regulated unit was clean closed, potentially impacted areas were remediated, the groundwater interceptor system was installed, the engineered barriers were completed and the conservation easement was executed. Once implementation of the remediation plan and the permit conditions were achieved, the State issued a No Further Action letter (NFA). The conditions of the permit were met in December, 2001.

The remediation plan called for the recycling of building materials and the removal of approximately 180,000 square yards of contaminated soil. Eighty-five percent of the soil was non-hazardous and fifteen percent of the soil was hazardous and disposed at approved landfills. A groundwater extraction system was installed to prevent water contaminated with vinyl chloride at .55 mg/l from migrating off the property. The groundwater is collected and tested prior to discharge at two places at the downgradient edge of the property into the municipal sewer system. Semi-annual groundwater reports are submitted to the City of Atlanta. As part of the cleanup, approximately 150,000 cubic yards of construction debris, primarily concrete from the steel mill's support structures and foundations, were recycled.

The developer indicated that he might be interested in acquiring additional properties to become part of the final Atlantic Station plan. To accommodate this possibility and address any issues related to the waste left in place, a conservation easement was created that incorporated the approved corrective action plan into its conditions. The conservation easement is attached to the title to the property. In 2007, the property was sold to AIG Global Real Estate Investment Corporation, with the new owners having to abide by all the conditions of the conservation easement. Any current or new owner of a parcel that breaches the final design or any other part of the approved remediation of the site must restore that parcel to the pre-breach conditions and must have the work certified by a professional engineer or geologist.

The New Use

Atlantic Station is successful and it continues to base its growth and decision making on smart growth and sustainability principles. It also has a significant commitment to the green lights program. It is exploring additional ways to reduce fuel consumption, transportation costs and provide energy by alternative means of generation. The Atlantic Station development has been successful thus far and has received numerous awards, including the prestigious "Phoenix Award." It is the first "Silver" Leadership in Energy and Environmental Design (LEED) certified campus development in the country

The cleanup and redevelopment efforts at the Atlantic Station represent a public and private partnership in which all stakeholders (developers, investors, regulators, officials from the city of Atlanta, environmental groups, and the public at large) worked together to debate, negotiate and address any concern that could be accommodated within an acceptable consensus on what is reasonable. This approach not only assembled broad community support, but served as

model of trust among all parties. Moreover, all of these efforts by many people and organizations provided an amicable path through each step of the cleanup and ultimately to the development of one of the first Live, Work, and Play developments of its size the United States.

Keys to success

- The use of the RCRA post-closure permit to address the environmental concerns, regardless of the perception that RCRA is a disincentive.
- Continuous communication among the various stakeholders during the cleanup, ongoing public outreach, and most importantly, the cooperation and commitment of the GAEPD and federal regulators, the developer and its consultants and attorneys, as well as the counterparts for the seller, and the elected officials were also instrumental in making this project work.
- Steps were taken to streamline the cleanup and redevelopment processes. For example, the GAEPD designated one person to make decisions, thereby expediting responses for review and approval. The owner and developer used the same consultant to address both remediation and redevelopment issues. The presence of these members at face-to-face meetings, with the authority to make real-time decisions, kept the project on track and reduced the administrative costs of working with governmental agencies.
- The use of EPA's Project XL to form a partnership between stakeholders to address air pollution issues, helped remove an obstacle to obtaining federal funding for the construction of a transportation control measure, even though the city of Atlanta was a non-attainment area for ozone when the project started.