

US EPA ARCHIVE DOCUMENT

**Meeting Minutes**  
**Fairmont Community Liaison Panel**  
**November 1, 2001**

Attendees: Michael Cummings, Mayor Nick Fantasia, Karen Gribben, Bea Hunter, William Fred Jacquez, Bruce McDaniel, Barbara Metcalfe, John Parks, Charles Reese, Robert Sapp, Chief Rick Starn, Richard Wood and Marcella Yaremchuk.

ExxonMobil  
Representatives: Art Chin and Larry Kijewski.

Agency  
Representatives: Hilary Thornton and Carrie Deitzel, U.S. Environmental Protection Agency, EPA, and Tom Bass, West Virginia Department of Environmental Protection, WVDEP.

Contractor: Frank Markert, IT Corporation.

Guests: Lisa Clelland; Jason DeFrance, Jared Excavating; Richard Easler; Griff Fowler; John Guide; David Jones; Rick Hawkinberry, AIG Environmental; Andrew Sutton, *Times West Virginian*; Doug Taylor, Environmental Strategies Corporation; Dianne Wilson; and Irenaeus Yurchuk, North American Realty Advisory Services.

Facilitator: Roberta Fowlkes, Ann Green Communications, Inc.

Minutes: Shallon Jones, Ann Green Communications, Inc.

The regular meeting of the Fairmont Community Liaison Panel (FCLP) was called to order by facilitator Roberta Fowlkes at 5:30 p.m. Roberta introduced Carrie Deitzel, who is replacing Rich Kuhn from the USEPA. Those present introduced themselves.

**Review of Agenda**

The agenda was reviewed. The Purpose Statement and Meeting Agreement were reviewed.

**Review of Minutes**

The minutes of the August and September meetings were approved as distributed.

## **Unfinished Business**

### Project Update

Art said some time has passed since the plan to build a landfill cap was submitted and approved. He said after the approval, the new option of reusing the material as a fuel source was considered. He said while there has been some activity at the site, a lot of work has been done behind the scenes by ExxonMobil, the State of West Virginia and EPA. Also, while there have been a number of issues, he thinks the group has worked well together as a team. He said now they are looking at where they need to be to get the job done.

### Activities To Be Implemented By End of 2001

Art said he, Tom Bass and Hilary Thornton identified the following documents that need to be in place so they can proceed with the work. (A copy of Art's presentation is attached for those not present.)

#### ***Phase II Engineering Evaluation/Cost Analysis (EE/CA) Report***

An EE/CA report has been completed for the Waste Management Area (Phase I). An EE/CA for the Process Area now needs to be prepared and submitted to EPA and West Virginia to proceed to the next phase. The Phase II EE/CA formally reports all of the data from the Process Area. Based on these data, an evaluation of any potential human health or ecological risk posed by any contaminants in the Process Area will be provided. He said he hopes to have this done the week following Thanksgiving.

### Response Action Plan

Art said the Response Action Plan will propose recycling of the materials from the north and south landfills and any other suitable material found in the Process Area. The Kipin Process will be used, and ExxonMobil is proposing taking the appropriate material to the Grant Town Power Plant.

Art said the regrading of the entire site has two purposes: for surface water management and to get as level a piece of land as possible for redevelopment. Also, there is the requirement for a Health and Safety Plan (HASP).

The Construction Quality Assurance Plan (CQAP) is to assure good engineering practices are followed. Art said for all practical purposes, the HASP and the CQAP have been completed.

Art said the Phase II EE/CA Report is being prepared concurrently with the Response Action Plan. The Response Action Plan is expected to be complete mid-December. The Phase II EE/CA must precede the Response Action Plan. The Phase II EE/CA must have a 30-day comment period. Art said a panel meeting will be held within that 30-day comment period. He said when the comment period is over, EPA has an obligation to review and respond to any submitted comments. Art hopes this plan will be approved by February 1, 2002, if not sooner. After that, work can proceed.

Hilary clarified that Grant Town Power Station is not an incinerator. He said it would not be incineration if this material went there; it would be for beneficial reuse as a fuel in a power plant. He said the word "incineration" refers to destroying contaminants. The material that will go to the power plant is an artificial coal product.

#### ***Battelle Study***

Art said ExxonMobil has voluntarily conducted an assessment of potential contamination in the northeastern portions of the Sharon Steel Run. He said he has the report in a second revised form. The report will be transmitted to the agencies. He said the report addresses the nature of the contamination in this area as well as potential sources.

#### ***Investigational Study of Propane Tank Area***

Samples of soil and water were collected in this area where Robert Sapp has propane tanks. Art said any proposed removal actions that may need to be undertaken in that area would be based upon the data collected.

#### ***Potential Issues***

Art discussed potential issues but emphasized that the parties work together well to resolve concerns before they become issues. The potential issues identified are:

- Potential ecological impacts of contamination on wildlife.
- Wetlands issues.
- Bioavailability of inorganic metals and hydrocarbons reported in soils (i.e., are human and/or ecological receptors actually exposed to these contaminants or are these contaminants sequestered in the coal/coke matrix)
- Ecological and human health risks.
- Assessment of the potential risk associated with use of the Kipin product at the Grant Town Power Plant.
- Time.

Art noted material from the Morgantown Ordnance Works is now being used at Grant Town.

A question was asked about the Morgantown Ordnance Works material going to Grant Town. Tom said they had to meet the substantive requirements that DEP's air program established. He said to his understanding, everything is going fine. Tom said because the Morgantown site is a Superfund site, they are not required to obtain any physical permit. Art added that even though a formal document does not need to exist, compliance with all the criteria and regulations must occur.

Art said his final concern on the list of potential issues is time. Art said ExxonMobil is eager to have activity at the site and does not want to remain idle for the winter. He said as soon as there is approval, they will begin working.

Art said if a decision on the use of the Kipin Process cannot be made in a timely manner, ExxonMobil will proceed with the landfill option. He said there is no deadline, but time is running out.

Art was asked what is the hurdle involved with the Kipin Process? The problems are not with the Kipin process per se. The hurdles are actually associated with ExxonMobil, EPA and WVDEP being able to agree on the potential issues listed above; all of which must be addressed in the Response Action Plan. In addition, the settlement of past cost with EPA and a separate settlement with the WVDEP are still not finalized.

Hilary said Tom, Art and himself generally agree on these issues, and he is hopeful and confident they are going to be able to move forward on the time frame that Art has laid out.

Hilary said on all sides the managers want to see the project move forward, and he said there will be action very soon.

Dianne Wilson said there have been a lot of concerns in Rivesville that have not been answered. She said residents who attended a meeting held by DEP have not received answers to their questions. Tom agreed to pass this concern along to those who conducted the meeting.

#### Communication Update

Bruce McDaniel thanked Roberta and her staff for assisting him in a presentation he gave to the Fairmont Rotary Club. Bruce said the group had very good questions. He said a number of people present were unaware that the project is taking place.

Roberta noted the last time an update was published and mailed was in March. After discussion, those present agreed it may be appropriate to publish another update in the January/February timeframe after some decisions have been made.

**Presentation: North American Realty Advisory Services**

Larry Kijewski introduced Irenaeus (Ernie) Yurchuk, senior vice president of North American Realty Advisory Services (NARAS). Larry said NARAS has many successful projects, and he is excited about having them on the team.

Ernie gave an update of NARAS' activities, where they are now in the project and future reuse of the property. (A copy of Ernie's presentation is attached for those not present.)

Ernie asked everyone to look at his presentation from the perspective of a user. What are the advantages and disadvantages of this area over other areas? He said they can't compete with the companies that are looking to relocate in China, Taiwan and South Korea because they are developing a product that can be built almost anywhere. However, for any user that needs to have overnight delivery and who has major metropolitan markets in the northeast, south and the Midwest, the site is an ideal location.

Ernie identified advantages of the site as compared to adjacent states. He said the site is very competitive. Ernie said they conducted interviews with 15 companies in West Virginia that would have a natural fit on our property. He said everyone couldn't be more positive about the labor force. Other assets were the location, transportation network, the competitive rates of the utilities, access to raw materials and the state's quality of life.

Ernie said there is a world of different industries the site can accommodate, and he listed several target industries. The one area Ernie said needs to be looked at more closely is value-added wood products. He said the site can accommodate different kinds of users. The preference would be to find one good single user. However, he said they need to be prepared to subdivide the property to be used by a few large multiple users--the "mixed use industrial park" concept. To illustrate how different users could fit on the site, illustrative site plans were developed. Examples of businesses in this scenario are a plastics manufacturing plant, a value-added type of facility, and a metal fabrication facility.

Ernie said employment will depend on specific use, the industry and the number of jobs. But a standard in the real estate industry estimates for an industrial user there is usually one job per each 500 square feet of space. He said with the ripple effect that occurs, potentially two to three thousand jobs could be created.

To get these users and jobs, Ernie said all the states provide economic development incentives. He said West Virginia can hold its own in this area.

Ernie said project goals are to attract new businesses to Fairmont, create new investments in the community, create employment opportunities and recycle the industrial site back to productive use.

He cautioned that there is no magic bullet. He said the marketing effort requires persistence, patience, creativity and a lot of hard work.

In discussion and questions and answers, the following points were offered:

- Ernie said he was concerned about recruiting major distribution centers (like Coldwater Creek's operation in Wood County) because they need unlimited access to the interstate, and there would need to be substantial improvements in the road system. He said he would put this idea on the list.
- It was noted Amazon.com in Huntington fulfills internet orders. Ernie said that is a good use, and if it is the catalog center that ships out, this does provide quite a few jobs, too.
- CSX said they still own the rights of way at the property, and Ernie said they are double-checking that. He said the rail spur he is talking about is the one that comes across the river and goes toward the recycling plant.

Panel members thanked Ernie for his presentation and for the work in preparing the market analysis.

## **New Business**

### Additional Investigations at the Site

Frank Markert reported he is looking at other portions of the site that may be problematic in the future and which need attention now.

Frank said the coke plant took distillates off the coking process, turned them into liquids and stored them in tanks. He thinks there were 25 to 30 tanks in that very small area. The tanks leaked over the years and contaminated soil and groundwater. Frank said this is away from any of the landfills, very close to the existing administration building. The tanks were drained most of the way down in 1979 when Sharon Steel closed because that was a valuable product to them. He said during the EPA removal action, the tanks were cleaned. No other work was done in that area, however.

Frank said early on, concerns were discussed with Robert Sapp because the area is directly downgradient from Robert's propane storage yard. Also, Robert found breeze during his original installation. Art requested that Frank characterize the area, and develop a plan of action.

In conjunction with this, Frank also looked at the light oil storage area and took another round of groundwater samples from that area. The intent is to analyze these samples and develop a plan for addressing this area in the next three to four months.

#### Settlement with WVDEP

Tom said a settlement agreement between ExxonMobil and the State of West Virginia is in draft form. It will go through management review and then will be submitted to ExxonMobil for their concurrence. He said they are hopeful to wrap everything up in the December/January time frame.

Roberta said this has been discussed with the panel in the past, and that it potentially could be some good news about the site and the Fairmont community for the future. Tom said it is too early to discuss the details. After discussion, it was determined the contents of the agreement may be a milestone that the panel would like to celebrate at the appropriate time. Art noted because of the timing, it is possible the details may become public outside of a panel meeting.

#### **Questions and Comments**

Lisa Clelland said she wanted to go on record stating that the presentation by Mr. Kipin at the past meeting made her understand the inner workings of a coke plant, but she has no more information about the Kipin process itself.

Ernie complimented the panel on the level of discussion and said the panel is very impressive.

#### **Next Meeting**

It was noted the next meeting would include a special holiday dinner, similar to the December 2000 meeting.

#### **Critique and Adjournment**

There was no further business, and the meeting was adjourned at 7:33 p.m.

**Next Meeting:**            **Thursday, December 6, 2001**  
                                  **Circle W. Building**  
                                  **5:00 p.m. – Dinner**  
                                  **5:30 p.m. – Meeting**