

US EPA ARCHIVE DOCUMENT

Meeting Minutes
Fairmont Community Liaison Panel
December 6, 2001

Attendees: Michael Cummings, Mayor Nick Fantasia, Georgeann Grewe, Karen Gribben, Bea Hunter, William Fred Jacquez, Kevin McClung, Bruce McDaniel, Barbara Metcalfe, John Parks, Robert Sapp, Tom Vincent, Richard Wood and Marcella Yaremchuk.

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

Guests: Lisa Clelland; Jason DeFrance, Jared Excavating; Griff Fowler; Donna Hartley; Jim Martin; Gary Okey, Kipin Industries; J.S. Succurro; Andrew Sutton, *Times West Virginian*; and Doug Taylor, Environmental Strategies Corporation;

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 5:43 p.m. Roberta said Art Chin was ill and sent his regrets that he was unable to attend the meeting. The agenda was reviewed. The Purpose Statement and Meeting Agreement were reviewed. The minutes of the November meeting were approved as distributed.

Unfinished Business

Project Update

Hilary Thornton reported in Art's absence. (A copy of his handout is attached for those not present.) Hilary noted that ExxonMobil will be submitting several reports for review by the EPA and WVDEP before there is additional field work at the site. These reports include:

•***Battelle Tributary Characterization Study (Submitted)***

This is a report of samples taken from the unnamed tributary taken last summer by ExxonMobil's contractor. EPA and WVDEP are currently reviewing this report.

•***Phase II EE/CA Report on Process Area (December 2000)***

ExxonMobil will submit this report in the December-January timeframe. The agencies' review will take at least 30 days and will be followed by a public comment period.

•Response Action Plan (January 2002)

This plan will not be approved until after the public comment period. (He said the January date indicates the desire to have the process move along efficiently.) He said the panel will have an opportunity to let EPA know their opinions of the alternatives being proposed. Once that decision is delivered in an action memo, then the Response Action Plan will be reviewed. The response action plan details the field work, including the explanation of the Kipin Process and how it would be implemented at the Fairmont Coke Works site. Hilary said the Response Action Plan will be explained to the panel in considerable detail, perhaps in March or April.

The following information was shared in response to questions:

- The agencies will complete their review of the EE/CA Report prior to the beginning of the public comment period. ExxonMobil will have the agency comments at the same time the report is available for public comment. This way, ExxonMobil can begin preparing for the next step.
- The beginning of the public comment period will be announced in the newspapers.
- The books in the public library containing minutes of panel meetings were updated earlier in the day. It was noted there is no requirement that newspaper articles be part of the public repository of information. The binder containing panel meeting minutes also includes information sent to the public, but newspaper articles are not routinely put in the binder.
- Comments received from the public on documents such as the EE/CA are reviewed and put into a responsiveness summary section of the document, including the agencies' response to the comment regarding why it was incorporated or why it was not incorporated into the document.

USEPA Consent Decree for Settlement of Past Costs

Hilary said this document is moving through the agency approval process. He said he is hopeful it will be complete by the next meeting.

WVDEP Settlement-Administrative Order

Tom Bass said he has received the final draft of this document for review. He expects to see the trust agreement that goes with the settlement agreement no later than Monday. He said he anticipates completion in January.

Redevelopment-Phase I

Phase I of the Redevelopment plan is complete. Phase I includes (1) the identification of the most appropriate potential markets for the property, (2) a determination of the impact of area demographics, economic conditions, and development incentives on the marketability of the property, (3) the development of various potential reuse plans for the property (e.g., single and multi-user scenarios) and (4) the preparation of a preliminary marketing strategy to identify and attract potential users.

Review of Kipin Process at Fairmont

Hilary provided information as a follow-up to the presentation about the Kipin Process at a previous meeting. He said his purpose is not so much to explain the Kipin Process itself, but the overall recycling of material on the site in the north and south landfills. (Hilary's handout is attached for those not present.) He said Art estimates there are 130,000 cubic yards of material, 30,000 of which is soil cover. This is clean soil that was placed on top of the landfills by the EPA in its removal program. He said this is clean soil and doesn't need to be treated in any way. Beneath that is 100,000 cubic yards of landfill content, waste coal, coke and debris. Within that 100,000, 10,000 cubic yards is water, and that will go to a water treatment plant that ExxonMobil is going to construct onsite for treatment of this water and other surface water runoff. He said they would explain more about the treatment plant in the Response Action Plan in the spring. He said 10,000 cubic yards is oversized material and debris, which splits to debris and oversize. The debris will be examined. If it is hazardous, it will go offsite for disposal. If it is not hazardous, it will remain onsite. The oversize can go through an impactor, be broken into smaller pieces that can then go into the Kipin Process. The bulk, the 80,000 cubic yards, is waste coal and coke, and that is what goes into the Kipin Process, as well as any of this oversize material that can be broken into smaller sized pieces.

In response to a question Bruce McDaniel raised, John Parks said 10,000 cubic yards of water equates to 2,160,000 gallons. He noted the City of Fairmont can treat six million gallons a day at its treatment plant. Hilary encouraged Bruce to speak to Art about the possibility of sending this water to Fairmont's facility. He said he knows in the past that some water from the site has been sent to the municipal treatment facility. He said if this makes sense health-wise and economically, he would be in favor of the city treating the water. Bruce said if there is nothing in the water that would preclude its use because of the city's industrial pretreatment program, then he would like to talk with Art about it. He confirmed the treatment facility can handle volatiles.

In response to a question, Hilary said the oversize material is chunks of coal and coke. He said timbers would be debris. He said the oversize material that goes through the Kipin Process would go the same place all the other material that goes through the

Kipin Process goes. Tom said the non-hazardous material referred to on the handout is construction debris. He said this material will be consolidated into a two-acre area.

In response to a question, Hilary agreed it is fair to say there will not be activity at the site until spring. Tom said there are things that can be expedited, but it is up to ExxonMobil. If they do certain things without approval, they operate at risk. He noted the agencies have not officially been told whether the Kipin Process is being proposed, or whether they will proceed with landfills on site. He said once that decision is made, some work can proceed. Also, he said a lot of prep work may take place in February-March.

Communication Update

Rich Wood asked if it is time for another newsletter. Roberta said it had been suggested that a newsletter be prepared when the settlement issue between ExxonMobil and the State of West Virginia is complete. Hilary said if it was February, that would be another way to solicit input from the community during the public comment period.

It was noted that residents of Grant Town and Rivesville who have expressed interest should be added to the mailing list.

Marcella Yaremchuk said a resident of Suncrest Boulevard told her it is nice to be able to sit outside her home and not have the odor that was there, even after Sharon Steel closed. Now, it is odor free. She appreciated that.

Bruce said at a recent business roundtable meeting, the site was mentioned when redevelopment of sites was discussed.

New Business

Review of Project XL Annual Report

Hilary said every year EPA headquarters Project XL office puts together an annual report of the 50 Project XL projects around the country. He said the report is very positive about the Fairmont Coke Works Site. He said Michael Cummings, Mayor Nick Fantasia and others were involved in providing input during a conference call.

Roberta asked if the report includes lessons learned. Hilary said a fair amount of the space devoted to this project, which is about eight pages, includes things that are being done right that could maybe be transported to other similar sites around the country, such as having this panel and getting early community involvement.

Questions and Comments

The following comments were shared in response to questions:

- Hilary said the other 49 Project XL projects are spread through EPA's other regulatory programs. He said a lot of them are active industrial facilities under their Resource Conservation and Recovery Act Program. He said the report will be published by the EPA XL office. He said he is confident it will be on the Project XL web site. He said he would try to get at least one hard copy to bring to the next meeting.
- Robert said it looks like some clear cutting activity is going on at property adjoining the site. Bruce said a private property owner is timbering that property. Jason DeFrance said he owns the property. He said about 30,000 tons of fill dirt is being taken to Westinghouse. He said he is trying to flatten the property. He said he believes he can make about 15 of the 30 acres developable.

Next Meeting

It was noted the next meeting would be February 7, 2002, and there would not be a meeting in January. The agenda will include a project update, an update on the settlement, a communication update, and an update on the Project XL Annual Report.

There was no further business, and the meeting was adjourned at 6:30 p.m.

Next Meeting: **Thursday, March 7, 2002**
 Circle W. Building
 5:00 p.m. – Dinner
 5:30 p.m. – Meeting