

US EPA ARCHIVE DOCUMENT

Background

The Project Sponsor: Exxon Company USA, now known as ExxonMobil Corporation (ExxonMobil), is responsible for all domestic oil and gas operations in 12 states, the Gulf of Mexico, and the Pacific Ocean off southern California and Alaska. The Sharon Steel Fairmont Coke Works Superfund Site, located in Fairmont, West Virginia, was placed on the EPA's National Priorities List (NPL) on December 23, 1996. ExxonMobil is the only potentially responsible party (PRP) working with EPA and the West Virginia Division of Environmental Protection under an Administrative Order on Consent to address environmental concerns at this site. ExxonMobil is the first XL project related to the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), also known as Superfund.

The Experiment: To facilitate and increase the likelihood that interested developers will use the site after cleanup for commercial or industrial development, ExxonMobil proposes to (1) demolish buildings on-site without a finding of environmental risk, (2) engage the services of redevelopment consultants and companies to determine how best to make the site most amenable to development, and (3) work with local stakeholders to identify redevelopment options by preparing, among other things, a "potential for redevelopment" site assessment, an environmental assessment of the property, and a real estate market overview of the site with market options. ExxonMobil has used innovative stakeholder involvement techniques such as public availability sessions to explain project plans and obtain input on future site uses. This project has received a high degree of local community support. In addition, ExxonMobil will use Superfund "non-time critical" removal authorities to accelerate the cleanup of the site. Changes to the traditional Superfund process will be made, affecting (1) the site characterization and cleanup, (2) the risk assessment procedures, (3) the management

of on-site landfills, (4) the mitigation requirements onsite for EPA-created wetlands, (5) the stakeholder and community involvement process, (6) the reduction of paperwork requirements, and (7) the quality assurance process. With these changes, this project strives to demonstrate a streamlined Superfund process that results in the reduction of potential risk to human health and the environment in a shorter time frame.

The Flexibility: Superfund sites are typically approached in a phased process. After a site has been listed on the NPL, a remedial investigation/feasibility study (RI/FS) is conducted at the site to assess risk and evaluate alternative technologies for remediation. The RI/FS culminates in a record of decision (ROD), which outlines the actions to be taken and documents the rationale behind the decision to take action at the site. Subsequently, the remedial design (RD) phase determines the specifications for cleanup actions that are implemented during the remedial action (RA) phase. These phases involve the submittal and approval of various documents and public comment periods. It is not uncommon for this process to require several years. Another cleanup approach in the Superfund program is the removal action, which can be completed in significantly less time. ExxonMobil has proposed to conduct the cleanup of this Superfund site as a series of short removal actions. An RI/FS and ROD are not required for a removal action. EPA and the State of West Virginia will provide ExxonMobil with flexibility regarding (1) the use of streamlined removal processes in order to expedite cleanup actions at the site, (2) the mitigation processes for wetlands created by EPA during previous removal actions, (3) the data validation reporting requirements, and (4) the risk assessment criteria and analyses. Long-term remediation will occur if deemed necessary. This flexible approach is expected to reduce the time and cost needed to complete the cleanup.

The Superior Environmental Performance: ExxonMobil will clean up the site in approximately half the time a normal cleanup would take, which will reduce the exposure time period and expedite risk reduction to human health and the environment. In addition, ExxonMobil is focusing on the future use of the site and will incorporate the redevel-

ment strategy into site remediation. ExxonMobil will continue to work actively to ensure and maintain involvement of key stakeholders and the general public during the site cleanup. ExxonMobil will directly fund the State of West Virginia's involvement in the project and will work with the Fairmont Community Liaison Panel and EPA in every stage of the cleanup process.

Progress in Meeting Commitments

(As of July 2000)

- ExxonMobil has demolished most of the buildings and structures on-site.
- Completed in Spring of 2000, ExxonMobil conducted an Engineering Evaluation/Cost Analysis of proposed removal actions at the waste management areas located on the western portion of the site.
- In June 2000, EPA outlined the non-time critical removal workplan in an Action Memorandum. ExxonMobil has begun the removal action.
- Wetlands in the area have been surveyed and evaluated. EPA has determined that the wetlands are part of existing drainage systems; therefore, mitigation will not be required. However, during remediation, these areas may need to be graded to improve drainage.
- Market valuation of the property has been completed to facilitate redevelopment.
- The focus over the next six months will be to complete the non-time critical removal action at the western portion of the site and to begin work on the second engineering evaluation/cost analysis (EE/CA) to assess the risks at the eastern process area. In addition, the stakeholders will continue to hold meetings approximately every month.

Benefits for the Environment

- Due to the streamlined XL experiment, the risks to human health and the environment at this Superfund site are expected to be addressed in half the time.

- In addition, deed restrictions have been placed on the property to ensure that future activities do not result in exposure to unacceptable levels of risk.

Benefits to Project Sponsor

- Reporting requirements have been reduced, and stakeholders have relied on electronic communication, which expedites review of decision documents.
- The streamlined process will result in a shorter cleanup time and will possibly result in long-term cost savings. In addition, the sooner the cleanup is completed, the sooner investors may purchase and redevelop the property.

Benefits for Stakeholders

- This XL project provides environmental benefits to the community that are not typical for Superfund sites, such as demolishing on-site structures to facilitate redevelopment. The stakeholders hope that such aesthetic improvements will spur investor interest in the site.
- Stakeholders have the opportunity to influence the implementation of the project by participation in a 25-person advisory panel that meets monthly to discuss the project, thereby invoking a sense of trust and respect among stakeholders.
- Citizens can also discuss concerns directly with ExxonMobil by using ExxonMobil's toll-free project hotline set up explicitly for the community.
- Citizens were given a unique opportunity early on in the project to provide input into matters such as the future use of the property, on-site demolition of buildings, and the site cleanup process.

Issues Needing Resolution

- EPA had difficulty obtaining agreement from its internal enforcement offices during the development of the FPA. Internally, EPA must

- be able to balance the priorities of the XL program offices with the priorities of the enforcement office.
- Some of the environmental reporting requirements are seen as excessively burdensome and could be streamlined. EPA has since suspended the quarterly status reports because the minutes from the monthly stakeholder meetings provide sufficient information.
- One stakeholder noted that the required environmental reports do not keep up with the actual work taking place and therefore cannot serve as EPA enforcement records.
- Inability to determine whether a nearby artificial wetland can legally be removed has caused delays.
- One stakeholder emphasized the need to ensure that the stakeholder group more accurately reflects a cross-section of the community.
- Projects can run more smoothly and efficiently with organized stakeholder involvement.
- One stakeholder emphasized the need to have buy-in from all major parties before moving further into the stakeholder process.
- Another stakeholder emphasized the value of having experts from different agencies involved to enable the community to better understand the different issues.
- Electronic reporting provides real-time communication and expedites review.

Information Sources

The information in this summary comes from the following sources: (1) the Final Project Agreement for the ExxonMobil XL project; (2) *Project XL Stakeholder Involvement Evaluation—Final Draft Report*, May 2000; (3) focus group discussions in December 1999 with representatives of ExxonMobil Corporation, Federal and state regulatory agencies, and representatives of the local community; and (4) the December 1999 *Project XL Progress Report Exxon Company USA* (EPA 100-R-00-015).

Lessons Learned

- Hosting more than one public meeting to identify stakeholders and technical experts would have been useful.
- The community gained confidence in ExxonMobil through its willingness to interact with the community. The quick, candid dialogue with the stakeholder panel facilitated this trust.
- Certain stakeholders felt that more time should have been spent at the beginning of the project to clarify the roles of the stakeholders participating in the process.
- It can be difficult to identify all parties and the decision maker for each party wishing to participate.
- One stakeholder noted that if agreement is reached regarding what the contaminated site will be used for before or during the site investigation and removal stages, the amount of time needed for the removal and remediation process can be reduced.