

US EPA ARCHIVE DOCUMENT

## Sample Selection Letter

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION III  
1650 Arch Street  
Philadelphia, Pennsylvania 19103-2029

Don Esch  
Exxon Company, U.S.A.  
P.O. Box 728  
Linden, NJ 07036

RE: Project XL Proposal - September 10, 1998  
Sharon Steel Corporation - Fairmont Coke Works Site

Dear Mr. Esch:

The United States Environmental Protection Agency (EPA) and the West Virginia Division of Environmental Protection (WVDEP) have carefully reviewed and considered Exxon Company, U.S.A.'s (Exxon's) September 10, 1998 Project XL Proposal for the Sharon Steel/Fairmont Coke Works Site (Site). We are pleased to inform you that both EPA and WVDEP are prepared to work with Exxon and direct stakeholders to develop a Final Project Agreement (FPA). The FPA will detail the expectations of Exxon, EPA, WVDEP, and Site stakeholders, including the Fairmont Community Liaison Panel, for the first Superfund XL Project in the nation. Once FPA negotiations are complete, the FPA, signed by Exxon, EPA and WVDEP, will set forth the parties' agreement and a detailed description of all components of this XL project. The FPA will also describe the mechanism(s) that will be used to make this agreement legally enforceable.

Project XL was created to test innovative environmental management strategies for the 21st century and, through this process, foster excellence and leadership in environmental protection. The September 10 proposal and Exxon's early cooperation in proposal development show potential to accomplish these goals.

Throughout the proposal development phase of the XL process, the components of this pilot Superfund XL Project have been refined and clarified. Since there have been numerous discussions among our respective staffs since the September 10, 1998 proposal was submitted, this letter will clarify EPA's and WVDEP's expectations regarding this XL project to ensure a complete understanding of its components.

It is both EPA's and WVDEP's expectation that the following items will be negotiated as part of the FPA:

1. Exxon will be working toward redevelopment of the Site property, specifically by contracting with a local firm to assist in formulating redevelopment plans. EPA and WVDEP anticipate that Exxon will work with EPA, WVDEP, and the community of Fairmont to ensure productive reuse of the property and, further, that detailed plans for Exxon's role in facilitating the transfer of the Site (following expedited cleanup actions) to interested parties for reuse of the property will be included in the FPA.
2. EPA and WVDEP recognize the effort that Exxon has made to reach out and involve the community in the cleanup of the Site. This substantial community participation effort should continue throughout the life of the project. During FPA negotiations, provisions describing future stakeholder involvement will be developed.
3. In order to expedite the cleanup process and ensure reduction of risk in the early stages of Site remediation, site characterization and evaluation of cleanup alternatives will be accomplished through use of an Engineering Evaluation/Cost Analysis (EE/CA) which will be implemented through an Administrative Order on Consent (EE/CA Order). EPA looks forward to the smooth negotiations of this EE/CA Order and will provide a draft of this order to Exxon in the near future. This order includes a provision for completion of these FPA commitments.
4. EPA and WVDEP appreciate the efforts that Exxon has made toward demolition of onsite buildings and structures. This work demonstrates Exxon's recognition of the importance of restoring the property to a condition that is amenable to reuse. Moreover, we encourage the reuse and recycling of all demolition materials. Additional details regarding the continuation of the demolition work will be developed during FPA negotiations.
5. In an effort to realize the benefits described in the proposal with respect to "Cost Savings and Paperwork", EPA and WVDEP propose further exploration of the use of the Internet, specifically a Site web page that would not only provide information on Site activities to interested parties, but would also allow for secure electronic posting of documents needing Site Team review. Details of the use of such communication technologies will be discussed during FPA negotiations.

EPA and WVDEP have assembled a team to work with Exxon and other stakeholders on development of the project. That team will be led by Melissa Whittington of EPA Region III (215-814-3225), David Nicholas of the Office of Reinvention, EPA Headquarters (202-260-4512), and Thomas Bass of the Office of Site Remediation, WVDEP (304-558-2745). They will be contacting you shortly to commence FPA negotiations.

Sincerely,

Thomas C. Voltaggio  
Deputy Regional Administrator

EPA Region III

and

Michael Miano, Director  
Division of Environmental Protection  
State of West Virginia

cc: Abraham Ferdas, Director, Hazardous Site Cleanup Division (Region III)  
Jay Benforado, Acting Associate Administrator, Office of Reinvension  
James Nelson, Associate General Counsel, Office of General Counsel  
Sylvia Lowrance, Deputy Assistant Administrator, Office of Enforcement and  
Compliance Assurance  
Timothy Fields, Jr., Acting Assistant Administrator, Office of Solid Waste and Emergency Response