



Portsmouth EM Site Specific  
Advisory Board

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Greg Simonton

**Future Land Use Subcommittee  
March 9, 2010 • 4:30 p.m.  
Agenda**

- Review of January Summary
- Reindustrialization Presentation  
By: Lesley Cusick
- Introduction to Ohio University Voinovich Group
- Public Comment Period
- Review of Action Items

**Adjourn**



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# **The Reindustrialization Concept – Could it Be Part of the Future Vision for PORTS?**

Presentation to the PORTS Future  
Land Use Subcommittee of the Site  
Specific Advisory Board

March 9, 2010

A stylized silhouette of a mountain range in shades of teal, located at the bottom right of the slide.

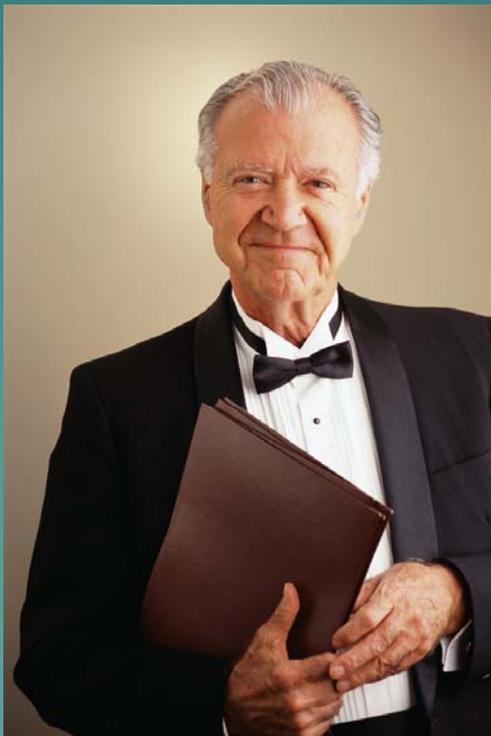
# You're on the road!

The PORTS site is open to a variety of future uses...your input is important to shaping that future.



# What's on the menu?

- ◆ Remember that your goal is a range of possibilities, a menu of options...



# What about Reindustrialization?

- ◆ What is Reindustrialization?
  - In simple terms, it's adaptive reuse
- ◆ What isn't Reindustrialization?
  - It isn't once and done
  - It isn't DOE-driven
  - It doesn't have to be just SODI
  - It isn't an open bank account
  - It isn't quick, easy or cheap

# Goldilocks had it right

- ◆ Reindustrialization is a *customized* relationship.
- ◆ Its important to plan that “just right” mix of options, and to recognize that that mix won’t happen all at once, but will be gradual, allowing for adjustments all around



# When is the right time?



- ◆ Reuse doesn't have to be an end-result...
  - Reuse can happen ahead of clean-up/D&D, in parallel with it, or after it.
  - But it is very important to understand that reuse isn't a decision with an immediate result

# A few slides from ETPP

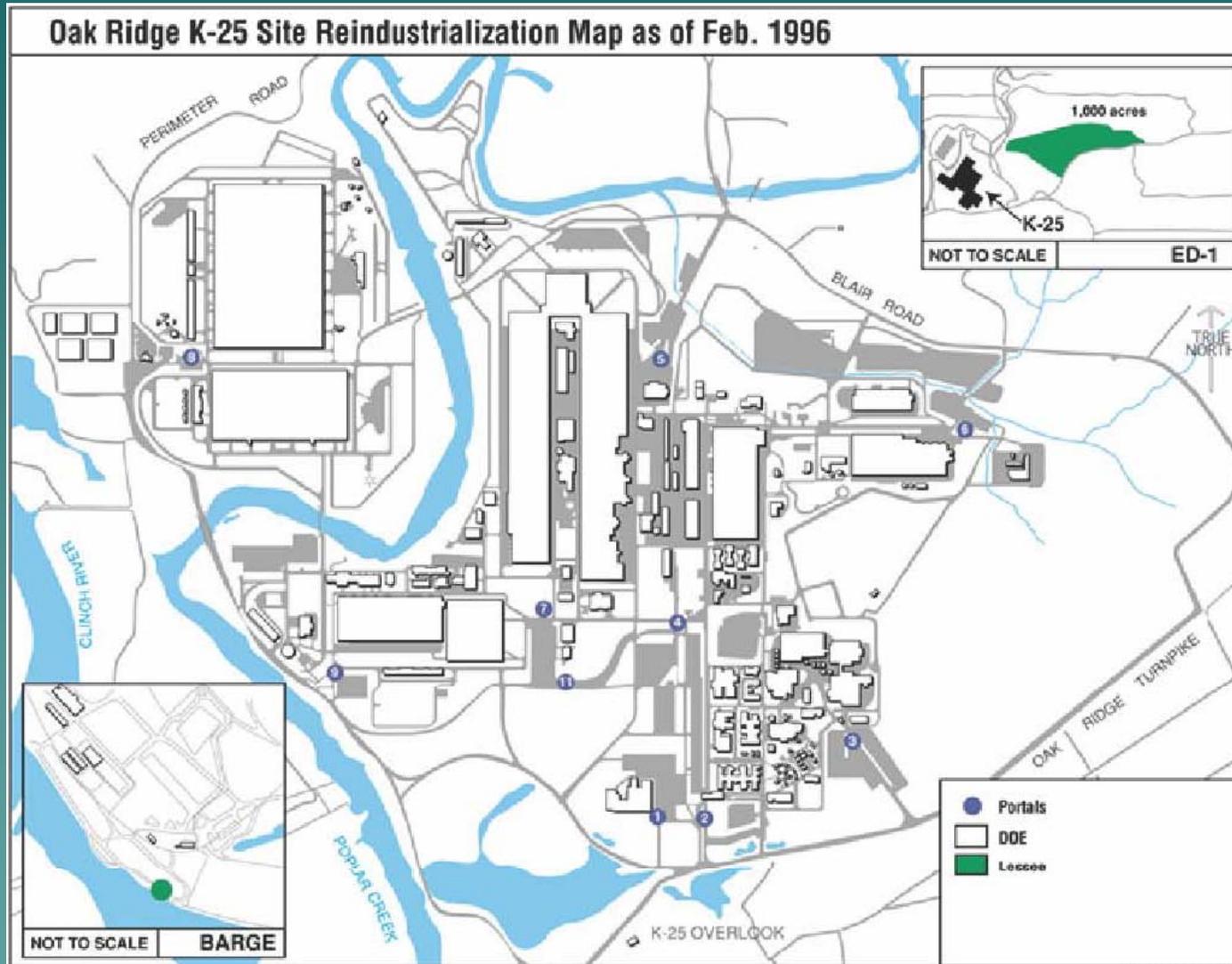
- ◆ ETPP (the former K-25 Site) started its Reindustrialization Program in 1996.
- ◆ It started small, it was met with cheers and jeers, it took a lot of work with the regulators and stakeholders, but the end/in-process result has been a transformative success



# ETTP Circa 1996



# Early Lease Map (from 1996)



# ETTP Today



# By 2006, Six Buildings Totaling Approximately 283,000 ft<sup>2</sup> Were Transferred



# Transfer = Disposal Avoidance



K-1007 Office Building

Environmental Management Waste Management Facility



# Transfers Result in Significant Pollution Prevention Benefits

**Building Transfers save valuable landfill space, emissions and fuel used in disposal, labor, and replacement costs and materials.**

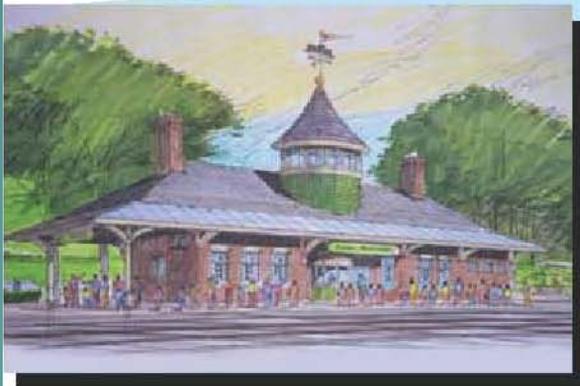
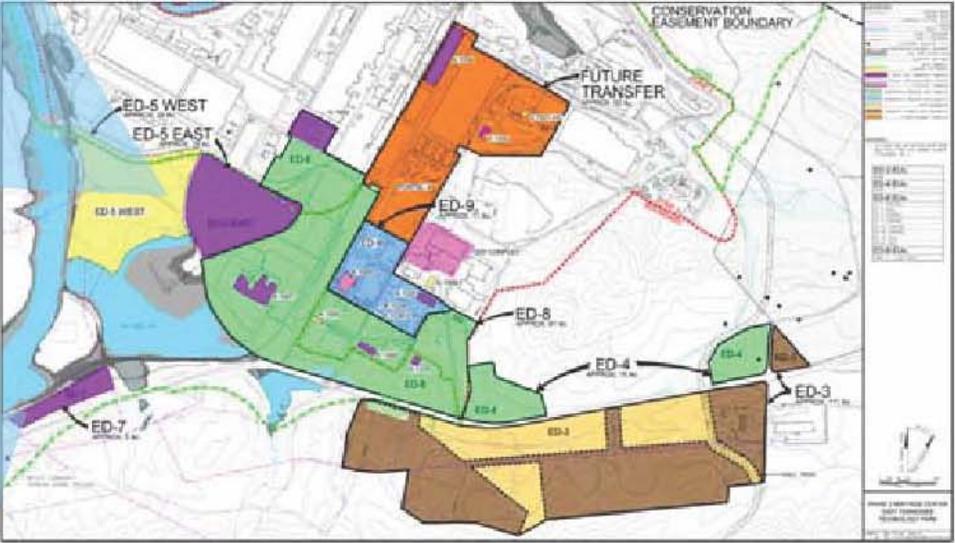
Building Facility	Landfill Space Saved (cubic yards)	D&D Savings	Replacement Cost <sup>1</sup>	Transportation Emission Savings (grams of regulated pollutants) <sup>2</sup>	Resource Savings on New Construction (tons of materials) <sup>3</sup>
K-1007	7,957	\$4,900,000	\$10,000,000	187,000	89,000
K-1036	4,742	\$3,500,000	\$5,180,000	111,300	6,400
K-1225	2,227	\$700,000	\$3,200,000	52,000	2,440
K-1330	1,155	\$300,000	\$1,740,000	27,000	1,140
K-1400	769	\$300,000	\$1,660,000	18,000	1,100
K-1580	2,261	\$500,000	\$4,000,000	53,000	3,000
K-1515	1,000	\$534,000	\$5,000,000	23,500	930
K-1652	3,500	\$1,000,000	\$6,000,000	82,000	1,850
<b>TOTAL</b>	<b>23,611</b>	<b>\$11,734,000</b>	<b>\$36,780,000</b>	<b>553,800</b>	<b>105,860</b>

<sup>1</sup> <http://www.rsmeans.com/estimator>.

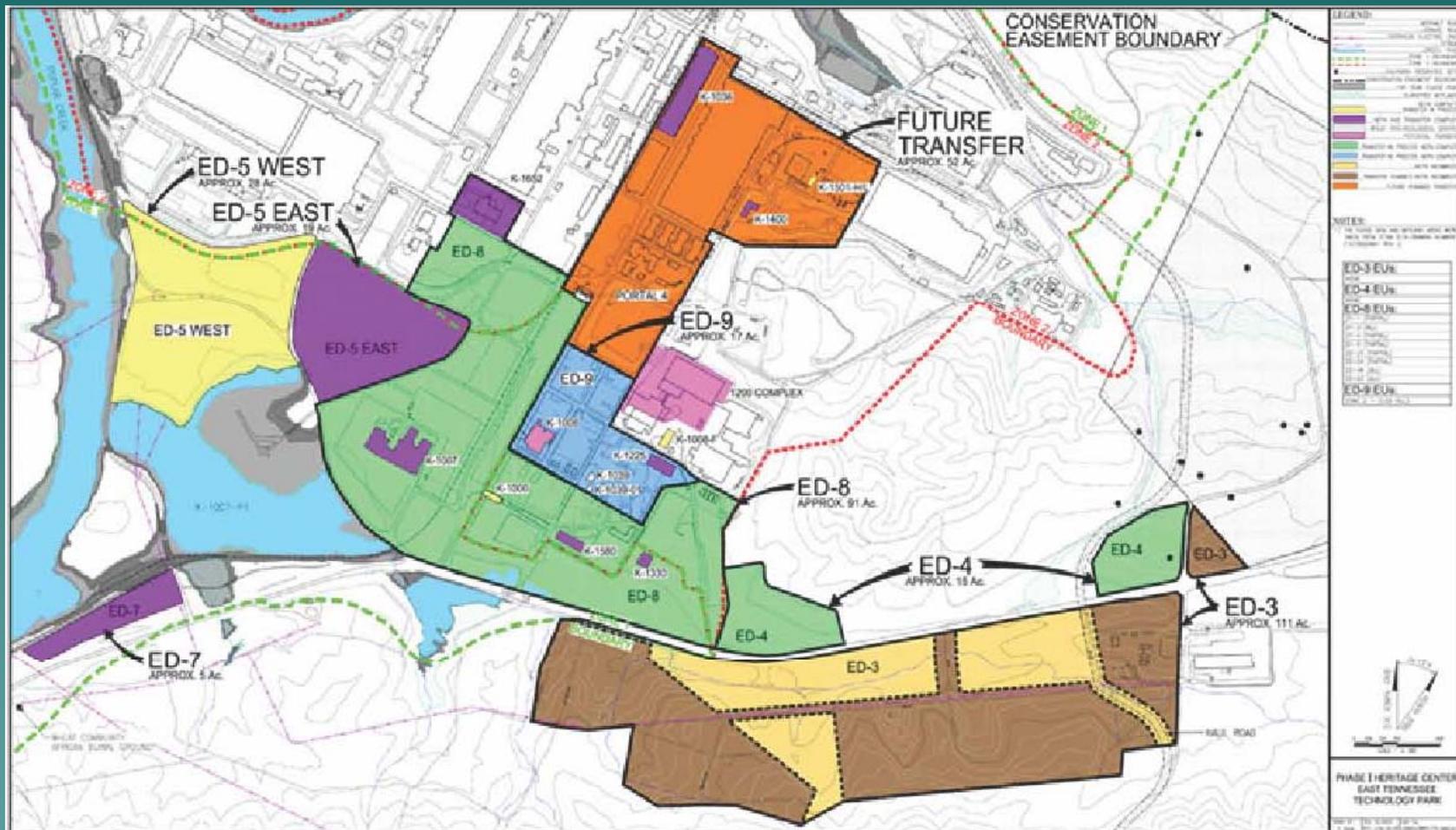
<sup>2</sup> DOE 2003, On-Road Development of the C-Gas Engine in Heavy Duty Vehicles, NREL/FS-540-32871.

<sup>3</sup> EPA 1998, Characterization of Building-Related Construction and Demolition Debris in the United States, Report No. EPA-530-R-98-010.

# Heritage Center Land Transfers



# Future Transfers



# Heritage Center 2012

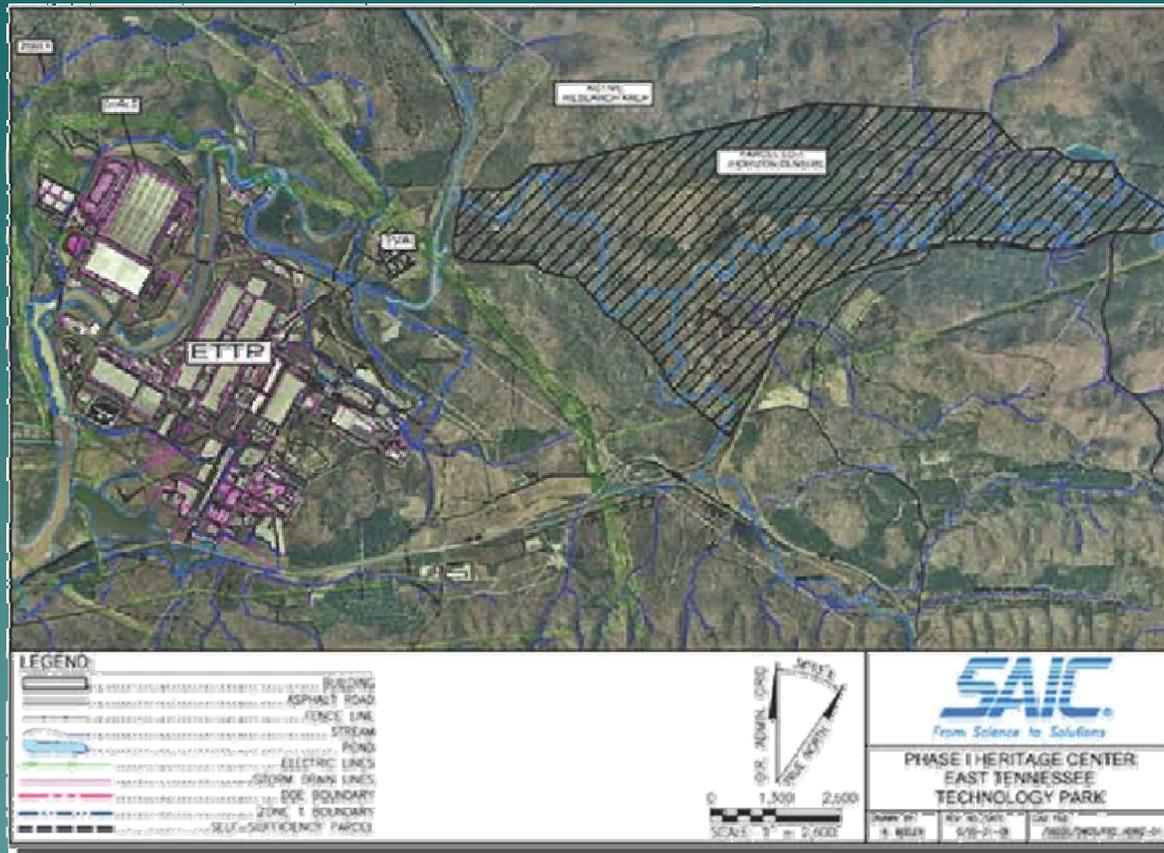
- **Productive reuse**
- **Sustainable development initiatives including switchgrass production**
- **Compatible with nearby commercial and residential development**



# Horizon Center



# Horizon Center



**Horizon Center is a 1,000-acre greenfield site, designed to provide building sites and amenities desired by high-tech companies while still preserving the area's scenic beauty. Horizon Center is ideal for R&D, medical technology, manufacturing, and headquarters development.**

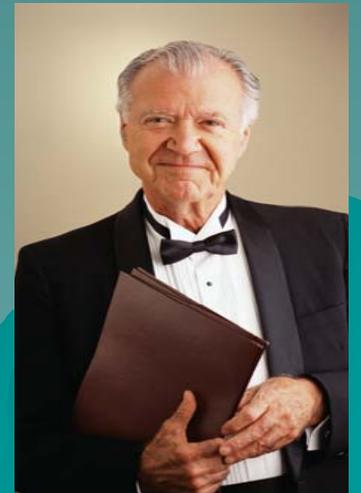
# Making Sense of the Soup

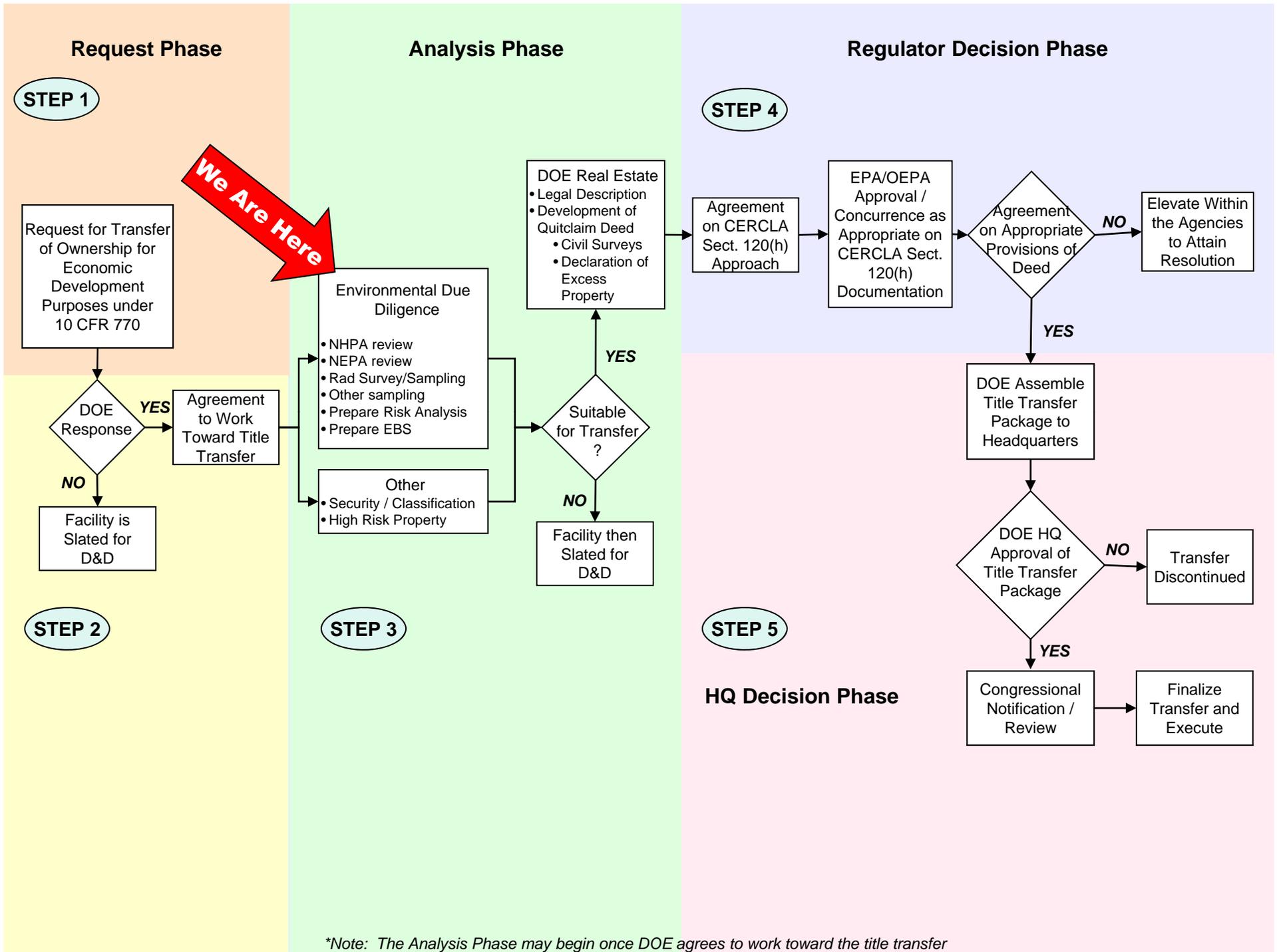
- ◆ There are many regulations to be considered with clean-up, D&D, and reuse. Its like an alphabet soup – NHPA, CERCLA, RCRA, NEPA, CERCLA 120(h) –
- ◆ It really does all work together, there are many examples within and even beyond DOE!
  - Mound
  - ETTP
  - Oak Ridge National Laboratory
  - Moffett Field
  - Mare Island Naval Shipyard



# How do you get from here to there?

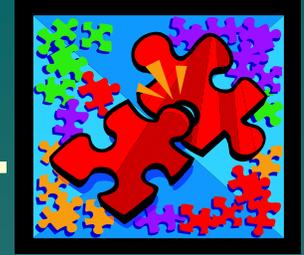
- ◆ Your **future land use study** is where you think big, create that broad categorical menu, then add the entrees
- ◆ The study isn't about naming firms, picking street light designs or paint colors. Instead it is more about:
  - What kinds of uses do you prefer?
  - Generally where would you like to see them? (a “zoning” approach)





\*Note: The Analysis Phase may begin once DOE agrees to work toward the title transfer

# More fitting together..



- ◆ Then there is **NEPA** - in general, you need that policy-level decision for your menu, something that maximizes flexibility and responsiveness and *bounds* the type of uses you would like on site
  - Remember - NEPA is not action-forcing - it doesn't mean you will, it means you may
- ◆ The NEPA review will discuss how DOE will work through the transfer process in an anticipatory manner



# Key points about the NEPA review

- ◆ The NEPA document will
  - be a bounding analysis because you are using it to plan
  - identify the steps needed to transfer, it will not execute them...again, because you are using it to plan
- ◆ The NEPA document is not a *carte blanche* to transfer, it is an approval based on the ability to satisfy other requirements
- ◆ The NEPA document will not make individual transfer decisions, those are made after thorough evaluation on a case-by-case basis



# What else gets considered as part of a transfer review?

- ◆ Sensitive resources are evaluated prior to each transfer as laid out in the NEPA document
- ◆ Two examples of sensitive resources to be considered are historic properties and wetlands
- ◆ Not all properties that could be transferred will have sensitive resources – again, this is all evaluated case-by-case



# CERCLA 120(h) in a nutshell

- ◆ **CERCLA 120(h)** is the most thorough review a transfer will undergo
- ◆ CERCLA 120(h) – applies to the transfer of federally-owned real property.
  - It isn't CERCLA for clean-up
  - Its basically environmental due diligence



# More on CERCLA 120(h)

- ◆ There are several types of transfer under CERCLA 120(h), the two major ones are:
  - 120(h)(3) - covenant deferral
  - 120(h)(4) - clean parcel determination/declaration



# More 120(h)



- ◆ The type of transfer will vary from parcel to parcel
- ◆ Different types of transfers can occur at the same site
- ◆ The ultimate test of a 120(h) review is to determine if the transfer is protective of human health – for the intended use – and the environment

# But wait, there's more!

- ◆ NEPA review and NEPA screening, addressing sensitive resources, CERCLA 120(h)...all of that is necessary and important, but:
- ◆ the most important thing to come out of the transfer is **the deed!**



# The Deed

- ◆ The deed is where the rubber meets the road for DOE and the transferee\*. The deed will include:
  - the limits on land use from the NEPA
  - the limits of types of occupancies from the CERCLA
  - other restrictions that DOE may impose as a matter of policy
    - If a transferee company needs a permit, or an approval, *they still have to get it!*



# This is a lot of information to take in...

- ◆ When you get stuck, remember what your objectives are
- ◆ Be patient with each other
- ◆ Think and plan **BIG**
- ◆ Listen
- ◆ Be patient, your future use study is one of many steps
- ◆ Remain involved
- ◆ Be patient, it's a rigorous and thorough process for a reason



# Points to Ponder

- ◆ In preparation for your visit to Mound, spend some time thinking about
  - questions that you may want to ask
  - things you may want to see
  - the type of people you may want to talk to
- ◆ There are some differences between PORTS and Mound. Here are some examples
  - Mound is ~ 300 acres, PORTS is ~3800 acres
  - Mound is on the National Priorities List, PORTS is a RCRA site
  - Mound is in a fairly populous community, PORTS has a more rural setting

◆ **No matter what you recommend for your future vision of PORTS, if you really want it, its worth the effort and the time...so go get started, hit the road and enjoy!**

- ◆ Lesley T. Cusick
- ◆ Restoration Services, Inc.





## Future Land Use Subcommittee

Meeting Summary

March 9, 2010 • 4:30 p.m.

The Ohio State University Endeavor Center

1862 Shyville Road, Piketon, OH 45661

**Subcommittee Members Present:** Shirley Bandy, Frank Halstead, Michael Lilly, Sharon Manson, Michael Payton, and Cristy Renner

**Board Members Present:** Gene Brushart, Val Francis, Steve Martin, Dan Minter, Daniel Moore, Larry Parker, and Dick Snyder

**U.S. Department of Energy (DOE) Representatives:** Greg Simonton

**DOE Employees and Contractors:** Melda Rafferty and Kristi Wiehle, DOE; Sandy Childers, Bill Franz, and Jeff Pinkerton, LATA/Parallax (LPP); Yvette Cantrell, Janie Croswait, and Lesley Cusick, Restoration Services, Inc. (RSI)

**Liaisons:** Michael Rubadue, Ohio Dept of Health; Maria Galanti, Ohio Environmental Protection Agency (Ohio EPA)

**Support Staff:** Julie Galloway, Brandy Moore, and Eric Roberts, EHI

**Public:** Lee Blackburn, Jackson, Ohio; Stephanie Howe and Marsha Lewis, Ohio University Voinovich Group

**Sharon Manson**, Subcommittee Chair, opened the Future Land Use meeting.

### 1. Review of January Summary:

- **Halstead** motioned to accept the Summary, **Motion seconded.**
  - **Motion carried**

### 2. Reindustrialization Presentation:

- **Roberts** introduced **Lesley Cusick**, RSI.
- **Cusick** provided a presentation entitled *The Reindustrialization Concept - Could it Be Part of the Future Vision for PORTS?* In this presentation, Cusick discussed reindustrialization efforts made at the East Tennessee Technology Park, Oak Ridge, TN.

A copy of this handout is available online at <http://www.ports-ssab.org/10-03FLUPres.pdf>.

<b>Question/Comment:</b>	<b>Answer:</b>
<b>Francis</b> asked if Oak Ridge had developments outside that were private entities.	<b>Cusick</b> stated that there were a mix of other industries. They started as incumbent industries until their business grew and then they would expand.
<b>Francis</b> asked if there is still subsurface radiation could the land still be transferred.	<b>Cusick</b> stated that clean parcels can be transferred as long as the waste is clean and not linked to any other waste. Cusick also stated as an example that Oak Ridge transferred a clean parcel that has a free fill dirt sign posted.
<b>Galanti</b> asked if a transfer is stated for industrial use could it still be changed to residential.	<b>Cusick</b> stated that the NEPA bounded everything to be industrial use.
<b>Francis</b> asked in municipality reasons would the zoning law supersede the NEPA requirements.	<b>Cusick</b> stated that zoning purposes are attached to the NEPA requirements and rural zoning codes could be defined.

### 3. Introduction to Ohio University Voinovich Group:

- **Roberts** introduced Stephanie Howe and Marsha Lewis from the Voinovich School of Leadership and Public Affairs.
- **Howe** stated that they are very happy to be here and that they learned a lot during the meeting. Howe stated that they are working on the details of the contract at this time.

<b>Question/Comment:</b>	<b>Answer:</b>
<b>Brushart</b> asked what strategies the group plans to use and how many counties will be surveyed.	<b>Howe</b> stated they will survey large service resource areas during public events, county fairs, anything to get a broad cross-section. The contract is still in the early planning stages and they will talk with county officials to see how many counties will be surveyed.

### 4. Public Comment Period:

- **Lee Blackburn** stated that he had a couple questions he would like to ask. He asked if the public could have an update on the DOE/USEC 340-acre transfer and could DOE provide information about the NRC reportable incident that occurred at the 760 Building.
- **Simonton** stated that the background of 340-acre proposal is in the process of being investigated now.

- **Gene Brushart** stated that there are a lot more resources out now to guiding group technical aspects and suggested that the Board contact the Director at the Technical Division of Ohio Department of Development.

**5. Other Issues:**

- **Manson** asked the members to review and provide comments on the survey from Frank Halstead at the next subcommittee meeting.
- **Roberts** reviewed the action item list that was handed out, stated that everyone has had time to review Recommendation 10-02 and asked the members if they were ready to proceed to send this to the Board.
  - **Lilly** moved to send Recommendation 10-02 to the full Board for review,  
**Motion seconded.**
    - **Motion carried**

**6. Action Items:**

1. DOE will check with Mark Gilberson about the Energy Parks presentation.
2. DOE will verify the information on the NRC reportable incident that occurred at the 760 Building.

**Halstead** motioned to adjourn meeting, **Motion seconded. Motion carried**

- **Meeting adjourned**

**Next Meeting Tuesday, April 13, 2010, at 6:30 p.m.**