

Meeting Minutes
Fairmont Community Liaison Panel
June 3, 2004

Attendees: Mayor Nick Fantasia, Karen Gribben, Bea Hunter, Bruce McDaniel, Barbara Metcalfe, Butch Tennant.

ExxonMobil
Representative: Art Chin.

Agency
Representatives: Carrie Deitzel, Fred Mac Millan, U.S. Environmental Protection Agency (EPA); Tom Bass, West Virginia Department of Environmental Protection (WVDEP).

Contractor: John Sigler, Kipin Industries; Frank Markert, IT Corporation.

Guests: Doug Taylor; Environmental Strategies; Jim Buzzard, Dave Mellish, Larry Norman, Kipin Industries; Christian Yensen, Terradon; Bill Byrd; Times West Virginian; Rich Carter, WVDEP; Fred Barley, WVDHHR; Chris Matta, U.S. Environmental Protection Agency (EPA); Griff Fowler; Phyllis Koyal; Jim Martin; Connie Mellish; John W. Metcalfe; Jim Succurro; Cynthia Ray; George Workman, Shaw.

Facilitator: Tricia Clendenen, Ann Green Communications, Inc.

Minutes: Laura Schoolfield and Tricia Clendenen, Ann Green Communications, Inc.

The regular meeting of the Fairmont Community Liaison Panel (FCLP) was called to order by facilitator Tricia Clendenen at 5:30 p.m. Tricia welcomed everyone and asked members and guests to introduce themselves. Tricia explained she will be taking Roberta Fowlkes place as a facilitator and introduced Laura Schoolfield as administrative support for the meeting.

Tricia introduced Chris Matta, EPA Project Manager, and Fred Barley, West Virginia Department of Health and Human Resources, who are working on the Big John Salvage Site. After the panel meeting, Chris and Fred asked interested citizens to stay and discuss this site. Tricia also introduced Richard Carter with the Department of Environmental Protection Public Information Office. Richard is producing a 30-minute cable television segment on remediation and an update on the Fairmont Coke Works Site. He asked members to volunteer to be interviewed for the segment.

Tricia reviewed the agenda and the minutes of the December 2003 meeting were approved.

Unfinished Business

Project Update

Tom Bass began the presentation by showing historical and present comparison aerial photographs of the site. Tom stated the property started in 1909 as fairgrounds. Other historical photographs include 1955 and 1969/70 photographs of the site. Present photographs included the South Landfill area, excavation activities and aerial views of the site.

John Sigler described the extension of the processing pad, which was completed in May 2004. The extension was 150 feet by 200 feet. John displayed several photos to illustrate this work.

Frank Markert provided an update on the North Landfill and explained it is drained by two ditches; a clean ditch and a dirty ditch that run parallel to each other on the north side of the North Landfill. In Fall 2003, a culvert that was part of the clean side ditch became obstructed, requiring its replacement. Frank showed photographs of the new line location, the new line being excavated, and a photo of the new line and old line together. Photos of the new clean side ditch inlet and outlet were also presented.

Frank reported there have been several site road improvements since the last meeting. A new parking lot is now located by the administrative building. A new crossover road is located by the processing pad. An upgrade and graveling of the existing site road also has been completed. Frank then provided an update on the construction water treatment system (CWTP). He reported water from landfill excavations and the processing pad is treated for pH, metals and organics. He explained discharge water is tested monthly for compliance. He explained that sludge generated during the treatment of this water is still ongoing, with sludge solidification occurring in February 2003. Frank reviewed photos of the CWTP during winter, and the sludge solidification process.

Frank presented the results of air monitoring and explained there are four perimeter and two mobile stations. The VOCs and dust levels at perimeter stations are within limits. He added the results of handheld instruments within the containment area are all within limits.

Tom Bass, explained the Process Area trenching evaluation, which includes 12 areas delineated in October 2003. The areas delineated were based the presence of surface coal tars, lack or stressed of vegetation, and odor. He explained trenches were used to delineate the vertical extent of impacted areas and a total of approximately 30 trenches were excavated.

Tom Bass reported the Covenant Not To Sue (i.e., Prospective Purchaser Agreement) is still with the Department of Justice. Nick Fantasia asked why it was taking so long and could it be expedited. Fred Mac Millan stated EPA's comments have been made and they were waiting on the Department of Justice as well. Nick added because this is a Project XL site, it is difficult to understand the slow process.

Real Property Management Committee

Bruce McDaniel, chairperson, reported the committee is meeting frequently and has hired a consultant to draft a redevelopment master plan. Christian Yensen, Terradon Corporation, said they are in the process of analyzing traffic studies, hydrology studies, inventory analysis, etc. In addition, he reported they are considering further market research and will meet again in two weeks to review the analysis, demographics and economic impact. Christian added after this meeting they will have a better idea of redevelopment options. Bruce asked Christian to meet with Tom Bass after the panel meeting. Retail, residential, and sports facilities are being discussed as future land use opportunities.

Bruce explained the committee is at a point now where they are incurring costs and the goal would be for the redevelopment work to take place concurrently with the clean up. Bruce then asked if a portion of the site could be released. Nick Fantasia echoed this question and asked what is the status of releasing parts of the property? Fred Mac Millan responded by stating EPA is in the process of going back through the records and has talked about delisting. He added that someone would need to make a formal request to the EPA for releasing any particular area for redevelopment. Nick Fantasia responded by saying he thought releasing portions of the property was discussed with the development office long ago and questioned the need now to have a paper trail. Fred emphasized the need to have a formal request, and stated EPA provides flexibility under Project XL and when someone takes a unique approach, EPA tries to give an experimental effort room to breath. He added when delisting a site, EPA needs a formal proposal with information on the site and future use explained. Nick Fantasia again expressed concern because he noted in previous meetings there was no mention of a formal proposal. He also added that conditions have not changed on the site with regard

to findings. Fred Mac Millan stated we are doing the clean up more quickly, but we are far away from redeveloping the site. In addition, Nick Fantasia specifically asked about a new access road off of Suncrest. Fred responded by stating we understand this is what people want and this might be a first step.

Art Chin explained from ExxonMobil's perspective there was a lot of foresight that went into the XL agreement. The two primary purposes include cleanup of the site and making sure the site is ready for redevelopment. He added the risk assessment was developed with the knowledge that an industrial site would be the future use and they continued going forward with that plan. He explained there are basically two parts of the site; the Waste Management Area and the Process Area. He estimated the Process Area would be completed much quicker and would provide 20 to 25 acres for redevelopment. He stated there are elements that ExxonMobil needs to hear from EPA and once this input is obtained from EPA, the cleanup work required in the Process Area could be better defined. Currently, it was estimated that such cleanup work would take approximately three to four months. Art emphasized the need to cooperatively work together to do what it takes to complete the clean up. He explained we have had people interested in the site and the first thing they ask is when will the site be ready? Nick Fantasia echoed Art's comments and states his biggest concern is momentum. Nick continued, we have an opportunity to put critical mass together and make an impact.

Griff Fowler stated he was concerned with Nick that every time EPA changes representatives then efforts start over. He emphasized that we need a community group to go to Washington. He said this has always been a community group project and waiting gets us nowhere. Tom Bass asked Tricia to read an excerpt from the final XL Project agreement detailing the objectives of the XL Project at the Fairmont Coke Works site, which included language on redevelopment.

Cynthia Ray asked about the Neal mine and Bruce McDaniel stated this is not part of the redevelopment plan.

Next Steps:

1. Covenant Not to Sue is waiting on The Department of Justice.
2. Bruce McDaniel will meet with Fred Mac Millan. Bruce McDaniel asked Fred to guide us in this process in working with EPA.
3. Tom Bass stated he would get back with the office of AML regarding the abandoned mine on site.
4. Karen Gribben stated the community is anxious to get this moving and asked if the group can do anything.

Communication Update

Carrie Deitzel, EPA, updated the group about the status of community surveys and explained she does not have a contractor on board, but will soon. She stated she will be contacting everyone on the panel in approximately four to five weeks. In addition, Carrie brought information on technical assistance grants.

Frank Markert provided an update on the black dust reported on neighboring houses at the past meeting. He explained investigations have been conducted and a source has not been found. In addition, reports of mold have been received in March by another neighbor. He explained they have visited the home and have been in contact with the neighbor to investigate this concern.

New Business

Art Chin reported ExxonMobil is instituting a new safety system on the site. He explained there have been a few incidents on the site and now ExxonMobil has a zero percent goal of incidents. Extensive training on the Loss Prevention System (LPS) is part of ExxonMobil's employee training program and they have made a large investment in safety and prevention of incidents.

Questions and Comments

Bill Byrd, Times West Virginian, asked when the clean up would be complete. Art Chin responded by stating we can estimate – the longest process is recycling the landfills. We are currently about 65 percent complete. It has taken us 18 months so far and will take us another year or year and one half. He added, the waste is going to be the governing issue that will take us out to a year and a half. He emphasized we are doing everything we can to expedite the process. Fred Mac Millan was asked to answer the same question and responded by stating EPA can guarantee that as ExxonMobil moves forward they will support their efforts and make this a priority for EPA. He added that EPA is behind ExxonMobil.

Bruce McDaniel announced the next Real Property Management Committee meeting will occur on June 18 at 9 a.m.

Art asked if there is a need to have more meetings to discuss these issues and keep the momentum. Fred Mac Millan suggested scheduling them every other month in advance and meeting when necessary. Bea Hunter stated every two months would be good, but monthly would be too much. Members agreed to meet bi-monthly with the first meeting on July 18 and the next meeting on September 2. The next two meetings would then be November 4 and January 6.

Announcements

Bruce McDaniel announced Steve Cain is the new police chief. There was no further business and the meeting was adjourned.

Next Meeting: **Thursday, July 8, 2004**
 Circle W Building
 5 p.m. - Dinner
 5:30 p.m. – Meeting