

# RETURN TO USE INITIATIVE

## 2006 Demonstration Project

### MIDVALE SLAG:

Midvale, Utah

**THE SITE:** The 446-acre Midvale Slag Superfund site (the Site) is located about 12 miles south of Salt Lake City in Midvale, Utah, and is divided into two operable units. Operable Unit 01 (OU1) comprises the northern 266 acres of the Site and the Winchester Estates mobile home park. Operable Unit 02 (OU2) comprises the southern 180 acres of the Site.

Since smelting activities began in 1871, five separate smelters were located on or near the Site until the last smelter closed in 1958. The adjacent mill continued operating until 1971. The smelters treated ores from Bingham Canyon and other mines. Studies initiated in 1984 found that ground water and soil were contaminated with heavy metals and the Site was listed on the National Priorities List (NPL) in February 1991. In 1990, EPA initiated removal actions at the Site to excavate contaminated soils, remove chemicals and explosives from an abandoned lab. After the 1995 Record of Decision (ROD) for OU1, EPA and Utah Department of Environmental Quality (UDEQ) removed contaminated soils from residential yards and put clean soil in its place. Cleanup of OU1 was completed in March 1999.

The 2002 ROD for OU2 divided the remaining work into three parts: the smelter waste and slag, the ground water and the riparian zone. EPA and the UDEQ coordinated with the City of Midvale, as well as property owners and a local citizens' group (Citizens for a Safe Future for Midvale), to consider redevelopment possibilities and integrate redevelopment opportunities into the Superfund remedy. The smelter waste and slag were remediated under a Consent Decree with Littleton, Inc. This work was completed in August 2007. The ground water remedy was implemented by UDEQ and ground water monitoring in the area continues. The riparian restoration work was completed in September 2011.

The Sharon Steel Superfund site is located immediately south of Midvale Slag OU2. Sharon Steel operated as a mill feeding the smelter and was listed separately on the NPL.

**THE OPPORTUNITY:** Midvale Slag, along with its sister site, Sharon Steel, comprise the majority of the City of Midvale's available land for expansion. The sites present



**PICTURED:** Abandoned smelting lands on the Site.  
(source: EPA)

**BARRIERS:** Institutional controls prohibiting likely future uses; stigma regarding the future use of the Site.

**SOLUTION:** While drafting the ROD for OU2 and examining the need for institutional controls on OU2, EPA issued an Explanation of Significant Differences for OU1. These two documents selected a plan for institutional controls that are compatible across the entire site, not just OU-specific, and that allow for future uses that will maintain protectiveness of the remedy. EPA also issued a Ready for Reuse determination to reaffirm site limitations and overcome stigma.



**PICTURED:** New neighborhoods at the Midvale Slag site.  
(source: EPA)

**BEFORE:** Midvale had no available land for future development. EPA and the State of Utah worked with the City to complete cleanup of the Site and to re-zone the industrial property to residential and commercial land uses.

**AFTER:** The construction of over 1,100 residential units, acres of parks, business offices, a supermarket and other stores has been completed. A new Utah Transit Authority light rail station and extension of a light rail line through the Site were completed in 2011.

unique opportunities to create a sustainable community in the heart of Midvale, a rapidly growing bedroom community for Salt Lake City, Utah. A reuse plan entitled the Bingham Junction Reuse Assessment and Master Plan was developed in conjunction with the City of Midvale and landowners. It presented an innovative community destined to become Bingham Junction, which made the most of its proximity to the Jordan River. The plan called for residential, commercial and recreational uses.

**THE BARRIERS:** The primary barriers to reuse on OU1 were institutional controls prescribed by the ROD. These institutional controls called for “implementing deed restrictions” to preclude future excavations that might disturb a monolayer soil cover on a specific section of the Site. According to the ROD, these deed restrictions would prohibit future residential land use unless the property underwent additional remediation to meet soil cleanup levels. In addition, there remained ongoing concerns about the stigma associated with using a former Superfund site. The ROD for OU1 was written much earlier in the cleanup process, and was not able to benefit from the future use information contained in the reuse assessment and master plan.

**THE SOLUTION:** Since the ROD, the zoning for OU1 had changed to allow for uses other than industrial. As a result of the zoning change, EPA worked with Midvale City to establish a decision-making process for determining whether a parcel of land in OU1 was suitable for commercial, residential or recreational reuse and whether any institutional controls were needed. EPA signed an Explanation of Significant Differences (ESD) in 2006 that eliminated the need for institutional controls on one of the parcels in OU1, thereby allowing for additional land uses, such as residential, commercial and recreational. Because the OU1 ROD envisioned an industrial future use, the ESD enabled EPA to work with Midvale City to place institutional controls on portions of the property that are zoned commercial, while further remediation took place on areas that are zoned residential. Although it was not necessary to further remediate the residential areas in OU1, the developer wanted to be able to have residential properties that were free of institutional controls. These changes allowed for the future uses envisioned by the community. In 2008, EPA issued a Ready for Reuse (RfR) Determination to inform the public about the uses for which the Site is protective.

**THE SITE NOW:** The majority of work at the Site has been completed and redevelopment is underway on both operable units. Midvale City has passed ordinances that implement the institutional controls for the Site; these institutional controls will help to ensure the ongoing protectiveness of the Site’s remedy. One of the most impressive on-site projects is the View 72 Corporate Center. Once completed, the 90-acre View 72 Corporate Center will be the largest class A office park in Utah. As the first tenant of the office park, FLSmidth began operating from Gold and Silver LEED-certified office buildings on the Site in September 2010. To increase accessibility to the park and other commercial and residential areas of the Site, construction of a Utah Transit Authority light rail station and a light rail track were completed in the summer of 2011. The final portion of the remedy involved riparian restoration along the Jordan River and improvements along the parkway, which was completed by September 2011. The revitalized area provides the community with enhanced access to the Jordan River. The end result is a large scale, mixed-use development that incorporates major retail and office space as well as housing for Midvale City. The Bingham Junction project has resulted in approximately 800 jobs, \$1.8 million in annual property tax revenues and a \$145 million increase in the value of the Site property. Prior to the remediation, the property was valued at \$2,500 dollars and the Site is currently at 40 percent of build-out. This reuse is protective, sustainable and benefits local citizens. Ground water monitoring is expected to continue and is being coordinated with the ongoing development.

**FOR MORE INFORMATION, PLEASE CONTACT:** Kerri Fiedler, Remedial Project Manager, at (303) 312-6493 or [fiedler.kerri@epa.gov](mailto:fiedler.kerri@epa.gov); or Frances Costanzi, Region 8 Superfund Redevelopment Coordinator, at (303) 312-6571 or [costanzi.frances@epa.gov](mailto:costanzi.frances@epa.gov).