



Franklin Mills Site Franklin Borough, PA The “Hard-to-Market” Site

A Case Study in the
Nuances of Pennsylvania’s
Land Recycling Program



April 18, 2008
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Key Principles

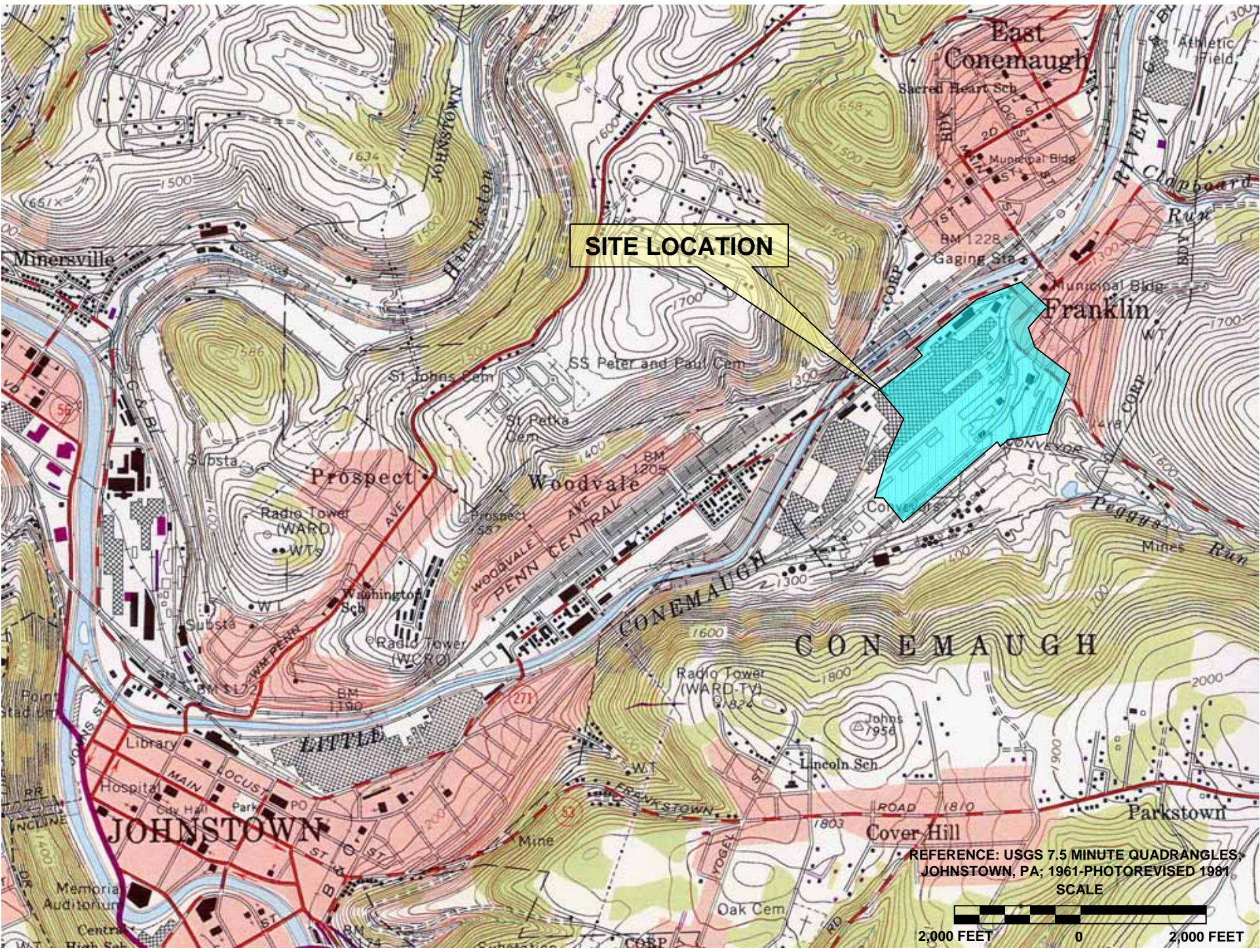
- “Cleanup plans should be based on the actual risk that contamination on the site may pose...taking into account its current and future use..., not on cleanup policies requiring every site...to be returned to a pristine condition.”



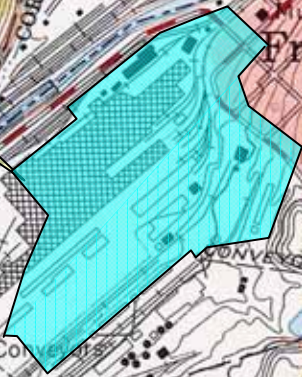
Key Principles

- “The cumulative excess risk to exposed populations...shall not be greater than 1 in 10,000.”
- “The hazard index shall not exceed one.”





SITE LOCATION



REFERENCE: USGS 7.5 MINUTE QUADRANGLES;
JOHNSTOWN, PA; 1961-PHOTOREVISED 1981
SCALE



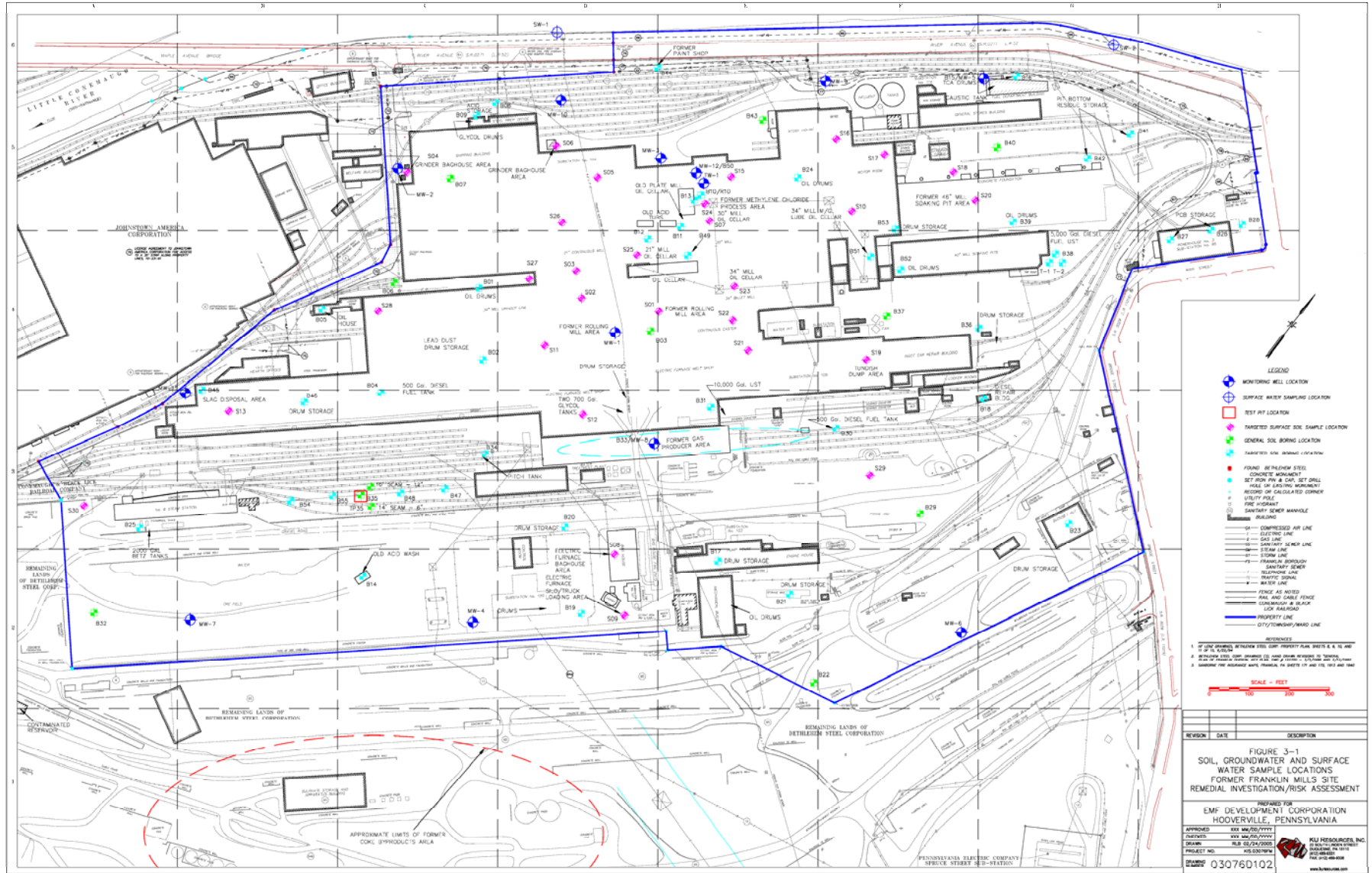




Project Timeline

- Phase I ESA Nov. 2003
- EMF Corp. Purchases Property
- Industrial Sites Reuse Program Assessment Grant Early 2004
- Baseline Remedial Investigation Work Plan April 2004
 - PADEP Comments June 2004
 - Addendum June 2004





LEGEND

- Monitoring Well Location
- Surface Water Sampling Location
- Test Pit Location
- Targeted Surface Soil Sample Location
- General Soil Boring Location
- Targeted Soil Boring Location
- Found Rebar/Steel Concrete Monolith
- Set Iron Pipe & Cap - Set Drill Hole of Existing Monolith
- Access of Calculated Contour
- Utility Pole
- Pipe Access
- Sanitary Sewer Manhole
- Building Footing
- Compressed Air Line
- Electric Line
- Gas Line
- Sanitary Sewer Line
- Steam Line
- Storm Line
- Franklin Borough Sanitary Sewer
- Telephone Line
- Tractor Road
- Water Line
- Fence As Noted
- Rail and Cable Fence
- Condemned & Black Lock Railroad
- Property Line
- City Township Ward Line

NOTICES

1. ALL LINES SHOWN BETWEEN STEEL CAP PROPERTY PLANS SHEETS E & H, AND I & J OF THIS DRAWING.
2. REMAINING STEEL CAP PROPERTY PLANS SHEETS TO BE SUBMITTED TO FRANKLIN BOROUGH AND TOWNSHIP OF HODDEVILLE FOR REVIEW AND APPROVAL.
3. EXISTING PIPE LOCATIONS SHOWN FROM AS-BUILT RECORDS FOR THE YEAR 2000 AND 2001.

SCALE = FEET
0 100 200 300

REVISION	DATE	DESCRIPTION

**FIGURE 3-1
SOIL, GROUNDWATER AND SURFACE
WATER SAMPLE LOCATIONS
FORMER FRANKLIN MILLS SITE
REMEDIAL INVESTIGATION/RISK ASSESSMENT**

PREPARED FOR
EMF DEVELOPMENT CORPORATION
HODDEVILLE, PENNSYLVANIA

APPROVED: KRS M/20/11111
DRAWN: KRS M/20/11111
DATE: 03/24/2005
PROJECT NO: HSL03076102
SCALE: 03076102

PENNSYLVANIA ELECTRIC COMPANY
SPRUCE STREET SUB-STATION

KUJ RESOURCES, INC.
2500 SOUTH STREET
HODDEVILLE, PA 17033
TEL: 717-495-0000
WWW.KUJRESOURCES.COM



Project Timeline

- RI Work Initiated July 2004
 - Soils Work July-Oct. 2004
 - GW Work Sept. 2004-April 2005
- Interim Remedial Action June 2005
- RI/RA Report – Initial Submittal Dec. 2005
- Business in Our Sites (BIOS) Planning Grant Application May 2006



Project Timeline

- RI/RA Report – Final Submittal July 2006
- BIOS Project Initiation Dec. 2006
- BIOS Final Report Feb. 2008



Nuance #1 - Liability Protection Before the Act 2 Release is Obtained

- Federal Innocent Landowner Protections
 - AAI
- Landowner Liability Protection in Pennsylvania
 - Buyer/Seller Agreements
 - Special Industrial Areas
- Communication with PADEP is Essential



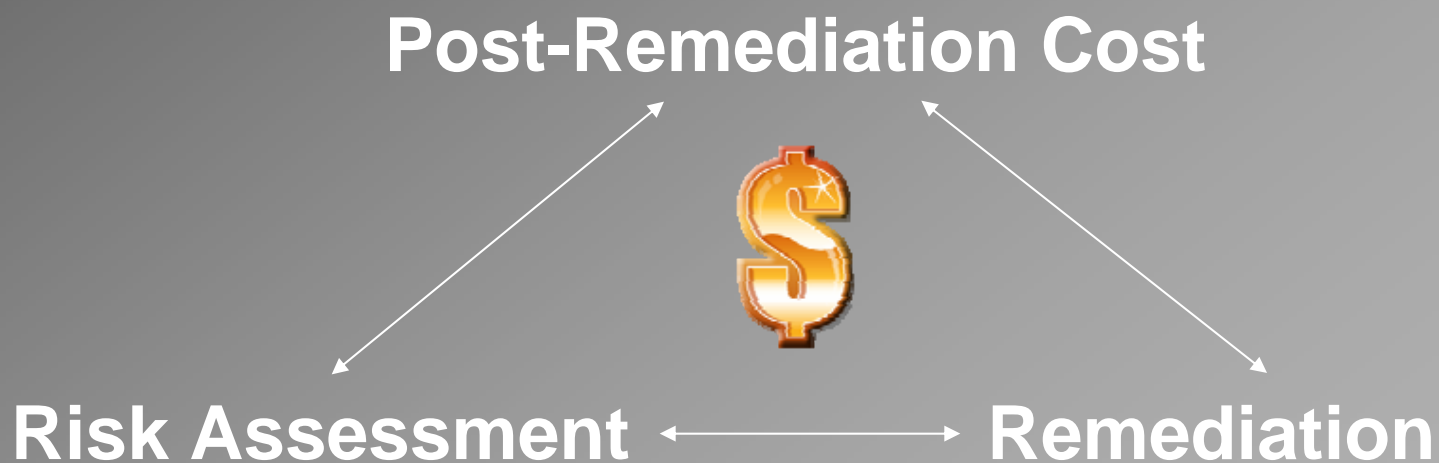
Nuance #2 – Picking the Best Standard

- Act 2 Allows the Remediator to Pick One of Three Standards in Addressing a Site
- Background Standard – “It Wasn’t Me”
- Statewide Health and Site Specific Standards – “No Unacceptable Risk”
 - Presumption: A Risk Exists
 - Task: Disprove the Presumption
 - Tools: Act 2/Regulations/TGM/Professional Judgment
- Understand the Site Before Selecting a Standard
 - Do the RI First



Nuance #3 – The Post-Remediation Care Conundrum

- The “Good Old” Brownfield Days
 - Preemptive Institutional Controls as Pathway Elimination Measures
- Current Regulatory Focus on Non-Permanent Remedies



Nuance #4 – Combining Act 2 Standards

- Pennsylvania MSCs Used to Screen Each Constituent Individually
 - No Exceedances = Meets SHS
 - Any Exceedance = Risk Assessment and/or Remediation
- Risk Assessment
 - Land Recycling Program TGM References U.S. EPA RAGS
 - Additional Exposure Pathways
 - Site-Specific Exposure Assumptions
- Result: Combined SHS/SSS Remediation



Nuance #5 – The Site-Specific Standard Combined Report

- Pennsylvania Land Recycling Program Allows for Contemporaneous Submittal of RI/RA/CP
 - Consistent with the Voluntary Nature of the Program
- Question: When Does This Make Sense?
 - PADEP Input
 - Cost Considerations



Nuance #6 – Effective Public-Private Partnerships

- A Precursor of Brownfield Success
- Especially Important with the “Hard-to-Market” Sites
 - Utilization of the Pennsylvania LRP Incentives
 - Industrial Sites Reuse Program
 - Business in Our Sites
- Shared Vision Resulting in Mutual Benefits



Nuance #7 – Redevelopment Planning for the “Hard-to-Market” Site

- Small Steps
 - Opportunity
 - Vision
 - Public Funding
 - Private Commitment
 - Act 2 Steps
 - Reuse Planning
 - Infrastructure Funding
 - Market Successes
 - Tax Base Enhancements
- Patience and Perseverance
- Flexibility to React



Nuance #8 – Positioning the “Hard-to-Market” Site

- Realism Must “Set-In”
 - Competing Locations in the Region
- Look for a Market Niche
- Develop Marketing Materials
 - Public Officials
 - Trade Organizations
 - Local Redevelopment Personnel
- Develop Incentives



