

*Herculaneum, Missouri:
Voluntary Property Purchase Plan Area (VPPPA) Future Land Use Project
Meeting Summary*

**First Land Use Committee Meeting
Herculaneum High School Cafeteria
Monday, February 20, 2006: 6:30 pm - 9:15 pm**

Introductions and Committee Purpose

Herculaneum City Alderman Michelle Richardson and City Administrator Bill Whitmer welcomed participants to the first Land Use Committee meeting for the VPPPA Future Land Use Project. Project consultant team member James Wilkinson explained that the Environmental Protection Agency (EPA) has provided the City of Herculaneum with resources to undertake a community-based future land use planning project for the VPPPA and develop future land use recommendations for the buyout zone.

Mr. Wilkinson explained that the purpose of the project is two-fold. First, the project offers the community an opportunity to come together to learn about the VPPPA, discuss community preferences and priorities for the area's mix of potential future uses, and develop a site reuse report that can inform the community's future plans and priorities, including the City's upcoming Strategic Plan process. The second goal of the project is for the community to provide EPA and the Missouri Department of Natural Resources (MoDNR) with the community's guidance and anticipated goals for the reuse of the area. While the two regulatory agencies' primary responsibilities are to protect human health and environment, EPA and MoDNR are in the process of developing regulatory plans that will need to consider future land uses in the VPPPA. The community-based planning process will provide EPA and MoDNR with the community's preferences and priorities for future land uses in the VPPPA.

Twelve Land Use Committee members, in addition to representatives from EPA, MoDNR, and the project's consultant team, attended the first Committee meeting for the VPPPA Future Land Use Project. The project's Land Use Committee is an advisory body that will manage the VPPPA Future Land Use Project. The Committee will meet three times over a five-month period and host a public meeting to share its draft findings with the larger community for review and feedback.

Committee members include:

- City residents
- City of Herculaneum staff and elected officials
- Local business owners
- Local real estate and economic development representatives
- Doe Run Company representatives
- Local civic and community organization representatives, including Herculaneum Today & Tomorrow and the Herculaneum Community Advisory Group
- Local church representatives

During introductions at the beginning of the meeting, Land Use Committee members discussed their reasons for participating in the project. Committee members identified three general categories of interest:

- Interest in improving the community's quality of life and working towards a strengthened future for the VPPPA and Herculaneum in general;
- Interest in ensuring a healthy local environment for Herculaneum residents; and
- Interest in the potential for future land uses in the VPPPA to provide community-wide benefits.

Introduction to Project Resource Members and the Project's Consultant Team

Project consultant team member James Wilkinson introduced the project's resource members:

- Kerry Herndon, Superfund Revitalization Project Manager, EPA Region 7
- Leanne Tippet Mosby, Deputy Director, Missouri Department of Natural Resources
- Dennis Stinson, Project Manager, Missouri Department of Natural Resources
- Denise Jordan-Izaguirre, Regional Director, ATSDR, EPA Region 7
- Cherri Baysinger, Missouri Department of Health & Senior Services

The project's resource members are supporting the Committee process and will be available as resources for the Committee throughout the process. Mr. Wilkinson indicated that, as resource members, the agency representatives will not be involved in the Committee's decision-making process.

Mr. Wilkinson also introduced the project's consultant team. E² Inc. is an environmental consulting company based in Charlottesville, Virginia that specializes in helping communities undertake future land use planning processes for environmentally impaired areas. The consultant team has worked with more than 50 communities across the country over the past four years on these projects. In Herculaneum, the project's consultant team will be providing research and analysis services, developing a conceptual site reuse strategy based on the Committee's discussions, organizing the project's public outreach effort, facilitating Committee meetings, and serving as a liaison between the community's reuse planning process and EPA and MoDNR.

Mr. Wilkinson indicated that the team's role is to support the Committee and the City, not to make decisions about future land uses in the VPPPA. The team will assist the Committee in identifying issues, gathering information, assessing options, seeking community input, and offering recommendations to the Committee. The project's consultant team also does not represent EPA or MoDNR.

Committee Member Roles, Project Ground Rules, and Project Decision-Making

Consultant team member James Wilkinson reviewed potential Committee member roles for the project and solicited committee feedback and additions. These roles will include:

- Listening to the local community throughout the process and incorporating their perspectives into the Committee's discussions
- Learning - about fellow Committee members' interests, the VPPPA's characteristics, and future land use opportunities and challenges within the VPPPA
- Identifying and evaluating future land use options for the VPPPA and providing the City of Herculaneum, EPA, and MoDNR with future land use recommendation(s)
- Serving as local ambassadors and information resources for the community

Committee members did not identify any additional roles.

Mr. Wilkinson reviewed potential project ground rules and solicited Committee feedback and additions. The Committee will be able to update these ground rules throughout the process:

- Committee discussions should be an open, friendly process where different opinions are welcome and respected.
- Clear, understandable language should be used in Committee discussions. Any time that an acronym is used, it should be explained.
- The project should be an interactive process that reaches into the community to provide information and to receive input.



Committee members did not identify any additional project ground rules.

The Committee also discussed project decision-making. The VPPPA Future Land Use Project has been created as a consensus-based process, with Committee members working to reach shared recommendations regarding future land use opportunities in the VPP. If full Committee agreement is not possible, an accurate description of group preferences, along with the pros and cons of various options and areas of agreement and disagreement, will be reported to the City, EPA, and MoDNR.


VPPPA Status Update

Project resource members Kerry Herndon and Dennis Stinson from EPA Region 7 and MoDNR provided an update on the current status of the VPPPA. The slides from their presentation are provided below.

VPPPA Update from EPA and MoDNR



Prepared for Herculaneum Land Use Committee
February 20, 2006



EPA's Role in Herculaneum

- Conduct oversight of soil replacement in residential yards
- Collect and analyze samples to monitor environmental conditions
- Share responsibility with MoDNR for protection of human health & environment
- Report environmental information
- Serve as project resource members for community's effort to identify appropriate future uses in VPPPA

MoDNR's Role in Herculaneum



- Oversee the Voluntary Property Purchase and other Settlement Agreement provisions
- Conduct air sampling and analyses to determine compliance with lead standards for air
- Share responsibility with EPA for protection of human health & environment
- Report environmental information
- Serve as project resource members for community's effort to identify appropriate future uses in VPPPA



VPPPA History



- August 2001 – lead discovered in environmental samples at levels requiring response actions; elevated blood lead levels confirmed in children
- September 2001 - MoDNR issued Order to Abate and Cease and Desist Violations
- April 2002 - MoDNR & Doe Run negotiated a Settlement Agreement for the VPPPA & other requirements
- VPPPA milestone dates:
 - 12/31/04 - deadline for requesting appraisals
 - 12/31/05 - deadline for closing accepted offers



Key VPP Provisions



- Settlement Agreement included provisions for the buy-out and management of the VPPPA
- Residents were asked to initiate the process if interested; were not required to participate or accept offers
- Doe Run required to leave homes vacant until they were demolished or until re-deposition studies were complete and MoDNR, DHSS, City, and Doe Run agreed that re-occupancy not a risk to human health
- Requirement that Doe Run cease renting homes
- A few exceptions to residency prohibitions granted



Voluntary Property Purchase

- 149 purchase offers, 142 accepted, 133 closed
- 32 VPPPA residences remain occupied
- Doe Run not required to make offers on vacant or non-residential properties
- MoDNR sent letters 12/05 to Doe Run & the City indicating that the VPPPA could not be used for residential purposes in the future
- Doe Run currently demolishing homes in VPPPA buffer zone nearest the plant site



How Lead Contamination Occurred in the VPPPA

- Truck transportation – releases of lead concentrate along haul routes
- Stack releases – emissions from smelting operations
- Fugitive emissions – dust blown from plant site (from processing areas, buildings, slag piles)
- Runoff – lead particles carried by water
- Tracking – vehicles & feet
- Use of slag as fill material & for road traction



Doe Run's Current Lead Reduction Practices

- Street Sweeping
- Truck Wash Station on the plant site
- Stack emissions controls
- Facility improvements made to reduce fugitives
- Company has Plan to cover slag piles
- Company has Plan to implement new transportation & materials handling procedures



Air Quality

- Five air monitors; only Broad St. monitor failed lead NAAQS three consecutive quarters last year
- EPA now requiring Doe Run and MoDNR to develop plans to further reduce emissions
- Doe Run will have one year after plan approved to complete installation of new controls
- Regulatory standards for air quality will impact future land use options





Cleanup Progress

- Doe Run will resume replacement of contaminated yard soils and interior cleaning in Spring 2006
 - 71 yards remaining over 400 ppm lead
 - 407 yards completed
 - 113 home interiors cleaned





Soil Recontamination Monitoring

- EPA collecting soil samples bi-annually
- Statistical analyses suggest soil lead concentrations are increasing within 0.8 mile of smelter
- Additional reductions in lead emissions/spills needed to prevent recontamination
- Data & statistics available on EPA's website at:
 - www.epa.gov/region7/cleanup/superfund/major_superfund_site_reports.htm
- MoDNR report of statistical analysis of EPA's data also available



EPA / MoDNR Websites

- EPA's website:
 - www.epa.gov/region7/cleanup/superfund/major_superfund_site_reports.htm
- MoDNR's website:
 - www.dnr.mo.gov/env/herc/herc.htm



Future Land Use Process and EPA and MoDNR needs

- Identify land use options that meet community needs & are compatible with current & future health risk considerations
- Identify viable land uses so that agencies can set appropriate institutional controls and regulatory framework for the area
- Select options that enhance and protect the environment for current & future citizens

VPPPA Land Uses, Property Ownership, Site Characteristics, and Future Land Use Considerations

Project consultant team member Matt Robbie provided a summary analysis of the VPPPA, highlighting the area's zoning, existing land uses, including residential, community, municipal, and commercial properties, properties owned by the Doe Run Company, access considerations, and local natural systems, including topography and floodplains. The information included in Mr. Robbie's presentation is available in the Land Use Committee information packet provided to Committee members. Please contact Mr. Robbie at mrobbie@e2inc.com or (434) 975-6700 ext. 227 for additional copies of the information packet.

Following the presentation, Committee members discussed property ownership within the VPPPA as well as plans to extend a new road and bridge from Riverview Avenue into the southern portion of the VPPPA.

Doe Run representative Aaron Miller indicated that the company has not yet considered future land use opportunities for the properties that it owns within the VPPPA and that the company is participating in the Future Land Use Project as an opportunity to learn more about the community's future land use needs and priorities. Mr. Miller also indicated that the company is acquiring a couple of additional residences and vacant lots in the southern half of the VPPPA, south of Station Street. The project's consultant team will update project maps to reflect any changes in land use or property ownership within the VPPPA.

Doe Run representative Gary Hughes clarified that the company owns the portion of Main Street that extends south from Curve Street within the VPPPA. The company acquired the roadway in a property swap with the City several years earlier, which received a 40-acre property adjacent to the interstate in return. Mr. Hughes also defined the company's buffer zone for Committee members. The buffer zone is the area within the VPPPA, immediately adjacent to the smelter, in which residential reoccupancy will not be permitted. The buffer zone will be fenced off from the rest of the VPPPA. Doe Run and City representatives at the meeting stated that both entities will need to work closely to address several key areas related to the buffer zone, including the status of City-owned infrastructure within the buffer zone, as well as the location of City Hall and other municipal and community land uses. Doe Run representatives indicated that once the buffer area is fenced, the company does not plan to use the area for any purposes.

The Committee also discussed the possible future land use implications of extending a road and bridge from Riverview Avenue into the southern portion of the VPPPA. Committee members indicated that the road would enable smelter truck traffic to be routed directly out of Herculaneum and could also enhance opportunities for new commercial and industrial land uses, particularly in the southern portion of the VPPPA. While current plans call for the road and bridge to extend into the southern portion of the VPPPA, Committee members also discussed whether the road and bridge's extension into the VPPPA from the west, connecting with Station Street, could provide additional benefits.

Committee members indicated that any future use of the VPPPA for commercial and industrial land uses could face several challenges, including the area's predominantly residential zoning and remaining residences, the area's predominantly residential infrastructure and road system, and varied topography.

Committee Discussion: Future Land Use Opportunities and Challenges in the VPPPA

Following a meeting break, Committee members discussed a wide range of future land use considerations, opportunities, and challenges for the VPPPA:

Commercial / Industrial Land Uses

- Committee members discussed the possibility of locating several different types of commercial development in the VPPPA.
- Committee members suggested that an industrial park would likely be an appropriate use of the VPPPA. Members discussed warehousing as another potential commercial use of the area.

- Committee members suggested that perhaps Doe Run Company's existing port facility could be expanded to accommodate a commercial port. The Jefferson County Port Authority is the only port authority in the state without a port. Representatives from the Port Authority's board have recently met with Herculaneum City Officials regarding the subject. The Mississippi River barge channel is located on the Herculaneum side of the River, and rail lines currently provide freight access to the lead smelter.
- Committee members suggested that a commercial port would require a new bridge and improved access from the south. Committee members pointed out that a port could also help to spur additional market interest in the VPPPA.
- Committee members suggested that an industrial port would also require some type of buffer zone to ensure the residential uses would not be located among industrial activities around a port.

Infrastructure

- Committee members discussed a number of issues related to access improvements and the proposed South Bridge. Members discussed the apparent challenges of potential access routes, one of which would lead traffic down Main Street to a dead end at the Doe Run plant, there other would follow Church Street to a T-intersection on Station Street. Committee members would like to see alternative alignments that would improve the traffic circulation within the VPPPA.
- Committee members discussed the possibility of relocating the South Bridge slightly to the north, which would shift the access route from Church Street to Station Street. Members felt that this might provide a better configuration for the traffic pattern.
- Regarding the alternate bridge location, committee members also suggested that it might be too late to consider moving the South Bridge, because portions of the bridge's funding have already been allocated.
- Committee members agreed, regardless of the bridge location or traffic pattern, that any improved southern access route would need to extend through the VPPPA north toward the High School.

Doe Run Company Plans

- Committee members requested that Doe Run provide an update on its goals and future plans for the properties the Company owns in the VPPPA. Doe Run representatives explained that the Company's interests are primarily focused on the proposed buffer zone and that there are no preconceived plans beyond the acquisition and demolition of properties within the buffer zone adjacent to the smelter.
- The Doe Run Company has no plan to continue purchasing occupied homes in the VPPPA. Company representatives explained that they are looking to hear from the City of

Herculaneum and community members regarding the potential future use of the residential properties acquired in the VPPPA.

- Doe Run representatives offered that the Company plans to make modifications to the plant and to work with property owners in the VPPPA, in an effort to plan for its continued presence in the community.

Proposed Buffer Zone

- The area referred to as the “buffer zone”, extends west of Main Street to the height of land behind the Herculaneum Fire Station, north to the intersection of Main Street and Circle Street, and south to the northern edge of the slag pile. MoDNR and EPA established a provision that the buffer zone be designated for non-residential land uses.
- As part of its strategy to comply with EPA and MoDNR ambient air quality standards, Doe Run has proposed to move its fence line and plant boundary to the western, northern and southern edges of the buffer zone. The Company would also position three new air quality monitoring stations on Company owned properties in the VPPPA, but outside the proposed buffer zone. The monitoring station relocation would make the proposed buffer zone exempt from that National Ambient Air Quality Standards.
- Committee members discussed the potential for other industrial land uses to be located within the buffer zone. Project resource members suggested that, even if industrial uses were to be located in the buffer zone, air quality standards would need to be maintained. Doe Run representatives clarified that the land in the buffer zone would not be available for other uses.

Recreational Land Uses

- Committee members agreed that recreational land uses involving outdoor activities and young children were not desirable future uses of the VPPPA.
- Several committee members suggested that the planned 1 ½ mile recreation trail, proposed along Joachim Creek at Bates Memorial Park, would provide a new recreational resource for the community. Members also pointed out that the boat launch ramp at Bates Park and Haggard Park at the Herculaneum City Hall were already located within the VPPPA.
- Committee members suggested there would be a need for additional athletic fields near the Herculaneum High School.

Community Land Uses

- Committee members asked if a community center would be permissible within the VPPPA. Project resource members clarified that indoor activities would not present health concerns. Committee members suggested that outdoor community center activities involving children would not be acceptable future uses of the VPPPA.

- Committee members indicated that the Assumption Catholic church was interested in moving outside the VPPPA. The church has approached the Doe Run Company regarding a possible land transfer, involving the Assumption property and in the VPPPA and an eight-acre property elsewhere in Herculaneum. Plans to are in place to build a new church connected to a small school.

Residential Land Uses

- Committee members pointed out that residential land uses couldn't be entirely removed from consideration. Currently, 20 + occupied homes remain in the VPPPA. Residential property can be bought and sold. Based on the current conditions, there is a need to balance the existing residential uses with new proposed uses.

Next Steps

Following the Committee's discussion, the first meeting of the Land Use Committee for the VPPPA Future Land Use Project came to a close.

The second Committee meeting, which will take place in Herculaneum High School's cafeteria at 1 Black Cat Drive in Herculaneum, will be scheduled for Wednesday April 19, 2006, from 6:30 pm to 9:00 pm. The project's second Committee meeting will be a workshop-style discussion. During the meeting, Committee members will review and discuss several conceptual future land use approaches for the VPPPA developed by the project's consultant team that reflect the Committee's discussions to date.

If Committee members have any project-related questions, please contact project consultant team member Matt Robbie at (434) 975-6700 ext. 227 / mrobbie@e2inc.com or Herculaneum Alderman Michelle Richardson at (636) 827-3562 / michelle.richardson@maritz.com.