



# Shurden Leist Industrial Park Project HENRYETTA, OK 2007 REGION 6 WINNER

*Key Project Lesson: Small town partnerships can attract the right resources to drive big-time successes, even at highly contaminated properties.*

## Overview

The former Eagle Picher and Victory Metals smelters in the small city of Henryetta (population 6,096) sat underused and mostly abandoned for 38 years. Smelting operations began at the 71- acre Eagle Picher property in 1916 and shut down in 1968, leaving a legacy of significant contamination. Acidic winds killed vegetation, which took years to recover. Huge mounds of smelter waste dotted the site, and storm water runoff introduced contaminants into the Coal Creek watershed. The owner of the Eagle Picher smelter donated the site to the city in 1974 and then declared bankruptcy. However, Henryetta officials rallied a number of public and private partners over a decade to ensure that the Superfund removal sites were cleaned and reused. Adjoining businesses and property owners cooperated and even donated materials to help the city's vision for a new industrial park become a reality.

## Featured Partners

- City of Henryetta and Henryetta Economic Development Authority (HEDA)
- U.S. Environmental Protection Agency
- Oklahoma Senator Frank Shurden and Representative M.C. Leist
- Hamilton Strip Mine
- Anchor Glass
- Oklahoma Departments of Transportation and Environmental Quality
- U.S. Department of Housing and Urban Development

## Primary Reason for Redevelopment

Henryetta had strong interest in developing an industrial park within the city limits. This site, located on US Highway 75 and less than a mile from Interstate 40, offered the perfect location for the Shurden Leist Industrial Park.

## Approach

In 1996, EPA agreed to clean up the site through the Superfund removal program, spending nearly \$8.5 million to remediate the Eagle Picher and Victory smelters. As part of this approach, Henryetta asked EPA to clean up the site to permit new industrial uses. Because the city owned the site, it was considered a potentially responsible party under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). Henryetta negotiated a settlement agreement with EPA and the Oklahoma Department of Environmental Quality (DEQ), effective in late 2000, that gave the city responsibility for maintaining the cleanup remedy and also protected it from liability for response costs and third-party contribution claims.

Developing the Shurden Leist Industrial Park required considerable resources and effort. The city of Henryetta secured about \$465,000 from state transportation and environmental grants and federal Department of Housing and Urban Development (HUD) and economic development grants. The city also worked with DEQ to develop an approach that allowed for re-engineering of the cap to facilitate installation of utilities at the site, which paved the way for its future as an industrial park.

## Innovative Techniques

Once EPA agreed to perform a Superfund removal action to clean up the site, the city of Henryetta pressed forward with its vision for a new industrial park. The city asked EPA to clean the property to allow for this type of reuse. This request to consider the site's future use when designing the cleanup remedy was made at a time when EPA was just beginning its brownfields initiative, and years before the EPA's Superfund Redevelopment Initiative, which today encourages consideration of site reuse throughout the cleanup process. EPA agreed to grade the site in a way so that it could be developed as an industrial park. DEQ agreed to oversee any future development of the site.

As EPA began the removal action, it discovered widespread off-site contamination and determined that the Victory Metals smelter site adjacent to Eagle Picher also required cleanup. DEQ asked EPA to incorporate the wastes from the Victory Metals site into the disposal cell on the Eagle Picher site. EPA agreed, and two smelter sites were cleaned up in one removal action. Since EPA had decided to consolidate all the waste into a disposal cell on city-owned land (the Eagle Picher site), it needed capping material. A local glass manufacturer donated clay to the project, and the owners of a closed coal mine nearby donated soil from the piles of overburden on their property. In the process, the 90-acre mine was reclaimed according to a plan written by the Natural Resource Conservation Commission.

## Challenges

EPA carried out the cleanup and built the disposal cell so that the site could be reused as an industrial park. However, lack of appropriate infrastructure stymied Henryetta's efforts to attract tenants. The industrial park sat vacant for ten years.

Eventually, the Henryetta Economic Development Authority (HEDA) asked DEQ for advice. The main hindrance was the lack of sufficient utility services and truck access. The city was concerned that utilities could not be installed underground because it would disturb the disposal cell's cap. DEQ suggested that, with the appropriate engineering, clean utility corridors could be installed by removing waste from the utility pathways, replacing it with clean material, and reestablishing the cap. Once this was completed, the industrial park was "pad ready" with utilities and an industrial access road.

## Benefits

Spearheaded by local volunteers, HEDA's marketing efforts found a receptive local company that needed to expand. ProStreet Framework, a company that makes after-market motorcycle bodies for Honda, Harley Davidson, and other companies, signed on as the first industrial park tenant. The company took advantage of a local incentive program offering free land in Shurden-Leist for any company that creates at least ten jobs. The company also tapped into an Oklahoma program offering incentive payments to companies locating on a former Superfund site. The new ProStreet facility opened for business in May 2006.

Before



After



<b>Address:</b>	707 N. Robinson, P.O. Box 1677 (for contact person)
<b>Contact Person:</b>	Rita R. Kottke, Ph.D., Oklahoma Department of Environmental Quality
<b>Phone:</b>	405-702-5127
<b>Email Address:</b>	rita.kottke@deq.state.ok.us
<b>Names of Participants:</b>	Henryetta Economic Development Authority, ODEQ, others
<b>Number of Acres:</b>	83 acres for the two sites, 57 acres of usable land after cleanup
<b>Former Uses:</b>	zinc, cadmium and germanium smelting
<b>Current Uses:</b>	industrial park, church
<b>Former number/Types of jobs:</b>	550, mostly laborers
<b>New number/Types of jobs:</b>	26, with 10 more expected, machinists, metal working
<b>Type of Site:</b>	metal smelter
<b>Regulatory Program:</b>	Superfund Removal Program
<b>List of Major Contaminants:</b>	lead, zinc, and arsenic contaminated smelter waste.
<b>Magnitude of Contamination:</b>	At sites, more than 188,000 cubic yards of waste; plus 162 residential properties, 93 alleyways, three parks and three schoolyards were contaminated.
<b>Greatest Challenge(s):</b>	stigma, perceived threat of contamination at the site
<b>Length of Time to Remediate Site:</b>	16 years for remediation; 10 years vacant; 2 years installation of infrastructure improvements
<b>Primary Reason for Redevelopment:</b>	city was contacted by an interested tenant
<b>Years Abandoned or Challenged:</b>	38
<b>Cleaned up under Consent Decree:</b>	yes
<b>List of Financial Assistance:</b>	EPA Superfund removal action, ODEQ grant, state transportation grant, CDBG grant and loan
<b>Other Financial Techniques Utilized:</b>	Job creation incentives and state incentives to businesses locating on formerly contaminated properties.
<b>Community Outreach Activities:</b>	Community-Based Environmental Protection (CBEP); fact sheets; state and EPA community relations trailer at on-site command post; HEDA monthly meetings on redevelopment progress
<b>Innovative Environmental Regulatory Techniques:</b>	early request to consider future use in cleanup, brownfield comfort letters
<b>Land Conservation:</b>	brownfield vs greenfield development; 120-acre constructed wetland planned downstream of the site. Cleanup reclaimed a 90-acre former coal strip mine
<b>Federal Partners:</b>	EPA, HUD, USDA, Department of the Interior