Fort Gillem - A Unique Brownfield Redevelopment Opportunity
Gillem’s Unique History

- The Army needed a southeastern regional supply depot since WWI.
- With the advent of US involvement in WWII in 1941 the Army’s supply mission changed to “get supplies to the troops when and where needed as quickly as possible.”
- By 1942 what was once a vacant and forested 1486 acre parcel housed the Atlanta Motor Base and Atlanta General Depot, now known as Fort Gillem.
Gillem Before and After 1941

**Gillem 1939**

**Gillem 1952**
Gillem’s Unique History (Cont.)

- Continuous history of Army supply and logistics center, from WWII until approved for BRAC Closure in 2005.
- Very limited residential housing (Wherry Housing and Staff Housing).
- No UXO or MEC issues; minor radiological items addressed by Army early in BRAC process.
- Minimal, if any, manufacturing uses at Gillem. Mostly warehousing of materials.
BRAC Closure Process

- Ft Gillem was officially listed on the Base Realignment and Closure (BRAC) list in May 2005.
- Installation activities were relocated by 15 September 2011.
- Of the 1468 acres, approximately 257 acres were retained as the Army Enclave to be administered by Ft Gordon. The remainder was declared surplus BRAC property.
- In May, 2012, the Army issued a FOST for 771 acres (all contiguous, no donut holes) centered along Hood Ave.
- In September, 2012, the Army issued a Draft FOSET for the remaining 394 acres of surplus property.
FOST and Proposed Redevelopment Overview

- **FOST** - Finding of Suitability for Transfer

- **FOSET** - Finding of Suitability for Early Transfer
Takedown Strategy

- Redevelop the FOST for use as a warehouse/distribution logistics center (no residential)
- Create Forest Park Urban Redevelopment Authority (URA).
- Install new road (Hood Avenue) and infrastructure to attract new owners.
- Segment and transfer parcels to new owners to fit their specific project needs.
- Utilized a layered system to manage environmental liability and obtain Brownfields Limitation of Liability protection for individual parcels as they are developed.
Stakeholders & Early Challenges

- Long List of Stakeholders:
  - Urban Redevelopment Authority
  - Forest Park City Council
  - U.S. Army BRAC Environmental Coordinator (BEC)
  - Georgia EPD
  - U.S. EPA
  - Local Neighbors
  - Media
  - Potential Buyers (Kroger, etc.)

- Long and contentious relationship between Army and GAEPD.

- Managing Perception vs. Reality with Respect to Environmental Conditions
Key Federal, State and Military Acronyms:

- BRAC  Base Realignment And Closure Act
- FOST  Finding of Suitability to Transfer
- FOSET Finding of Suitability for Early Transfer
- DoD  Department of Defense
- ESCA  Environmental Services Cooperative Agreement
- MOA  Memorandum of Agreement
- NPL  National Priority List
- HRS  Hazard Ranking System
- NFRAP  No Further Remedial Action Planned
- SAA  Superfund Alternatives Approach
- CERCLIS/SEMS  Comprehensive Environmental Response, Compensation and Liability Information System/Superfund Enterprise Management System
- PA/SI  Preliminary Assessment/Site Investigation
- ROD  Record of Decision
- UAO  Unilateral Administrative Order
- ILRA  Implementation Local Redevelopment Authority
- URA  Urban Redevelopment Authority
Kroger Regional Distribution Center

- First Property transfer out of the FOST, simultaneous with Army transfer
- 253-Acre Property Centrally located within the FOST
- Up to 2-million square foot Distribution Facility
- Scheduled to Open Summer 2015
Background on Legal Factors

- Army Transfer Documents
- URA Transfer Documents
- Due Diligence
- EPD request that EPA place the Base on the NPL
- Independent EPA concern
- Base listed on the HSI
- Bond Documents and Tax Credit Issues
- Insurance
Key Concerns for Kroger

- Limitation and management of future environmental risks
  - Adequate due diligence and ability to estimate environmental costs
  - BFPP defense
  - Brownfield LOL
  - Removal from HSI
  - Remove NPL potential (Comfort Letter, CERCLIS Archive and NFRAP)
  - Avoid EPD UAO
- Continued Army responsibility
- Continued URA responsibility
- Insurance
- Timing: construction deadline, EPA and EPD to wait on taking action until objectives achieved
- Cost
- Offsite residential concerns
- Confidentiality
Strategies

- Sufficient Due Diligence
- Maintain Open Communication with all parties
- Independent Brownfield Application and LOL
- CSR following development
- EPD (and EPA) buy in on site characterization requirements and RRS
- Preserve Army protections
- Minimize environmental risk on every front
- Motivate Army to continue assessment and cleanup
- Separate consideration of Jasper/FOST/FOSET
Working Through the Details Statutory Provisions

- **CERCLA §120(h) (FOST)** Property transferred by Federal agencies on which any hazardous substance was stored for one year or more, or known to have been released or disposed of:
  - Adequate Notice;
  - Covenant warranting all necessary remedial action has been taken and the US will conduct any further remediation found to be necessary;
  - Reserving an access easement; and
  - Provide necessary restrictions on use of the property.

  DoD to indemnify property transferees from and against any cost arising out of any claim for personal injury or property damage resulting from the release or threatened release of any hazardous substance from a facility closed under BRAC.
Working Through the Details Superfund Assessment

- "NFRAP" No contamination found, contamination removed quickly or contamination not serious enough to merit federal action. i.e. Not judged to be a potential NPL site. Occurs only after a site assessment event.
  - Federal Facilities listed on Federal Agency Hazardous Waste Compliance Docket;
  - Mandatory PA, listing on CERCLIS (now SEMS);
  - If no NFRAP, SI;
  - If no NFRAP and if HRS score >28.5, Assess Cleanup Alternatives (e.g. Removal, RCRA, state cleanup programs, SAA, NPL), but if <28.5, NFRAP
  - If HRS score > 28.5 but ROD would be “No Action”, NFRAP.

- CERCLIS/SEMS Archival is not the same as NFRAP, indicates no further federal Superfund interest exists.
  - Eligible if deleted from NPL, NFRAP or NPL deferred, completion of removal and cost recovery, no work started except abbreviated PA.

- Federal Facilities Comfort Letter: different ones available, we received “No Current Federal Superfund Interest”
Lessons Learned

- Flexibility CRITICAL
- Proceed from a common goal, really hear government concerns
- Derivative LOL risky
- Brownfield Acceptance CRITICAL
- Even though FOST, Army data/remediation insufficient
- EVERYTHING takes longer than expected
- Have a great technical team
Environmental Conditions

- **On-Site (FOST) Concerns:**
  - Former USTs and ASTs
  - Historical Use of Pesticides and Herbicides
  - Motor Pool Buildings
  - 400 Block Engineers Complex
  - Water Tower
  - Locomotive Repair Facility

- **Off-Site (FOSET) Concerns:**
  - North Landfill Area
  - Trap & Skeet Area
  - Southeast Burial Sites
  - Army Enclave Solvent Disposal Area
Environmental Conditions (cont.)

- Long List of Potential Chemicals of Concern:
  - VOCs
  - SVOCs
  - Pesticides
  - Herbicides
  - Metals
  - PCBs
  - Radiological
  - Hexavalent Chromium
Previous Assessments

- Stereoscopic Aerial Photograph Site Analysis
- BRAC Environmental Conditions of Property (ECP) Report (Shaw)
- ECP Updates (Wenck)
- UST/AST Closure Reports (Aerostar)
- NLA Geophysical Investigation (B&V)
Pre-Acquisition Environmental Sampling

- Favorable Geophysical Conditions for the FOST
- USACE Land Transfer Site (LTS) Sampling
- Oasis Environmental Testing
  - 216 Environmental Soil Borings
  - 358 Soil Samples
  - 40 Groundwater Samples
  - FID Field Screening from 115 Geotechnical Boring
  - Comparison of Results to RSLs and RRSs
Post-Acquisition Environmental Sampling

- Field Screening and Sampling During Construction
- Ongoing Updates with GAEPD
- Selective Remediation of Isolated Areas
- Pre & Post Acquisition Data to be Incorporated to Final Compliance Status Report
Key Factors for Success

- Comprehensive Environmental Liability Strategy
- Unique Incentive Package
- Master Redevelopment Plan
Three-Layered Liability Strategy

- Innovative and comprehensive strategy incorporating the use of:
  - Army retains responsibility for remediation of known and newly discovered soil and groundwater contamination at the property
  - Enrollment of Property in the Georgia Brownfield Program
  - The use of environmental insurance as a means to quantify, limit and perhaps eliminate environmental liability in the acquisition and redevelopment of the property.
Incentives

- Job Tax Credits
- Property Tax Abatement
- Foreign Trade Zone (FTZ)
- 100% Freeport Exemption
- State Incentives
Master Redevelopment Plan

- 775-Acre Industrial Park
- 8-million sq. ft. of Warehouse/Industrial Space
- Close Proximity to Hartsfield Jackson Airport, I-285, I-75, I-85, and I-675
The End

http://gillemlogisticscenter.com/