Author: walter@southface.org at IN
Date: 3/10/99 5:12 PM
Priority: Normal
BCC: michelle glenn at REGION4
TO: bleary@crbrealty.com at IN, glenn.michelle at IN
Subject: Comments on Phase I draft of Project Agreement for Atlantic

TO: Michelle Glenn, Project XL Coordinator
FROM: Walter Brown, Southface Energy Institute
RE: Atlantic Steel Phase I Project Agreement Draft
DATE: 3/10/99

As a participant in the Stakeholder component of this Project XL Application I have been impressed with the breadth and scope of this "Smart Growth" project. In my mind, this project is critical to a re-direction of investment that would otherwise occur in rapidly declining green areas of the region. The Atlantic Steel site offers both an opportunity to take advantage of existing infrastructure and urban proximity (including streets, sewer capacity, utility supplies, job base) and adds momentum to a fledgling movement back toward a central city development pattern.

This project is important not only because it will make a contribution to the regions air quality from reduced vehicle trip miles but also because it will contribute to cleaner water and bio-diversity through a reduction in the decline of our regions streams and forest assets. The addition of a vibrant, walkable community that contributes to the overall set of urban attractions, including retail and entertainment venues, will help create a critical mass in mid-town Atlanta that is essential for a healthy urban core. The juxtapositioning of jobs and residences will function both in the immediate location of the project but will also provide strong market adjusting signals that will serve to reinforce the notion that "live-work" environments are the wave of the future - not bedroom communities that sprawl endlessly away from job bases. This will create a strong psychological influence on thousands of decisions people will make about where best to locate in our rapidly growing region for decades to come.

Finally, the re-use of this brown field site helps demonstrate the viability of once overlooked urban sites and helps invalidate the common rationale of low land cost as the major reason for "greenfield" development verses urban in-fill. Quality verses Quantity is an important ingredient of more sustainable land development patterns. Adding value to existing urbanized areas by redeveloping at higher densities will not only benefit local tax bases but also keep low value development out of areas that are more valuable because they are left alone for environmental and social benefits.

Southface applauds the approach taken by EPA in this demonstration project and the developers for their creativity and enthusiasm for the future of our central city and region. We look forward to working with Jacoby Development on other measures that can be adopted during the development and construction process that will save energy and resources for an even greater ongoing benefit to regional air quality, global climate, and a more sustainable future for ecosystems and natural capital.

March 16, 1999

795 First Union Plaza
999 Peachtree Street
Atlanta, Georgia 30309
404 892-4782
Fax 892-0050

Midtown Alliance

Ms. Michelle Glenn
Environmental Protection Agency Region 4
Sam Nunn Atlanta Federal Center
61 Forsyth Street, SW
Atlanta, Georgia 30303-8960

Dear Michelle:

The Midtown Alliance is enthusiastic about the possibility of a new bridge over I-75/85 that would link the Atlantic Steel site on the west side of Midtown to the commercial corridor on the east. We also applaud the integration of pedestrian, transit and automobile usage in the proposed design for the bridge. However, our support is contingent upon certain conditions. These conditions, in our opinion, are necessary to protect and enhance the pedestrian and urban environment called for in Blueprint Midtown, our community-based vision plan for the area. This plan, now translated into working documents, is providing direction for new development, public improvements, and policy initiatives for Midtown Atlanta.

Our concerns are the impact of the bridge on Spring and West Peachtree Streets, the effect of egress to the Buford Highway connector, and the potential increase of commuter traffic through the Ansley Park residential community. Ed Ellis, vice president of Dames & Moore engineering firm and chair of the Blueprint Midtown Transportation Committee, is addressing these issues on our behalf. A status update from Mr. Ellis is attached for your review. In summary, the following recommendations appear to be forthcoming:

1. The best alignment for the bridge is at 17th Street, north of the Winter Properties buildings.
2. The design for the bridge should allow for it to achieve an intersection at grade with Spring Street (which will not require a bridge over Spring Street).
3. The intersection of 17th Street and Spring Street at grade and the traffic signal at that location should and will have a metering effect on persons exiting the Atlantic Steel site.
4. 17th Street should continue to Peachtree Street, helping to dissipate traffic flow and create less of an emphasis on the heavy northbound movement from 17th Street to West Peachtree.
5. The project should include funding for improvements necessary to eliminate any direct impact on Ansley Park such as a cul-de-sac on 17th Street east of Peachtree Street.
6. Other specific issues listed in the update should be monitored and addressed as needed. These include:
    - The details of the bridge design over the downtown connector.
    - The intersection configuration of Spring Street and 17th Street including the proposal to widen Spring Street.

- Transit provisions including the type of technology chosen and the potential for the connection to Atlantic Steel to be on a different alignment than 17th Street.
- Proposed ramps from the downtown connector and the design of 16th Street and Techwood Drive modifications.
- Streetscape treatments, sidewalk widths, lighting, utility relocations, etc.
- Potential for 14th Street improvements to be included with the 17th Street project.
- Funding, staging of construction, and timing of the project.

The Midtown Alliance Executive Committee has voted to adopt the recommendations of our Transportation Committee chair when they are finalized. We are confident that given the appropriate level of effort and cooperation from all involved parties, a solution will be achieved that is beneficial to the development of the Atlantic Steel property and all of Midtown.

Sincerely,

Susan Mendheim
President and CEO

Attachment
C: Mr. Bob Silverman, Winter Properties
Mr. Jack Stephens, MARTA
Mr. Ben West, EPA
Mr. Rob Goodwin, EPA
Mr. Vince Anthony, Center for Puppetry Arts
Commissioner Michael Dobbins, City of Atlanta
Mr. John Krueger, City of Atlanta Public Works
Mr. Harry West, ARC
Honorable Governor Roy Barnes
Mr. Wayne Shackleford, GDOT
Mr. Joseph Palladi, GDOT
Mr. Sam Williams, Metro Chamber of Commerce

DAMES & MOORE
A DAMES & MOORE GROUP COMPANY

1475 Peachtree Street, NE
Suite 220
Atlanta, Georgia 30309
404 888 8800 Tel
404 876 7797 Fax

March 15, 1999

Ms. Susan Mendheim
President
Midtown Alliance
999 Peachtree Street
Suite 795
Atlanta, GA 30309

RE: 17th Street Bridge – Status Update

Dear Susan:

As you know, we have been working with various parties involved with and/or interested in the 17th Street Bridge proposed with the development of the Atlantic Steel site. The purpose of this letter is to provide a status update regarding certain design issues and to outline upcoming issues that should be monitored and actions that should be taken by the Midtown Alliance.

In general, I am very pleased with the current situation. Charlie Brown and his consultants, Moreland, Altobelli, & Associates, have been very open, sensitive to everyone's needs, and cooperative in finding ways to modify the plans to meet the objectives of the Midtown Alliance. The following is a brief summary of some of the most important issues that seem to have been resolved at this point - at least in concept:

1. 17th Street Alignment – For a number of reasons, including the intersection at Spring Street and the difficulties with bisecting Winter Properties site, we believe that the best alignment for 17th Street is north of the northern Winter Properties buildings. While the current concept plan being considered by Georgia DOT still shows the alignment through Winter Properties' site, we have been assured that the northern alignment will be pursued by Atlantic Steel and Georgia DOT has assured us that this alignment will be considered subject to final engineering details and support from interested parties.

2. Spring Street Intersection – If the 17th Street Bridge over the downtown connector is built as a standard highway bridge (which is nearly flat or level) it is virtually impossible for the vertical transition to achieve an intersection at grade with Spring Street. However, the suggestion has been made to Moreland Altobelli and they have agreed that if an arching vertical alignment is designed for the bridge over the downtown connector

then the vertical transition can be made to create a typical intersection with Spring Street which will not require a bridge over Spring Street. I believe this issue has been resolved, pending some design details for the intersection and the bridge over the downtown connector.

3. Traffic Lanes on 17th Street – In the original proposal, 17th Street would cross Spring Street on a bridge and then terminate at West Peachtree Street. In my review of that proposal, I commented that I had great concerns about delivering two lanes of eastbound traffic on 17th Street to West Peachtree Street and turning those two lanes northbound on West Peachtree Street. My concern related to the ability to deliver a volume of traffic to West Peachtree Street that would overload northbound West Peachtree and the Buford Highway Connector during the afternoon peak hours, and in essence, absorb any existing capacity on this route to the detriment of Midtown. Now that the intersection of 17th Street and Spring Street will be at grade, I do not have the same concerns because of the metering effect that the traffic signal at Spring Street will have on persons exiting the Atlantic Steel site. Also, the continuation of 17th Street to Peachtree Street will help to dissipate traffic flow and create less of an emphasis on the heavy northbound movement from 17th Street to West Peachtree Street.

4. Ansley Park – I believe it is important to pursue a continuous alignment for 17th Street from Atlantic Steel to Peachtree Street, however this could have a negative effect on the Ansley Park community. Therefore, the 17th Street project should include funding necessary to eliminate any direct impact on Ansley Park such as a cul de sac on 17th Street east of Peachtree Street.

While I believe our situation is very good at this stage regarding our efforts to negotiate the best possible situation for Midtown, we should continue to monitor the project and be prepared to comment on several specific issues, some of which include:

- The details of the bridge design over the downtown connector.
- The intersection configuration of Spring Street and 17th Street including the proposal to widen Spring Street.
- Transit provisions including the type of technology chosen and the potential for the connection to Atlantic Steel to be on a different alignment than 17th Street.
- Proposed ramps from the downtown connector and the design of 16th Street and Techwood Drive modifications.
- Streetscape treatments, sidewalk widths, lighting, utility relocations, etc.
- Potential for 14th Street improvements to be included with the 17th Street project.
- Funding, staging of construction, and timing of the project.

While we should feel quite good about where we are now, a lot of decisions are yet to be made and details have to be worked out. Based on my read of the situation and the players involved, I am confident that given the appropriate level of effort and cooperation from all the parties involved, we can achieve a situation that will please almost everyone.

Please call if you have any questions or comments.

Sincerely,

DAMES & MOORE

Ed

G. Edward Ellis, Jr., P.E.
Vice President

GEE/bq

City Planning Program

College of Architecture
Georgia Institute of Technology
Atlanta, Georgia 30332-0155
USA

(404) 894-2350
(404) 894-1628 Fax

9 March 1999

Michelle Glenn
US EPA Region IV
61 Forsyth St. SW
Atlanta, GA 30303

Dear Ms. Glenn:

I am writing in support of the Atlantic Steel redevelopment project. I have thoroughly studied the development proposal and found it to be of national importance on two dimensions. First, like many central cities, Atlanta is plagued by a number of underdeveloped brownfield sites. The uncertainty associated with remediation and potential liability has virtually removed some of these sites from development. This restrains vitally important redevelopment of inner city areas while contributing to the continuation of urban sprawl. The Atlantic Steel project provides an exciting opportunity to demonstrate how the public and private sectors can cooperate to effect large scale redevelopment of a brownfield area. The redevelopment of this area will have a large positive impact on the employment and tax bases of the City of Atlanta.

The Atlantic Steel project also represents a clear step forward from typical single use projects. By combining residential, retail and office uses this project will reduce overall travel demand and provide meaningful alternatives to the single occupant automobile. This project reflects the most current thinking in urban planning that suggests that mixing uses is required to create complete communities where residents can live, work, shop and play. Again, this project provides an opportunity for Atlanta and EPA Region IV to lead the way in promoting real alternatives to urban sprawl.

Approval of the Phase I agreement clearly reflects the flexibility that Project XL was created to provide. The entire project, including the 17th Street bridge, should be considered a TCM. This project cannot proceed without the bridge, which provides a critical link to MARTA. If the Atlantic Steel project is not built, the equivalent amount of development will locate elsewhere in the metropolitan area, most likely in the suburban fringe. This will result in a net addition to the overall air pollution of the Atlanta area. Thus, the designation of this project as a TCM will further the goals of the Clean Air Act.

Given that the project represents a significant innovation in both brownfield remediation and in high density mixed use development, I urge you to approve the Final Project Agreement with the developer and continue to move this project forward.

Best regards,

Steven P. French, Director
City Planning Program

SPF/jhg

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SCAT

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SUSTAINABLE DEVELOPMENT THROUGH ADVANCED TRANSPORTATION

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P.O. BOX 93584
ATLANTA, GA 30377-0584
PHONE 404-385-0163
FAX 404-385-0168
E-MAIL MAIL@ADVTRANS.ORG
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[redacted]

March 10, 1999

MEMORANDUM

TO: ***Michelle Glenn – EPA IV***
Tim Torma – EPA DC

CC: ***Brian Leary, CRB***
Secretary Rodney Slater
Senator Paul Coverdell
Senator Max Cleland
Congressman John Lewis
Stan Meiburg, EPA IV

FROM: ***Kevin Shannon***

SUBJECT: ***Project XL – Atlantic Steel Agreement***

Attached are comments in response to the February 24, 1999 Federal Register announcement regarding the proposed Atlantic Steel project.

We support the program and its goal of a smart growth, integrated transportation and improved livability. We have expressed specific recommendations concerning several aspects of the agreement.

We look forward to working with you to make the project a success.

SUSTAINABLE DEVELOPMENT
THROUGH ADVANCED
TRANSPORTATION

SCAT

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P.O. BOX 93584
ATLANTA, GA 30377-0584
PHONE 404-385-0165
FAX 404-385-0168
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President and CEO
John W. Wilson, Jr.

March 10, 1999

Ms. Michelle Glenn
U.S. EPA Region IV
61 Forsyth Street
Atlanta, GA 30303

Mr. Tim Torma
U.S. EPA Office of Reinvention (1802)
401 M Street, SW
Room 1025WT
Washington, DC 20460

RE: 2/24/99 Federal Register
Atlantic Steel Project XL Comments

Dear Ms. Glenn / Mr. Torma:

As one of the most immediate neighbors of the Atlantic Steel development, I am writing to commend the project for its innovative approach to inner-city development. The proposed Atlantic Steel project is a unique development that incorporates the concepts of smart growth along with novel approaches to transportation and community livability. I have included several comments related to specific suggestions for transportation and air quality improvements.

The Southern Coalition for Advanced Transportation (SCAT) is located at 575 14th Street, NW, immediately adjacent to the proposed development. SCAT is a consortium of more than 65 government and private organizations engaged in the development and promotion of advanced transportation technologies, including electric and hybrid vehicles, high speed rail and other emerging systems to efficiently move people and commerce. SCAT manages a portfolio of over 50 projects worth more than $60 million in cost-shared funds from federal, state, and industry sources. Just last year, EPA Administrator Carol Browner joined Transportation Secretary Slater and DOE Secretary Peña in announcing a new Advanced Vehicle Program to take advantage of the work of our organization and several others around the nation.

Among other things, SCAT's involvement in research, development and community programs, has supported implementation of two of the largest electric bus fleets in the country (Chattanooga and Miami). At our 14th Street office, an additional facility of Georgia Tech conducts research on electric transportation products that are the leading edge of transportation products of today and in the future. It is also important to note that a unit of Georgia Tech

conducts air sampling for Georgia's Environmental Protection Division in labs directly adjacent our offices in the building.

We support the Atlantic Steel development and its plans to integrate multi-modal transportation options throughout the complex. The multi-modal bridge, bicycle lanes, linkage to transit, shuttle systems, and an active transportation management association are strong symbols of the commitment to make a pedestrian friendly community that helps to reduce emissions over the long term. We have several comments on transportation plans outlined in the Draft Phase I Project Agreement.

1. Transit Linkage – One of the most important aspects of the project will be the connection on the west side of I-75/85 with MARTA and the Midtown area. A shuttle service or light rail connection will reduce single occupant vehicle trips and serve as a model for other transit oriented development projects. The type of shuttle service that connects Atlantic Steel and Midtown should be environmentally friendly, convenient and frequent enough to be effective and carry an adequate number of passengers (see below).
Dedicated lanes are key to the system's efficiency, but the type of vehicle and service (light, quiet, frequent) can also influence its acceptance and success.

2. West Corridor linkage – There is currently no well-developed business corridor or heavily utilized transit linkage along the corridor surrounding Northside Drive, from Atlantic Steel to the Centennial Olympic Park area. A shuttle system that connects Atlantic Steel with the Centennial Park area will reduce trips along the corridor, connect business trips and travel, and encourage business developments, entertainment, and restaurant activity in the area. An electric shuttle system based in the Atlantic Steel area could link the western corridor and the Midtown MARTA Arts Center station (see below).

3. Shuttle service - There are two types of technologies that could serve the needs of a shuttle system both <u>within</u> Atlantic Steel and <u>between</u> Atlantic Steel and the Midtown area. Jacoby has committed to an interim shuttle service and a more permanent service to link the two areas.

An electric shuttle bus service would be the ideal vehicle and ideal technology. An electric shuttle bus service could be operating once retail activity has commenced. In addition, a permanent system could be the ultimate complement for this highly visible project. The use of zero emission vehicles in this setting would be both a public relations success and model for the overall

goal of air quality improvement. As Chattanooga and Miami Beach, Florida have proven, electric shuttle bus systems demonstrate community leadership and vision with practical applications. Both cities operate systems on a regular basis and riders often prefer the electric buses over their larger, more noisy and polluting diesel counterparts.

A linkage to transit is key in the context of Chattanooga's electric shuttle bus system. Its north and south ends are anchored by large parking decks that have successfully removed drivers from their cars. In addition, it has helped to spur an economic revitalization outside of the parking decks with pedestrian friendly streets, shopping, restaurants, and entertainment.

An electric shuttle system run in dedicated lanes to connect with MARTA's rail service could also be run inside the Atlantic Steel complex. The technology and performance of these vehicles is no longer in question. The Atlantic Steel system, both internal and external, would be an ideal application: short, regular, and predictable routes with average ridership expected. Traditional diesel buses or other shuttles will only contribute additional pollution in an environment designed to be pedestrian friendly and discouraging to single occupant vehicle traffic.

An electric shuttle system could be used to connect to MARTA, circulate internally within the complex and also be used to connect Atlantic Steel with the western corridor south to Centennial Olympic Park.

Second, a low-speed magnetic levitation train system could connect to the MARTA station across the 17th Street bridge using the lane committed to in the agreement or in the aerial extension between two of the lanes. In addition, a maglev system could be extended to connect on the western corridor to Centennial Park and CNN Center.

Funding for these technologies is available through the creative use of federal, state, local, and private resources. Other Atlanta areas, including the Perimeter and the Buckhead area have recently formed Community Improvement Districts (CIDs) to raise funds for targeted transportation projects. Jacoby's commitment to organize and help fund the Atlantic Steel TMA should establish expectations and a commitment of all local businesses. Jacoby and the developers can play a leadership role with an innovative transportation system that links to MARTA, operates within the complex and supports smart growth and development along the western corridor.

The continued success and growth of Chattanooga have often been attributed to innovative technologies, particularly an electric shuttle bus program. Vision, planning, and technology have all contributed to making the system and the city examples of a coordinated effort for transportation, community development, and environmental sensibility. In addition to tourists, business, transportation, environmental, and government officials from around the country and around the world visit Chattanooga to learn of the system. Norfolk, VA is taking delivery of an electric shuttle bus system to link a major, regional shopping mall with its downtown district. We hope that the Atlantic Steel development will learn from these successes and apply environmentally friendly technologies that solve real world problems. The solutions provide cleaner air, public relations benefits and demonstrate vision and leadership in the process.

SCAT has an extensive track record in assisting complex clean transportation projects from conception to effective implementation. We would very much like to partner with EPA, Jacoby, CRB Realty, our business and residential neighbors in bringing innovative transportation systems to model projects like Atlantic Steel.

We look forward to working with you to make the Atlantic Steel development a successful model for smart growth, transportation innovation, and practical community development. Please feel free to contact us with any questions.

Sincerely,

John W. Wilson, Jr.
President and CEO

CC:
DOT Secretary Rodney Slater
Senator Max Cleland
Charlie Brown, CRB Realty
Stan Meiburg, US EPA Region IV
Senator Paul Coverdell
Congressman John Lewis
Jim Jacoby, Jacoby Development
Dr. Hans Püttgen, Georgia Tech

BRANNEN GODDARD
COMPANY
Commercial Real Estate Services

3390 Peachtree Road, NE • Suite 1200
Atlanta, Georgia 30326-1108
(404) 812-4000 • FAX: (404) 816-3939

March 10, 1999

Ms. Michelle Glenn
U.S. EPA, Region IV
61 Forsyth Street, SW
Atlanta, Georgia 30303

Re: Atlantic Steel Site

Dear Ms. Glenn:

I write this letter as a 16-year real estate professional, as president of the Georgia chapter of the National Association of Office and Industrial Properties (NAIOP) and, most importantly, as a native Atlantan who lives close to the proposed Atlantic Steel development.

Quite simply, I support the efforts of Jacoby Development and Charlie Brown! I believe their proposed development and the stable of quality real estate firms (Post, Hines, etc.) will make for a great addition to our city, if not this region.

Sincerely,

Steven D. Martin
Vice President

SDM:mss

Georgia Institute of Technology
Office of the President

March 3, 1999

Ms. Michelle Glenn
United States EPA Region IV
61 Forsyth Street, SW
Atlanta, GA 30303

Dear Ms. Glenn:

During the two week comment period concerning the qualification for transportation control measure status through Project XL for the approval of the new bridge in the 17th Street corridor, I want to convey to you Georgia Tech's opinion.

We are excited about the prospects for the Atlantic Steel property project and the proposed bridge and what it can bring to our neighborhood. The new development will offer nearby homes for our faculty and staff, accessible amenities and shopping for our campus community, and sites for location of companies that are likely to join us in research activities. All this will replace what is presently a wasteland, and an eyesore to all visitors who come to our campus from the north. The change will be a transformation we will welcome, and one that will help Georgia Tech as we seek to fulfill our future goals.

Please know that Georgia Tech strongly supports the building of the 17th Street bridge that will link this site with property to the east. We hope all those involved in the decisions about the bridge will consider the beneficial impacts of the Atlantic Steel development on Georgia Tech. We stand ready to help where we can.

Sincerely,

G. Wayne Clough
President

Georgia Institute of Technology
Atlanta, Georgia 30332-0325 U.S.A.
PHONE 404-894-5051
FAX 404-894-1277
A Unit of the University System of Georgia *An Equal Education and Employment Opportunity Institution*

BUCKHEAD COALITION, INC.

Suite 560, Tower Place
3340 Peachtree Road, N.E.
Atlanta, Georgia 30326-1059
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800/935-2228; Fax 404/812-8222

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March 1, 1999

Hon. Michelle Glenn
U.S. EPA, Region IV
61 Forsyth St.
Atlanta, GA 30303

Dear Ms. Glenn:

I have been invited to comment to your office on the Atlantic Steel redevelopment program, to which I add my wholehearted endorsement.

As a former mayor of Atlanta, I have been greatly embarrassed by the negative visual and chemical impact this property has long had on the environment of our city. Now, the vision and resources molded by such high quality developers as Charles Brown, John Williams, Jim Jacoby and others is a once in a lifetime opportunity for reform.

The diversified density proposed will foster pedestrian relations so valuable to quality of life. Bridging the interstates will create the appropriate Peachtree Corridor connection to allow multi-modal access. Removing a blight at Buckhead's border will meld our interests with Midtown and benefit the people of both.

Sincerely,

Sam Massell
President

SM/eb

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crbrealty@mindspring.com on 03/10/99 05:35:42 PM

To: glenn.michelle
cc: TORMA.TIM
Subject: Fw: Comments on Phase I draft of Project Agreement for Atlantic Steel

---

-----Original Message-----
From: Walter Brown <walter@southface.org>
To: Michelle Glenn <glenn.michelle@epamail.epa.gov>; Brian Leary <bleary@crbrealty.com>
Date: Wednesday, March 10, 1999 5:30 PM
Subject: Comments on Phase I draft of Project Agreement for Atlantic Steel

>TO: Michelle Glenn, Project XL Coordinator
>FROM: Walter Brown, Southface Energy Institute
>RE: Atlantic Steel Phase I Project Agreement Draft
>DATE: 3/10/99
>
>As a participant in the Stakeholder component of this Project XL
>Application I have been impressed with the breadth and scope of this
>"Smart Growth" project. In my mind, this project is critical to a
>re-direction of investment that would otherwise occur in rapidly
>declining green areas of the region. The Atlantic Steel site offers
>both an opportunity to take advantage of existing infrastructure and
>urban proximity (including streets, sewer capacity, utility supplies,
>job base) and adds momentum to a fledgling movement back toward a
>central city development pattern.
>
>This project is important not only because it will make a contribution
>to the regions air quality from reduced vehicle trip miles but also
>because it will contribute to cleaner water and bio-diversity through a
>reduction in the decline of our regions streams and forest assets. The
>addition of a vibrant, walkable community that contributes to the
>overall set of urban attractions, including retail and entertainment
>venues, will help create a critical mass in mid-town Atlanta that is
>essential for a healthy urban core. The juxtapositioning of jobs and
>residences will function both in the immediate location of the project
>but will also provide strong market adjusting signals that will serve to
>reinforce the notion that "live-work" environments are the wave of the
>future - not bedroom communities that sprawl endlessly away from job
>bases. This will create a strong psychological influence on thousands
>of decisions people will make about where best to locate in our rapidly
>growing region for decades to come.
>
>Finally, the re-use of this brown field site helps demonstrate the
>viability of once overlooked urban sites and helps invalidate the common
>rationale of low land cost as the major reason for "greenfield"

>development verses urban in-fill. Quality verses Quantity is an
>important ingredient of more sustainable land development patterns.
>Adding value to existing urbanized areas by redeveloping at higher
>densities will not only benefit local tax bases but also keep low value
>development out of areas that are more valuable because they are left
>alone for environmental and social benefits.
>
>Southface applauds the approach taken by EPA in this demonstration
>project and the developers for their creativity and enthusiasm for the
>future of our central city and region. We look forward to working with
>Jacoby Development on other measures that can be adopted during the
>development and construction process that will save energy and resources
>for an even greater ongoing benefit to regional air quality, global
>climate, and a more sustainable future for ecosystems and natural
>capital.
>

924 Bowen St., N.W.
Atlanta, GA 30318
March 10, 1999

Mr. Tim Torma
U.S. EPA, Office of Reinvention (1802)
401 M Street, S.W., Room 1025WT
Washington, D.C. 20460

Ms. Michelle Glenn
U.S. EPA, Region IV
61 Forsyth Street
Atlanta, GA 30303

RE: COMMENTS ON ATLANTIC STEEL REDEVELOPMENT

Dear Gentlepersons:

First I am hoping that the EPA will listen to citizens' comments instead of just the "BIG MONEY INTERESTS" as they have done in the past.

In the past, EPA officials, together with their partners in the EPD, have allowed Atlanta to become a non-attainment area for ozone. Further, the practices of these EPA/EPD officials who supported "BIG MONEY INTERESTS" have led Atlanta to violate the Clean Water Act. The EPD backed by the EPA has been instrumental in stopping Atlanta from fixing its sewer system by forcing us to build CSO treatment plants instead of preventing pollution by fixing antiquated sewer pipes.

However, now the people are well aware of the great shortcomings of their environmental regulators and are demanding an end to their misconduct. Now is the time for a change - a time for you start doing the job you are paid by the people to do.

With that introduction, let me comment on the Atlantic Steel Redevelopment. The EPD is going to great lengths to make sure the Developer will minimize its expenditures on development of this property without regard for the health of the people who will live and work there in the near future. Whether any significant cleanup of this site so severely contaminated by both Atlantic Steel and the old lead smelter on Bishop Street will take place remains uncertain. As members of a citizen's environmental group, we have taken soil samples and found the area highly contaminated with lead. But has EPD/EPA taken any soil samples? No!

Using City of Atlanta storm drain/combined sewer maps, I have found, through measurements, that only about 8000 feet of combined sewer pipes need to be separated and upgraded before any construction begins at the Atlantic Steel site. As a professional engineer, I estimate the maximum cost for the separation to be $5 million. This work also needs to be done now while it is very easy to do. We the people will not tolerate EPA approving construction to begin without first demanding the sewer pipes be separated.

The people are closely watching the actions of the EPA/EPD on this project. We are hoping you will do your duty by us. We are entitled to nothing less.

Sincerely yours,

Harry I. Leon, Ph.D., P.E.
Phone: 404.352.3882

Preston Mason
2631 Forrest Ave. N.W.
Atlanta, GA. 30318
March 9, 1999

Ms. Michelle Glenn
U.S. EPA, Region IV
51 Forsyth St.
Atlanta, GA. 30303

Dear Ms. Glenn,

Regardless of how the EPA analyzes metro Atlanta growth patterns to justify the Atlantic Steel redevelopment as a TCM candidate, the reality is that local traffic congestion will increase during peak hours. Local air quality will worsen. Therefore Jacoby must be required to institute extraordinary pollution reduction measures to offset the predictable diminished air quality.

The proposed 17th Street bridge / Interchange's primary function must be to encourage the use of new transit, biking, and walking. Shuttle buses must meet all Arts Center trains arrivals and departures. Sidewalks must be covered, noise proof, and a joy to walk. Bike lanes must be separate, safe, and easy to use.

Natural water bodies and their forested corridors and buffers must remain intact and be extended, enhanced and integrated into the landscape to offset the heat island effect and to filter out air pollutants. The entire site must be reforested to the maximum extent possible. Buildings, roads, parking, and the landscape must be designed to minimize heat reflection and ozone production. Furthermore the entire design must minimize impervious surfaces while maximizing rain water absorption and the reuse of storm water for irrigation. Storm water must bypass the nearby Tanyard Creek Combined Sewer Screening Facility (ruled inadequate by a Federal judge) and be routed to join its natural channel. Storm water must be channeled through the best pollutant reduction designs currently available. Further the design hierarchy, should be: 1) retention, 2) absorption, 3) reuse, 4) evaporation, 5) discharge to the stream.

To eliminate future damage and disruption to infrastructure and the landscape, complete sewer separation is mandatory. All new sewer pipes traversing the property and those connected to the separated system downstream must be installed large enough to accommodate growth and sewer separation in the entire basin and sub-basin.

If these requirements are incorporated into the redevelopment package in conjunction with good traffic management, then the EPA can be proud of the role has played in eliminating this Brownfield. Further the EPA will be at the forefront of superior design development and implementation.

Sincerely:

Preston Mason

Preston Mason

SAFELY TREATING OUR POLLUTION
354 9TH ST., N.E. • ATLANTA, GEORGIA 30309 • 873-6417

March 10, 1999

Mr. Tim Torma
U.S. EPA, Office of Reinvention (1802)
401 M Street, S.W., Room 1025WT
Washington, D.C. 20460

Ms. Michelle Glenn
U.S. EPA, Region IV
61 Forsyth Street
Atlanta, GA 30303

RE: Comments on the Atlantic Steel Redevelopment Project XL Draft Phase 1 Project Agreement

Dear Mr. Torma and Ms. Glenn:

The stated purpose of Project XL is to achieve a superior environmental result. It must be accepted that air quality in the immediate area of the Atlanta Steel Redevelopment site will be decreased rather than improved with this project. Maintaining existing large trees and greenspaces and adding new ones can limit the extent of this degradation.

However, careful planning of this project can yield superior environmental results in the areas of water quality and flood control. There is even some hope that strategically-placed, well thought-out water features can reduce particulate and other air pollution.

To this end, EPA should:

(1) <u>Protect Shoal Creek, Its Wetlands, Lakes and Riparian Corridor</u>.

Shoal Creek runs east for approximately 300 feet near the southern boundary of the Atlanta Steel redevelopment site. It has a spring-fed flow estimated at 3 million gallons per day.

Shoal Creek, along with its lakes and wetlands, shows up on the current U.S. Geological Survey maps. Shoal Creek can also be found on the State of Georgia's 1821 Land Survey Maps and an 1864 map produced by the U.S. Army Corps of Engineers. On the latter map, the creek's headwaters, near what is now Hemphill Avenue, are indicated as being proximate the site of a distillery.

Shoal Creek's lakes and wetlands reduced downstream flooding until their containment dams were breached in late 1998 in order to drain them. Until that time, these water bodies received floodwaters from the entire 503-acre Shoal Creek

catchment -- not just the 138-acre Atlantic Steel redevelopment parcel. This catchment-wide function should not be lost in the course of redeveloping the Atlantic Steel property.

(2) Protect Existing Greenspace on the Property; Add Green Areas and Trees Where Practicable.

Existing greenspaces include:

- Shoal Creek with its wetlands, lakes and riparian corridor
- Administration Hill with its massive old trees
- Georgia Tech women's softball field
- Georgia Tech practice golf links

These existing greenspaces are contiguous. They should be protected and managed as one park serving the entire project. Where appropriate, tree-lined pedestrian corridors should connect this area to commercial and residential areas of the redevelopment.

Protection and continued use of existing greenspaces will retain historic landforms and lend "a sense of place" to the new development. Also, existing greenspaces are likely to be less polluted than the former steel production land areas.

(3) Require Installation of Separated Sanitary Sewer Lines and Stormwater Drainage Lines to Replace Combined Sewer Trunks Under Those Portions of the Shoal Creek Catchment and the Tanyard Creek Subwatershed Which Are Within the Boundaries of the Atlantic Steel Redevelopment Site.

Atlanta needs to clean up its urban streams. EPA should not support a development which precludes sewer separation in favor of the failed technology of combined sewer overflow treatment. Under no circumstances should EPA personnel be allowed to publicly allowed to endorse combined sewers as the EPA-preferred alternative.

(4) Require Pretreatment of Groundwater and then Pumping the Treated Groundwater Into the Sanitary Sewer System Rather Than the Stormwater Drainage System.

Contaminated groundwater, even after pretreatment, should not be permitted to flow via the CSO treatment facility into Tanyard Creek. To avoid overloading the sanitary sewer collection and treatment system, pretreated groundwater should not be pumped into it during rain events.

(5) Stormwater Runoff Laden with Lead from the National Smelting and Refining Site Should Not Be Permitted to Flow, Via Any Piping System, Into Tanyard Creek.

Even after site cleanup, contaminated runoff from this former lead smelter should be stored 100% onsite and pretreated before being released into the sanitary sewer. Pretreatment standards should not be lowered in our efforts to put in place a Project XL. The abandoned lead smelter should not be allowed to pollute Tanyard Creek, Peachtree Creek and the Chattahoochee River.

(6) Project Support Through DOT Funding of a Bridge Over the Expressway at 17th Street Should Be Offset in Part by Developer Endorsement of Onsite Roadway Runoff Storage and Treatment.

Stormwater runoff from automobile habitat in the Tanyard Creek subwatershed should be detained for flood control and treated for improved water quality.

Stormwater detention can be done at several sites throughout this subwatershed, including a site at the eastern end of the Atlantic Steel Redevelopment site. Both rain events and subsequent treatment processes can be used to "celebrate" stormwater, using devices such as water fountains and waterfalls. Because of their proximity to the interstates, these devices, if well thought-out, can help reduce particulate and other air pollution.

Very truly yours,

Bill Eisenhauer
President

924 Bowen St., N.W.
Atlanta, GA 30318
March 10, 1999

Mr. Tim Torma
U.S. EPA, Office of Reinvention (1802)
401 M Street, S.W., Room 1025WT
Washington, D.C. 20460

Ms. Michelle Glenn
U.S. EPA, Region IV
61 Forsyth Street
Atlanta, GA 30303

Subject: Atlantic Steel Redevelopment Project XL
Draft Phase 1 Project Agreement

Dear Mr. Torma and Ms. Glenn:

As you may known, I and several other citizens recently served on the Environmental Justice Focus Group for the subject Project XL in the hopes of ensuring that it comes into compliance with the following Project XL criteria:

- Produce superior environmental results.
- Avoid shifting the risk burden.

Our recommendations, as found in our November 3, 1998 meeting minutes (a photocopy of which is attached) and listed below, will help this Project XL meet these criteria:

(1) Allow for a comprehensive approach to watershed protection through pollution prevention, sewer separation, and upstream storm water management.
(2) Interface the planning of this site with the rest of the Tanyard Creek watershed, in recognition of the fact this site may be ideal for a regional storm water retention pond.
(3) Keep the free flowing stream on the Atlantic Steel site daylighted.
(4) Insure that adequate pre-treatment of contaminated groundwater occurs on-site rather than shifting the burden of treatment to the City of Atlanta.
(5) Take steps to minimize the economic impact of this in-fill development on the City of Atlanta's water/ sewer system.
(6) Maximize pervious surface areas and utilize better site design such as that taught by the Center for Watershed Protection.
(7) Maximize greenspaces in order to soften the heat island effect and positively affect the community's social fabric.

Second, a CSO (combined sewer overflow) control facility, by its very nature, is always located at the lowest point downstream of a combined sewer system. There is no way a gravity flow leaving a local CSO control facility can enter a combined sewer system.

But an even more basic fact about the existing sewer infrastructure upon which the Agreement drafters are in error is the notion that using Atlanta's combined sewers "will result in major cost savings" (see Section B, p. 14 of the subject Agreement). For whom would there be major cost savings?

As we citizen members of the Environmental Justice Focus Group have repeatedly reiterated, City of Atlanta residents (much poorer than the average metro Atlantan) already pay TWICE as much for their water/sewer service as do their wealthier DeKalb County counterparts outside the City. And a majority of these DeKalb County citizens are using the same sewer collection system and wastewater treatment plant -- the R.M. Clayton WRC -- as are most City of Atlanta residents. The only difference is that City of Atlanta water/sewer ratepayers are having to pay for COMBINED SEWERS and the ratepayers of DeKalb County are not. The latter jurisdiction is fortunately not encumbered with these relics of the 19th century. EPA must address this Environmental Justice issue.

Further, any idea that separating the sewers either on the Atlantic Steel site or between its northeast corner and the Tanyard Creek CSO control facility is too costly is erroneous. The total length of combined sewers from this CSO control facility to the western tip of the Atlantic Steel Redevelopment site (near the intersection of Fourteenth Street and Northside Drive) is only about 5300 feet. At a very conservative cost estimate for sewer separation of $600.00 per linear foot, the price tag for building a modern, legal system of separated sanitary sewers and storm drains will be about $3.2 million. (Please note: The $600.00 per linear foot cost estimate is applicable when streets and utilities throughout a community have to be disturbed, which is clearly not the case here.) Even at our December 15, 1998 meeting of the Environmental Justice Focus Group, Brian Leary, the developer's representative, saw no problems associated with putting in this modern/legal system provided it was built now rather than the disturbing the site after it had been redeveloped.

If there is any truth to the statement that "EPA and Jacoby will continue to ... seek opportunities to maximize the performance of the redevelopment from an environmental performance and livability standpoint" (please see page 9 of the subject Agreement), we urge you to incorporate the recommendations of the Environmental Justice Focus Group in the Draft Phase 1 Project Agreement.

Yours in saving Atlanta's fragile environment,

Vivian L. Steadman

Vivian L. Steadman, Ph.D. (Chemistry)

encl.: Environmental Justice Focus Group Meeting
Atlantic Steel Redevelopment (Atlanta, GA);
EPA's XL Project -- Meeting Minutes
November 3, 1998 2:15 PM-4:30 PM

ATTACHMENT #1

Proposed Environmental Justice Focus Group
Atlantic Steel Redevelopment
EPA's XL Project
Rev. 1; 10/20/98

1. Yomi Noibi
404-873-2474
Eco-Action
1776 Peachtree
Suite 340, South Tower
Atlanta, GA 30309

2. Vivian Steadman
Save Atlanta's Fragile Environment (S.A.F.E.)
404-352-3882
924 Bowen Street, Atlanta, GA 303 18

3. Bill Eisenhauer
Safely Treating Our Pollution (S.T.O.P.)
404-873-6417
354 9th Street, N.E.
Atlanta, GA 30309

4. Preston Mason
S.A.F.E.
404-794-l 507
263 1 Forrest Avenue, N. W.
Atlanta, GA 303 18

ATTACHMENT #2

PRESIDENTIAL EXECUTIVE ORDER #12898

FEDERAL ACTIONS TO ADDRESS ENVIRONMENTAL JUSTICE IN MINORITY POPULATIONS AND LOW-INCOME POPULATIONS

By the authority vested in me as President by the Constitution and the laws of the United States of America, it is hereby ordered as follows:

Section l-l. Implementation

l-101. Agency Responsibilities. To the greatest extend practicable and permitted by law, and consistent with the principles set forth in the report on the National Performance Review, each Federal agency shall make achieving environmental justice part of its mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations in the United States and its territories and possessions, the District of Columbia, the Commonwealth of Puerto Rico, and the Commonwealth of the Mariana Islands.

l-102. Creation of an Interagency Working Group on Environmental Justice. (a) Within 3 months of the date of this order, the Administrator of the Environmental Protection Agency ("Administrator") or the Administrator's designee shall convene an interagency Federal Working Group on Environmental Justice ("Working Group"). The Working Group shall comprise the heads of the following executive agencies and offices or their designees: (a) Department of Defense; (b) Department of Health and Human Services; (c) Department of Housing and Urban Development; (d) Department of Labor; (e) Department of Agriculture; (f) Department of Transportation; (g) Department of Justice; (h) Department of the Interior; (i) Department of Commerce; (j) Department of Energy; (k) Environmental Protection Agency; (1) Office of Management and Budge (m) Office of Science and Technology Policy; (n) Office of the Deputy Assistant to the President for Environmental Policy; (0) Office of the Assistant to the President for Domestic Policy; (p) National Economic Council; (q) Council of Economic Advisers; and (r) such other Government officials as the President may designate. The Working Group shall report to the president through the Deputy Assistant to the President for Environmental Policy and the Assistant to the President for Domestic Policy.

(b) The Working Group shall: (1) provide guidance to Federal agencies on criteria for identifying disproportionately high and adverse human health or environmental effects on minority populations and low-income populations;

(2) coordinate with, provide guidance to, and serve as a clearinghouse for, each Federal agency as it develops an environmental justice strategy as required by section l- 103 of this order, in order to ensure that the administration, interpretation and enforcement of programs, activities and policies are undertaken in a consistent manner;

(3) assist in coordinating research by, and stimulating cooperation among, the Environmental Protection Agency, the Department of Health and Human Services, the Department of Housing and Urban Development, and other agencies conducting research or other activities in accordance with section 3-3 of this order;

(4) assist in coordinating data collection, required by this order;

(5) examine existing data and studies on environmental justice;

(6) hold public meetings as required in section 5-502(d) of this order; and

(7) develop interagency model projects on environmental justice that evidence cooperation among Federal agencies.

l-103. Development of Agency Strategies. (a) Except as provided in section 6-605 of this order, each Federal agency shall develop an agency-wide environmental justice strategy, as set forth in subsections (b)-(e) of this section that identifies and addresses disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations. The environmental justice strategy shall list programs, policies, planning and public participation processes, enforcement and/or rule makings related to human health or the environment that should be revised to, at a mjnimum: (1) promote enforcement of all health and environmental statutes in areas with minority populations and low-income populations; (2) ensure greater public participation; (3) improve research and data collection relating to the health of and environment of minority populations and low-income populations; and (4) identify differential patterns of consumption of natural resources among minority populations and low-income populations. In addition, the environmental justice strategy shall include, where appropriate, a timetable for undertaking identified revisions and consideration of economic and social implications of the revisions.

(b) Within 4 months of the date of this order, each Federal agency shall identify an internal administrative process for developing its *environmental* justice strategy, and shall inform the Working Group of the process.

(c) Within 6 months of the date of this order, each Federal agency shall provide the Working Group with an outline of its proposed environmental justice strategy.

(d) Within 10 months of the date of this order, each Federal agency shall provide the Working Group with its proposed environmental justice strategy.

(e) Within 12 months of the date of this order, each Federal agency shall finalize its environmental justice strategy and provide a copy and written description of its strategy to the Working Group. During the 12 month period from the date of this order, each Federal agency, as part of its environmental justice strategy, shall identify several specific projects that can be promptly undertaken to address particular concerns identified during the development of the proposed environmental justice strategy and a schedule for implementing those projects.

(f) Within 24 months of the date of this order, each Federal agency shall report to the Working Group on its progress in implementing its agency-wide environmental justice strategy.

(g) Federal agencies shall provide additional periodic reports to the Working Group as requested by the Working Group.

l-104. Reports to the President. Within 14 months of the date of this order, the Working Group shall submit to the President, through the Office of the Deputy Assistant to the

President for Environmental Policy and the Office of the Assistant to the President for Domestic Policy, a report that describes the implementation of this or&r, and includes the final environmental justice strategies described in section 1-103(e) of this order.

Section 2-2. Federal Agency Responsibilities for Federal Programs

Each Federal agency shall conduct its programs, policies, and activities that substantially affect human health or the environment, in a manner that ensures that such programs, policies, and activities do not have the effect of excluding persons (including populations) from participation in, denying persons (including populations) the benefits of, or subjecting persons (including populations) to discrimination under, such programs, policies, and activities, because of their race, color, or national origin.

Section 3-3. Research, Data Collection, and Analysis

3-30 1. Human Health and Environmental Research and Analysis. (a) Environmental.human health research, whenever practicable and appropriate, shall include diverse segments of the population in epidemiological and clinical studies, including segments at high risk from environmental hazards; such as minority populations, low-income populations and workers who may be exposed to substantial environmental hazards.

(b) Environmental human health analyses, whenever practicable and appropriate, shall identify multiple and cumulative exposures.

(c) Federal agencies shall provide minority populations and low-income populations the opportunity to comment on the development and design of research strategies undertaken pursuant to this order.

3-302. Human Health and Environmental Data Collection and Analysis. To the extent permitted by existing law, including the Privacy Act, as amended (5 U.S.C. section 552a): (a) each Federal agency, whenever practicable and appropriate, shall collect, maintain, and analyze information assessing and comparing environmental and human health risks borne by populations identified by race, national origin or income. To the extent practical and appropriate, Federal agencies shall use this information to determine whether their programs, policies, and activities have disproportionately high and adverse human health or environmental effects on minority populations and low-income populations;

(b) In connection with the development and implementation of agency strategies in section 1-103 of this order, each Federal agency, whenever practicable and appropriate, shall collect, maintain and analyze information on the race, national origin, income level, and other readily accessible and appropriate information for areas surrounding facilities or sites expected to have a substantial environmental, human health, or economic effect on the surrounding populations, when such facilities or sites become the subject of a substantial Federal environmental administrative or judicial action. Such information shall be made available to the public, unless prohibited by law; and

(c) Each Federal agency, whenever practicable and appropriate, shall collect, maintain, and analyze information on the race, national origin, income level, and other readily accessible and appropriate information for areas surrounding Federal facilities that are: (1) subject to the reporting requirements under the Emergency Planning and Community Right-to-Know Act, 42 U.S.C. section 11001-l 1050 as mandated in Executive Order No. 12856; and (2)

expected to have a substantial environmental, human health, or economic effect on surrounding populations. Such information shall be made available to the public, unless prohibited by law.

(d) In carrying out the responsibilities in this section, each Federal agency, whenever practicable and appropriate, shall share information and eliminate unnecessary duplication of efforts through the use of existing data systems and cooperative agreements among Federal agencies and with State, local, and tribal governments.

Section 4-4. Subsistence Consumption of Fish and Wildlife

4-401. Consumption Patterns. In order to assist in identifying the need for ensuring protection of populations with differential patterns of subsistence consumption of fish and wildlife, Federal agencies, whenever practicable and appropriate, shall collect, maintain, and analyze information on the consumption patterns of populations who principally rely on fish and/or wildlife for subsistence. Federal agencies shall communicate to the public the risks of those consumption patterns.

4-402. Guidance. Federal agencies, whenever practicable and appropriate, shall work in a coordinated manner to publish guidance reflecting the latest scientific information available concerning methods for evaluating the human health risks associated with the consumption of pollutant-bearing fish or wildlife. Agencies shall consider such guidance in developing their policies and rules.

Section 5-5. Public Participation and Access to Information

(a) The public may submit recommendations to Federal agencies relating to the incorporation of environmental justice principles into Federal agency programs or policies. Each Federal agency shall convey such recommendations to the Working Group.

(b) Each Federal agency may, whenever'practicable and appropriate, translate crucial public documents, notices, and hearings relating to human health or the environment for limited English speaking populations.

(c) Each Federal agency shall work to ensure that public documents, notices, and hearings relating to human health or the environment are concise, understandable, and readily accessible to the public.

(d) The Working Group shall hold public meetings, as appropriate, for the purpose of fact-finding, receiving public comments, and conducting inquiries concerning environmental justice. The Working Group shah prepare for public review a summary of the comments and recommendations discussed at the public meetings.

Section 6-6. General Provisions

6-60 1. Responsibility for Agency Implementation. The head of each Federal agency shall be responsible for ensuring compliance with this order. Each Federal agency shall conduct internal reviews and take such other steps as may be necessary to monitor compliance with this order.

6-602. Executive Order No. 12250. This Executive order is intended to supplement but not

supersede Executive Order No. 12250, which requires consistent and effective implementation of various laws prohibiting discriminatory practices in programs receiving Federal financial assistance. Nothing herein shall limit the effect or mandate of Executive Order No. 12250.

6-603. Executive Order No. 12875. This Executive order is not intended to limit the effect or mandate of Executive Order No. 12875.

6-604. Scope. For purposes of this order, Federal agency means any agency on the Working group, and such other agencies as may be designated by the President, that conducts any Federal program or activity that substantially affects human health or the environment. Independent agencies are requested to comply with the provisions of this order.

6-605. Petitions for **Exemptions.** The head of a Federal agency may petition the President for an exemption **from** the requirements of this order on the grounds that all or some of the petitioning agency's programs or activities should not be subject to the requirements of this order.

6-606. Native American Programs. Each Federal agency responsibility set forth under this order shall apply equally to Native American programs. In addition, the Department of the Interior, in coordination with the Working Group, and, after consultation with tribal leaders, shall coordinate steps to be taken pursuant to this order that address Federally-recognized Indian Tribes.

6-607. Costs. Unless otherwise provided by law, Federal agencies shall assume the financial costs of complying with this order.

6-608. General. Federal agencies shall implement this order consistent with, and to the extent permitted by, existing law.

6-609. Judicial Review. This order is intended only to improve the internal management of the executive branch and is not intended to, nor does it create any right, benefit, or trust responsibility, substantive or procedural, enforceable at law or equity by a party against the United States, its agencies, its officers, or any person. This order shall not be construed to create any right to judicial review involving the compliance or non-compliance of the United States, its agencies, its officers, or any other person with this order.

William J. Clinton
The White House
11 February 1994

ATTACHMENT #3

EJ Demographics: Project XL - Proposed Atlantic Steel Redevelopment

Preliminary results based upon available data show that the surrounding area of Atlantic Steel meets EJ threshold criteria being established by our EPA Headquarters, Risk-Based Targeting Working Group and our interim EJ Policy for Region 4.

The following are results obtained today from our EPA Region 4, Office of Environmental Analysis (OIEA) GIS expert, Cohn McIssacs. The Atlantic Steel coordinates of Long 84.4, Lat 33.79 were applied (via e-mail from feliot@crit.com on 10/19/98, via anderson.geoffrey@epamail.epa.gov) An EJ GIS-based program was applied to assess localized demographics, using 1990 Census data. I am still researching if we can obtain more current statistics than 1990. Here's Cohn's results so far:

Distance From Site	*Population Dens./SQM*	*Minority Percent*	*Poverty Percent*	*Pov 15K Percent*	*POPUL. Total*	*POPUL. Minority*
2 T 0 3Mile	*3,648*	*55.67*	*31.83*	*36.33*	56,53*1*	*3 1,473*
1 TO 2 Mile	4,414	44.19	32.12	35.79	39,056	17,257
0 TO 1 Mile	2,976	18.21	24.24	28.33	8,638	1,573
1 TO 1.5 Mile	4,418	36.61	28.00	32.04	16,710	6,118
.5 TO 1 Mile	3,253	17.22	22.24	26.73	6,988	1,203
OTO .5 Mile	2,181	22.25	30.27	33.00	1,645	366

Distance From Site	*Minority Exceeded*	*Poverty Exceeded*	*Pov 15K Exceeded*
2 TO 3 Mile	Y	Y	Y
1 TO 2Mile	Y	Y	Y
OTO 1 Mile	N	Y	N
1 TO 1.5 Mile	Y	Y	Y
.5 TO 1 Mile	N	Y	N
O T O .5 Mile	N	Y	Y

Note: The raw data are compared with state-based EJ thresholds as established within the "Guidance for Conducting EJ Analyses," Interim Draft, Risk-Based targeting working group (RBTWG), Office of EJ, U.S. EPA Headquarters, September 30, 1998. If the threshold is equal or surpassed, the "Y" is indicated. The RBTWG's threshold table was developed for EPA by contractor Indus under EPA Contract Number 68-W7-0034. The relative threshold values were derived using the 1990 Census of Population and Housing, Summary Tape File 3 (STF3) data. The minority threshold value is 1.2 times the average minority statistic within each state and the other columns represent the average low-income statistics within those states. The "15K" low-income threshold is 1.2 times the average percent of households in the state with below $15,000 income. The "Poverty" low-income threshold is 1.2 times the average percent of households in the state meeting a Federal statistical poverty standard.
The following Georgia "relative thresholds" from the EPA Region 4 interim Policy on EJ was

used when determining these EJ demographics within target areas for EPA Region 4 cases.[1]

State	Minority Threshold	Low-Income Threshold (15K)	Low-Income Threshold (Poverty)
Georgia	35.72%	30.54%	17.58%

Revision dated 1 1/12/98

[1] "Case" broadly means any site, project, community, area, inspection, enforcement action, regulated facility permitting action, administrative case, or judicial case.