

**Finding of No Significant Impact
and
Floodplain Statement of Findings
for the
Disposition of Mound Plant's "South Property"**

AGENCY: U.S. Department of Energy

ACTION: Finding of No Significant Impact and Floodplain Statement of Findings

SUMMARY: The U.S. Department of Energy (DOE) has completed the attached Environmental Assessment (EA) for the proposed title transfer of 123 acres of land, commonly referred to as the "South Property," at the Miamisburg Environmental Management Project (MEMP) Mound Plant located in Miamisburg, Ohio. The land will be transferred to the DOE-recognized Community Reuse Organization (CRO) designee, the Miamisburg Mound Community Improvement Corporation (MMCIC), a not-for-profit corporation established by the City of Miamisburg to redevelop and reuse the Mound site, as well as transfer Mound assets for reuse. The land may be transferred in a single or multiple parcels. Subsequent to title transfer, MMCIC proposes to develop the property as an industrial park to provide additional employment opportunities for the Miamisburg area. This redevelopment effort would partially mitigate the socioeconomic impacts of DOE's decision in 1992 to close the Mound Plant. Based on the results of the analysis reported in the EA, DOE has determined that the proposed action is not a major Federal action that would significantly affect the quality of the human environment within the context of the National Environmental Policy Act of 1969, as amended (NEPA). Therefore, preparation of an Environmental Impact Statement (EIS) is not necessary, and DOE is issuing this Finding of No Significant Impact (FONSI).

DATES: Written comments must be received by the DOE at the following address no later than July 8, 1999.

ADDRESS: A copy of the Final EA and FONSI is available at the Mound Plant CERCLA Public Reading Room, 305 Central Avenue, Miamisburg, Ohio. Or, copies may be requested through the below individual:

Ms. Sue Smiley
NEPA Compliance Officer
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FOR FURTHER INFORMATION CONTACT: For further information on general DOE National Environmental Policy Act or Floodplain/Wetland environmental review requirements, contact:

Ms. Carol Borgstrom, Director
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SUPPLEMENTARY INFORMATION: The proposed action is the sale of 123 acres of U.S. Department of Energy (DOE) land on the Mound Plant, Miamisburg, Ohio, to the Miamisburg Mound Community Improvement Corporation (MMCIC). The subject property has been found to be excess to DOE's needs. This decision is supported by the *Nonnuclear Consolidation Environmental Assessment* (DOE/EA-0792) and associated FONSI dated September 14, 1993, and the Memorandum of Understanding between the DOE Defense, Environmental Management and Nuclear Energy Programs dated August 1, 1995.

The property may be transferred to the MMCIC in a single or multiple parcels. Subsequent to title transfer, the MMCIC plans to develop the property as an industrial park. Development of the property would be consistent with the *Miamisburg Mound Comprehensive Reuse Plan* (CRP) dated January 1997. On behalf of the DOE Office of Community and Worker Transition, the Economic Development Administration (EDA) of the Department of Commerce has approved the CRP as a viable Community Transition Plan.

Alternatives Considered: Four alternatives to the proposed action were considered: (1) sale to another landlord, (2) long-term lease of the property, (3) disposition of the property through the General Services Administration (GSA), and (4) no action (i.e., the land would remain undeveloped and under DOE ownership). Relative to the first alternative, the DOE announced its intent to sell the entire Mound Plant (306 acres) to the MMCIC, under the authority of Section 161g of the Atomic Energy Act of 1954, as amended (42 U.S.C. 2201[g]), in a Commerce Business Daily (CBD) announcement on August 7, 1996. Expressions of interest in the property were solicited, including a general description of the intended use of the property and any specific property needs the user may require. This information was required to ensure that future development of the property would be consistent with the MMCIC's site vision. Three parties responded to the CBD Notice, expressing an interest in future real property transactions through the MMCIC. No parties expressed an interest in, or concern over, the DOE's plans to sell the Mound Plant, as a whole, to the MMCIC for purposes of economic redevelopment. The second alternative, long-term lease of the property, would not meet the purpose and need to disposition land that has been determined to be excess to DOE's needs. The third alternative, disposition through the GSA, would meet the DOE's purpose and need, however, it would not meet the joint community/DOE goal to transition the site to an end-use that provides for economic redevelopment. The fourth and final alternative ("no action") would not meet the purpose and need to disposition the excess land.

Environmental Factors Considered and Projected Impacts: Several environmental factors were considered in evaluating the impacts to human health and the environment, should the DOE decide to implement the proposed action to transfer title of the South Property to the MMCIC.

Land Use: The proposed action would substantially change the land use from essentially undeveloped land to an industrial park. According to the CRP, the property could support 290,000 square feet of new development with associated parking facilities. The area targeted for development represents approximately 20% of the total South Property acreage. The CRP commits to a full consideration of environmental and socioeconomic factors in the MMCIC's development plans for the property.

Socioeconomics: No long-term net change in population is associated with the proposed action. The new jobs created by the redevelopment of the subject and adjacent parcels that comprise the current Mound Plant footprint are expected to equal or exceed in number the loss of DOE jobs from the closure of the Mound Plant. The proposed action does not represent an adverse impact to any segment of the population.

Air Quality:

Construction: Construction activities would lead to a minor, but measurable, increase in dust and criteria pollutant (e.g., carbon monoxide) concentrations in the local environment. Based on modeled results, however, the increases would not represent a

significant impact to the environment. No long-term air quality issues from construction activities would be encountered.

Operations: The specific combination of industries that may ultimately operate on the subject property has not been determined. The EA identified representative industries that are likely to locate on the South Property and, therefore, reasonably bound the air emissions analyses reported in the EA. Based on modeled results from those industries, the additional contribution of air toxics from the proposed action would present a negligible impact to air quality.

Water Resources:

Water demand: It is envisioned that the MMCIC will extract and return a volume of groundwater no greater than current values for DOE activities at the Mound Plant site. Withdrawal of water at current rates has not created a drawdown or other adverse effects for the source aquifer, the Buried Valley Aquifer (BVA). Similarly, future discharge rates are not expected to outpace current discharge rates to the Great Miami River. Given that the current discharge rate represents a negligible contribution to the average flow rate for the Great Miami River, the proposed action would not significantly alter river water quality or flow. Storm water flow rates would be unaffected by the proposed action; storm water would continue to flow from the property to the Great Miami River.

Floodplains and Wetlands: The June 1994 wetlands delineation identified no jurisdictional wetlands on the South Property. However, an update of the delineation, initiated in June 1999, has identified a wetland on the South Property. The updated delineation map is not expected to be approved by the U.S. Army Corps of Engineers (USACE) until August 1999 or later. If, subsequent to this FONSI, the USACE approves the new delineation, the NEPA analysis presented in the attached EA remains valid. However, prior to the sale of the property containing the wetland, the DOE will comply with all applicable 10 CFR 1022 requirements (e.g., publication of a Notice of Involvement in the Federal Register and disclosure to the buyer of Federal and state regulations for the protection of wetlands).

Floodplain Statement of Findings: A small portion of the South Property lies within the 100-year floodplain for the Great Miami River. The action to sell the property is, therefore, subject to the requirements of 10 CFR 1022, *Compliance with Floodplain/Wetlands Environmental Review Requirements* and Executive Order 11988, *Floodplain Management*. Applicable requirements for the proposed action include: (1) completing a Floodplain Assessment describing the effects of the proposed action on the floodplain and other alternatives considered, (2) providing an opportunity for public comment, (3) notifying the public of the agency's decision, and (4) advising the future owner of use restrictions.

Pursuant to 10 CFR 1022.12(a), a Floodplain Assessment describing the effects of the proposed action was prepared and included in the attached EA. Other options considered included sale of the property to another landlord, disposition through the Government Services Agency, long-term lease, and no action (i.e., the land would remain undeveloped and under DOE ownership). The assessment concluded that these alternatives would be less successful or unsuccessful in meeting DOE's objective of dispositioning real property that has been determined to be excess to DOE's needs. The alternate actions also provide limited support for the joint community/DOE goal to transition the site to an end-use that provides for economic redevelopment.

A Notice of Floodplain Involvement was published in the *Federal Register* on January 12, 1999 (64 FR 1798). The DOE received no public comments on the Notice and the proposed action remains unchanged. Hence, the information contained in this FONSI includes a Statement of Findings (SOF) for the proposed action to transfer property containing a floodplain. Prior to implementing the proposed action, the DOE will allow 15 days of public review after publication of the SOF.

In accordance with 10 CFR 1022.5(d), DOE has identified those uses that are restricted under Federal, state, and local floodplain regulations. Several restrictions are found in state and local codes; these restrictions would apply to any future land owner, and are aimed exclusively at future development within the floodplain (e.g., construction of a building, modification of an existing public water system). There are no state or local floodplain protection standards governing the simple transfer of property within a floodplain. As a part of the transfer, however, DOE will make the future owner of the South Property aware of the applicable governing regulations for development within or adjacent to the 100-year floodplain. It is the responsibility of the future owner to comply with these regulations.

In summary, the proposed action conforms to the appropriate floodplain protection standards, in the sense that any development of the South Property by future land owners would be subject to all applicable Federal, state and local statutes, and/or regulations and restrictions governing development activities within a floodplain. No such restrictions apply to the transfer of the floodplain itself. Given the extent to which floodplain management is regulated (e.g., through design and construction constraints), it is reasonable to assume that potential harm to the floodplain would be minimized and that future development would not have an adverse effect on lives, property, or the environment. Therefore, no short- or long-term effects are expected as a result of the proposed action. Nor would the proposed action adversely affect the natural and beneficial values of the bulk of the 100-year floodplain that lies outside the South Property and the MEMP site as a whole.

DOE will allow 15 days of public review after publication of this Floodplain Statement of Findings before implementing the proposed action to transfer that portion of the 123-acre "South Property" that lies in a floodplain. The 15-day public review period also applies to the Finding of No Significant Impact (FONSI) for the proposed action

to transfer the entire 123-acre South Property to the MMCIC for purposes of economic redevelopment.

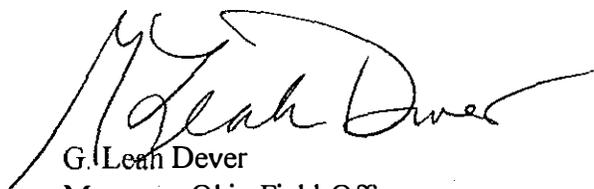
Threatened and Endangered Species: Viable populations of threatened or endangered species have not been observed on the subject property. Therefore, no adverse effects from the proposed action are expected.

Cultural Resources: Based on the results of an archaeological survey and a review of applicable literature, DOE concluded that the South Property did not have the research potential to make it eligible for listing in the National Register of Historic Places and did not warrant additional archaeological work. The Ohio Historic Preservation Office subsequently confirmed DOE's conclusion. Therefore, no adverse effects on cultural resources from the proposed action are expected.

Cumulative Impacts: As demonstrated in the EA, the additive impact of the proposed action has been shown to be negligible. Specifically, long-range transport of air pollutants is not expected and significant degradation of regional air quality will not occur. Similarly, significant increases in water body loads of sediment, thermal, and/or toxic pollutants will not be encountered. No other long-term environmental, ecological, or economic stressors were identified in the analysis. Therefore, significant cumulative impacts are not expected to be associated with the proposed action.

DETERMINATION: Based on the findings of the attached Environmental Assessment (DOE/EA-1239), DOE has determined that the proposed sale of Mound Plant's "South Property" does not constitute a major Federal action that would significantly affect the quality of the human environment within the context of the National Environmental Policy Act of 1969, as amended. Therefore, preparation of an Environmental Impact Statement is not required and this Finding of No Significant Impact is issued.

Issued in Miamisburg, Ohio, this 18th day of June 1999.



G. Leah Dever
Manager, Ohio Field Office
U.S. Department of Energy