



TWENTY YEARS

# **FUSRAP Middlesex South, New Jersey, Site Innovative Strategies for Beneficial Reuse**

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Waste Management Symposia  
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# Site Location

- Central location between New York City and Philadelphia
- Mixed commercial and residential area
- Population estimate of 14,501 (2021)
- Previous use for assay of uranium ore (1948-1967)



1950 – Facilities Building



# Site Overview



1986 – Site with Interim Storage Piles



2019 – Site Conditions After Remediation

## 1980s–1990s

- Vicinity property remediation and waste storage
- Soils remediated to unrestricted use
- Vacant since 1999

## Current

- Groundwater remediation expected to be complete in 2028
- Site transfer to US Department of Energy Office of Legacy Management in 2030



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# Site Redevelopment Opportunity

3.9 hectares  
(9.6 acres) of vacant  
land owned by  
US government

Borough of  
Middlesex  
approached LM  
with property-use  
proposal

Initial planning  
meeting November  
2018 — established  
multiagency team

June 2019 —  
unanimous  
agreement on path  
forward

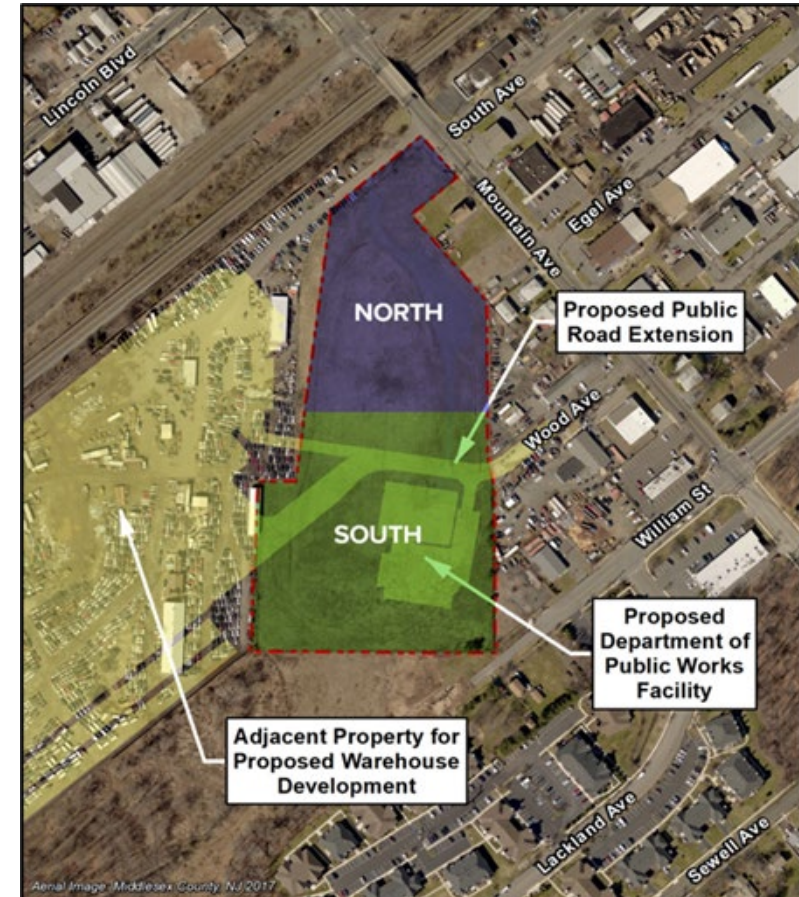


Proposed Department of  
Public Works (DPW)



# Borough of Middlesex Property Transfer Proposal

- Relocation of DPW, additional Emergency Management office
- Extension of an existing public road
  - supports a \$40 million Leadership in Energy and Environmental Design warehouse development
- Demolish current DPW facility; replace with affordable senior housing
- Projects are consistent with the borough's Lincoln Boulevard Redevelopment Plan





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# Key Agencies in Decision Making

Success required a multiagency team

- Federal
  - LM
  - US Army Corps of Engineers
  - US Environmental Protection Agency
  - US General Services Administration
- State
  - New Jersey Department of Environmental Protection
- Local
  - Borough of Middlesex
  - Redevelopment team





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## Key Disposition Challenges

Disposition government-owned property undergoing remediation

Achieving state/federal approval of complex environmental documentation

Coordinating and communicating across a geographically distributed team

Meeting timelines for developer project funding



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# Key Tasks Completed 2019–2023



- **Borough Resolution:** Mayor approved property transfer proposal and sign a memorandum of understanding.
- **Memorandum of Understanding:** Documented borough intention to acquire the entire site for public use; LM granting of the public road easement.

# Key Tasks Completed 2019–2023



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- **Public Road Easement:** LM granted the easement; the borough issued a license for construction. Allowed accelerated schedule for road construction.
- **Project Financing and Road Construction:** Easement approval and completion of environmental documentation was crucial to project financing.
- **Wetlands delineation:** USACE took lead on delineation in support of the GSA disposal package.

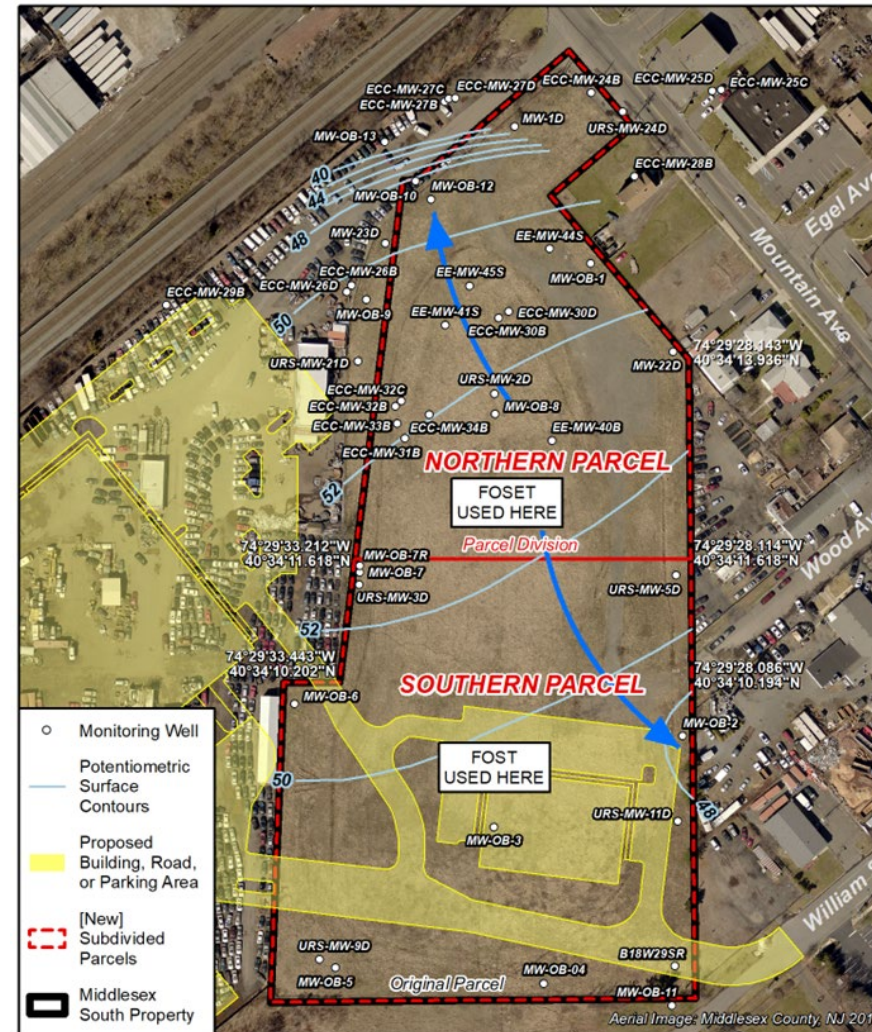
# Key Tasks Completed 2019–2023



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## Property Survey and Subdivision

- Groundwater divide and flow path
- Volatile organic compounds present north of divide
- No contamination south of divide
- LM - survey subcontract/plat map submittals
- USACE -site access/point of contact





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# Key Tasks Completed 2019–2023

## Finding of Suitability to Transfer (FOST)

Property is environmentally  
suitable for transfer by deed

State and federal regulators  
review and concur on FOST

**Supported disposition of  
southern parcel – remediated**

## Finding of Suitability for Early Transfer (FOSET)

Documents environmental  
suitability and appropriate  
land-use controls for early transfer

FOSET process is longer than  
FOST – formal approval by  
governor and EPA administrator

**Supported disposition of northern parcel –  
groundwater remediation in process**

# Environmental Due Diligence Checklist



**Hazardous substances as defined by the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA)**



**Historic, archeological, and cultural resources**



**National Environmental Policy Act compliance**



**Endangered species and biological resources**



**Floodplains, wetlands, and coastal zone management**



**Underground storage tanks**



**Polychlorinated biphenyls, lead-based paint, and asbestos**



**Radon and pesticides**



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ORDINANCE #2084-23

AN ORDINANCE OF THE BOROUGH OF MIDDLESEX ACCEPTING AN OFFER OF DEDICATION FOR ROADWAY PURPOSES OF CERTAIN LANDS, BEING PORTIONS OF BLOCK 318, LOTS 1.02, 19 AND 21 IN THE BOROUGH OF MIDDLESEX AND DEDICATING FOR ROADWAY PURPOSES CERTAIN LANDS, BEING PORTIONS OF BLOCK 318, LOTS 1.01, 1.02, 19 AND 21 IN THE BOROUGH OF MIDDLESEX

- WHEREAS the United States Department of Energy ("DOE") is the owner of approximately 9.6 acres of land commonly known as the Middlesex Sampling Plant located at 239 Mountain Avenue, Middlesex Borough, New Jersey and identified as Block 318, Lot and Block 319, Lot 45 on the Municipal Tax map ("MSP Site"); and

WHEREAS, as of September 30, 2020, the Borough entered into that certain "Easement between the Borough of Middlesex, New Jersey and The United States of America, acting through the Department of Energy/Office of Legacy Management," recorded in the Office of the Middlesex County Clerk, in Deed Book 18132, Page 1797 on November 16, 2020 ("Roadway Easement") along with Borough Ordinance #2005-20, authorizing the Roadway Easement ("2020 Roadway Ordinance"); and

WHEREAS, the Roadway Easement granted a perpetual easement to the Borough across a portion of the southern part of Block 318, Lot 1.01 ("Easement Area"), as more particularly described and depicted in the Roadway Easement and attached hereto as Exhibit 1, for the construction, maintenance and operation of a right-of-way for a public road or street, together with rights of ingress and egress (the "MSP Roadway"); and

WHEREAS, the MSP Roadway intersects with the existing public right-of-way in Wood Avenue, and thus includes a connection with and minor expansion of Wood Avenue (the MSP Roadway, together with the connection to and expansion of Wood Avenue are referred to hereafter as the "Public Roadway"); and

WHEREAS, the 2020 Roadway Ordinance further authorized the Borough to enter into that certain License Agreement for Use of Real Property ("Redeveloper License"), between the Borough, Claremont Properties Urban Renewal, LLC, and DOE, which Redeveloper License was recorded with the Roadway Easement, and thereafter modified by that certain Acknowledgment and Consent, dated March 29, 2022, recorded on April 6, 2022 in the Office of the Middlesex County Clerk in Deed Book 18887, Page 1709, which among other things corrected the name of the Licensee thereunder from Claremont Properties Urban Renewal, LLC to CP Middlesex Urban Renewal LLC (the "Redeveloper"); and

WHEREAS, in the Redeveloper License the Borough, with DOE's consent, granted a license to the Redeveloper over the Easement Area in order to construct the MSP Roadway thereon; and

WHEREAS, the Redeveloper License further provided that upon construction of the improvements in the Easement Area by the Redeveloper, the completed MSP Roadway would be dedicated by the Borough as a public roadway pursuant to ordinance; and

# Collaborative Tools

## USACE FUSRAP website and local public library

- Maintain fact sheets, project updates, meeting notices, and site documents

## Public Comment Period

- Gather public comments on the remediation and final land-use status of the site

## Middlesex Borough Council site-related meetings

- Open to the public; agenda and meeting minutes posted on the borough's website

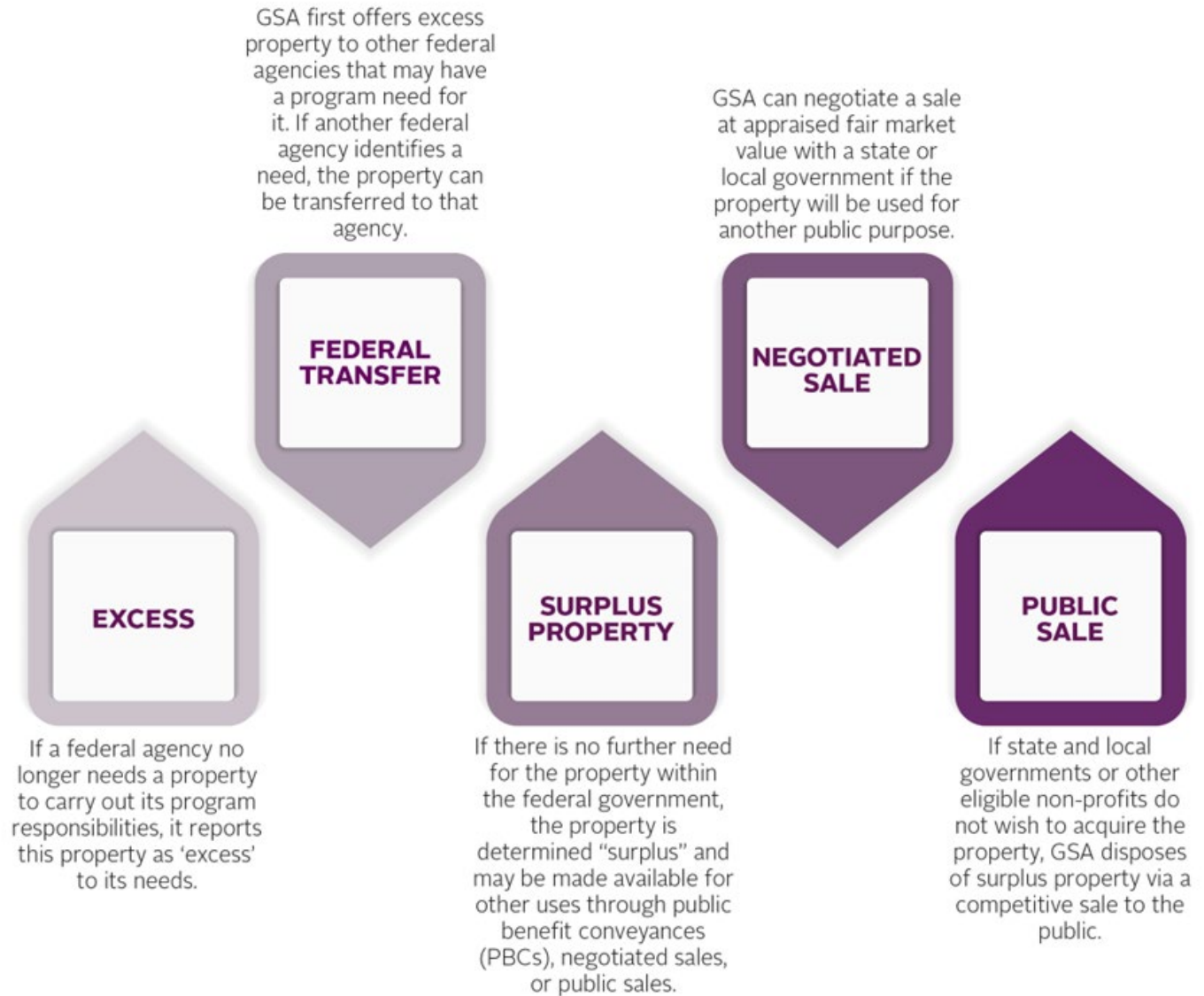
## Local newspaper notice

- Notice for land-use board hearing to approve the adjacent development site plan and public road design
- All property owners within 61 meters (200 feet) of the proposed redevelopment were notified of the hearing

# GSA Disposal Process

## DISPOSAL METHODS IN ORDER OF PROGRESSION

\*NOT EVERY PROPERTY GOES THROUGH EVERY STEP OF THE PROCESS.



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# Conclusion

This successful government property beneficial reuse fulfills many objectives.

- Property redevelopment
- Safe roadway access
- Innovative, cost-effective cleanup
- Protection of human health and the environment
- Cost reduction for managing federal inventory





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## Final Takeaways

- Leadership at all levels of government fostered collaboration and shared goals
- Team collectively overcame numerous challenges
- Project awarded EPA's Sixth Annual Federal Facility Excellence in Site Reuse Award for an NPL Site in June 2023

