



**SUMMARY AND RESPONSE TO COMMENTS
PROPOSED REMEDY AND
DEPARTMENT-INITIATED PART I PERMIT MODIFICATION
BANNISTER FEDERAL COMPLEX
KANSAS CITY, MISSOURI
EPA ID# MO9890010524**

The Missouri Department of Natural Resources (hereafter the Department) approved the proposed changes to the final remedy and issued a final contingent Missouri Hazardous Waste Management Facility (MHWMF) Part I Permit Modification for the Bannister Federal Complex (BFC). The Department made the proposed changes in preparation for the anticipated transfer of the area of the BFC west of the Union Pacific railroad tracks that bisect the permitted property to a private developer before the facility cleanup is complete.

The final MHWMF Part I Permit modification is contingent, in that the approved changes will only become effective if, and only if, the property is actually transferred to Bannister Transformation & Development, LLC (BT&D). In order for a transfer to occur, the U.S. Department of Energy (DOE) must meet the early transfer requirements by submitting to the Missouri Governor a Covenant Deferral Request with supporting documentation. The governor must sign off on the deferral request, thus allowing DOE to transfer the property to a private entity before all necessary clean up actions are complete. Following approval of the early transfer, an additional Class I Permit modification with prior Director approval will be required to allow for the change of ownership/permit transfer. If the property is not transferred, the existing MHWMF Part I Permit, as modified in 2012, will remain in effect until the permit is reissued or further modified.

The final contingent MHWMF Part I Permit modification requires BT&D to continue post-closure care and corrective action activities on that portion of the BFC that is transferred to it. The modification includes updated groundwater protection standards, monitoring requirements, and provisions to implement the approved contingent remedy. The approved contingent changes to the current remedy will result in substantial additional cleanup of the contaminated areas and ensure continued protection of human health and the environment during the anticipated demolition and redevelopment of the site.

The Department conducted the public participation activities for the proposed changes to the current remedy and MHWMF Part I Permit, as outlined in Code of State Regulations 10 CSR 25-8.124(1)(A)10. The Department invited the public to review and offer written comments on the proposed changes to the remedy and MHWMF Part I Permit during a 45-day public comment period, which began May 5, 2017, and ended June 19, 2017. Although not required by law or regulation unless formally requested by the public, the Department held a public meeting and public hearing on the proposed changes to the remedy and MHWMF Part I Permit on May 17, 2017, due to the continuing level of public interest in this project.

The U.S. Department of Energy (DOE) accepted comments on the draft Finding of Suitability for Early Transfer (FOSET) at the same time the Department accepted comments on the proposed changes to the remedy and MHWMF Part I Permit. Many of the comments received did not directly apply to the Department's proposed changes; however, those comments did apply to the FOSET and so were forwarded to DOE for review and response. Those instances are noted in the Department's responses below, along with a referral to DOE's response to comments on the FOSET, which is available online at honeywell.com/sites/aero-kcp/News-Events/Pages/resources.aspx.

All written comments received during the public comment period and all oral comments given at the public hearing concerning the proposed changes to the current remedy and MHWMF Part I Permit are listed below. Some of the oral comments were split up so the Department could more easily respond; however, the comments are presented exactly as they were given/recorded in the official transcript prepared by the court reporter. Comments that were received in writing outside of the public hearing venue are differentiated below. The Department's response to each comment and an explanation of what change(s), if any, were made in the final contingent MHWMF Part I Permit modification in response to the comment is also included. If no change to the final contingent MHWMF Part I Permit modification is indicated in the response, then no change was made in response to that particular comment. This Summary and Response to Comments was prepared according to the requirements in 10 CSR 25-8.124(1)(A)17.

COMMENTS RECORDED AT THE PUBLIC HEARING:

Mr. Dan Fritts:

My parents built their house about three miles from Bannister Federal Complex in 1964, lived there for 48 years. I worked at Bendix in the '80s and then I left for about 20 years and came back in the 2000s. So a lot of roots around this site. And I guess I'm a -- I'm a voice of affirmation and support. I think there's been a lot of issues at the site. I think that's what people are dwelling on. It was also an incredible economic boom to that section of town. It provided a lot of high-paying jobs for generations of people. That is now a blight on that part of town. And I think we're losing, in the midst of all this, the fact that having a three million square foot decaying building in a portion of town that needs development and needs jobs and needs a better use for that site than just decay I think is important also. And we're balancing a lots of things here, but I think in the long run, cleaning it up -- I think the due diligence that's been done on this has been epic, went way beyond what's typically done because I think the government and the developer recognize the sensitivity of this site. And so I think they went above and beyond on the due diligence piece. And so in the midst of all this in the long term, the best thing for the community is to have that site be something other than a decaying building falling down.

Department Response:

We appreciate your support for this project and wholeheartedly agree that further cleanup and redevelopment of the property proposed to be transferred is preferred to the alternative of urban decay.

Mr. Ed Kail:

I'm here as a mem-- also a member of the Metro Organization for Racial and Economic Equity, known by its acronym, MORE Squared. Our concerns as an interfaith, interracial group is to detect where systemic and cultural racism and class discriminations take place. And I guess I'm here mostly just to say that we are watching, you know. We're wanting to see how this proceeds. There's very little in history to give us great assurance that there won't be some form of environmental racism, neglected cancer clusters, if there will be some neglect of the future workers who move into this place and are assured that everything is all right as former workers have been and then discover that they're picking up occupational illnesses from exposure. So we want to be part of the community that is keeping an eye on this process and particularly through that lens of racial and economic equity for all people in the Kansas City metro area.

Department Response:

We appreciate the perspective that you and your group have with regard to this project and will remain mindful that a number of individuals and groups will be monitoring the progress and activities at the facility as work proceeds. As you monitor this progress, we urge you to contact the Department as soon as possible should issues or concerns arise in the areas mentioned above, so the Department can take appropriate action(s) to address those issues or concerns.

With regard to the safety of future on-site workers, the contingent remedy described in the Corrective Measures Report (CMR) includes several elements to ensure the protection of future workers at the facility during remedy implementation and post-implementation redevelopment and occupancy. These elements include using appropriate personal protective equipment during remediation activities, removing contaminated soil and replacing with clean fill material to facilitate future subsurface utility installation, and installing vapor mitigation systems in any new buildings. Other on-site worker protections during building demolition and civil engineering work are addressed as part of the plans to be implemented as part of the FOSET.

Mr. Guy Beebe:

I represent my own website, Answersbannistercomplex.com, and I would just like to make a few statements. In 1987, the original EPA survey of the Bannister Federal Complex site found 1,173 known toxic contaminates. They were everything from volatile organic compounds like acetone, hy-chloric acetylene, benzene, toluene to heavy metals like cadmium, lead, arsenic, and nickel. There have been persistent and continued rumors of polonium, plutonium, and uranium as well. The only single time that the National Nuclear Emergency Response team was ever called to a site was to the Bannister Federal Complex in 1987. And I looked at the report and called it a comedy of errors. That would have been true as long as it remained in the -- in the realm of corruption and ineptitude, but since we've got 30-plus years now of cover ups, it's gone into criminal conspiracy time. Mary Ruwwe was the sole point of control of all information going to the Missouri Department of Natural Resources. They only reviewed her work plans, not what actually happened. They only reviewed her data, not the actual -- were never allowed to actually go on site and collect samples. Her action plan consisted of pumping untreated contaminated wastewater into Indian Creek and Blue River Valley system for decades.

Mandatory congressional oversight required annual reports of EPA for the Superfund site designation. Fifteen years of that data disappeared. She claims the Library of Congress lost it. She -- she was found in contempt of Congress during testimony to both the Senate and the House. Okay. Until you get that woman indicted, you will not get to the bottom of this.

Department Response:

The Department appreciates your comments. Please note that your comments do not relate directly to the proposed changes to the final remedy or MHWMF Part I Permit. Please refer to DOE's response to comments on the FOSET for more information.

Mr. Maurice Copeland:

You all don't know what you think you know. Just like they -- you were misled. A lot of times it's not what you say, it's what you don't say. And we have not heard anything. We have not heard anything from NNSA. We haven't heard about the MOCA explosion from Missouri Division of Natural Resources. Ask them about the MOCA explosion and the cleanup of the MOCA explosion. I would like to see the documents on that, and they should have a list of who did it. Look them up and see where they are.

Department Response:

The Department appreciates your comments. Please note that your comments do not relate directly to the proposed changes to the final remedy or MHWMF Part I Permit. Please refer to DOE's response to comments on the FOSET for more information.

Mr. Evan Smalley:

I'm -- I am actually the Missouri Department of Natural Resources Stream Team 1682. My property is the trib-- main source of the tributary that is the first tributary that is downstream from Bannister -- from the Prospect Bridge flap gate into the Blue River. So what I want to say is that I really appreciate all the work that's being done in order to remediate this property. It's a tough job. But I do want to say that I have every plan of making sure that the property is as well-remediated as possible. That means excavation, clean backfill, the clay cap, all the things that have been discussed. I want everybody to know that I started a Facebook page called Bannister Federal Complex Water Testing. So you can get water testing results on Facebook. And I've got quite a few documents. I'll put a lot more on, there's probably about ten now, but I'll put a lot more. So if you want to get water testing results, you can get them at Bannister Federal Complex Water Testing on Facebook.

What is the URL? What is the website location where the company that is coming to do the remediation, what is the website that they will be posting water quality testing results that are immediately downstream from the Bannister Complex, especially the Bannister flap gate at Prospect? So I just want to say, we really are serious about making sure that the property is properly remediated and that there will be public water testing quality results available on a website for everybody. So please be sure to let us know what is the location where we can find those water quality testing results. The current testing that's being done that is available from the EPA, which I was able to get ahold of, it's being

done in Liberty, Missouri, ten miles downstream from where the Blue River joins the Missouri. I don't think that's a very good place to test water for the Bannister Federal Complex.

Department Response:

We appreciate your support for this project and the perspective you have on protecting the surface water bodies that receive discharges/run-off from the BFC. We share in the commitment to protect these surface water bodies, in compliance with applicable human health and environmental standards and regulations. We will remain mindful that you will be monitoring the progress and activities at the facility as work proceeds. As you monitor this progress, we urge you to contact the Department as soon as possible should issues or concerns arise in the areas mentioned above, so the Department can take appropriate action(s) to address those issues or concerns.

With respect to historical and surface water quality information related to the BFC, we recognize that you previously contacted the Department and EPA to gather this information and initially had some difficulty obtaining information in close proximity to the BFC. We also know that you sat down with Department staff to discuss this and were provided with some recent water quality testing data specific to the water bodies located next to the BFC, as opposed to the distant downstream monitoring information you describe above. We agree that monitoring water quality 10 miles downstream from the BFC would provide little, if any, useful information relative to water quality impacts associated with the BFC. Please note that the water quality testing 10 miles downstream that you mention in your comments has nothing to do with the historical and ongoing facility-specific water and stream quality testing programs at the BFC.

The four regulated outfalls at the BFC that were/are permitted by the Department's Water Protection Program (Missouri State Operating Permit MO-0004863) have been monitored for facility-specific contaminants twice a month from 1987 to 1999, and on a weekly basis since November 1999. The MHWMF Part I Permit has, and will continue to, require water quality, sediment quality, and fish tissue collection/analysis for PCBs at periodic intervals in Indian Creek and the Blue River next to the facility. Substantial additional sampling and analysis of surface water and sediment was also conducted in relation to the BFC outfalls and within the streams next to the facility as part of the Indian Creek/Blue River Fate and Transport Study. DOE submitted the final report for this study in February 2016, which the Department approved in March 2016. This report is part of the administrative record that supports the proposed contingent remedy. The approved Indian Creek/Blue Fate and Transport Study Final Report and the 2016 Groundwater Reports for the BFC, which contain substantial facility-specific surface water quality information, were made available online for public review during the public comment period. These reports remain available online, though download may be slow due to the size of these documents, at honeywell.com/sites/aero-kcp/News-Events/Pages/PERMIT.aspx. These and other referenced information and related reports are also available through the Department by filing a Sunshine request.

Mr. Walter Smith:

I represent all construction workers that worked at the building site known as DOE, Honeywell, Allied, Allied Synergy, or any of those names, including GE, but most of them are dead. Bottom line is these people have not gotten all of their claims resolved to the point where that if we tear down the DOE site, which is evidence -- I do have the list of the toxics that was there -- are they going to still be covered? Are they going to still be able to have their physicals taken? We know that inadvertently everything that they was promised, they got. An individual could go into the DOE site at age 20, because of the latency period which could be up to 40 years, that's how long it takes for, sometimes, for the chemical imbalance to show up. Are these people going to be covered?

Department Response:

The Department appreciates your comments. Please note that your comments do not relate directly to the proposed changes to the final remedy or MHWMF Part I Permit. Please refer to DOE's response to comments on the FOSET for more information.

The Department recognizes and appreciates the sacrifices that the many thousands of former BFC workers have made in the defense of the United States and the resulting freedoms that we all continue to enjoy. We intend to do our best to ensure the health and safety of the public, on-site workers, and the environment, are protected as part of the future activities and redevelopment of the property to be transferred. Substantial additional data collection for chemicals of potential health concern, both inside the main manufacturing building and outside in the environment, was conducted as part of CenterPoint LLC's due diligence investigations. The Department does not know whether this information may be useful in supporting former worker health claims, however, this information is and will remain available to the public. Please recognize that the Department has jurisdictional/authority limitations in that we are only able to address chemical releases to the environment, not occupational exposures that may have occurred inside the buildings, except to the extent that releases to the environment may make their way back into those buildings, or any new buildings, through vapor intrusion from contaminated soil or groundwater.

Ms. Jan Marinette:

The government is spending all this money to do this, but they're not giving out the claims to the families. I have not gotten one penny in 10 years and 5,300 pages of claim forms. It's been ten years of torture. I think I'm going to write a book, and that's going to be the title. The caseworkers that have to look over my submissions were never cleared for the kind of things my husband did. He had the highest clearance. They don't know anything about what he did because they've never been cleared for it. One of my -- the gal that was supposed to run the -- excuse me -- the -- a federal official hearing for his case thought that he -- what his group did was molded plastic foam to keep the parts from rattling when they shipped them and rattling in the bomb. She came in and thought we were talking about bread molds. And she was the one -- I asked her, I said, Who is making the decision on my case here. Oh, well, I am. Well, of course I got a denial. She - - they -- none of them understood it. They were never cleared to understand it, but they're making the decisions, and they still are.

Department Response:

The Department appreciates your comments. Please note that your comments do not relate directly to the proposed changes to the final remedy or MHWMF Part I Permit. Please refer to DOE's response to comments on the FOSET for more information.

Mr. Marlon Smith:

I'm a roofer for Local 20, outside contractor. My number for the government is 80571 now, all right. I'm terminally ill, what they exposed me, but they need to step up before they start taking care of this plant and they need to take care of the people that's sick here before they even start even spending money that they've been spending on this plant to take care of the people and the process. And that ain't right about these claims examiners. Why don't they put out a report on what they're qualified to do? I think everybody needs to put a report out on what they're qualified to do. You know, I was abatement. All they gave me was a plastic mask just to put on. Not even 30 yards from me they had a tent set up, these guys were fully suited out, but I'm okay, you know. I accept that I'm terminally ill because of that. But this company needs to stand up and take responsibility. Instead of spending all this money on this plant, take care of the people that's sick. I worked at the plant two different times, 2005 -- 2000, 2004. Okay. I've worked a total of ten months, and here's my prognosis. You know, I was on the roof. I wasn't working inside the place. It says, Terminally ill. See this? I was there just a short period of time and this is what I got, okay. I was a roofer for 17 years. I wanted to fulfill my 30 years and retire. No. I just got disability. Okay. That's what I got from this, you know. I don't think it's fair to any of these people, being exposed to this, not being taking care of before this dang process gets through and before this place gets tore down. Simple.

Department Response:

The Department appreciates your comments. Please note that your comments do not relate directly to the proposed changes to the final remedy or MHWMF Part I Permit. Please refer to DOE's response to comments on the FOSET for more information.

Mr. Maurice Copeland:

That place is evidence for people's claims. There's no doubt. It's evidence. People are dying, and I want you all to know, all these people that are concerned, that are NNSA and everyone else, if you put out a list in the SIMS of 900 chemicals that lasted -- I heard somebody say something about a thousand; I'm glad to hear that, because that first estimate that was done was done on more than what they had originally said the chemicals that we had. Nine hundred chemicals lasted all the way up until 2015, people, that they reported. And this is what they judge these claims by, the -- what's in the SIMS, these chemicals and these toxic substances. 2016 they notified us that they had made a mistake. How many mistakes can you make? The GSA says that we lied to federal investigators when they came in to assess the plant. We lied to the IG -- or the CDC -- You get the gist of it. Let's get this thing done right and think about the people. Flesh and blood issues here.

So that everyone will know, it's already been announced and it was announced by the man himself to show people that you're going to be affected by whatever they do out here on this -- at this plant. The people that worked at that plant took their self home to their

families. They took their family -- illness home. I hold the place responsible for killing my wife. You all don't know that. You all don't know that. But I'm telling you now. You do not have to go in that plant to get sick from the -- from the elements in that plant. Russ Bukowski, everybody knows Russ Bukowski announced to these people that he has been diagnosed beryllium sensitive. Russ Bukowski did not work at that plant. Russ Bukowski did news broadcasts from that plant. There has been people that have sued Honey-- that have attempted to sue Honeywell because they -- their husbands brought this stuff home, and they have settled. This place has years of dealing with sick workers, but they did not know to tell the people, because they went with the settlement, okay. This is true. I told these people years ago, All you have to do to shut me up -- it's easy; wouldn't you want to shut me up -- all you have to do is release the retire-- the disability retirement records at that plant and you will see disease clusters. And as far as on that property, there's three ladies that had to leave that property that were blind. They went blind in one of the buildings that some of you -- your people going to go in. They went blind and they were under the age of 30. Okay.

Department Response:

The Department appreciates your comments. Please note that your comments do not relate directly to the proposed changes to the final remedy or MHWMF Part I Permit. Please refer to DOE's response to comments on the FOSET for more information.

*For clarification, the court reporter's transcripts related to the above comment should have read "Russ Ptacek" not "Russ Bukowski."

Mr. K.B. Winterond:

Fortunately most winds prevail easterly out of my house. I'm glad that I'm -- that I don't think that much has drifted into my property. My mother and father both worked in these plants at different -- different points and times in their young lives, but at age 81 I'm here to say I'm really sorry that I have been to about 20-some-odd different meetings like here and we're not getting to the bottom of the real problem. Number one, for some reason or other we just keep putting the people, who we'll call the legacy group, we keep putting them off. I'm not happy about that as a neighbor, as an American citizen, as someone who knows we have issues here.

Department Response:

The Department appreciates your comments. Please note that your comments do not relate directly to the proposed changes to the final remedy or MHWMF Part I Permit. Please refer to DOE's response to comments on the FOSET for more information.

Mr. Wayne Knox:

I wish you well, but I want you to remember that what you're doing in principle is destroying a crime scene, and that facility was the source of a lot of exposure to people that was performed without their knowledge or consent. And the U.S. Congress actually said that in its findings. We workers, me too, were exposed without our knowledge or consent. I would like to know what really went on in the facility. I would like to be able to go in the facility myself as someone that's qualified and take samples and be able to

characterize the workers' exposure that went on inside of the facility and use that source term as a way of projecting what's going to happen outside.

Department Response:

The Department appreciates your comments. Please note that your comments do not relate directly to the proposed changes to the final remedy or MHWMF Part I Permit. Please refer to DOE's response to comments on the FOSET for more information.

Mr. Bill McKay:

The question I have is that every time somebody has filed a claim, they analyze that against disease clusters. My understanding is those clusters have been formulated from all of the claims that have been filed. It seems to me if we're to do due diligence for everybody that worked there, Honeywell would send out a health questionnaire to everybody that worked there and find out what illnesses they have or what they died from. To me that's paramount before you tear the building down.

Department Response:

The Department appreciates your comments. Please note that your comments do not relate directly to the proposed changes to the final remedy or MHWMF Part I Permit. Please refer to DOE's response to comments on the FOSET for more information.

Mr. Maurice Copeland:

Another thing that I want to know, the modification process. I've been a part of a lot of this that's going on; it's been going on for a long time. But I think it's a -- I would like to know in plain English, modification process, was it done so that we could handle the whole thing in one package and give it to someone? Someone's already asked about who all bid for the thing and where were they. I was on the CAP panel. The only -- the only concern that I've seen is CenterPoint. This is a made deal. That's -- that's what the people think. Convince me that it's not.

Department Response:

It is unclear if your comments relate directly to the proposed changes to the final remedy or MHWMF Part I Permit. The proposed contingent remedy and permit modification are intended to define, before the anticipated transfer of the property to BT&D, what additional cleanup actions will be taken during building demolition, subsurface utility abandonment/replacement, and property regrading/redevelopment. The proposed permit modification only addresses the cleanup component of this process, with the remainder to be addressed under the FOSET process. For more information, please refer to DOE's response to comments on the FOSET.

Mr. Walter Smith:

And I'd like to know, do they already own the building?

Department Response:

By "they" we presume you mean the private developer, BT&D. The answer is "No." BT&D does not currently own the building or the property proposed to be transferred. The property and building are currently owned by the federal government. As explained

in the Statement of Basis and proposed permit modification, the property to be transferred will not change hands until the approved contingent remedy and associated permit modification is finalized, DOE submits to the Missouri Governor's office a Covenant Deferral Request package in support of the FOSET, the Missouri Governor signs off on the deferral request, AND the Department approves an additional permit modification to complete the transfer of the property and related permit responsibilities to BT&D.

Mr. Walter Smith:

And I'd also like to know for the contractors that's going to be basically deleting this building, how many other DOE sites, which there's 26, have they worked at and done this type of work before? And are they the only contractors that's bidding on this particular development or has there been other people?

Department Response:

The Department appreciates your comments. Please note that your comments do not relate directly to the proposed changes to the final remedy or MHWMF Part I Permit. Please refer to DOE's response to comments on the FOSET for more information.

Mr. Marlon Smith:

And there's over 3,000 chemicals there. They need to put out an MSD sheet on who is qualified to cover that demolition and tear it off. I don't think anybody's qualified that could even pass that database of 3,000-some toxins unless they studied about six months.

Department Response:

The Department appreciates your comments. Please note that your comments do not relate directly to the proposed changes to the final remedy or MHWMF Part I Permit. Please refer to DOE's response to comments on the FOSET for more information.

Ms. Jan Marinette:

My husband worked in that plant for 40 years and in all those 40 years there was never any solution to the exposure that all of these employees, sometimes as many as 7,000 people in that building, never a solution as to how you keep them safe. And how many -- wish I had a number; we probably couldn't figure out what it says -- have been exposed, died, vegetables, the whole thing because they were doing their duty to their country, okay. How now do you think you're going to do anything in that territory that's not going to expose some human being to something that has been there for over 40 years and has never been solved? I don't want one more people -- one more person be exposed and go through what my husband had. He had four cancers, four different cancers, and the Department of Labor, the caseworkers will not accept any one of those as being caused by the chemicals or causing his death. Now, how are you going to keep that from happening to even one more person? That's too many. I just -- I cannot imagine why any of us would want one more person exposed.

Department Response:

We recognize and appreciate your concern regarding potential future human exposures to contamination that could result during building demolition, subsurface utility abandonment/replacement, implementing additional cleanup actions, and future

occupation of the property when it is redeveloped. We certainly agree that protections must be in place to prevent unacceptable future exposures to even one person. Please recognize that future on-site workers are required to have specialized training and equipment appropriate for the tasks they will be performing. The building demolition and civil engineering plans contain detailed procedural, equipment, and monitoring provisions to ensure on-site worker safety and off-property protection of residents during demolition and subsurface utility abandonment/replacement. The same will be true of the health and safety provisions associated with the detailed remedy implementation plans that will be submitted to the Department if, and when, the property is transferred to BT&D.

As explained during the proposed remedy workshop on May 11, 2017, and as recognized in the documents supporting the proposed contingent remedy, the remedy will include contaminated soil removal and replacement/supplementation with clean fill. This will create a contaminant free subsurface zone where new utilities can be installed with little risk of exposure to residual subsurface contamination by excavation and utility workers. Any new buildings constructed on the property to be transferred will include vapor mitigation systems in the building foundations to prevent potential indoor workers from being exposed to indoor air that could be contaminated by chemicals volatilizing from residually contaminated soil or groundwater beneath those buildings. Following installation, indoor air monitoring will be required to ensure these vapor mitigation systems are working. The vapor mitigation systems will be required in all future buildings, unless the Permittee can demonstrate, through a rigorous scientific analysis, that such a system is not required to protect human health. This demonstration must be submitted to and approved by the Department.

Mr. Maurice Copeland:

I understand that we're going to monitor the fish, we're going to make sure that the raccoons and the squirrels are healthy. We're going to make sure that the trees and nothing's bothered. And then today I heard that they're going to have responsibility for the people. That's the first time I heard that. What I want to know is what they're going to do. And I have a suggestion. Do a baseline screening of anybody in the area of radius of their health. Because if my daughter comes in and says she has berylliosis, somebody's going to be in trouble, okay. Because I'm old and I don't care. Okay.

Department Response:

Please recognize that, first and foremost, human health protection has always been the focus of the long-standing remedial activities at the BFC related to releases to the environment. The historical fish tissue monitoring program in Indian Creek and the Blue River, which will continue into the future, is based on human health protection related to potential fish consumption. Several years ago the Department conducted more than 100 door-to-door surveys in the immediate area of the BFC, which focused on identifying recreational users of Indian Creek and the Blue River, and whether those surveyed caught and ate fish from the water bodies near the BFC. These surveys, and the potential ingestion of PCB contaminated fish by humans, factored into the previous remedy decision for the 95th Terrace Site. Additional work conducted as part of the more recent

Ecological Risk Assessment portion of the Baseline Risk Assessment identified potential ecological concerns that factored into the current proposed contingent remedy.

“People protection” is the overarching objective of the requirements of the proposed contingent remedy and permit modification. Please recognize that the Department and EPA have jurisdictional/authority limitations in that the agencies are only able to address chemical releases to the environment, not occupational exposures that may have occurred inside the buildings, except to the extent that releases to the environment may make their way back into those buildings, or any new buildings, through vapor intrusion from contaminated soil or groundwater.

Mr. Wayne Knox:

I'm from the sovereign state of Georgia in Atlanta. Just fundamentally I believe the site should be torn down and a health and safety facility should be erected on top of the ashes of that facility. I'm not a speaker. I'm a dirty hands guy. I'm a nuclear engineer, an operational health physicist. I've worked in these facilities. I've served on the DOE Tiger Team evaluating facilities. I have participated in writing, as a project manager, all of the procedures necessary in order to quote, quote, safely decon and decommission facilities. I've worked at several DOE facilities, again in health and safety. There are a lot of things that we need to consider and I could spend an hour up here talking to you about it, but my most pressing concern is the workers and the people that work and live around the site and what's going to happen to them when we start tearing into this facility. I am not convinced -- of course I have not gone through all of your data, but I'm not convinced that you have truly characterized the source term. I hear you talking about what you've done around the outside of the facility, but when you start tearing into a facility like this, you have to start with the source term. What's your worst case scenario? Your worst case scenario is contaminants inside of that facility. Have you torn into all of the ductwork? Have you taken good samples from inside of the facility? The bottom line is we need to have a comprehensive plan for tearing into this facility. We need to have a long-term surveillance plan. Keep in mind, you had beryllium in that facility. It has gotten out. And the latency period for beryllium can be up to 40 years. How do we know, what assurances do we have that you are analyzing beryllium and other contaminants that will be released from the facility? There's a lot of work that has to be done in order to do it the right way. And every -- every job that I have done in my whole career, there have always been things that went bump in the night and we had to make corrections to it in order to protect the workers and the public.

Department Response:

We recognize and appreciate your concern regarding potential future human exposures to contamination that could result from building demolition and agree that protections must be in place to prevent unacceptable future exposures. Future on-site workers are required to have specialized training and equipment appropriate for the tasks they will be performing. The building demolition and civil engineering plans contain detailed procedural, equipment, and monitoring provisions to ensure on-site worker safety and off-property protection of residents during demolition and subsurface utility abandonment/replacement. The same will be true of the health and safety provisions associated with the detailed remedy implementation plans that will be submitted to the

Department if, and when, the property is transferred to BT&D. Please refer to DOE's response to comments on the FOSET, regarding the building demolition and civil engineering aspects related to your comment.

Mr. K.B. Winterond:

I'm not happy about the fact that there's been a number of different attempts to grab -- to grab and to grant. I think the grabbing should be over with. We need to get the cleanup started. We need to get it enclosed, capped, do whatever. But I was really kind of shocked last -- two weeks ago or last week maybe it was when I realized is that we're only going down so far. We aren't going to bedrock. And if we did go to bedrock, it would probably be pervious materials, which means that there's more materials that's permanently stored there that can't be moved out. I think -- I don't have very much faith and trust in what the people who give out money in Washington are going to do for us. But I am deeply concerned and I'm really sorry that we haven't really got in hand a real plan that will deal for the existing human needs for those people who already passed away and for my neighbors who are going to continue to have the vapors and the radiants coming up out of the ground. I don't think that 45 feet is -- in the dirt is deep enough. If -- down below that is limestone; I know it's going to keep that for a long, long time. But I have concerns and I just want to say that I'm sorry that I don't hear a real good solution after about 25 different meetings.

Department Response:

As discussed in detail in the Statement of Basis, and supported by the technical documents contained in the administrative record, the proposed contingent remedy was evaluated against several remedy selection criteria. These criteria, and the overarching objective of protecting human health and the environment, are based on cleanup of contamination and control of exposures to any remaining contamination to prevent unacceptable risks.

Based on almost three decades of investigation, monitoring, and data collection, the bedrock beneath the subsurface unconsolidated material zones (silt, clay, gravel) at the facility has demonstrated the ability to prevent the further downward migration of groundwater contamination. The upward flow of groundwater near the creeks has also helped to prevent the downward migration of contaminants. The Description of Current Conditions Report includes an extensive discussion of the bedrock relative to the potential vertical movement of groundwater contamination. There is also extensive historical information regarding the horizontal and vertical extent of on-property groundwater contamination, that demonstrates there is no contaminated groundwater beyond the permitted facility property boundaries. As such, there are no pathways for off-property or residential exposures to groundwater contamination through drinking/direct contact or contaminants volatilizing to indoor air.

The current status of the groundwater contamination can be found in the 2016 Groundwater Reports for the BFC, which were made available online for public review during the public comment period. This report and the Description of Current Conditions Report remain available online, though download may be slow due to the size of these documents, at honeywell.com/sites/aero-kcp/News-Events/Pages/PERMIT.aspx. These

and other referenced information and related reports are also available through the Department by filing a Sunshine request.

Once a proposed remedy is determined capable of preventing unacceptable risks, the cost of going beyond that proposal without a corresponding reduction in risk becomes a larger decision-making consideration. During the contingent remedy evaluation, the proposed actions were weighed against removing more of the contaminant source, in terms of reducing risk/protecting human health and the environment and available financial resources from the federal government to conduct the work. While we certainly recognize that additional contaminated soil removal might reduce the amount of time over which long-term remedy operation, maintenance, and groundwater monitoring is required; currently available resources are a factor in the remedy decision-making process.

As you may recall from attending the meetings and workshops, several exposure prevention actions are planned. For example, the proposed contingent remedy includes removing contaminated soil and replacing/supplementing with clean fill material. This will create a 12-foot thick contaminant free subsurface zone where new utilities can be installed with little risk of exposure to residual subsurface contamination by excavation and utility workers. Any new buildings constructed on the property to be transferred will include vapor mitigation systems in the building foundations to prevent potential indoor workers from being exposed to indoor air that could be contaminated by chemicals volatilizing from residually contaminated soil or groundwater beneath those buildings. Following installation, indoor air monitoring will be required to ensure these vapor mitigation systems are working. The vapor mitigation systems will be required in all future buildings, unless the Permittee can demonstrate, through a rigorous scientific analysis, that such a system is not required to protect human health. This demonstration must be submitted to and approved by the Department.

Mr. Mike Murphy:

I'm with 90.1 FM, KKFI, Kansas City Community Radio. We were at a press conference the other day in the downtown by various sectors in the city with someone from the NAACP, there was a pediatrician, there was an attorney, and mayor pro tem Scott Wagner also was one of the speakers. And his talk was this -- the purpose of this press conference was concern for cuts to the EPA and how it would affect Kansas City. And his -- his talk was framed around Brownfields, how the EPA has been vital in helping return Brownfields. And he mentioned another federal complex over at Hardesty and Independence. And he mentioned, you know, a couple places here and there, like on Prospect and Troost, old dry cleaners and stuff. And then he mentioned the Bannister Federal Complex. And he said, We're trying to turn Bannister Federal Complex into a vibrant community, and we cannot do that without EPA funding. So I'm wondering is all this moot, is all this contingent upon how deep the cuts are going with the EPA.

Department Response:

The Department appreciates your comments. These comments do relate to the future resources available to implement the approved contingent remedy and permit modification, as well as the building demolition and civil engineering activities to be

conducted under the FOSET. DOE was involved in the discussions leading to the set aside of federal funds for this project, the Department was not. Please refer to DOE's response to comments on the FOSET for more information.

Mr. Maurice Copeland:

There was an estimate, and I think it's been mentioned before. MMDR, EPA were all involved. Eight hundred million dollars back in the '80s to clean up this place. And now you've got a real estate developer that's going to come and do it for 275 million. That does not -- that is not American math and time. That has to be explained to the people a little bit better.

Department Response:

The Department appreciates your comments. We recognize that your comments do relate, in part, to the proposed changes to the final remedy and MHWMF Part I Permit. The federal government developed the original cost estimate and the later, updated estimate by the federal government was in coordination with CenterPoint Properties Trust and its consultants. Please refer to DOE's response to comments on the FOSET for more information.

Please recognize that, regardless of historical and current cost estimates, Special Permit Condition XVIII. of the final contingent MHWMF Part I Permit modification contains comprehensive requirements for periodically updating cost estimates and providing financial assurance for all environmental activities at the BFC conducted under the Permit. These requirements include requesting and providing funding beyond any current cost estimates for long-term remedy operation, maintenance, monitoring, and reporting, for as long as those activities are necessary.

Mr. Daniel Karam:

I'm about a mile away from the new plant out there on Botts Road. Well, first of all, I haven't really done my homework, but my hat's off to the people who have done their homework. And what I want to say -- and I give thanks for an opportunity to make the comment -- and if we're going to have a remedy to the cleaning up past military efforts, we're going to have to do something with that money that's going into future military efforts. I mean, we have a trillion dollars that's scheduled for the next 30 years to revamp all these nuclear weapons. And it just seems like, wow, maybe we could use that money for something better. Don't we have other problems? I mean, they're taking money out of helping people and they're putting money into military things that are going to be destructive to people someplace on this planet. And I'm just saying, Can't we do better? You know, we get these attitudes and the attitudes interfere with knowledge. We have to sometimes change our attitudes.

Department Response:

The Department appreciates your comments. We recognize that your comments do relate, in part, to the proposed changes to the final remedy or MHWMF Part I Permit. We are committed to further clean up and beneficial reuse of the BFC in a manner that is protective of human health and the environment.

Ms. Jan Marinette:

I'm -- my solution is seal up that building, make it a memorial to those thousands and thousands and thousands of people who have been hurt and lived in that building. Seal it up. Make it a memorial like Washington has. Put the names on the walls and let's -- let's remember these people for the warriors they really were.

Department Response:

The Department appreciates your comments. Please note that your comments do not relate directly to the proposed changes to the final remedy or MHWMF Part I Permit. Please refer to DOE's response to comments on the FOSET for more information.

The Department recognizes and appreciates the sacrifices that the many thousands of former BFC workers have made in the defense of the United States and the resulting freedoms that we all continue to enjoy. We intend to do our best to ensure the health and safety of the public, on-site workers, and the environment, are protected as part of the future activities and redevelopment of the property to be transferred.

****WRITTEN COMMENTS RECEIVED BEYOND THE ORAL COMMENTS
CONTAINED IN THE PUBLIC HEARING TRANSCRIPTS****

**COMMENTS FROM CENTERPOINT PROPERTIES LLC (CENTERPOINT) /
BANNISTER TRANSFORMATION & DEVELOPMENT LLC (BT&D)**

CenterPoint/BT&D Comment #1:

Groundwater Monitoring and Corrective Action Program, Special Permit Condition II.D.7.d., General Groundwater Monitoring Requirements [40 CFR 264.97]

The current language states:

- “d. Monitoring well repairs shall be undertaken within thirty days of identification of any surface or subsurface well integrity problem. If adverse weather or facility conditions preclude the Permittee from gaining access to and/or repairing damaged monitoring wells within the above-noted periods, then the Permittee shall take appropriate action as soon as practicable. Written justification for any delay, completed well inspection log sheets, a narrative description of any well repairs, and before and after photographic documentation (in the case of visible surface well repairs) shall be provided to the Department as part of the Annual Groundwater Corrective Action Report required by Special Permit Condition II.F.”

We request that the default time frame for repairs [first sentence, above] be revised to sixty days rather than thirty days. Unlike the current site owner who operates an industrial facility, under the new permittee, there will be no on-site full time

environmental professionals charged with management of environmental issues. Consequently the additional time is recommended to secure appropriate contractors, schedule the work, and ensure that appropriate technical oversight is available. While the current language includes reasonable conditions for extending the response time, this language modification will reduce the amount of paperwork required during normal site operations. If the response time cannot be met within sixty days a written justification for the delay shall be provided as per the current language.

Response #1:

The Department believes this is a reasonable request. The final contingent MHWMF Part I Permit modification language was changed to sixty days, in lieu of thirty days as originally drafted.

CenterPoint/BT&D Comment #2

Special Permit Condition XXI, Review and Approval Procedures Section B

The current language of this section reads:

“B. To facilitate GSA’s current and BT&D LLC’s future (i.e., post-building demolition, remedy implementation and property regrading) repair and maintenance of utilities on the permitted property that may be in a contaminated area, Excavated Soil Management Procedures shall be followed, subject to the following conditions:”

It is our understanding that this section and subsections address activities completed outside the scope of the corrective measures addressed in the Draft final Corrective Measures Report and Statement of Basis for this contingent permit modification. To remove any ambiguity in this statement, we suggest the following edits (underlined):

“B. To facilitate GSA’s current and BT&D LLC’s future (i.e., post-building demolition, post-remedy implementation and post-property regrading) repair and maintenance of utilities on the permitted property that may be in a contaminated area, Excavated Soil Management Procedures shall be followed, subject to the following conditions:”

Response #2:

The Department intended the initial “post-” reference to apply to all three activities within the noted parentheses. The requested clarification is acceptable. The final contingent MHWMF Part I Permit modification language was changed to incorporate the language above.

CenterPoint/BT&D Comment #3:

Table II

Footnote *** to Table II reads as follows:

“Semiannual sampling of VOCs in Tables I and IA for primary (effectiveness) wells as per the approved SAP, and annual for all other established wells. New wells shall be sampled quarterly as per Special Permit Condition II.E.2.e. Sampling for metals not required for semi-annual and annual sampling unless indicated by changing site conditions and/or request by the Department.”

In order to provide the future site owner with the most flexibility in deploying sampling resources, we recommended that this footnote be amended with the underlined text, below. This way, the site owner and MDNR can agree upon what parameters are essential for sampling new wells in different parts of the site, and after initial samples are collected.

“Semiannual sampling of VOCs in Tables I and IA for primary (effectiveness) wells as per the approved SAP, and annual for all other established wells. New wells shall be sampled quarterly as per Special Permit Condition II.E.2.e. for parameters from this Table specified by MDNR for the new wells. Sampling for metals not required for semi-annual and annual sampling unless indicated by changing site conditions and/or request by the Department.”

Response #3:

The Department agrees that flexibility is needed with respect to sampling new wells and that such sampling should focus mainly on the contaminants already known to be present in the area of any new wells. The proposed language change creates the flexibility to have needed discussions before future sampling decisions are made, instead of potentially locking future sampling requirements for new wells into a “one size fits all” approach. The requested change is acceptable. The final contingent MHWMF Part I Permit modification language was changed to incorporate the language above, except that “Department” was used instead of “MDNR” to be consistent with other references in the Permit.

CenterPoint/BT&D Comment #4:

Special Permit Condition XIII - Corrective Measures Implementation (CMI) Work Plan

Part of this section reads:

“The Permittee shall continue to implement elements of the previous remedy for the 95th Terrace Site as per Special Permit Condition XIII.A. above and as specified in the approved 95th Terrace CMS Report. This includes continued use of institutional controls for the 95th Terrace Site and other parcels of the portion of the BFC transferred to BT&D LLC covered by this Permit, as noted in Special Permit Condition XVII.”

Outfall 002 and associated structures will be abandoned as part of the Corrective Measures proposed for the BFC. To avoid confusion, and to be consistent with Special Permit Condition III.4, we propose the following language (additions underlined):

“The Permittee shall continue to implement relevant elements of the previous remedy for the 95th Terrace Site as per Special Permit Condition XIII.A. above and as specified in the approved 95th Terrace CMS Report. This includes continued use of institutional controls for the 95th Terrace Site and other parcels of the portion of the BFC transferred to BT&D LLC covered by this Permit, as noted in Special Permit Condition XVII. Elements of the 95th Terrace remedy related to inspection and maintenance the Outfall 002 structure, including the raceway structure, and sampling of sediment and water at the flap gate shall be eliminated from permit requirements after abandonment of the Outfall.”

Response #4:

The Department agrees with the requested clarification. The final contingent MHWMF Part I Permit modification language was changed to incorporate the language above.

**COMMENTS FROM THE U.S. ARMY CORPS OF ENGINEERS (USACE)
KANSAS CITY DISTRICT**

USACE Comment #1:

[Statement of Basis] Page 3 (fourth bullet) and Page 6: Possibility for misunderstanding regarding responsibility of the Former Landfill. Responsibility is assigned to Department of Defense (DOD) per the MOA and is being performed by USACE through the FUDS program.

Response #1:

The Department appreciates this clarification. The responsibility references related to the Former Landfill were updated in the final contingent MHWMF Part I Permit modification, to reflect the language contained in the July 1993 Memorandum of Agreement between the DOE, GSA, and DOD, acting through the USACE. The following specific language was added:

“The July 1993 Memorandum of Agreement (MOA) between the DOE, GSA, and U.S. Department of Defense (DOD), acting through the USACE, sets forth the understandings and commitments of the parties to the MOA with respect to the responsibilities specified therein for investigatory work at the BFC being performed by the USACE under the FUDS program.”

USACE Comment #2:

[Statement of Basis] Page 3 (third and fourth bullet): Each bullet states that PCB contamination to Indian Creek, Boone Creek, and Blue River is the responsibility of the originator. Statement is made for both the PROPERTY TO BE TRANSFERRED (third bullet) and GSA RETAINED PROPERTY (fourth bullet). As it currently reads, it is unclear to what the process will be to determine which party is the originator of the PCB contamination and/or what portions of PCB contribution is associated to each originator.

Response #2:

There is no specific “process to determine origin” or “apportionment of responsibility formula” for PCBs in the MHWMF Part I Permit. The “origin” of PCB releases to the environment on the portion of the BFC to be transferred is based on the preponderance of the evidence collected during: 1) historical investigation and cleanup activities conducted by DOE on the Kansas City Plant portion of the BFC, under the previous EPA 3008(h) Order and the current MHWMF Part I Permit; 2) historical CERCLA investigations conducted on the GSA portion of the BFC to be transferred; and 3) “Due Diligence” investigations conducted by CenterPoint Properties LLC on the portion of the BFC to be transferred. Any PCB releases to the environment established thereby have been, and will continue to be, addressed under the MHWMF Part I Permit by the Permittee responsible for that portion of the BFC.

Other than the Former Landfill (SWMU #44), presently there are no other known or potential sources of PCB releases to the environment on the portion of the property to be retained by GSA. To date, the fundamental basis for establishing the “origin” of PCBs on that portion of the property is the USACE’s Remedial Investigation of the Former Landfill. Any future responsibilities for further investigation, remediation or long-term management of PCB releases on the GSA retained property are expected to be addressed between GSA and the USACE according to the July 1993 MOA. However, since the USACE is not a Permittee, the ultimate responsibility for any PCB-related activities needed on the property to be retained by GSA, will rest with GSA as a Permittee.

USACE Comment #3:

[Permit Modification] General Comment: Possibility for misunderstanding regarding responsibility of the Former Landfill. Responsibility is assigned to DOD per the MOA and is being performed by USACE through the FUDS program.

Response #3:

The Department appreciates this clarification. The responsibility references related to the Former Landfill were updated in the final contingent MHWMF Part I Permit modification, to reflect the language contained in the July 1993 Memorandum of Agreement between the DOE, GSA, and DOD, acting through the USACE. The following specific language was added:

“The July 1993 Memorandum of Agreement (MOA) between the DOE, GSA, and U.S. Department of Defense (DOD), acting through the USACE, sets forth the understandings and commitments of the parties to the MOA with respect to the responsibilities specified therein for investigatory work at the BFC being performed by the USACE under the FUDS program.”

WRITTEN COMMENTS FROM THE PUBLIC:

Ms. Ann Suellentrop:

When the buildings are being demolished plans are to spray the area with water. I understand the perimeter will be monitored for toxins in the air. What kind of toxins will

be monitored and how frequently will samples be taken? If toxins are detected, what will happen? Why not cover the area with a tent to prevent toxins from becoming airborne?

Department Response:

The Department appreciates your comments. Please note that your comments do not relate directly to the proposed changes to the final remedy or MHWMF Part I Permit. Please refer to DOE's response to comments on the FOSET for more information.

Ms. Ann Suellentrop:

How much beryllium was shipped into the plant and how much was shipped out? And so how much remains inside?

Department Response:

The Department appreciates your comments. Please note that your comments do not relate directly to the proposed changes to the final remedy or MHWMF Part I Permit. Please refer to DOE's response to comments on the FOSET for more information.

Ms. Ann Suellentrop:

When the buildings are removed how will rain water be prevented from driving the underground toxic plumes into the nearby Indian Creek and Little Blue River?

Department Response:

The Corrective Measures Report that supports the proposed contingent remedy recognizes the issue raised in this comment. The report proposes a comprehensive program of installing groundwater collection trenches and pumping wells to address precipitation infiltration during and after building demolition, to maintain hydraulic control of the contaminated groundwater, thus preventing it from being discharged into Indian Creek and the Blue River. Groundwater protection standards will still be met at the compliance point wells.

Ms. Ann Suellentrop:

A few years ago, the federal government estimated cleanup would cost \$800 million. Why is it now estimated to only cost \$200 million?

Department Response:

The Department appreciates your comments. We recognize that your comments do relate, in part, to the proposed changes to the final remedy and MHWMF Part I Permit. The federal government developed the original cost estimate and the later, updated estimate by the federal government was in coordination with CenterPoint Properties Trust and its consultants. Please refer to DOE's response to comments on the FOSET for more information.

Please recognize that, regardless of historical and current cost estimates, Special Permit Condition XVIII. of the final contingent MHWMF Part I Permit modification contains comprehensive requirements for periodic cost estimate updating and providing financial assurance for environmental activities at the BFC that are conducted under the Permit. These requirements include requesting and providing funding beyond any current cost

estimates for long-term remedy operation, maintenance, monitoring, and reporting, for as long as those activities are necessary.

Ms. Ann Suellentrop:

How many years will the Federal Government be responsible for contamination at the KC Plant/BFC site? Somewhere I seems to remember “30 years?” This is important as some parts of the site will not be cleaned up or removed but will remain on-site. What assurance do we have that the Feds will safeguard the environment and our health? What assurance do we have that there will be adequate funding for full cleanup? I have heard that the Missouri Governor will need to assure that the Feds will provide adequate funding for full cleanup. How will this be accomplished and will the public have access to this info. before he approves the title transfer to Centerpoint?

Department Response:

The Department appreciates your comments. We recognize that your comments do relate, in part, to the proposed changes to the final remedy and MHWMF Part I Permit. Please refer to DOE’s response to comments on the FOSET for more information.

Please recognize that Special Permit Condition XVIII. of the final contingent MHWMF Part I Permit modification contains comprehensive requirements for periodically updating cost estimates and providing financial assurance for all environmental activities at the BFC conducted under the Permit. These are enforceable requirements that will apply for as long as necessary, including beyond 30 years, to meet the cleanup, operation, maintenance, monitoring, and reporting elements contained in the Permit.

Mr. Bob Kessler Comments, Lea Manor Homes Assn., Knowledge Communications

Technologies:

I served on the Community Advisory Panel (CAP) for the Bannister Federal Complex from its inception September 29, 2010 until the January 9, 2014. At the January 9th meeting the CAP discussed transition to the establishment of an organization for a continued public review and participation associated with redevelopment and reuse of the site.

The CAP was charged to provide input on the Bannister Federal Complex to the Interagency Environmental Leadership Council, IELC, composed of Jason Klumb, Regional Administrator, General Services Administration (GSA) Heartland Office, Karl Brooks, EPA Director, Region 7 Environmental Protection Agency (EPA), Mark Holecek, Site Manager, Department of Energy, National Nuclear Security Administration (DOE/NNSA) and Aaron Schmidt, Deputy Director, Missouri Department of Natural Resources (MDNR) regarding environmental issues with reuse of the Bannister Federal Complex.

Early in the CAP organizational development process members requested greater clarification from the IELC in terms of responsibilities and direction. Much of the question was whether the major focus would be on environmental or reuse issues. Due to political, media and CAP member emphasis the majority of the effort ended up relating to

environmental issues. A significant issue was the past environmental supervision and monitoring of the GSA owned portion of the Bannister Federal Complex.

Several members of the CAP discontinued involvement because their interests were much greater in the subject of reuse. Center School District and The Blue River Watershed Association members discontinued coming to the meetings. Several years, prior to the IELC CAP initiation, The Kauffman Foundation, UMKC Computer Science & Engineering, UMKC Geosciences and Kansas City Parks and Recreation organizations indicated an interest in potential reuse.

Proceeding with the environmental contamination issue emphasis a series of constructive actions were taken by the Federal and State agencies involved in the project. Environmental cleanup and management of the site has been consolidated under a single Resource Conservation and Recovery Act (RCRA), Class 3 permit.

CenterPoint Properties was identified as the DOE/NNSA planning partner and the organization most likely to acquire and redevelop the majority of the site. Personnel at the MDNR, EPA and CenterPoint Properties have extensive data and detailed information about site conditions and environmental management requirements. DOE/NNSA has a clear understanding of their legacy responsibilities at the site. At this moment, the people who will be modifying and using the site and those who will be regulating their activities understand conditions at the site and how certain areas with contamination are to be managed.

Mark Drury, DOE/NNSA Kansas City Plant Disposition Manager, in his January 9, 2014 presentation identified the potential for DOE/NNSA establishing a Community Reuse Organization, CRO, for community stakeholder organization participation in reuse consideration. (This process apparently has been very successful in Pinellas County, Florida, where DOE has closed a facility.)

Significant changes are occurring in the South Kansas City area that may affect Bannister Federal Complex property reuse considerations. The Cerner Corporation acquired the old Bannister Mall property and has plans for creating office facilities for 15,000 employees in the next 10 years, the Oxford on the Blue project is proceeding, Kansas City is expanding trail capabilities in the area, and Burns & McDonnell has just announced an office project adjacent to their world headquarters to accommodate 2100 additional employees.

Educational stakeholders Center School District and Hickman Mills School District will be affected as well as business stakeholders in the area, not to mention the City of Kansas City and Jackson County.

Clearly, Burns & McDonnell, Cerner Corporation, Kansas City, Jackson County, The Kauffman Foundation, and the South Kansas City Alliance as well as other stakeholders in the area could serve as important members of a CRO.

In addition to those views I would also like to see cooperation of a new property owner with the state of Missouri, Kansas City and Johnson County to work on maximization of community value and positive influence. This would mean high priority for reopening Blue River Road, reopening the Trolley Track Trail and connecting the Trolley Track Trail and the Indian Creek Trail. These changes would be valuable to those in the adjacent area as well as new employees working at any new development. In addition, thoughts could be given to reuse of the ball field, contribution of the playground, and return of the farmers market.

Department Response:

The Department appreciates your comments and recommendation. We recognize that your CRO participation recommendation does relate, in part, to the proposed changes to the final remedy and MWHMF Part I Permit. When, and if, a CRO or other similar group is established, we will keep your stakeholder recommendations in mind for inclusion in whatever group is formed.

COMMENTS FROM DEPARTMENT STAFF:

Comment #1:

There is an inconsistency in the BFC draft contingent MWHMF Part I Permit. The Schedule of Compliance (Section I.E) indicates that a revised Sampling & Analysis Plan is due within 90 days of transfer but Table III indicates 60 days. Correction is needed.

Response #1:

Table III in the final contingent MWHMF Part I Permit modification was changed to be consistent with the Schedule of Compliance (Section I.E) to allow 90 days for submission of the revised Sampling & Analysis Plan.