DEFENSE ENVIRONMENTAL RESTORATION PROGRAM
FOR
FORMERLY USED DEFENSE SITES
FINDINGS AND DETERMINATION OF ELIGIBILITY

PLUM BROOK ORD WORKS

Sandusky, Erie County, Ohio

Site No. G05OH001800

FINDINGS OF FACT

1. The Plum Brook Ordnance Works consisted originally of 9,071.06 acres of land [9020.66 acres fee, 50.40 acres easement] acquired by purchase and condemnation from various owners in 1941. The site, located 4.7 miles south of Sandusky, Ohio, and 59 miles west of Cleveland, lies in the townships of Huron, Milan, Perkins, and Oxford, in Erie County, Ohio.

2. The Plum Brook Ordnance Works was used by the Trojan Powder Company for the manufacture of explosives during World War II. The works was constructed by the U. S. Army in 1940 and operated by the Army until 1945. The works included production lines for TNT, DNT, and pentolites.

3. The Plum Brook Ordnance works ceased operations in 1945, and the area was renamed the Plum Brook Depot. Portions of the depot were operated as an ammunition storage facility for Erie Ordnance Depot. The Plum Brook Depot was placed in inactive status in 1961.

The land disposal occurred in several, fairly complicated, stages. At the end of World War II, continued use of the works by the Department of War was not contemplated, so the entire facility, except for 52.74 acres which was previously quitclaimed to the Baltimore and Ohio Railroad Company on 27 March 1943, was declared excess. Later, the Department of the Army decided that it was best to withdraw the magazine area [2800.46 acres fee] from excess, and on 11 March 1946 this withdrawal was approved. The War Assets Administration accepted custody of the remainder on 6 September 1946.

In 1947, the magazine area, 2800.46 acres fee, was redesignated The Plum Brook Depot Activity [hereinafter PBDA]. It was to become known also as the "retained area" and was not a part of the surplus to WAA. This acreage was also referred to as the Erie Ordnance Depot, and was utilized for powder storage.

On 15 March 1949, the retained magazine area was 2800.46 acres, and the surplus in the custody of WAA/GSA was 6167.86 acres, fee; and 50.40 acres, easement.

By letter of transfer dated 16 June 1954, effective 30 June 1954, the Department of the Army reacquired from GSA the 3180.33 acres ordnance works and 50.40 acres easements, which thereafter was known as Plum Brook Ordnance Works [hereinafter PBOW]. The rest of the original site, previously declared excess to WAA, was disposed of to either NASA or third party grantees. This area, referred to as the WAA net disposal area, contained 2987.13 acres. No work is proposed in the net disposal area, which is now largely a subdivision of residential properties, so it is unknown if any conditions, etc., are present in those disposal transactions.

By letter dated 24 January 1958, the Department of the Army transmitted a copy of a permit entered into by NACA [predecessor of NASA] and Army, by which NACA accepted Plum Brook Ordnance Works [PBOW] "subject to existing contamination without fencing of such areas by the Department of the Army."

By SF 118 dated 3 October 1958, as amended 3 August 1959, the Department of the Army declared excess 3180.33 acres fee and 50.60 acres easements [PBOW]. The SF 118 states that "detailed information regarding contamination is not being furnished as it is understood that NACA is agreeable to the transfer of the installation subject to contamination." At the time of this excess, PBOW was permitted to NACA, as noted in the preceding paragraph.

By SF 118 dated 22 September 1961, the Department of the Army declared excess the magazine area,[PBDA], 2800.46 acres fee. The SF 118 states that "neutralization of any contamination has been completed." At the time of excessing, this area was subject to 8 revocable at will agricultural leases.

On 23 October 1961, NASA-Lewis Research Center requested transfer of all lands covered by SF118 dated 3 October 1958 as amended [PBOW], and of the PBDA, SF 118 as listed in the preceding paragraph, for a total of 6031.39 acres of land, of which 5980.79 acres were fee, 50.40 acres easement, and 0.2 acres license. [Figures do not add up to acquisition figures exactly due to differences in survey and to rounding] A Statement of Justification attached thereto reads:

> A Use Agreement was obtained from the Department of the Army on July 5, 1956, for approximately 500 acres (Pentolite Area, Plum Brook Ordnance Works). The reactor facility was constructed on this site with NACA, C&E appropriation of Fiscal Years 1956, 1958, and 1960. Subsequently, the balance of the land and structures of the Plum Brook Ordnance Works (excluding the Igloo Area) was turned over to NASA under a Use Agreement from the Department of the Army on January 22, 1958. This latter area (approximately 2700 acres) was and is used by the NASA for the construction of many rocket research facilities with NASA C&E and R&D appropriations of Fiscal Years 1958 and 1959.

...The current major research programs being conducted at Plum Brook include the following:

1. Effect of radiation on materials.

2. Research on components for nuclear propulsion systems.

3. High energy chemical propulsion systems.

4. Nuclear rocket component research.

On 22 July 1962, NACA requested transfer of the entire 5980.79 acre fee and 50.40 acres easements [PBDA and PDOW]. The property was transferred to NACA on 15 March 1963 without reimbursement. NACA assumed accountability for and custody of the property on that date.

By corrected SF 118 dated 18 April 1978, NASA-Lewis Research Center declared excess 2152.15 acres of land and the structures thereon. Within this area lies two sites, both part of the old PBOW, which NASA accepted subject to contamination. The first of these was the Perkins School site. By indenture dated 2 June 1978, the Secretary of HEW quitclaimed unto the Perkins Board of Education, Sandusky, Ohio, 46.023 acres of land, subject to all legal highways. Exceptions included a right for the Government to maintain utilities; the exclusive use of the grantor and its assigns, together with rights of access, to a water reservoir and pumping station. Further, the grantee assumed maintenance of the roadways until they are dedicated. The Government also reserved for ten years the ownership of certain telephone equipment, the exclusive use thereof, and access to repair it. The restricted use of the property to educational purposes for thirty years. There was no recapture clause, nor did the Government promise to clean up the property, nor was any other type of restoration clause included in the deed. Also within the PBOW which NASA accepted subject to contamination was NASA designated Tract No. 59, consisting of 603.98 acres, which at the time of excess was under permit by NASA to EPA. This tract is currently under GSA control, but the SF118 indicates that EPA has a continuing need for all real property and improvements thereon, including buildings, roadways, utilities, and fencing. The Ohio National Guard has made it known to GSA that it has an interest in acquiring this property. Finally, GSA has indicated that should DoD restore or decontaminate this property, it contemplates sale to private parties. GSA has indicated that it is now their policy to not dispose of property which is or may be contaminated, so they are awaiting corrective action on the red water basins in order to process and dispose of this tract.

By SF 118 dated 10 October 1980, NASA-Lewis Research Center declared excess 142.663 acres of land and roadways, identified by NASA as parcels numbers 61 and 62. No work is contemplated by this report for either of these two parcels. Parcel Number 62, acreage unknown, was disposed of by GSA to the

Department of the Army for use as an U. S. Army Reserve Center. GSA also has made two other disposals in recent years, to Wensink Seed Farms on 19 December 1989, quitclaiming 5.63 acres, and to Edward Scott Schenk, on 25 October 1989, quitclaiming 10.3 acres. Both of these disposals were subject to certain covenants intended to maintain the archeological integrity of the sites, but to no other significant covenants or restrictions. There were no recapture clauses or reversions in these two disposals, and GSA required the clean-up of these sites prior to its disposal of them. GSA apparently has approximately 2090.2 acres plus parcel number 61 still in its current inventory, as no further disposal information was found.

NASA-Lewis Research Center remains a 3685.977 acre installation owned by the United States, and as such, is not eligible for DERP-FUDS under existing program guidelines.

DETERMINATION

Based on the foregoing findings of fact, the site has been determined to be formerly used by DoD. It is therefore eligible [with the exception of the active installation] for the Defense Environmental Restoration Program - Formerly Used Defense Sites established under 10 USC 2701 et seq.

24 Dec 92
Date

ALBERT J. GENETTI, Jr.
Brigadier General, U.S. Army
Commanding