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Community Relations Plan

for

El Paso Plating Works

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May 2000

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**COMMUNITY RELATIONS PLAN
for the
EL PASO PLATING WORKS
STATE SUPERFUND SITE
EL PASO, TEXAS**

May 2000

**Texas Natural Resource Conservation Commission
Remediation Division
Office of Permitting Remediation and Registration
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Building D
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COMMUNITY RELATIONS PLAN

for

El Paso Plating Works
State Superfund Site
El Paso, Texas

May 2000

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**COMMUNITY RELATIONS PLAN
for
EL PASO PLATING WORKS STATE SUPERFUND SITE
2422 WYOMING AVENUE, EL PASO, TEXAS**

May 2000

OVERVIEW OF COMMUNITY RELATIONS PLAN

This Community Relations Plan (CRP) attempts to identify issues of community concern regarding the El Paso Plating Works State Superfund Site, located at 2422 Wyoming Avenue in El Paso, Texas. It also outlines the anticipated community relations activities to be conducted during each phase of the cleanup at the El Paso Plating Works site.

The El Paso Plating Works CRP has been prepared to aid the Texas Natural Resource Conservation Commission (TNRCC) in developing a community relations program tailored to the needs of the community affected by the site. The TNRCC will conduct community relations activities to ensure that the local public has input regarding decisions and access to information about Superfund activities at the El Paso Plating Works site.

The information in this plan is based primarily on the Hazard Ranking System (HRS) package. This plan will be updated periodically during the course of the cleanup.

SITE PROFILE

The El Paso Plating Works (EPPW) site occupies approximately 0.25 acres at 2422 Wyoming Avenue, 1.9 miles northeast of downtown El Paso. The geographic coordinates of the site are 31E 48' 57" North Latitude and 106E 24' 10" West Longitude. Available records indicate that the current property owner is William Greuling and that he is also the registered agent for EPPW. William N. Greuling and his wife filed for Chapter 13 Bankruptcy on April 10, 1995.

The site is improved with a single-story sheet metal and brick building described as the process building and former polishing room. The site is inactive and enclosed by a chain link fence on the north and the south. An unpaved alley is behind the site. Properties within 200 feet of the EPPW site include occupied and vacant buildings, residences, and businesses. The immediate area surrounding the site is light commercial industrial, and residential.

SITE SUMMARY AND OPERATING HISTORY

EPPW began plating operations at the site in 1952. From 1952 through 1984 activities consisted of chrome plating automobile bumpers. From 1954 to 1964, silver plating occurred onsite for antique restoration. Beginning in the late 1980's, industrial and commercial work involving tin and nickel plating accounted for most of the sales volume. Prior to shutting down operations in April 1995, EPPW plated zinc, nickel, chromium and copper to various base metals.

In July, 1990, the El Paso Water Utilities Public Service Board canceled EPPW's wastewater permit, to be effective December 31, 1990. On December 14, 1990 EPPW was required by the City of El Paso to disconnect their facility's process wastewater discharge from El Paso's sanitary sewer system, with the exception of their flush toilets.

In May, 1991, a complaint was filed in U. S. District Court alleging that EPPW discharged plating wastewater to the City of El Paso Haskell Street Plant from 1980 through December 1990 in excess of 10,000 gallons per day, that EPPW was subject to wastewater pretreatment standards during this time period, and that EPPW did not comply with these pretreatment standards. A consent decree closing this case was entered into in April, 1992.

On September 25, 1991, El Paso Water Utilities personnel collected soil core samples in the alley behind the EPPW facility following a report of dumping of wastes by EPPW. Sample results showed the presence of elevated metals behind the EPPW facility.

In January 1992, EPPW received a Notice of Violation (NOV) letter from the City of El Paso stating that numerous monthly effluent samples showed exceedances in copper, zinc, lead, chromium and nickel and that these exceedances constituted a violation of EPPW's Pretreatment Compliance Contract. In October 1992, the City of El Paso Water Utilities - Pretreatment Program conducted an inspection at the EPPW facility. Pretreatment program inspectors noted that EPPW was not discharging water to the City of El Paso sanitary sewer line at that time.

On November 9, 1992, EPPW received a pretreatment compliance consent order from the El Paso Water Utilities Public Service Board that required them to:

- Disconnect and plug all connections to the city's sanitary sewer system by November 15, 1992;
- Disconnect the 10 ton chiller unit from discharging to the city sanitary sewer system; and
- Construct a holding tank with a minimum capacity of 4,000 gallons to handle EPPW's flush toilet waste and to construct a dedicated sewer line for this purpose.

On January 13, 1994, EPPW received an NOV from El Paso Water Utilities Public Service Board for exceeding local pretreatment limits for chromium and nickel. The violation occurred on January 7, 1994.

On January 14, 1994, the El Paso Water Utilities Public Service Board contacted EPPW regarding the settlement of a lawsuit in which the City of El Paso was the plaintiff and EPPW was the defendant. Elements of the settlement included that EPPW would be under a permanent injunction in the form of a court order and this court order would require:

- All entrances to the El Paso sanitary sewer system from the EPPW facility be permanently plugged after January 17, 1994; and
- EPPW would be prohibited from discharging anything into the sanitary sewer system; and
- Payment of \$10,000 in fines to resolve NOVs and civil penalties.

Between January 19 and 21, 1994, Victor Ayalla of the TNRCC Region 6 Field Office conducted a complaint investigation of the EPPW facility. William Greuling represented EPPW during the inspection. EPPW was issued an NOV for the following violations documented during the inspection:

- Failure to provide notification of waste streams;
- Satellite accumulation of hazardous waste;

Personnel training relating to hazardous waste management was not being conducted at EPPW;
Spill control and decontamination equipment were not provided onsite;
Aisle space in hazardous wastes storage areas was inadequate;
A contingency plan was not maintained onsite; and
Land ban documentation was not provided for hazardous waste shipments made in November and December 1993.

On March 15, 1994, EPPW responded to the TNRCC NOV.

On October 5, 1994, Victor Ayalla of the TNRCC Region 6 Field Office conducted a Case Development Inspection of the EPPW facility; William Greuling and Ray Molina represented EPPW during the inspection. The following violations were alleged during the inspection:

- General prohibition from discharging hazardous waste to the floor of the facility;
- Failure to notify the TNRCC of the amount of or all hazardous waste generated at the facility;
- Failure to label drums as to their contents and note the start date of hazardous waste accumulation;
- Failure to provide documentation that personnel have received required hazardous waste training;
- Failure to provide the required spill control and decontamination equipment;
- Inadequate aisle space existed within hazardous waste management areas; and
- Improper management of containers of hazardous waste.

On November 29, 1994, EPPW was advised that conditions documented during the most recent inspection indicated continued noncompliance with solid waste rules and that EPPW would be referred for enforcement action. The TNRCC notified EPPW on December 30, 1994, that a Commission order was being prepared that would specify administrative penalties and/or require corrective action. EPPW had the burden of proof that previous violations had been cited in error.

On February 16, 1995, the TNRCC notified EPPW that all previously cited violations had been found valid and that they were invited to participate in an expedited agreed order process. EPPW was also notified that if they chose not participate in the expedited process, formal enforcement would be pursued.

On March 22, 1995, EPPW notified the TNRCC Region 6 Field Office that it did not have the money to perform the technical recommendations and were going to voluntarily cease operations at the facility. EPPW also stated that they did not intend to abandon the facility.

On April 10, 1995, William N. Greuling and Jacqueline W. Greuling filed for Chapter 13 bankruptcy protection.

On March 25, 1996, Mr. Greuling was asked to provide documentation to the TNRCC to substantiate EPPW's claim that they were unable to pay for corrective action at their facility.

On July 9, 1996, the TNRCC requested the Office of the Attorney General, in collecting funds, to ensure that all wastes accumulated at the EPPW site would be disposed properly and an assessment of the facility, as well as neighboring properties, be performed.

On July 10, 1996, TNRCC personnel conducted a Preliminary Assessment (PA) of the EPPW facility and documented hazardous conditions in the abandoned building.

On July 25, 1996, the TNRCC requested that the EPA Emergency Response Branch perform an assessment at the EPPW site and declare their intentions as soon as possible since hazardous conditions had been documented at the EPPW facility and that these posed an imminent danger to the general public. The TNRCC submitted formal communication with the EPA regarding the imminent danger of the EPPW site on September 18, 1996.

On October 1, 1996, the EPA began a removal action at the EPPW site. The following wastes were removed from the facility for proper disposal: Neutral solid sludge = 75,980 pounds; oxidizer liquids = 4,000 gallons; neutral liquids = 4,500 gallons; oxidizer solids = 550 gallons; neutral solids = 2,400 pounds; base liquids = 550 gallons; cyanide liquid = 25 gallons; acetic acid (labpack); nitric acid (labpack); sodium bisulfate (labpack); oxidizers (labpack); labpacked waste = 10 gallons; acid liquids = 440 gallons; neutral liquids = 3,000 gallons; neutral solids = 23,220 pounds; cut plastic drums, PVC pipe and plastic liners = 25 cubic yards. EPA completed their removal at the EPPW site March 3, 1997.

On July 28, 1997, the TNRCC Enforcement Division requested the Litigation Support Division to initiate development of a petition and Executive Director's Preliminary Report to the Commission to resolve the enforcement action pending against EPPW since an earlier offer to settle the enforcement action had been withdrawn. On that same day, the TNRCC advised Mr. William N. Greuling that because agreement had not been reached within 60 days on a proposed agreed order, that offer to settle was withdrawn.

On November 13, 1997, the Texas Attorney General notified the TNRCC that it was unable to file a claim with the Chapter 13 bankruptcy court.

On January 6, 1998, the TNRCC notified William Greuling that a Screening Site Inspection (SSI) would be conducted at the EPPW facility.

On January 12, 1998, the TNRCC closed its bankruptcy file for the EPPW case. On February 11, 1998, the TNRCC concluded that an enforcement action against EPPW or its individual officers or directors was inappropriate and the site should be referred to the appropriate state or federal cleanup program for remediation.

In August 1998, the TNRCC submitted an SSI report to the EPA regarding the EPPW site, in which hazardous substances had been documented. A hazard ranking system (HRS) analysis was performed on the site and a HRS score of 13.73 was assigned to the site.

On March 11, 1999, the EPPW site was referred for state Superfund action.

On March 18, 1999, the Texas Department of Health (TDH) issued a Health Consultation regarding the EPPW site which concluded that it was a public health hazard due to high concentrations of nickel and chromium in the soil and also that children might be especially vulnerable to chromium-contaminated soil.

On September 3, 1999, the EPA notified the State of Texas that no further federal Superfund remedial action funding would be spent on the EPPW site, and referred the responsibility of further cleanup to Texas.

On February 4, 2000, a legal notice was published in the *El Paso Times* and the *Texas Register* describing the site, proposing the site to the state Superfund registry, and announcing a public meeting to receive citizen comments on the proposal. The public meeting was also intended to receive comments from the public regarding the proposed future land use of the site.

The public meeting was held in El Paso at the Houston Intermediate School auditorium on March 9, 2000. No citizens attended the meeting. No comments were received regarding the site proposal or proposed future land use designation.

On May 17, 2000, letters were sent to local and state elected officials giving notice that the executive director of the TNRCC had determined that the land use designation for site cleanup was commercial/industrial.

COMMUNITY PROFILE

The 1998-99 Texas Almanac lists the population of El Paso as 583,431, the fourth largest city in Texas. El Paso is also the largest U.S. city on the border of Mexico. Seventy Fortune 500 companies have divisions or subsidiaries in El Paso and Juarez, Mexico, also known as the Twin Cities. The United States Army and German Air Command stationed at Fort Bliss, Texas play a major part in the local economy. Some of the bigger manufacturing companies in El Paso are the jeans industry with Levi Strauss Company employing 4,600 people and Wrangler employing 2,600 people. Many famous boots are made in El Paso - Tony Lama, Justin Boots, Nakona, and Acme. Other major industries include copper refining, medical equipment, electronics, auto equipment, oil, food, cotton, and other farm products.

El Paso County - 1990 U.S. Census Data

Race	
Not of Hispanic Origin:	
White	151,313
Black	20,525
American Indian, Eskimo, or Aleut	1,634
Asian or Pacific Islander	5,820
Other race	699
Hispanic Origin:	
White	301,199
Black	1,585
American Indian, Eskimo, or Aleut	956
Asian or Pacific Islander	665
Other race	107,214
Persons Total	591,610

SPECIFIC OBJECTIVES OF THE COMMUNITY RELATIONS PROGRAM

- A. Maintain open communications between the Texas Natural Resource Conservation Commission, El Paso County, City of El Paso, State elected officials and concerned citizens.
- B. Continue to expand the mailing list to include additional agencies, organizations, and residents that are interested in the project.
- C. Provide a central information contact from whom interested parties can receive information on site activities, project status, and study results.
- D. Provide citizens, involved agencies, elected officials, and the media with accurate, timely information concerning the scope, progress, and findings of site-related activities by issuing press releases and conducting community meetings.
- E. Brief field teams on community relations issues before performing on-site investigations.
- F. Provide all information, especially technical findings, in a language that is understandable to the general public and in a form useful to interested citizens and elected officials through the preparation of fact sheets and news releases, when major findings become available during project phases.
- G. Monitor community concerns and information requirements as the project progresses by monitoring the community response to news releases and community meetings.
- H. Modify the community relations plan as changes in community attitudes and needs occur and maintain accuracy during different project phases.

COMMUNITY RELATIONS TECHNIQUES

- A. Project Mailing List - To provide the means through which press releases, project status reports and other significant communications can be distributed to concerned groups and individuals.
- B. Public Consultations - Conduct informal meetings (if needed) with residents. To provide an opportunity for affected residents to express any concerns and to make inquiries to insure effective two-way communication.
- C. Program Document Repositories - To maintain easily accessible repositories through which the public may review project outputs. The public will be informed periodically of the availability of project documents and the location of repositories via techniques A through D.
- D. State Superfund Status Reports - Progress of activities at the El Paso Plating Works site is regularly posted to the TNRCC Superfund web site at:
<http://www.tnrcc.state.tx.us/permitting/remed/superfund>
- E. Revise CRP - To reflect changes in site activities or local concerns. After the Proposed Remedial Action Document (PRAD) has been issued, the CRP will be revised to address implementation of the selected remedial action alternative.

AREA ELECTED OFFICIALS

United States

The Honorable Silvestre Reyes
U.S. Representative
310 N. Mesa, Suite 400
El Paso, Texas 79901
915/543-4400

The Honorable Elvia Hernandez
Council Member
City of El Paso
2 Civic Center Plaza
El Paso, Texas 79901

State

The Honorable Eliot Shapleigh
Texas Senate
800 Wyoming, Suite A
El Paso, Texas 79902

The Honorable Paul C. Moreno
Texas House of Representatives
2314 Montana Avenue
El Paso, Texas 79903

City

The Honorable Carlos M. Ramirez
Mayor - City of El Paso
2 Civic Center Plaza
El Paso, Texas 79901-1196

AREA NEWS MEDIA

El Paso Times

P.O. Box 20
El Paso, Texas 79999-0020
Phone: 915-546-6100
Fax: 915-546-6415

El Paso Scene

P.O. Box 13615
El Paso, Texas 79913-0615
Phone: 915-542-1422
Fax: 915-542-4292

KATH-FM

4105 Rio Bravo Street #150
El Paso, Texas 79902-1011
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KTSM-AM

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KFOX-TV Channel 14

6004 N. Mesa Street
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KAMA-AM/KBNA-FM

2211 E. Missouri Avenue #200
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KROD-AM

4150 Pinnacle Street#120
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KDBC-TV Channel 4

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6400 Escondido Drive
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PROGRAM DOCUMENT REPOSITORIES

Physical Address:

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12100 Park 35 Circle
Building D
Austin, TX 78753
1-800-633-9363
1-512-239-2920 (8:00 a.m. - 5:00 p.m. Monday - Friday)

El Paso Public Library
501 North Oregon
El Paso, Texas 79901
1-915-543-5433
Monday - Thursday 8:30 a.m. - 8:30 p.m.
Friday - Saturday 8:30 a.m. - 5:30 p.m.
Sunday 1:00 p.m. - 5:00 p.m.

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