

Brief Summary of the Hillcrest Community / TCEQ Meeting
January 4, 2010

TCEQ held a meeting in Corpus Christi on Jan 4, 2010 from 6 - 9 PM at the TCEQ Regional office. The meeting was to inform and explain to the citizens why TCEQ has decided to change the focus of how agency funds are going to be spent in the Corpus Christi area.

Dr. Michael Honeycutt informed the citizens that because of the overwhelming request for environmental sampling at the December 1, 2009 meeting, TCEQ has decided to conduct environmental sampling and to let the state and federal health agencies determine whether they will pursue biological sampling. The environmental sampling will consist of several of the following media, depending on citizen input: groundwater, soil, soil-gas, and ambient air sampling outside citizen homes. Dr. Honeycutt informed the citizens that this investigation could proceed in three ways and asked for their input. The three ways are:

1) Use the contractors that TCEQ already has in place for remediation projects. This can expedite the investigation and work can start as early as 6 -8 weeks.

The selection of contractors using this approach will be a transparent process with opportunity to do split sampling (if needed) and quality assurance/quality control (QA/QC) all through the process. This approach can result in minimizing costs while maximizing the number of samples (i.e. groundwater, soil, soil-gas, and ambient air outside people's homes).

2) Use the Request for Proposal (RFP) approach and put it out for bid. This can take more time, we might end up with the same contractors as with the first approach, and the costs will potentially be greater. This process will also be very transparent with opportunities for split sampling and QA/QC will be enforced in all stages.

3) Use University researchers to conduct the study. This might be the most expensive of all the three approaches and the work might be conducted by graduate students and not professional contractors as in the first two approaches. If this approach gets expensive because of the overhead costs that are part of the University process, we might have to cut down on the number of samples that will be taken. In addition, Universities are often not nationally accredited to collect samples or do analytical work for environmental samples. Without national accreditation, TCEQ cannot legally use those data to make regulatory decisions.

While some citizens including Ms. Suzie Canales and Mr. Roger Landress and a few others were not happy with any of the approaches, a consensus was reached in that all of them wanted to be able to see the names of the contractors who already contract with TCEQ and give their opinions on approval or disapproval about using them for the Hillcrest Community Investigation. In general they expressed a distrust of the TCEQ and anybody who contracts with the TCEQ. Ms. Canales and Mr. Landress specifically informed TCEQ that they would be willing to approve an investigation by TCEQ only by a contractor who had not done any projects for the local industries. Several of the citizens also wanted information on what percent of TCEQ contractors also have contracts with local Corpus Christi industries.

Dr. Bruce Taylor asked questions about the Corpus Christi Community Investigation and Mr. Landress referred to a benzene study within school districts. Ms. Canales also provided some isopleth maps of Flint Hills and indicated that her maps showed the ground water plumes in the refinery row industrial area. Ms Canales also mentioned that the ground water plumes do not adhere to any boundaries and that the Hillcrest community is being sandwiched between the Leather's Place Number 2 site and refinery row. She went on to state that there is no question that the Hillcrest community is already contaminated and is impacting resident's health. Dr. Taylor also indicated that he was interested in reviewing Dr. Laurie Haws' (with Tox Strategies) analysis of the ambient air monitoring data.

Mr. Landress and Ms. Canales indicated that they would be very disappointed and that the situation would be unacceptable if any of their inputs about contractors were not considered. Ms. Canales said that she will have to research some of the contractors and that she might be able to find someone who had done some work in the Kelly Air Force Base area.

Several of the citizens in the meeting indicated that the contractors who will be selected for the Hillcrest Community Environmental Investigation should not have a Conflict of Interest, in other words they did not want a contractor who was also on contract to the companies that run the adjacent refineries. Basically, they were very skeptical of any contractors who had previously done projects with industries.

Mr. Omar Valdez from the TCEQ Remediation department outlined general remediation procedures stressing that the process of selecting the contractors would be a very transparent process with the conflict of interest studied thoroughly. He explained that in originally selecting the contractors that can work on remediation issues for the state, a thorough process was followed so that only qualified, competent, and reputable firms can be utilized. Mr. Valdez also indicated that quality control is a high priority. Several audience members asked Mr. Valdez what would happen next, or what would the TCEQ do if they discovered contamination. Mr. Valdez informed the audience that the course of action TCEQ takes and the quickness of its response will be dependent on whether there is an imminent health risk. A few citizens asked Mr. Valdez and Dr. Honeycutt for further clarification on the definition of an imminent health risk. Dr. Honeycutt and Mr. Valdez explained that if sampling indicated that actions would be necessary to address a particular media or chemical, those actions would be initiated by the TCEQ, with quicker action for more immediate concerns. Specifically for sampling, Mr. Valdez described how a "geoprobe" is used and the advantages of using the probe. With relatively shallow groundwater and sandy, loamy soils, he explained that sampling with a geoprobe would allow the rapid collection of lots of samples for less money than it would cost to install actual wells. He also indicated this screening tool could be used to determine the best locations to install groundwater monitoring wells.

Ms. Canales indicated that she would like groundwater sampling and sub-surface soil sampling where the water samples were taken. Mr. Landress was also of the same opinion. Mr. Valdez responded that geoprobe sampling would allow for both of these types of samples.

Rev. Henry Williams indicated that he would like both environmental and biological sampling to be conducted and asked everybody to consider the next steps in the course of action to address the situation.

Other issues related to soil sampling in the Donna Park area in the past was visited by some citizens. Donna Park was part of an investigation in the early 90's related to operations of the Encycle (Asarco) facility in Corpus Christi. Ms. Tammy Foster provided TCEQ staff with a news release from TNRCC dated March 1, 1994 and asked TCEQ about why all the houses were not sampled when TCEQ conducted soil sampling. The Regional director of R-14 Corpus Christi, Susan Clewis, provided a brief summary of how the soil sampling was done and informed the citizens that she was a field investigator during 1994 and had personally sampled the soil at all the homes in Donna Park. She further reiterated that additional rounds of soil sampling were conducted by ASARCO contractors. The citizens also asked questions about what happened to the soil that was excavated and about a bird sanctuary that was promised by ASARCO. After a brief discussion of these issues the meeting was brought back on track to a discussion of Hillcrest and TCEQ's planned environmental sampling.

Susan Clewis also indicated to the audience that she had received a copy of a TCEQ letter earlier that day directing Flint Hills (one of the refinery operators adjacent to the Hillcrest neighborhood) to provide additional information in relation to "Delineation-Dissolved Constituents of Concern". After the meeting, Susan shared this letter with the audience.

Going forward, TCEQ staff will:

- 1) Develop a list of the current remediation contractors that could potentially perform the environmental sampling and analysis work for the project and provide the list to the citizens.

- 2) Review the list that was provided to see if it was possible to determine the extent of the work that each individual contractor did that was paid by the refinery row companies, as compared to other work, like government contracts. This information, if available, will be provided to the stakeholders for review and comment.
- 3) Develop a draft scope of work (sampling plan) for the stakeholders to review and provide input.
- 4) Develop a rough time-line for the project, depending on the different possible courses of action.
- 5) Develop a project web page with all the information and contact information.