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Community Relations Plan

for

Dorchester Refining Company

This electronic version of the community relations plan is abbreviated. However more complete files are available as part of the site repository records

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213 North Madison
Mount Pleasant, Texas 75455**

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Austin, Texas**

February 2005

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February 2005

Dorchester Refining Company State Superfund Site

Community Relations Plan

La traducción en español de este plan de relaciones comunitarias está disponible para revisión pública en el repositorio de documentos, localizado en la biblioteca pública de Mount Pleasant.

A Spanish translation of this community relations plan is available in the Dorchester Refining Company document repository located in the Mount Pleasant Public Library.

On the Web:

www.tnrcc.state.tx.us/permitting/remed/superfund

Community Relations Plan
for the
Dorchester Refining Company
Proposed State Superfund Site
Mount Pleasant, Titus County, Texas

May 2005

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Public notice announcing the Dorchester Refining Company proposal to the state Superfund Registry and land use public meeting; published in the May 20, 2005 editions of the *Mount Pleasant Daily Tribune* and *Texas Register*

Site Location Map

Community Relations Plan for **Dorchester Refining Company** **Proposed State Superfund Site**

Mount Pleasant, Titus County, Texas

May 2005

Overview of Community Relations Plan

This community relations plan identifies issues of community concern regarding the Dorchester Refining Company Proposed State Superfund Site (Dorchester), located in Mount Pleasant, Titus County, Texas. This community relations plan also outlines the anticipated community relations activities to be conducted during each phase of the cleanup at the Dorchester site.

The Dorchester community relations plan has been prepared to aid the Texas Commission on Environmental Quality (TCEQ) in developing a community relations program tailored to the needs of the community affected by the Dorchester facility. The TCEQ will conduct community relations activities to ensure that the local public has input to decisions and access to information about Superfund activities at the Dorchester site.

The TCEQ has the responsibility for managing the cleanup of this site, and the TCEQ Remediation Division will oversee all community relations activities at the site.

(Note: The state predecessor agencies: Texas Water Quality Board (TWQB), Texas Department of Water Resources (TDWR), Texas Water Commission (TWC), Texas Air Control Board (TACB), and the Texas Natural Resource Conservation Commission (TNRCC), referred to throughout this document are now known as the Texas Commission on Environmental Quality (TCEQ). The new agency name, TCEQ, became effective September 1, 2002, as mandated under House Bill 2912 of the 77th Regular Legislative Session.)

Site Profile

Site Location: 33° 09' 15" North Latitude, 94° 59' 15" West Longitude
1700 Block of West First Street in Mount Pleasant, Texas

Site Background and Operating History:

Dorchester Refining was an active refinery from 1936 to 1984, refining gasoline, diesel, and asphalt products. The refinery operated as Talco Pipeline Company, American Liberty Oil Company, and American Petrofina Company of Texas from 1936 until it was sold to Dorchester Refining in 1977. Dorchester Refining produced gasoline, diesel, and asphalt products until September 1984.

The crude oil storage tanks were sold to Cetex Pipeline Company and the bulk terminal, including the leaded gasoline tanks, were sold to Conoco. Trey Corporation purchased the property and refinery equipment from Dorchester Refining in October 1985.

In 1987, Trey Corporation began the process of permanently closing the refinery in Mount Pleasant. In accordance with state regulations, closures at industrial solid waste and hazardous waste facilities must comply with the requirements of 30 TAC 335.8 and either the Risk Reduction Standards (30 TAC 335 Subchapter S) or the Texas Risk Reduction Program (TRRP) Rules (0 TAC 350). Closure plans detail the steps that a company must take to fully comply with all applicable state law in the closure of a hazardous or potentially hazardous site. Trey Corporation revised a closure plan that had originally been developed by Dorchester Refining Company in 1984. Approval for the closure was granted on April 13, 1988. Trey Corporation requested an extension of the closure plan on March 21, 1990. Trey Corporation sold the facility to Indo American Refining Company, Inc. on May 1, 1990. Indo American Refining Company filed bankruptcy in late 1992. Indo American defaulted on the note and Trey Corporation regained ownership of the site with a winning bid on September 13, 1993.

On October 11 and 18, 1995, state personnel conducted a compliance evaluation inspection at the site. A Notice of Violation was issued to Trey Corporation on November 15, 1995. One of the directives given in the letter was for Trey Corporation to contact the Texas Natural Resource Conservation Commission Closure Group in Austin and pursue closure for the plant.

On December 15, 1995, Trey Corporation submitted a response to the Notice of Violation letter, stating, "We will contact our engineering firm to update our closure plan and send a copy to your office". Trey Corporation has not complied with the 1995 letter and plant closure has not been initiated.

On July 27, 1998, the TNRCC Remediation Division, accompanied by TNRCC Field Operation Division personnel, conducted a sampling at the Trey Corporation facility. Observed releases of pyrene, chrysene, benzo(b&k)fluoranthene, benzo(a)pyrene, indeno(1, 2, 3-cd) pyrene, benzo(g,h,i)perylene, cadmium, chromium, lead, and mercury were detected onsite at levels greater than three times background.

On April 12, 1999, the facility was referred from the TNRCC Remediation Division to the Field Operations Division to pursue possible enforcement actions. The Tyler regional office conducted inspections on April 25 and May 2, 2000, confirming that the facility was inactive and no closure or remediation activities had been initiated by Trey Corporation.

On August 20, 1999 and June 16, 2000, Notice of Violation letters were issued to Trey Corporation. Trey Corporation filed for bankruptcy protection under Chapter 11 on July 31, 2000, which was converted to Chapter 7 on November 6, 2000. The bankruptcy case was closed by the court on June 8, 2001 after the trustee reported Trey Corporation no longer had any assets.

On November 28, 2001 the TNRCC Enforcement Division referred the site to the Remediation Division, stating, "enforcement is no longer an effective option for addressing the contamination at the site". On October 14, 2002, a notification letter was issued to Mr. Rick McMillan II, Owner of Trey Corporation of Vivian, Louisiana, explaining that the site was being evaluated for state Superfund. The letter was returned undeliverable since Trey Corporation's bankruptcy was converted to Chapter 7 and the company had been liquidated in November 2000.

On October 29, 2002, TCEQ personnel conducted a sediment sampling event to document an observed release of hazardous substances to the probable point of entry at perennial Tankersley Creek. Results of the sampling revealed that releases of cadmium, chromium, and lead had occurred in Tankersley Creek and that those releases were directly attributable to the nearby refinery.

Tankersley Creek qualifies as a Hazardous Ranking System (HRS) eligible wetland, palustrine system, forested wetland, with a level II observed release documented at the probable point of entry. Big Cypress Creek is documented as a fishery in the State of Texas water quality inventory. The length of Cypress Creek fishery potentially impacted by the site measures 8.6 miles to the end of the 15-mile target distance limit.

Alleged fish kills and pollution of Tankersley Creek have been attributed to the facility in the past. Several citizen complaints were filed against American Petrofina for alleged contamination of Tankersley Creek. In 1969, nine cows reportedly died after drinking from the creek. Site owners have reportedly cleaned up the creek four times since 1955, in response to complaints of pollution in the creek.

Community Profile

In 2000 the U.S. Census Bureau estimated the population of Titus County at 28,118, a 17% increase from the 1990 U.S. Census estimate. The 2000 ethnicity estimates of Titus County by the U.S. Census were: white, 60%; black, 10.7%; Hispanic, 28.3%; other, 0.9%.

The 2000 U.S. Census estimated the population of Mount Pleasant at 13,935.

Mount Pleasant's economy consists of manufacturing, food-processing and tourism.

Community Involvement and Concerns

The wife of a former Dorchester employee contacted the TCEQ to express concerns about the site. Her husband has asbestosis, which she attributes to his work at the former refinery. She was pleased to see that site warning signs had been posted.

A gentleman, who had some relationship with the site years ago, contacted the TCEQ project manager by telephone and expressed an interest in contracting for cleanup on the site.

The city of Mount Pleasant and the Mount Pleasant Industrial Foundation are interested in the future of the site. A representative of the Industrial Foundation met with the TCEQ project manager at the site.

Specific Objectives of the Community Relations Program

- A. Maintain open communications between the Texas Commission on Environmental Quality and area residents, as well as City of Mount Pleasant, Titus County and state officials.
- B. Continue to expand the mailing list to include additional agencies, organizations, and residents that are interested in the project.
- C. Provide a community relations contact from whom interested parties can receive information on site activities, project status, and study results.
- D. 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.
- E. Monitor community concerns and information requirements as the project progresses.
- F. Modify the Community relations plan to address changes in community needs and maintain accuracy during different project phases.
- G. Provide for and attend public meetings.
- H. Respond to telephone inquiries and written correspondence in a timely, accurate manner.

Community Relations Techniques

- A. **Project Status Briefings** for community groups and concerned citizens (may include public meetings, if needed) - To periodically inform the general community of significant project developments and findings; to respond to inquiries accordingly and incorporate local concerns into the decision making process as appropriate.
- B. **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.
- C. **Public Consultations** - To conduct informal meetings (if needed) with residents. To provide an opportunity for affected residents to express any concerns and to make inquiries to ensure effective two-way communication.
- D. **Program Document Repository** - To maintain an easily accessible repository through which the public may review project outputs.
- E. TCEQ State Superfund Internet Homepage - To provide current, timely information on state Superfund activities on the World Wide Web at: **www.tnrcc.state.tx.us/permitting/remed/superfund**
- F. **Community relations plan** - To reflect changes in site activities or local concerns. After the Proposed Remedial Action Document (PRAD) has been issued, the community relations plan will be revised to address implementation of the selected remedial action alternative.

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County

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Titus County Judge
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City

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Area News Media

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KALK-FM

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Project Document Repositories

(Physical Address)

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