



# **Force Road Oil and Vacuum Truck Company Proposed State Superfund Site Brazoria County, Texas**

## **Community Relations Plan**

Updated January 2009

# Force Road Oil and Vacuum Truck Company Proposed State Superfund Site Brazoria County, Texas

## Community Relations Plan

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## Overview of Community Relations Plan

This community relations plan (CRP) identifies issues of community concern regarding the Force Road Oil and Vacuum Truck Company Proposed State Superfund Site (Force Road Oil and Vacuum Truck site or Site), located in Brazoria County, Texas. This CRP also outlines the anticipated community relations activities to be conducted during each phase of the cleanup at the Force Road Oil and Vacuum Truck Company site.

The Force Road Oil and Vacuum Truck site CRP 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 Force Road Oil and Vacuum Truck site. 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 Site.

The TCEQ has the responsibility for managing the cleanup of the Force Road Oil and Vacuum Truck 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.)*

## **Force Road Oil and Vacuum Truck Company Site Profile**

### **A. Site Location: Latitude/Longitude: 29°28'30"N, -95°26'57"W**

The Force Road Oil & Vacuum Truck site is located southeast of Arcola and northwest of the City of Iowa Colony at 1722 County Road 573 (Alloy Road) in Brazoria County. The site is approximately 1,300 feet east of the Brazoria-Fort Bend County line.

### **B. Site Description**

The permitted facility occupies between nine and twelve acres out of a leased 28-acre tract. Land surrounding the site is primarily used for agriculture and petroleum production. The site is bounded on the north by County Road 573 and the remainder of the 28 acres, on the west by an inactive drainage canal, and on the east and south by agricultural land. The Site is currently an inactive oily wastewater disposal and oil recovery facility. At the time of the Hazardous ranking System ranking, the only visible structures remaining at the Site were one metal pump house/storage shed and three above ground storage tanks. The aboveground storage tanks are located along the northern part of the site adjacent to County Road 573, just west of the entrance gate. In addition, three buried railroad tank cars with a capacity of 10,000 gallons each had also been used for interim storage of wastes. The operation primarily involved the use of five surface impoundments for the separation of waste oils brought to the site. Three of the impoundments were used as holding ponds, the fourth served as a sludge pond and the fifth unit was used for spray evaporation of waste water. An impoundment was also constructed to temporarily store wastewater while the evaporation pond was under construction. The temporary holding pond exists as a shallow depression on the west side of the site and does not hold water; however, the five other surface impoundments continue to hold water.

### **C. Site Chronology and Background**

#### Monitoring Wells and Permits

March 1971 – The Force Road Oil & Vacuum Truck Company began operations at the Site.

December 28, 1971 – The Texas Water Quality Board issued the Force Road Oil & Vacuum Truck Company an Emergency Order authorizing continued operation of the facility pending the processing of the required site registration.

June 29, 1972 – A Preliminary Certificate of Registration was issued to Force Road Oil & Vacuum Truck Company, with final approval given on September 5, 1973.

July 1974 – Three monitoring wells were installed. Initial sampling of the ground water indicated no groundwater contamination.

July 14, 1977 – The Force Road Oil & Vacuum Truck Company was issued an Industrial Solid Waste Permit for the receipt of non-hazardous waste that superseded and cancelled the permit issued in June of 1972. Special Provision #12 of this permit required collection of background groundwater samples for chemical analysis from on-site monitor wells.

March 1978 – Chemical analysis of background groundwater samples indicated the shallow groundwater beneath the site had been impacted by a release of organic contaminants from the on-site management units.

### Enforcement

October 24, 1980 – The Texas Department of Water Resources (TDWR) sent a Notice of Violation Letter to Mr. Don Forse of Force Road Oil & Vacuum Truck Company noting four permit violations.

December 17, 1980 – the Executive Director of the TDWR issued Mr. Don Forse a twelve point Compliance Agreement that outlined proper maintenance of the waste management units, ground water remediation, and other permit provisions.

January 26, 1981 – Following the modification of one requirement, Mr. Don Forse signed the Compliance Agreement.

December 1982 – The Executive Director of the TDWR filed a petition for partial suspension of Force Road Oil & Vacuum Truck Company's permit following continued violations and failure to comply with the January 1981 Compliance Agreement. Such suspension would have discontinued authorization for any further acceptance, treatment, or storage of waste material until the Force Road Oil & Vacuum Truck Company had demonstrated the ability to comply with all permit provisions and the requirements of the Compliance Agreement. Force Road Oil & Vacuum Truck Company representatives began negotiations with the TDWR.

February 3, 1983 – The TDWR collected a sample from an on-site storage tank at the Site exhibiting a strong solvent odor. The laboratory result indicated the sample contained 1,1,1 trichloroethane. Subsequently on April 1, 1983, the TDWR collected sediment samples from one of the on-site surface impoundments. Laboratory results indicated elevated levels of 1,1,1 trichloroethane, 1,2,4 trichlorobenzene, xylenes, carbon tetrachloride, toluene, 4-chloro-3-cresol, naphthalene, and 1,1 dichloroethane. The receipt of these substances was strictly prohibited by Force Road Oil & Vacuum Truck Company's permit.

1983 – Force Road Oil & Vacuum Truck Company received its last waste shipment and became an inactive facility.

February 1984 – The Force Road Oil & Vacuum Truck Company submitted a closure plan with a final modification submitted May 1988. Representatives of TDWR and Texas Water Commission (TWC) continued to conduct site inspections and monitor the ground water contamination.

December 3, 1990 – An Agreed Final Judgment was issued against the Force Road Oil & Vacuum Truck Company by the 23rd Judicial District of Brazoria County in response to a lawsuit filed by the Office of the Attorney General. The judgment required the closure of the inactive surface impoundments that had received hazardous waste and the closure of the three underground waste storage tanks. It also required assessment and corrective action to address groundwater contamination.

November 25, 1991 – The TWC amended Force Road Oil & Vacuum Truck Company water quality permit to allow discharge from the surface impoundments after on-site treatment in an

attempt to expedite cost-effective dewatering and closure of the impoundments as required by the Agreed Final Judgement. Force Road Oil & Vacuum Truck Company submitted a Proposed Dewatering Plan and a Groundwater Assessment Plan which were ultimately approved by the Texas Natural Resource Conservation Commission (TNRCC).

June 8, 1992 – A Notice of Violation letter with attached Corrective Action Directives were sent to Force Road Oil & Vacuum Truck Company following the documentation of unauthorized overflows and discharges from surface impoundments and hazardous constituents in the shallow groundwater beneath the site.

September 24, 1992 –The Force Road Oil & Vacuum Truck Company notified the TNRCC that neither the Proposed Dewatering Plan nor the Groundwater Assessment Plan would be implemented due to lack of funding.

February 27, 1995 – Another Notice of Violation was issued to Mr. Don Forse, representing the Force Road Oil & Vacuum Truck Company, and Mr. R.M. Caldwell, the landowner.

May 22, 1996 – The Force Road Oil & Vacuum Truck site was referred to the TNRCC Enforcement Screening Committee with the recommendation that the site be referred to the State Superfund Program.

June 26, 1996 – The TNRCC Enforcement Division referred the Force Road Oil & Vacuum Truck site to the TNRCC State Superfund Program after determining that enforcement had been exhausted. This referral was based upon:

- 1) the documented release of trans-1,2 dichloroethylene, vinyl chloride, and 1,1,1 trichloroethane to the groundwater
- 2) the need for removal and closure of the surface impoundments and tanks
- 3) the inactive status of the facility, and
- 4) the financial inability of both the owner and the operator to perform the necessary remediation

## Superfund

August 20, 1997 – TNRCC State Superfund Site Discovery and Assessment Program (SSDAP) initiated immediate removal actions to secure the Site. A site perimeter fence was constructed to limit unauthorized access and signs were posted warning of contamination.

August 15, 2000 - A hazard ranking system (HRS) documentation record was prepared for the Site. The Site ranked a HRS score of 23 making it eligible for listing on the state Superfund registry.

October 13, 2000 – TNRCC published a legal notice in the Texas Register proposing the site for listing on the state Superfund registry and the use of commercial/industrial land use specifications for remediation of the site contamination. The publication notified interested persons a public meeting to receive citizen comments was scheduled on November 28, 2000 at the Iowa Colony City Hall, located at 12003 County Road 65, Iowa Colony, Texas.

November 10, 2000 - TNRCC began mailing out requests for response actions, which would show a good-faith offer from potentially responsible parties (PRPs), asking them to enter into an agreed order to perform a remedial investigation and feasibility study at the site.

November 28, 2000 - A public meeting was held at the Iowa Colony City Hall to receive comments on the proposing of the Force Road Oil & Vacuum Truck site for listing on the Superfund registry and the plan to use commercial/industrial land use specifications for remediation of the site contamination.

March 12, 2001 - TNRCC mailed out a second round of requests for response action for a good-faith offer to additional identified PRPs.

April 16, 2001 - the TNRCC received a good-faith offer from thirteen PRPs responding as a group to begin discussion of an agreed administrative order.

August 12, 2001 - the TNRCC project manager met with the group of responding PRPs to discuss a standard administrative order and the identification of additional PRPs.

September 12, 2001 - TNRCC sent out an additional 89 PRP notices to a group of newly identified PRPs.

November 14, 2001 - TNRCC met with the group of responding PRPs to negotiate the Agreed Administrative Order to perform a remedial investigation and feasibility study.

August 29, 2002 - The TNRCC issued an agreed administrative order requiring the Respondents to conduct a remedial investigation and feasibility study, as authorized by §361.185 and 361.272 of the Texas Solid Waste Disposal Act, Texas Health and Safety Code, Chapter 361

September 8, 2002 - The effective date of the agreed administrative order.

November 2002 - March 2003 – The Phase 1 affected property assessment is submitted by the Respondents' consultant and after revision approved by TCEQ.

April 21, 2003 - The field work for the first phase of the remedial investigation began. The property was cleared, and monitoring wells were sampled as part of the effort to identify the chemicals of concern. Monitor wells MW-1, MW-2, and MW-5 were sampled. MW-4 was found to be damaged and contained some debris inside the well. A new well will be installed to sample that particular area. Pond sediment was sampled from all five site impoundments.

April 2003 - Geoprobe sampling was conducted to address the underground storage tanks as well as the surface and subsurface soil investigation.

May 2004 - The Respondents' contractor cleared the site and completed geoprobe borings. Also, soil and sediment was sampled for PCB contamination.

July-August 2004 - The Respondents' contractor installed two additional monitoring wells and collected additional sediment samples from the impoundments. Due to rain, the roadway leading to the site was flooded, causing a slowing of field sampling investigation activities.

December 2004 – September 2005 - The Respondents submitted the first phase draft of the affected property assessment report and draft of the second phase affected property assessment work plan. TCEQ approved revised drafts.

October 21, 2005 - The Respondents began field activities to implement the phase 2 work plan.

June - July 2006 – TCEQ installed offsite groundwater monitoring wells and delineated the groundwater contaminant plume.

January 2007 – February 2007 – The Respondents submitted the updated second phase work plan addendum. Following review and comment by TCEQ it was approved.

June 2007 – July 2008 – The Phase 2 affected property assessment report is received from the Respondents. After several revisions and the submission of additional information it is approved by TCEQ. The Respondents are directed to submit a response action plan in accordance with the provisions of the agreed order.

October 1, 2008 – Respondents submitted response action plan proposing response actions to remediate to site contamination.

## Community Profile

The Force Road Oil and Vacuum Truck Company Proposed State Superfund site is located southeast of Arcola and northwest of the city of Iowa Colony in Brazoria County. The site is approximately 1,300 feet east of the Brazoria-Fort Bend County line.

### Geographical Profile

Brazoria County takes its names from the Brazos River which bisects the county and served as the chief artery by which immigration, communication, and commerce penetrated Texas from the Gulf during the 1800s. Agriculture was the foundation of the county's early economy, with sugar and cotton being the dominant crops. During the 20<sup>th</sup> century Brazoria County also became the nation's number-one rice producing area. During that time the county also became dominant in mineral development with the discovery of the West Columbia oilfield. Currently oil and gas production in Brazoria County and the greater Gulf Coast make up the heart of the nation's energy industry. Other dominant industries include agriculture, manufacturing, shrimping, and fishing and recreation.

The City of Arcola is located on land originally granted to David Fitzgerald one of Stephen F. Austin's "Old Three-Hundred" original authorized settlers. The land was later purchased by Jonathan Dawson Waters in the middle 1840s, where it became part of one of the largest cotton and sugar plantations in Texas, which he called Arcola. Arcola is currently part of the Houston Metropolitan Area, located at the junction of Farm Road 521 and State Highway 6 and the intersection of the Atchison, Topeka and Santa Fe and the Missouri Pacific railroads.

The City of Iowa Colony is a village located in northern Brazoria County. It was founded in 1908 by the Immigration Land Company of Des Moines, Iowa. Iowans G. I. Hoffmann and Robert Beard named the small community which grew to an area of 5.8 square miles. Iowa Colony is now incorporated and part of the Houston Metropolitan Area.

### Population and Community Profile

The 2000 U.S. Census estimated the population of Brazoria County at 241,767 people, with 81,954 households, and 63,128 families residing in the county. The 2000 ethnicity estimates for Brazoria County by the U.S. Census were 77.1%% White, 8.5%% Black or African American, 0.5% Native American, 2.0% Asian, <0.1% Pacific Islander, 9.6% from other races, and 2.2% from two or more races. Hispanic or Latino of any race made up 22.8% of the population.

The 2000 U.S. Census estimated the population of Arcola City at 1,048 people, with 295 households, and 234 families residing in the city. The 2000 ethnicity estimates of Arcola City by the U.S. Census were: 34.3% White, 34.2% African American, 0.4% Native American, 2.2% Asian, 27.1% from other races, and 1.9% from two or more races. Hispanic or Latino of any race were 51.9% of the population.

The 2000 U.S. Census estimated the population of the Iowa Colony at 804 people, with 279 households, and 219 families residing in the city. The 2000 ethnicity estimates of Iowa Colony by the U.S. Census were: 73.0% White, 6.7% African American, 0.1% Native American, 7.3%

Asian, 11.2% from other races, and 1.6% from two or more races. Hispanic or Latino of any race were 25.1% of the population.

## **Community Involvement and Concerns**

During February 2000 and May 2000 TNRCC staff met with area residents to discuss the site and take water samples from residential wells in the area. TNRCC staff observed that many of the area residents were aware of the site. Five residential wells were sampled during these visits and no contaminants were detected above the observed release criteria. Written sample results were provided to the residential well owners.

The TNRCC held a public meeting, on November 28, 2000, at Iowa Colony City Hall, regarding the proposed listing of the Force Road Oil and Vacuum Truck site on the State Superfund Registry and commercial/industrial land use specifications for remediation of the site contamination. Approximately nine members of the public attended the meeting.

The initial community relations plan was prepared for the Force Road Oil & Vacuum Truck Company site on November 29, 2000. Copies were made available as part of the official repository record at the Alvin Branch Library and the TCEQ Records Management Center in Austin.

On January 23, 2001, the TNRRC notified the meeting attendees and area officials that the Executive Director had selected an industrial/commercial land use as the appropriate land use for purposes of selecting a proposed remedial action at the Force Road Oil & Vacuum Truck site. This selection was based upon the historical use, the present use, the projected future use of the Force Road Oil & Vacuum Truck site, and with consideration of comments received at the November 28, 2000 public meeting.

At this time TCEQ is not aware of any community involvement relative to the Force Road Oil & Vacuum Truck site but will ensure open communication with area residents and officials.

## **Specific Objectives of the Community Relations Program**

1. Maintain open and ongoing two-way communications between the TCEQ and area residents, as well as Arcola city and Iowa Colony village, Brazoria County, and State officials.
2. Continue to expand the mailing list to include additional agencies, organizations, and residents that are interested in the project.
3. Provide a community relations contact from whom interested parties can receive information on site activities, project status, and study results.
4. Provide citizens, involved agencies, elected officials, civic leaders, and the media with accurate, timely information about site-related activities through fact sheets/newsletters, press releases, and community meetings.
5. Provide for and attend public meetings.
6. Respond to telephone inquiries and written correspondence in a timely, accurate manner.
7. Provide all information, especially technical findings, in 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, newsletters, and news releases when major findings are made available during project phases.
8. Monitor community concerns and information requirements as the project progresses.
9. Modify the community relations plan to address changes in community needs and to maintain accuracy during different project phases.

## Community Relations Techniques & Tools

1. Project mailing list - to provide the means through which press releases, project status reports and other significant communications can be distributed to elected officials, community groups, and citizens.
2. Project status briefing for state and local officials - to periodically inform them of project developments over the course of the project.
3. Project status briefing for community groups and concerned citizens (may include public meetings, if needed) - to periodically inform the community of significant project developments and findings, to respond to inquiries accordingly, and incorporate local concerns into the decision-making process as appropriate.
4. Informal meetings (if needed) with residents - to provide an opportunity for affected residents to express concerns and to make inquiries to ensure effective two-way communication.
5. Brief field team on community relation issues before performing on-site investigation.
6. Program document repository - to maintain an easily accessible repository through which the public may review project outputs.
7. State Superfund Internet Homepage - to provide timely, current information on state Superfund activities on the World Wide Web at the following web address:  
  
<http://www.tceq.state.tx.us/remediation/superfund/index.html>
8. Community Relations Plan - to reflect changes in site activities or local concerns. After the Proposed Remedial Action Document has been issued, the CRP will be revised to address implementation of the selected remedial action.

## Area Elected Officials

### State

The Honorable Mike Jackson  
Texas Senate  
1109 Fairmont Parkway  
Pasadena, Texas 77504  
Telephone: (713) 948-0111  
Fax: (713) 948-0004

The Honorable Mike Jackson  
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The Honorable Randy Weber  
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The Honorable Mary Ruth Rhodenbaugh  
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## **City of Arcola**

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The Honorable Tom O. Tuffly  
Mayor Pro Tem  
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The Honorable Ray Banda  
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The Honorable Michael Holton  
City of Iowa Colony Alderperson  
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## Area News Media

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Attention: News Director  
25 Greenway Plaza #1900  
Houston, Texas 77046-2419  
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Fax: 713/881-5199

KSEV-AM (700)  
Attention: News Director  
11451 Katy Freeway #215  
Houston, Texas 77079-2010  
Telephone: 281/588-4800  
Fax: 832/358-9556

KXYZ-AM (1320)  
1782 West Sam Houston Parkway N  
Houston, Texas 77043  
Telephone: 713/472-2500

Metro Networks  
2800 Post Oak Boulevard #4000  
Houston, Texas 77056-6102  
Telephone: 713/407-6000  
Fax: 713/407-6849  
Email:  
[metronews\\_houston@metronetworks.com](mailto:metronews_houston@metronetworks.com)

KUHT-TV (Channel 8) PBS  
Attention: News Director  
4343 Elgin Street  
Houston, Texas 77024-0008  
Telephone: 713/748-8888  
Fax: 713/743-8867  
Email: [webmaster@houstonpbs.org](mailto:webmaster@houstonpbs.org)

KPRC-TV (Channel 2) NBC  
Attention: News Director  
P.O. Box 2222  
Houston, Texas 77252  
Telephone: 713/222-2222  
Fax: 713/771-4930  
Email: [desk@kprc.com](mailto:desk@kprc.com)

KRIV-TV (Channel 26) FOX  
Attention: News Director  
4261 Southwest Freeway  
Houston, Texas 77027  
Telephone: 713/479-2600  
Fax: 713/479-2859  
Email: [newsdesk@fox26.com](mailto:newsdesk@fox26.com)

KHOU-TV (Channel 11) CBS  
Attention: News Director  
1945 Allen Parkway  
Houston, Texas 77019  
Telephone: 713/526-1111  
Fax: 713/520-7763  
Email: [assignments@khou.com](mailto:assignments@khou.com)

KTRK-TV (Channel 13) ABC  
Attention: News Director  
P.O. Box 13  
Houston, Texas 77001-0013  
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## **Key Project Personnel**

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## **Program Document Repositories**

### **Local**

Alvin Branch Library  
105 South Gordon Street  
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Telephone: 281/388-4302

### **Central**

*(Physical Address)*

Texas Commission on Environmental Quality  
Record Management  
Building E, North Entrance, First Floor  
12100 Park 35 Circle  
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*(Mailing Address)*

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