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HRS DOCUMENTATION RECORD

for

Lyon Property London, Texas

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February 15, 2002

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*Protecting Texas
by Reducing and
Preventing Pollution*

Hazard Ranking System Documentation Record

for

**Betty Lyon Property
London, Kimble County, Texas
Solid Waste Registration # 84313
EPA Facility Identifier # TX0001861731**

Prepared by:

**Texas Natural Resource Conservation Commission
Superfund Site Discovery and Assessment Program
Austin, Texas**

February 2002

**HRS
Documentation Record**

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HRS DOCUMENTATION RECORD
BETTY LYON PROPERTY
LONDON, KIMBLE COUNTY, TEXAS

SIGNATURE PAGE

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HRS DOCUMENTATION RECORD - REVIEW COVER SHEET

SITE NAME: BETTY LYON PROPERTY

CONTACT PERSON:

Documentation Record: Melissa Cordell - TNRCC Project Manager 512/239-2473

Current Site Owner: Ms. Betty Lyon - HC 11, Box 142, London, Texas 76854 915/475-3304

PATHWAYS OF CONCERN:

Surface Water Pathway

Releases of hazardous substances to the surface water pathway are the major concern for this site. Hazardous substances have been documented in the sediment downstream of the site. The Llano River is the surface water body of concern.

Pathways, Components, or Threats Not Evaluated:

Ground Water Pathway

The Ground Water Pathway was not evaluated because the inclusion of this pathway would not significantly affect the score.

Soil Exposure Pathway

The Soil Exposure Pathway was not evaluated because the inclusion of this pathway would not significantly affect the score.

Air Migration Pathway

The Air Migration Pathway was not evaluated due to the lack of an observed release and because the inclusion of this pathway would not significantly affect the site score.

Although these pathways have not been evaluated, the TNRCC is concerned for all pathways surrounding the site. However, evaluation of these pathways would not have significantly increased the overall site score.

NOTES TO THE READER

The following rules were used when citing references in the HRS Documentation Record:

1. All references attached to this report have been stamped with a designated page number (example: Ref. 1, p. 10 = 001 00010).
2. The State predecessor agencies: Texas Water Quality Board (TWQB), Texas Department of Water Resources (TDWR), Texas Water Commission (TWC), and Texas Air Control Board (TACB), referred to throughout this report are now known as the Texas Natural Resource Conservation Commission (TNRCC). The new agency, TNRCC, became effective September 1, 1993, as mandated under State Senate Bill 2 of the 73rd Regular Legislative Session.

HRS DOCUMENTATION RECORD

Name of Site: Betty Lyon Property

Date Prepared: 02/02

Solid Waste Registration Number: 84313

Site Owner: Ms. Betty Lyon

Location of the Site: On U.S. Highway 385, north of the intersection of Farm-to-Market Road 1871 and U.S. Highway 385

City, County, State: London, Kimble County, Texas

General Location in the State: (see Figure 1, Site Location Map)

Latitude: 30E 34' 51" North

Longitude: 99E 35' 29" West

Topographic Map: U.S. Geological Survey 7.5 Minute Topographic Map, Yates Quadrangle, 1968

T N R C C

Region: 8



Pathway Scores:

Ground Water Migration Pathway - NS

Surface Water Migration Pathway - 96.06

Soil Exposure Pathway - NS

Air Migration Pathway - NS
(NS - Not Scored)

HRS Site Score: 48.03

Figure 1: Site Location

SITE SUMMARY

General Description of the Site:

The rural acreage is Ms. Lyon's residence with her homestead located near the back portion of the property next to the Llano River. The entrance to the site is at Latitude 30° 34' 51.31" N, Longitude 99° 35' 29.36" W on U.S. Highway 385, north of the intersection of Farm-to-Market Road 1871 and U.S. Highway 385, London, Kimble County, Texas (see Figure 1, Site Location Map). The property covers six acres with a natural downward slope from the burn site to the river. There are residences to the north, south, and east of Ms. Lyon's property. Ms. Lyon, as owner of the property, allowed Mr. Glen Covey to burn copper wire to reclaim copper metal (Ref. 4, p. 1).

Site History:

On January 25, 1996, a complaint investigation conducted by the Texas Natural Resource Conservation Commission (TNRCC) San Angelo Regional Office discovered the wire burning site (Ref. 4, p. 1). Documentation gathered during the investigation included soil samples and photographs showing the burn area. The burn area encompassed an area of approximately seventy-five feet by sixty feet. A soil sample (tag #189125) taken from the center of the burn site had an accumulation of wire bits and fueled odor (Ref. 5, p. 11). The analytical results showed hazardous levels of cadmium and lead and elevated levels for total petroleum hydrocarbon (TPH) (Ref. 4, p. 2; Ref. 5, pp. 12-14).

On May 15, 1997, SK Engineering on Mr. Covey's behalf conducted sampling at the site (Ref. 6, p. 1). Nine samples were collected at varying depths of zero to eight inches, eight to 16 inches, eight to 17 inches, and 16 to 24 inches (Ref. 6, pp. 3, 6, 9, 10). The samples were analyzed for total metals and TPH (Ref. 6, p. 6). Barium, cadmium, chromium, lead, and TPH were detected in the samples collected in the burn area (See Sample Map and Results Table, Ref. 6, pp. 3, 9, 10). Barium, chromium, and lead were detected near Ms. Lyon's house (See Sample Map and Results Table, Ref. 6, pp. 3, 9). Outside the burn area, barium, lead, and chromium were detected at zero to eight inches of depth (See Sample Map and Results Table, Ref. 6, pp. 3, 9).

On December 12, 2000, the San Angelo Regional Office performed a sample inspection (Ref. 7, p. 2). Two samples were taken from the burn site. One sample was taken in an area exposed to the environment and subsequent runoff. The second sample was taken beneath a wood cover located over a portion of the burn site. The analyses from the laboratory indicated a total lead level at 16,000 and 15,000 mg/kg, respectively (Ref. 7, pp. 2-3, 6-7, 15). The Toxicity Characteristic Leachate Procedure performed indicated a lead level at 81 and 120 milligram per liter (mg/l), respectively (Ref. 7, pp. 3, 6-7, 15).

On July 13, 2001, TNRCC Superfund Site Discovery and Assessment Program (SSDAP) staff conducted a sampling inspection in the above referenced area and in the Llano River. The sediment in the Llano River

and on-site soils were sampled (see Figure 2, Sample Locations Map; Ref. 8, pp. 9-16; Ref. 9, pp. 1-2).

Figure 2: Sample Locations

Surface Water Pathway:

The primary pathway of concern is the Surface Water Pathway. The site is located on topography that slopes toward the Llano River, a known fishery (Ref. 9, pp. 1-4; Ref. 10, p. 3; Ref. 11, p. 1). The overland flow component begins at the contaminated soil and extends approximately 543 feet, as determined by soil sample SO-08 (004076-08) to the probable point of entry (PPE), to the Llano River (see Figure 3, 15-mile Target Distance Limit). The entire 15-mile Target Distance Limit (TDL) is a fishery (see Figure 3, 15-mile Target Distance Limit; Ref. 9, pp. 1, 4). There are surface water intakes used for irrigation within the 15-mile Target Distance Limit (Ref. 12, pp. 1-2).

Two PPEs were sampled as well as a location downstream of the site in the Llano River. The suspected PPEs SE-03 (004076-03) / SE-04 (004076-04) and SE-05 (004076-05) were not determined to be observed releases (Ref. 1, Table 2-3; Ref. 13, pp. 3-5, 7). Ms. Lyon stated that between January-May 2001, there was a rain event that caused the North Llano River to raise its water level, the water level in the South Llano, and the water in the Llano River near her property (Ref. 14, p. 1). The increase in the flow of the Llano River washed away about 20 feet of her frontage property. She said that her property used to slope into the Llano; now there is a steep bank. She said that the sand and gravel at the edge of the Llano was moved by the increase in the Llano (Ref. 14, p. 1). USGS surface water data shows that there was an increase in daily mean gage height and discharge in February and April 2001 at station 08151500 located downstream of the site at Llano, Texas (Ref. 15, p. 2). The low constituent levels detected in SE-03/SE-04 and SE-05 could result from the removal of sediment by flooding. Sediment sample SE-06 was collected in a depositional environment of the inside bend of the Llano River near Hazard Ranking System (HRS) qualifying wetlands (see Figure 2, Sample Locations Map; Ref. 16, p. 3, Photo 6). The sediment sample SE-06 qualifies as an observed release (Ref. 1, Table 2-3; Ref. 13, pp. 6-7).

Soil Exposure Pathway:

A second pathway of concern is the Soil Exposure Pathway. The contaminant level of lead in the soil sample SO-08, located 114 feet from Ms. Lyon's house, was determined to be an observed release (See Figure 2, Sample Locations Map; Ref. 8, p. 17; Ref. 17, pp. 8-9; Ref. 16, p. 8, Photo 15). One person lives in that house, and two people live in a trailer by the U.S. Highway 385 (Ref. 18, p. 1, see Figure 2, Sample Locations Map). The Soil Exposure Pathway was not evaluated because the inclusion of this pathway would not significantly affect the score. This Pathway was evaluated for imminent threat in order to protect human health.

Enforcement:

On April 8, 1996 a Notice of Violation (NOV) was sent to Ms. Betty Lyon and Mr. Glen Covey. On February 27, 1998 a draft Agreed Order was sent to Ms. Betty Lyon and Mr. Glen Covey. Settlement could not be achieved, Ms. Lyon did not provide the requested information to Financial Administration

Division in a timely manner. On September 25, 1998 the notice of the Executive Director's Preliminary Report and Petition (EDPRP) was sent to Ms. Lyon and Mr. Covey. The EDPRP was seeking a \$20,000 penalty and technical requirements to remediate the site (Ref. 4, p. 2).

Figure 3: 15-mile Target Distance Limit

On December 8, 1998, Mr. and Ms. Covey filed for bankruptcy protection under Chapter 7 (Ref. 4, p. 2). Ms. Lyon has not filed for bankruptcy (Ref. 14, p.1).

On January 27, 1999 an Agreed Order was issued by the Commission which assessed a \$20,000 penalty of which \$8,800 was deferred contingent upon compliance with the technical requirements. Ms. Lyon and Mr. Covey were both determined to be financially unable to pay the penalty. The remaining penalty amount of \$1,200 was split between Ms. Lyon and Mr. Covey. The Agreed Order required to respondents to pay a penalty minimum of \$600 each (Ref. 4, p. 2).

Mr. Covey filed for a no-asset bankruptcy and due to the post-petition claim and was relieved of any obligation required by the Agreed Order. The bankruptcy program contended that at pre-petition (bankruptcy filing) the administrative penalty did not exist and upon the Commission issuance of the Agreed Order the penalty assessed was considered a post-petition claim (Ref. 4, p. 2).

On July 12, 2000 a NOV for failure to comply with a Commission Order was sent to Ms. Lyon. Ms. Lyon said she could not afford to cleanup the site or pay the remaining administrative penalty. The TNRCC San Angelo Region 8 Office referred the case to the TNRCC Enforcement Division. The case was screened for appropriate action. Litigation and Enforcement Division staff have determined that Enforcement was no longer an effective option for addressing the contamination which exist at the site. The responsible party is not financially able to remediate the site (Ref. 4, p. 2).

U.S. Environmental Protection Agency (EPA) Recommendation:

On January 16, 2002, the U.S. Environmental Protection Agency (EPA) recommended a No Further Remedial Action Planned under Superfund for the Betty Lyon Property. The recommendation stated that further evaluation is needed at the site to determine extent of contamination (Ref. 19, p. 1).

Release Tables

Soil

Shaded and bold = Constituents met the observed release criteria.

Soil Release Samples - Inorganics									
Constituents mg/Kg	Surface Soils (0" - 6")								
	SO-01 004076-01 Back-ground	SO-02 004076-02 Back-ground	3X Highest Back- ground	SO-03 004076-03	SO-04 004076-04 Dup of SO- 03	SO-05 004076-05	SO-06 004076-06	SO-07 004076-07	SO-08 004076-08
Arsenic	ND [5.5]	ND [4.0]	NA	9.4 [4.0]	9.9 [4.0]	23 [4.0]	ND [4.9]	ND [4.1]	3.0J [6.1]
Barium	27.0 [1.4]	41.0 [1.0]	123	1600 [1.0]	1600 [1.0]	850 [1.0]	110 [1.2]	77 [1.0]	93 [1.5]
Cadmium	0.6J [1.4]	0.7J [1.0]	NA	16 [1.0]	16 [1.0]	36 [1.0]	0.9J [1.2]	1.1 [1.0]	1.0J [1.5]
Chromium	5.1 [2.7]	7.9 [2.0]	23.7	50 [2.0]	49 [2.0]	61 [2.0]	7.6 [2.5]	8.8 [2.1]	9.7 [3.1]
Copper	5.0J [8.2]	7.0 [6.0]	21	10000 [3000]	62000 [1800]	150000 [6100]	12 [7.4]	50 [6.2]	19 [9.2]
Lead	ND [6.8]	3.0J [5.0]	NA	13000 [5.0]	16000 [5.1]	87000 [5100]	18 [6.2]	40 [5.1]	14 [7.7]
Silver	ND [0.89]	ND [0.65]	NA	4.5 [0.65]	3.8 [0.66]	13 [0.66]	0.2J [0.80]	0.1J [0.67]	0.07J [1.0]
Mercury	0.077J [0.117]	0.059J [0.085]	NA	0.079J [0.086]	0.077J [0.094]	0.236 [0.094]	0.073J [0.108]	0.072J [0.101]	0.090J [0.125]
Analytical Reference	Ref. 17, pp. 1, 9	Ref. 17, pp. 2, 9	Ref. 1, Table 2-3	Ref. 17, pp. 3, 9	Ref. 17, pp. 4, 9	Ref. 17, pp. 5, 9	Ref. 17, pp. 6, 9	Ref. 17, pp. 7, 9	Ref. 17, pp. 8, 9

ND = Not detected at the quantitation limit.

NA = Not applicable.

[] = LCRA quantitation limit.

Release Tables Continued

Sediment

Shaded and bold = Constituents met the observed release criteria.

Sediment Release Samples - Inorganics				
Constituents mg/Kg	SE-01 004077-01 Background	SE-02 004077-02 Background	3X Highest Background	SE-06 004077-06
Arsenic	ND [5.0]	ND [6.4]	NA	9.9 6.0
Barium	36 [1.2]	82 [1.6]	246	1100 1.5
Cadmium	0.3J [1.2]	0.7J [1.6]	NA	33 1.5
Chromium	2.6 [2.5]	6.3 [3.2]	18.9	81 3.0
Copper	6.0J [7.4]	82 [9.6]	246	80000 1800
Lead	2.0J [6.2]	4.0J [8.0]	NA	16000 7.5
Silver	0.3J [0.81]	0.1J [1.0]	NA	4.6 0.98
Mercury	0.083J [0.110]	0.110J [0.149]	NA	0.204 0.126
Analytical Reference	Ref. 13, pp. 1, 7	Ref. 13, pp. 2, 7	Ref. 1, Table 2-3	Ref. 13, pp. 6, 7

ND = Not detected at the quantitation limit.

NA = Not applicable.

[] = LCRA quantitation limit.

REFERENCES

- | Reference Number | Description of the Reference |
|------------------|---|
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| 2. | U.S. Environmental Protection Agency. Hazard Ranking System Guidance Manual, Office of Emergency and Remedial Response, Publication 9345.1-07, November, 1992. 431 pages. |
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16. TNRCC. Site Photographs - Betty Lyon Property. July 13, 2001. 8 pages.
17. Lower Colorado River Authority (LCRA) Laboratory Services. Final Analysis Report. August 14, 2001. 9 pages.
18. Cordell, Melissa. TNRCC. Telephone Memo to File. To Ms. Betty Lyon. May 1, 2001. 1 page.
19. U.S. Environmental Protection Agency. Superfund Site Strategy Recommendation - Region 06. Betty Lyon Property. January 16, 2002. 1 page.

WORKSHEET FOR COMPUTING HRS SITE SCORE

		<u>S</u>	<u>S²</u>
1.	Ground Water Migration Pathway Score (S_{gw}) (from Table 3-1, line 13)	<u>NS</u>	
2a.	Surface Water Overland/Flood Migration Component (from Table 4-1, line 30)	<u>100</u>	
2b.	Ground Water to Surface Water Migration Component (from Table 4-25, line 28)	<u>NS</u>	
2c.	Surface Water Migration Pathway Score (S_{sw}) Enter the larger of lines 2a and 2b as the pathway score.	<u>96.06</u>	<u>9227.52</u>
3.	Soil Exposure Pathway Score (S_s) (from Table 5-1, line 22)	<u>NS</u>	
4.	Air Migration Pathway Score (S_a) (from Table 6-1, line 12)	<u>NS</u>	
5.	Total of $S_{gw}^2 + S_{sw}^2 + S_s^2 + S_a^2$		<u>9227.52</u>
6.	HRS Site Score Divide the value on line 5 by 4 and take the square root		<u>48.03</u>

**TABLE 4-1
SURFACE WATER OVERLAND/FLOOD MIGRATION COMPONENT SCORESHEET**

<u>Factor Categories and Factors</u>		<u>Maximum Value</u>	<u>Value Assigned</u>
DRINKING WATER THREAT			
<u>Drinking Water Threat Score</u>			
1.	Observed Release	550	<u>NS</u>
2.	Potential to Release by Overland Flow:		
2a.	Containment	10	<u>NS</u>
2b.	Runoff	25	<u>NS</u>
2c.	Distance to Surface Water	25	<u>NS</u>
2d.	Potential to Release by Overland Flow (Lines 2a x (2b + 2c))	500	<u>NS</u>
3.	Potential to Release by Flood:		
3a.	Containment (Flood)	10	<u>NS</u>
3b.	Flood Frequency	50	<u>NS</u>
3c.	Potential to Release by Flood (Lines 3a x 3b)	500	<u>NS</u>
4.	Potential to Release (Lines 2d + 3c, subject to a maximum of 500)	500	<u>NS</u>
5.	Likelihood to Release (Higher of Lines 1 and 4)	550	<u>NS</u>
<u>Waste Characteristics</u>			
6.	Toxicity/Persistence	*	<u>NS</u>
7.	Hazardous Waste Quantity	*	<u>NS</u>
8.	Waste Characteristics	100	<u>NS</u>
<u>Targets</u>			
9.	Nearest Intake	50	<u>NS</u>
10.	Population:		
10a.	Level I Concentrations	**	<u>NS</u>
10b.	Level II Concentrations	**	<u>NS</u>
10c.	Potential Contamination	**	<u>NS</u>
10d.	Population (Lines 10a + 10b + 10c)	**	<u>NS</u>
11.	Resources	5	<u>NS</u>

12. Targets (Lines 9 + 10d + 11) ** NS

**TABLE 4-1
SURFACE WATER OVERLAND/FLOOD MIGRATION COMPONENT SCORESHEET**

DRINKING WATER THREAT (Concluded)

<u>Factor Categories and Factors</u>	<u>Maximum Value</u>	<u>Value Assigned</u>
--------------------------------------	----------------------	-----------------------

Drinking Water Threat Score

13. Drinking Water Threat Score ((Lines 5 x 8 x 12)/82,500, subject to a maximum of 100)	100	<u>NS</u>
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HUMAN FOOD CHAIN THREAT

Likelihood of Release

14. Likelihood of Release Observed Release (based on mercury) (See Release Tables, pp. 11-12) (Ref. 1, Sec. 4.1.3.1; Ref. 13, pp. 6-7)	550	<u>550</u>
---	-----	------------

Waste Characteristics

15. Toxicity/Persistence/Bioaccumulation (Ref. 1, Section 4.1.3.2 and Table 4-16; Ref. 3, SCDM table values for a freshwater river) (based on mercury)	*	<u>2 x 10⁸</u>
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16. Hazardous Waste Quantity - Default Value (based on targets subject to Level II concentrations) (Ref. 1, Section 2.4.2.2, Table 2-6)	*	<u>100</u>
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17. Waste Characteristics (based on mercury) (HWQ factor value = 100) * (Tox/Pers/Bio = 2 x 10 ⁸) = 2 x 10 ¹⁰ (Ref. 1, Section 2.4.3.1 and Table 2-7)	1,000	<u>320</u>
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Targets

18. Food Chain Individual (Ref. 1, Sec. 4.1.3.3.1; Ref. 9, pp. 1-2; Ref. 10, p. 3)	50	<u>45</u>
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19. Population:

19a. Level I Concentrations	**	<u>NS</u>
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19b. Level II Concentration (Ref. 1, Sec. 4.1.3.3.2.2, Table 4- 18) (based on the human food chain production of greater than zero pounds per year)	**	<u>0.03</u>
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19c. Potential Human Food Chain Contamination	**	<u>NS</u>
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19d. Population (Lines 19a + 19b + 19c)	**	<u>0.03</u>
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20. Targets (Value from Lines 18 + 19d)	**	45.03
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Human Food Chain Threat Score

21. Human Food Chain Threat Score ((Lines 14 x 17 x 20)/82,500 subject to a maximum of 100) 100

96.06

**TABLE 4-1
SURFACE WATER OVERLAND/FLOOD MIGRATION COMPONENT SCORESHEET**

<u>Factor Categories and Factors</u>	<u>Maximum Value</u>	<u>Value Assigned</u>
ENVIRONMENTAL THREAT		
<u>Likelihood of Release</u>		
22. Likelihood of Release (Same Value as Line 5)	550	<u>NS</u>
<u>Waste Characteristics</u>		
23. Ecosystem Toxicity/Persistence/ Bioaccumulation	*	<u>NS</u>
24. Hazardous Waste Quantity	*	<u>NS</u>
25. Waste Characteristics	1,000	<u>NS</u>
<u>Targets</u>		
26. Sensitive Environment		
26a. Level I Concentrations	**	<u>NS</u>
26b. Level II Concentrations	**	<u>NS</u>
26c. Potential Contamination	**	<u>NS</u>
26d. Sensitive Environments (Lines 26a + 26b + 26c)	**	<u>NS</u>
27. Targets (Value from Line 26d)	**	<u>NS</u>
<u>Environmental Threat Score</u>		
28. Environmental Threat Score ((Lines 22 x 25 x 27)/82,500, subject to a maximum of 60)	60	<u>NS</u>
SURFACE WATER OVERLAND/FLOOD MIGRATION COMPONENT SCORE FOR A WATERSHED		
29. WATERSHED SCORE*** (Lines 13 + 21 + 28, subject to a maximum of 100)	100	<u>96.06</u>
SURFACE WATER OVERLAND/FLOOD MIGRATION COMPONENT SCORE		
30. Component Score (S_{of})*** (Highest score from Line 29 for all watersheds evaluated, subject to a maximum of 100)	100	<u>96.06</u>