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Community Relations Plan

for

Texas American Oil

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March 2004

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Texas American Oil Superfund Site

Community Relations Plan

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REMEDICATION - SUPERFUND

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

COMMUNITY RELATIONS PLAN
for
**Texas American Oil
State Superfund Site**

Midlothian, Ellis County, Texas

March 2004

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Appendices

- I. *Texas Register* public notice regarding proposal of the Texas American Oil site to the state Superfund registry, and announcing public meeting to receive citizen comments would be held at the Trinity River Authority Central Plant in Grand Prairie on November 10, 1987. Published October 16, 1987.
- II. *Texas Register* public notice listing the site on the state Superfund registry. Published January 22, 1988.
- III. *Texas Register* public notice soliciting services of a consultant to perform the remedial investigation/feasibility study (RI/FS) at the site. Published September 25, 1988.
- IV. *Texas Register* public notice announcing a public meeting to be held July 31, 2000, at the City Hall Chambers in Midlothian, to present to the community the proposal to stabilize and contain the contaminants in a pit that would be covered with a clay cap. Published June 23, 2000.
- V. *Texas Register* public notice announcing a significant change in the remedial design, calling for removal and off-site disposal of lead-contaminated soils, and elimination of the clay-covered waste containment pit. Published July 11, 2004.

COMMUNITY RELATIONS PLAN

for

Texas American Oil State Superfund Site

Midlothian, Ellis County, Texas

March 2004

Overview of Community Relations Plan

This community relations plan (CRP) identifies issues of potential community concern regarding the Texas American Oil (TAO) state Superfund site in Midlothian, Ellis County, Texas. It also outlines the anticipated community relations activities to be conducted during the remedial design/ remedial action for the Texas American Oil site.

The Texas American Oil site 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 this 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 Texas American Oil, site.

The plan is based primarily from the information in the TCEQ hazard ranking system (HRS) package, the remedial investigation report, the proposed remedial action document, and the baseline risk assessment that were prepared for the site.

Site Profile

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

Site Location and Description:

Latitude 32°31'49"N and Longitude 96°58'19"W, approximately 3 miles north of Midlothian on Old State Highway 67 in northeast Ellis County, near the Dallas County line.

The site is an eight-acre tract of land. The Sante Fe Railroad lines lie about a quarter-of-a-mile to the east. The Old Highway 67 road provides access to the site, and forms the eastern boundary of the site.

The site was divided into three sections for the purpose of the remedial investigation. The waste pits are located within the western third of the site where oily wastes were disposed of in unlined impoundments. The lower process area makes up the middle third of the site and is presumably the former location of several process units. The upper process area, where some aboveground storage tanks were located, makes up the eastern third of the site.

Background and History

The Texas American Oil site operated as an oil recycling facility from 1970 to 1978. The facility re-refined used crankcase and transmission oil. Records indicate that wastes were placed in three pits located near the west end of the facility and that several spills occurred.

It is believed that an oily-water runoff was generated during storm events. The facility generated approximately 2,000 gallons per month of hydrocarbon contaminated wastewater. Dalworth transported the liquid for disposal under the regulations of the Texas Department of Water Resources.

During the eight years of operation, the Texas Air Control Board received numerous complaints about the facility due to on-site incineration of light gases.

After the facility closed in 1978, the waste pits were pumped out, leaving sludge behind. The sludge was mixed in place with soil donated from an adjacent landowner's stock pond. The pits were covered with a three-inch layer of asphalt in compliance with a Texas Department of Water Resources order.

The site was inspected by the U.S. Environmental Protection Agency (EPA) in 1983. Samples collected from the bed of a creek in the northeast corner of the property and in associated wet spots indicated no contamination above analytical detection limits. No further action was recommended at that time.

In 1984 the EPA returned to the site to sample the tanks remaining on-site for polychlorinated biphenyls (PCBs) and other organic compounds. At that time a considerable amount of equipment remained and samples were collected from a sump pit, a tank over the sump pit and a 135,000 gallon storage tank near the entrance. Priority pollutant metals and organics (including pesticides) were found in the sump pit. High concentrations of several organic compounds were found in the tanks.

The EPA recommended that Texas American Oil remove all liquids from the sump area and the 135,000 gallon storage tank and ensure that access to both areas was restricted.

The EPA sampled local water wells within a one-quarter to one-half mile radius of the site. Two wells in the Pecan Acres trailer park and one city of Midlothian well were sampled. Several organic compounds noted in the site hazard ranking system package as "common laboratory contaminants" were detected in low concentrations.

The EPA re-sampled the trailer park deep wells along with a 30 foot well at the trailer park used for lawn watering and a deep well at the Skyline Acres housing development north of the site in January 1986.

All samples contained low levels of organic compounds. The shallow well showed a concentration of trans-1, 2-dichloroethene (97.2 parts per billion). The samples taken from the same wells in June of 1986 revealed low concentrations of organic contaminants. Based on these results the EPA recommended further sampling of the wells and an inspection to ensure that equipment and contaminants had been removed from the site.

An April 1987 site inspection showed that all tanks and equipment had been removed. All that remained on-site were the concrete pads, tank bases and some sludge left on the concrete from the tank removal operations. Sample results from the residual sludges and contaminated soil from these areas showed elevated lead concentrations.

Based on these findings and the previously documented release to groundwater, a hazard ranking package was prepared for the site with a score of 19.07.

On January 22, 1988, the Texas American Oil site was listed as a state Superfund site. The TNRCC conducted first phase of the remedial investigation/feasibility study (RI/FS) in January and February 1992, with the first phase report submitted in June 1992. Data gaps were identified as a result of the field investigation that included the extent of vertical contamination in some of the shallow borings, the potential for off-site migration of sediments and seasonal fluctuations in the groundwater quality and quantity.

The second phase of the remedial investigation / feasibility study, completed in July 1993, addressed these data gaps. The third phase of the remedial investigation / feasibility study, which characterized the ground water in the vicinity of the waste pit, was completed in January 1995. The remedial investigation report in August 1995 identified barium, lead, chloroform and PCBs as the chemicals of potential concern in soil at the site. Additional sampling in 1998 confirmed lead, chloroform, and PCBs as the appropriate chemicals of concern for the site.

Site Chronology

January-February 1992, remedial investigation/feasibility study underway.

October 1995, remedial investigation completed.

January 23, 1996, baseline risk assessment completed.

March 3, 1999, supplemental sampling for feasibility study completed.

March 30, 1999, treatability study recommendation initiated.

June 22, 2000, legal notice was published in the *Midlothian Mirror*, announcing a public meeting would be held July 31, 2000, at the City Hall Chambers in Midlothian, to present to the community the proposal to stabilize and contain the contaminants in a pit that would be covered with a clay cap. The recommended remedy was the most cost effective, reasonable and appropriate. The remedy also included excavation and off-site disposal of a small volume of PCB-contaminated soil.

June 23, 2000, the same legal notice as above was published in the *Texas Register*, (25 Tex Reg 6220-6221).

July 31, 2000, eight interested persons attended the July 31 public meeting at the City Hall in Midlothian to hear TNRCC representatives explain the proposal to stabilize the contaminants in a cell with a mixture of Type 1 Portland cement and hydrated lime. The stabilized waste cell would be covered with a clay cap. Long-term maintenance and groundwater monitoring of the cap system would be conducted.

December 19, 2000, TNRCC issued an administrative order, directing the potentially responsible party to perform or fund the remedial design and remedial action for the cleanup. The order set cleanup levels, selected the remedy for cleanup, and established rules, responsibilities and enforcement options for remedial design/remedial action under state Superfund process.

December 20, 2000, TNRCC issued a work order to I.T. Corporation to conduct an on-site pilot-scale treatability study to stabilize the wastes in the impoundment. The purpose was to confirm the data obtained from a bench-scale treatability study and to gather data for the remedial design.

December 29, 2000, effective date of a TNRCC administrative order for performance of the remedial design / remedial action.

April 23, 2001, an affidavit of lien payable to the commission was filed in the Ellis County real property records by the TNRCC. The lien was filed pursuant to the Texas Solid Waste

Disposal Act, Texas Health and Safety Code §361.194, to recover the state's remediation expenses.

May 1, 2001, the pilot-scale treatability study was completed by I.T. Corporation and a work order was issued to perform a remedial design.

October 17, 2001, TNRCC received the preliminary remedial design from I.T. Corporation.

June 5, 2002, TNRCC approved the final remedial design for the remedy, which will consist of stabilization of the waste into a cell with a concrete cap cover.

June 24, 2002, bids were solicited from qualified contractors to perform the remedy.

August 12, 2002, submitted bids were opened for a contractor to perform the remedial action at the site.

October 21, 2002, the TCEQ completed review of the bids, bonds, and insurance and notified Eagle Construction and Environmental Services, Inc. of Eastland to mobilize for the remedial action.

November 19, 2002, TCEQ approved a change order to purchase additional backfill material for the remedial action.

November 22, 2002, TCEQ's contractor received the off-site backfill material and excavated additional backfill from the clean portion of the site (creating an on-site borrow pit) to backfill areas where contaminated soils would be excavated.

November 24, 2002, the contractor began receiving a reagent material to be used to stabilize the waste, and began placing the mixture into the excavated areas.

November 27, 2002, the contractor began construction of the treatment cell.

December 2002, during the month, the contractor started the treatment process for the contaminated soils. The demolished concrete slabs were placed on the bottom of the on-site borrow pit. The contractor purchased and placed additional off-site backfill material investigational to replace the removed, contaminated portions of the on-site drainage berm.

February 2003, during the month, the oversight contractor sampled additional berm material on the west side of the site, and discovered that some sections of the berm would have to be stabilized, along with the containment cell material investigational. In response to concerns from a nearby resident about oily odors coming from the site, the contractor purchased and placed 6 millimeter heavy duty polyethylene cover on the treated soils and open excavations. The contractor documented that the treated soils and waste piles were covered at the end of each day.

March 2003, during the month, excavation was performed. During the excavation, the contractor discovered some material that they could not stabilize. The contractor informed TCEQ that the soils/sludge failed the action levels for lead leachability tests. Samples of the soils and sludge were obtained to be used in a bench scale treatability study, to determine a more effective treatment.

April 2003, during the month, bench scale treatability studies were conducted in the laboratory of the soils and sludge to test the treatment technology.

May 22, 2003, TCEQ met with the remediation contractor and agreed to conduct a pilot-scale treatability study, which would incorporate testing a cleanup technology under actual site conditions to identify potential problems premedial investigation or to full scale implementation.

May 27, 2003, the remediation contractor mobilized to the site to construct the pilot scale treatment areas.

June 9, 2003, the pilot scale treatability study began.

June 23, 2003, the remediation treatment activities on site resumed.

July 10, 2003, a legal notice was published in the *Midlothian Mirror*, announcing a significant change in the remedial design, calling for removal and off-site disposal of lead-contaminated soils, and elimination of the clay-covered waste containment pit. The remedial investigation originally anticipated the use of stabilization and off site disposal of only hazardous soil contaminated with PCBs. The treatability study showed that soils contaminated with lead could not be stabilized on site, cost-effectively, to meet treatment standards, to protect the groundwater. However the soil could be treated to meet the standards for off-site disposal. The change in remedial design included a significant volume increase in soils disposed off-site. The change was as protective as that originally proposed.

July 11, 2003, the same legal notice as above was published in the Texas Register(28 TexReg 5570-5571)

July 17, 2003, the contractor completed soils treatment activities at the site.

July 22, 2003, the last of the treated material was removed from the site.

September 24, 2003, the contractor achieved substantial completion of the Remedial Activities.

March 18, 2004, a final inspection was conducted and some non-critical deficiencies were noted.

Community Profile

The Texas American Oil site is located approximately three miles north of the city of Midlothian, Ellis County, Texas, near the Dallas County line. The city of Cedar Hill is located just across the Dallas County line. The 2003 population of Midlothian was 7,480 and Cedar Hill was 32,093.

History of Midlothian

Midlothian is on U. S. Highway 287. Settlers arrived in the area as early as 1800, but colonization did not occur until peace treaties between the Republic of Texas and the Indian inhabitants were finalized by Sam Houston in 1843.

A log cabin with an earthen floor was the community's first school, church, and community hall. A post office called Barker, probably after Charles Barker, was established in 1877. The name was changed to Midlothian in 1882 or 1883.

Community Involvement and Concerns

The Texas American Oil site was proposed for inclusion on the state Superfund registry at a public meeting in Grand Prairie on November 10, 1987. The Texas American Oil site first appeared on the state Superfund registry in the January 22, 1988 edition of the *Texas Register* (13 TexReg 427).

In the fall of 1996 there were inquiries about the site by a local business that was interested in acquiring the property for business expansion.

A number of residents in the Midlothian and Cedar Park areas are concerned about the burning of hazardous wastes as fuel by the cement plants located in the area. The Texas American Oil site is not connected with the burning of hazardous wastes as fuels by the cement plants in the area.

At the proposed remedy public meeting that was held on Monday, July 31, 2000, Mayor Setzer asked about the longevity of the remedy that TCEQ was proposing. After the meeting, staff provided him examples of state and federal Superfund sites with similar remedies. One potentially responsible party (PRP) had a concern as to how he was named a PRP; it was stated that the contractor provided his name.

In October 2001, calls were received regarding a trespasser on site. The warning signs previously posted by the agency had been removed. The City of Midlothian called to remind of the need for maintenance of the site from the viewpoint of mowing of weeds and keeping all fence lines cleared, according to city code.

On February 2003, in response to a community concern from a nearby resident about oily odors coming from the site, the contractor purchased and placed 6 millimeter heavy duty polyethylene cover on the treated soils and open excavations. The contractor documented that the treated soils and waste piles were covered at the end of each day.

Specific Objectives of the Community Relations Program

1. Maintain open and ongoing two-way communications between the Texas Commission on Environmental Quality, City of Midlothian, City of Cedar Hill, Ellis County and state officials and concerned citizens.
2. Continue to expand the mailing list and our communications to include additional agencies, organizations, and residents that are interested in the project.
3. Provide community relations contact from whom from whom interested parties can receive information on site activities, project status, and study results.
4. Provide citizens, involved agencies, civic leaders, and the media with accurate, timely information about site related activities through fact sheets, press releases, and community meetings
5. Provide for and attend public meetings.
6. Respond to telephone inquiries and written correspondence in a timely 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 and news releases when major findings are made 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 status briefings, for community groups- to periodically inform them of project developments over the course of the project.
2. Project status briefings, 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.
3. 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 ensure effective two-way communication.
4. Program Document Repositories - to maintain an easily accessible repository through which the public may review project outputs.
5. Texas Commission on Environmental Quality state Superfund Internet homepage -to provide timely, current information on state Superfund activities on the World Wide Web at the following web address:
www.tnrcc.state.tx.us/permitting/remed/superfund/txamer.html
6. Community Relations Plan - to reflect changes in site activities or local concerns.

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Mr. Harold Mapes
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