

**DIOXIN/PCB TMDL STAKEHOLDER MEETING**  
**Draft Meeting Summary**

**February 23, 2011**  
**2:30 – 5:00 PM**

**Members Present:** Daya Dayanada (City of Pasadena), Winston Denton (Texas Parks and Wildlife), Nicole Hausler (Port of Houston Authority), Ed Matuszak (Private Citizen, with URS), Gordon Pederson (Gulf Coast Waste Disposal Authority), Jeff Stevenson (Shell), Lial Tischler (industrial representative)

**Members Absent:** Chris Barry (Harris County PHES), Charles Beckman (Harris County Pct. 2), Ronald Crabtree (City of Deer Park), Luke Giles (CCA Texas), George Guillen (Environmental Institute of Houston), Tracy Hester (Bracewell & Giuliani LLP), Kristy Morten (USACE), David Ramsden (URS Corp), Gerardo Ruiz (City of Baytown), Bob Stokes (Galveston Bay Foundation), Kerry Whelan (Reliant Energy), Kirk Wiles (Texas Department of Health), John Westendorf (Occidental Chemical Corp)

**Support Staff Present:** Justin Bower (H-GAC), Kristi Corse (H-GAC), Will Merrell (H-GAC), Rachel Powers (H-GAC), Todd Running (H-GAC), Hanadi Rifai (UH), Ron Stein (TCEQ), Stephen Tzhone (EPA), Valmichael Leos (EPA), Donn Walters (EPA)

**Others Present:**

Debbie Allen (T.E.J.A.S. and Pleasantville  
Environmental Coalition)

Robin Brinkmeyer (TAMU – Galveston)

Linda Broach (TCEQ)

Cynthia Brum (TCEQ/GBEP)

Catarina Cron (Harris County)

Jennifer Davis (Parsons)

Cecilia Dykes (Private Citizen)

Stephen Ellis (TCEQ)

Amy Gignac (Parsons)

William Graham (Galveston Bay  
Foundation)

Linda Henry (Port of Houston Authority)

Nathan Howell (University of Houston)

Steve Hupp (Bayou Preservation  
Association),

Carol Lamont (Harris County)

Mark Landress (Project Navigator, Ltd.)

Adrienne Love (TCEQ)

Terence O'Rourke (Harris County)

Snehal Patel (Harris County)

José Rivera (Congressman Gene Green's  
office)

Courtney Smith (Galveston Bay Foundation)

Laurie Thanheiser (Private Citizen)

Una Topps (Galena Park)

Esteban Tovar (Texans Together)

Deirdre Wright (Galena Park)

## **Welcome and Introductions**

Rachel Powers called the meeting to order at approximately 2:40 PM. She thanked everyone for coming. Self- introductions of stakeholders, public participants, and H-GAC staff followed.

## **Review Agenda**

Rachel asked stakeholders, participants, and staff to review the meeting agenda.

## **Adopt June 2010 Meeting Summary**

Rachel asked the stakeholders, participants, and staff to review the meeting summary from the June 23, 2010 meeting. She asked if there were any comments or proposed changes to the summary document. After giving ample time for the summary to be reviewed and with no objections, she considered the summary adopted.

## **Update on the Draft Houston Ship Channel Dioxin TMDL and PCB TMDL Project, Ron Stein, TCEO**

Ron Stein provided a rundown of the PCB and Dioxin TMDL projects that are taking place around the state. The statewide PCB and Dioxin TMDLs projects are:

- The Upper Trinity River, TMDL for PCB and Dioxin, 199 miles
- Lower Leon Creek, PCBs, 12 miles
- The Arroyo Colorado, for PCBs, 67 miles
- Ellison Creek Reservoir, PCBs, 1,516,acres
- The HSC Channel, TMDLs for PCB and Dioxin, and
- The entire Galveston Bay System and the feeder tributaries, PCB and Dioxins, 242 stream miles, 430 sq. miles of bays

The largest project is the Galveston Bay System and the feeder tributaries, which covers hundreds of miles. Other than the Lower Leon Creek , which does not have enough accumulated data to identify source loads, the sediment loads in these water bodies have been determined to be the primary issue. To put this into a different context, for the Hudson River, which is approximately 200 miles, the approach was to dredge the sediment. This was a very expensive endeavor, and for the scope of the Texas TMDL projects it is not appropriate. Mr. Stein elaborated that the issue is sediment in terms of how we deal with it, and what programs and resources we use, and what approach or approaches we take.

Mr. Stein went on to briefly explain the TMDL process, specifically how loads from regulated and unregulated sources are calculated to identify load limits and listings for permanent solutions. The problem is that the Texas TMDL projects are that they are not alike. For instance, the modeling calculations for the HSC show that if the sediment was to be clean, than the other loads would not be a problem; however, for the Trinity River TMDL, if the sediment was clean,

there would still be problems with the other loads. This results in requirements on discharges that are basically unquantifiable problems. The standard methods do not apply.

Mr. Stein noted that the agency is currently holding off on all TMDL projects, except for some modeling and sampling in the HSC. Internally, they are conducting meetings for the legacy sediment issues. It is difficult to decide on what to do with the impacted sediment on the administrative level. It is difficult to decide who has authority on this issue. For one thing, it is not necessarily a Clean Water Act (CWA) issue determining the loads—if the pollutant is already in place. Furthermore, it is not exactly a Superfund issue because the loads are not in large quantities and responsible parties cannot be determined. The main issue is determining the best way to deal with the sediment. We know that dredging is not the best method. The TCEQ has contracted with Texas A&M-Galveston to research in-situ remediation strategies and to conduct pilot studies to remediate the dioxin. We want to know what our options are in terms of effectiveness based upon the remediation studies that have been conducted in the past.

Q: You mentioned that it was difficult to determine who has authority on this issue, so what exactly is the capability of the TCEQ to address this?

A: Under the CWA, the EPA has given the TCEQ authority on this issue. Specifically, the regulation authority of the TMDL can determine who or what is responsible.

Valmichael Leos with the EPA added that in most cases sampling can show who might be responsible. Sampling can determine the types of material and direct lines of evidence. For Dioxin and PCB, this can be done. It will take a great deal of resources, time, and effort. Sampling can determine source “fingerprinting” after years of transport and degradation. Stephen Tzhone with the EPA commented that “fingerprinting” is done using crystal component analysis; however, over time it can be very difficult to conduct. Also, it can only determine specific links to activities, not specifics such as ‘this entity released x number of pounds into this waterway.’

Q: What about fate and transport models?

A: Fate and transport models are fraught with interpretation.

Mr. Stein then commented that none of the dischargers are currently discharging. Main sources are considered historical. The Hudson River Project was a totally different situation. In the HSC other issues such as tides and hurricanes have moved around and redeposited sediment. We need to develop some alternative solutions.

Q: During flood events, sediment that has been dredged a number of decades ago washes into my community. It floods into our streets and leaks back into waterways. How can we prevent this from happening?

A: After the TMDL is complete, we will be developing an Implementation Plan (I-Plan). Opportunities will be there to discuss what is happening to your community.

Q: You mentioned that the TMDLs are all on hold?

A: Work and review is being done; however, none of the Dioxin TMDLs have entered the TCEQ adoption process.

### **Updated on the San Jacinto Waste Pits Superfund Site, Valmichael Leos, EPA**

Mr. Leos began by stating that he is with the Time Critical Removal Action (TCRA) phase of the National Priorities List (NPL) San Jacinto Waste Pits Superfund Site along Interstate 10. He is working with the responsible parties AOC/McGinnis to conduct a removal action. The actions that they are undertaking now are to stabilize the Waste Pits from continuously releasing waste. The temporary measure is to place a temporary cap over the Waste Pits.

Mr. Leos stated that the EPA has a new website available that provides all of the technical information concerning the San Jacinto Waste Pits Superfund Site ([www.epaosc.org/sanjacwpremoval](http://www.epaosc.org/sanjacwpremoval)). The website provides technical information such as the current status of the site. The site contains media, reports, pictures and other pertinent information.

Mr. Leos then gave a quick update on the containment cap on the site. On the Eastern Cell, which is covered by about 4 feet of water, they have started to place the containment cap, which involves barges with rocks and other cover material. First they are going to place a geo-textile fabric which is then covered with rocks. For the western impoundment they are going to place a geomembrane, and then layer that with the geo-textile fabric and layer that with rocks. They have just begun the work process and have an excavator at the site. They are sinking the fabric at the perimeter and are weighing it down with the rock material.

Q: Why not place a berm around this site?

A: We felt that a physical berm would cause disturbances with the river. This was shown in flow and hydrodynamic modeling. This cap was designed to withstand a 100-year flood. We plan on having the cap secure the site for the next 5-7 years and then we will focus on what to do in the long term with this site.

Mr. Leos then started to navigate the SJWP website. He noted that on February 17<sup>th</sup>, Armor Cap D, which is the technical name for the 8'' rock, was placed at the site. Approximately 1.17 tons of Armor Cap D was placed, and this represents about 1.8% of the total cap.

Q: Can we access the "raw data" from this website?

A: Yes, that can be accessed.

Q: What other types of rock are you going to be using on this cap?

A: 12''-24'' rock.

Q: What type of fabric are you using at the site?

A: I do not know off the top of my head, but that information is available.

Q: What is your schedule for completion?

A: By July 29<sup>th</sup> we plan on having the cap in place.

Q: Have you looked at the affects of a hurricane force storm surge on the cap?

A: Yes we have, the cap can withstand the sheer stress.

Q: The up-lift would not be great enough to damage the cap?

A: No, it would not damage the cap.

Q: Have you used modeling from historic releases of water from large flow events?

A: Yes, we did. Specifically we looked at the large flood from 1994.

Q: For the Eastern Cell you are placing the geo-textile fabric but not the membrane, why?

A: The contractor stated that placing the membrane on the Eastern Portion was not implementable due to the fact that over 70% of this cell is covered with 4 feet of water.

Q: Do you have plans for target reductions and more sampling around the Waste Pitts?

A: No, at this time we do not have target reductions, but we do plan on sampling around the Waste Pitts.

Q: My community, Glendale, has been experiencing severe inundations of contaminated sediment. Sediment was dredged and placed next to it in the 1950's, and during flood events the contaminated sediment washes into my community. What type of barrier will prevent the flooding of my community?

A: I do not know the answer to your question. We will note it and the EPA will be getting back to you.

Mr. Leos concluded by stating that the website will have specific updates for the removal action. We have just started work and please visit the website for more information.

### **Updated on the San Jacinto Waste Pits Superfund Site, Stephen Tzhone, EPA**

Mr. Tzhone stated that the Remedial Feasibility Study (RFS) website for the San Jacinto Waste Pitts is now available. It contains links to the TCRA Removal Action website, and also provides maps of the Remedial Investigation/Feasibility Study of the site. The website also provides links to reports and aerial photos. ([http://www.epa.gov/region6/6sf/texas/san\\_jacinto/](http://www.epa.gov/region6/6sf/texas/san_jacinto/))

Mr. Tzhone then brought up a map of the site from the website. He said that the red line represented activity, the yellow line represented the area they are looking at for the sampling plan, the blue line represented the current remedial investigation, and the green line represented the liability area. In this area they are working with folks who have permits. The current site boundary is the blue line; however, this line could move in the coming years.

Q: How did you identify this line of demarcation?

A: We looked at the contaminant levels in the sampling.

Q: How do you prove if the cap is working or not?

A: We will be closely monitoring the movement of sediment from the pit areas. We are investigating how far the sediment has moved. Our plan is to gather information. We are going to monitor over time.

Q: Do you have any plans of extending the cap outside of the pit area?

A: If the levels are higher outside of the cap, higher than the removal action, then yes, we would look into extending the cap.

The decision to expand or shrink the blue line will be made at the end of 2012. We have sampled and will sample extensively outside of the blue area. All of our sampling plans are online. When data is available we will be posting it on our website. We have posted our operation schedule. Everyone can download this off of the website. The dates have not changed. The website contains links to the Watershed Management Strategy and to the TCEQ and Harris County TMDL programs. The website also contains more information for the watershed as a whole. The website also provides links to community involvement, specifically the Superfund Roadmap, the Community Engagement Initiative, and contact information.

Q: Will people have the option to send the EPA information anonymously?

A: We will make that option available if it is not currently available.

Q: After the cap is in place, how will you test for failure?

A: We will have surveys, inspections, and water quality monitoring.

### **Other Business**

Other business was not discussed at this time.

### **Next Meeting**

The next meeting will be in approximately six months, unless the Dioxin TMDL is approved for public comment beforehand, in which case, a meeting may be held sooner.

### **Adjourn**

The meeting adjourned the meeting at approximately 5:00 PM.