
CITY OF PORT LAVACA

PORT COMMISSION MEETING: NOVEMBER 15, 2022

DATE: 11/14/2022

TO: PORT COMMISSION

CC: JIM RUDELLAT, HARBOR MASTER

FROM: JODY WEAVER, INTERIM CITY MANAGER

SUBJECT: TCEQ

TCEQ inspection of Tracts 17 and 17A in June 2022:

- The response to TCEQ regarding the Notice of Violation dated October 21, 2022 is due on November 20.
- Urban Engineering is working on a Request for a Voluntary Restoration of the areas that have been disturbed and will submit that by the end of this week.
- Encore is moving off of the property beginning November 15 and hopes to be off before Christmas and certainly before the end of the year.
- I have confirmation that all 3 of the shoreline protection projects we submitted for the 2023 GLO Coastal Resiliency Master Plan have been approved for inclusion. The call for GLO CEPRA grants will be in March with a due date in June, which can be used to construct shoreline protection along this bank. We are also expecting several million dollars of CDBG-MIT funds that could be used for this shoreline protection as well.

Phase II Environmental Site Assessment at Harbor of Refuge:

On November 2nd we received a request from TCEQ to submit an "Affected Property Assessment Report". Our consultant John Hogue explains that an APAR is a more detailed evaluation and presentation of the data that has been taken. He expects this will require some additional groundwater monitoring. I have received CRG's proposal for the APAR Report and additional sampling for \$15,210.00. I will authorize this additional work which is due to TCEQ at the end of January.

Attached:

- Letter from TCEQ dated November 2
- Email from John Hogue of CRG Environmental.
- CRG proposal for APAR Prep and Sampling

Jon Niermann, *Chairman*
Emily Lindley, *Commissioner*
Bobby Janecka, *Commissioner*
Toby Baker, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

November 2, 2022

Transmitted Electronically

Ms. Jody Weaver
City of Port Lavaca
202 North Virginia Street
Port Lavaca, Texas 77979

Re: Request for Information
Response for Request for Information, dated April 18, 2022
Harbor of Refuge - City of Port Lavaca
South Virginia Street, Port Lavaca, Calhoun County
Facility ID No. T3678; CN600755052; RN102335361

Dear Ms. Weaver:

The Texas Commission on Environmental Quality (TCEQ) has reviewed the above-referenced submittal. The information provided shows that soil and groundwater are affected by historical operations. Total petroleum hydrocarbons, lead, and arsenic are present in soil and concentration above the Texas Risk Reduction Program (TRRP) Protective concentration levels (PCLs). Concentrations of arsenic in groundwater exceed the PCL. **Please submit an Affected Property Assessment Report within 90 days from the date of this letter.**

Questions concerning this letter should be directed to me at (512) 239-2489. When responding by mail, please submit one paper copy and one electronic copy (on USB or disc) of all correspondence and reports to the TCEQ Remediation Division at Mail Code MC-127. An additional copy should be submitted in electronic format to the local TCEQ Region Office. The information in the reference block should be included in all submittals. Note that the electronic and hard copies should be identical, complete copies. A Correspondence ID Form (TCEQ Form 20428) must accompany each document submitted to the Remediation Division and should be affixed to the front of your submittal. The Correspondence ID Form helps ensure that your documents are identified correctly and are routed to the applicable program for a timely response.

Sincerely,

A handwritten signature in black ink, appearing to read "G. Thering", with a long horizontal stroke extending to the right.

Garrett Thering, Project Manager
VCP-CA Section
Remediation Division
Texas Commission on Environmental Quality

Ms. Jody Weaver
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November 2, 2022
Facility ID No. T3678

GMT/gmt

cc: Mr. Timothy Perdue, TCEQ, Waste Section Manager, Corpus Christi Regional
Office, MC'R-14, via email

Jody Weaver

From: John Hogue <john@crgtexas.com> on behalf of John Hogue
Sent: Thursday, November 3, 2022 9:38 AM
To: Jody Weaver
Subject: RE: TCEQ Correspondence Facility ID No. T3678 Request for Information
Attachments: APAR Form - 10325 (3).doc

Follow Up Flag: Follow up
Flag Status: Flagged

Jody

I was concerned this might happen. Metals in groundwater always represent a bit of minefield with TCEQ. Particularly arsenic and lead. Both are just barely over the screening PCLs.

TCEQ likes their process. The APAR is a more detailed evaluation and presentation of the data. Attached is the APAR "form" for your reference. As you might imagine, the attachments are quite extensive for an APAR.

The APAR is where one develops "critical PCLs" upon which you determine if additional remediation or actions are required. I would expect this to require some additional groundwater sampling. We didn't see anything requiring immediate soil removal in our samples.

I'll get you a proposal. I will include another round of GW sampling as we'll need the data eventually and it may help with the APAR data presentation.

JHogue

John I. Hogue, PG, CHMM, LPST-PM
Senior Project Manager
CRG Texas Environmental Services, Inc.
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Efax: 713-481-1861
Fax: 832-595-2815

November 14, 2022

JoAnna P. "Jody" Weaver, P.E.
City Engineer/Community and Economic Development
City of Port Lavaca
202 N. Virginia St.
Port Lavaca, Texas 77979



Subject: Proposal - Affected Property Assessment Report (APAR) Preparation / Additional Sampling
Harbor of Refuge
Port Lavaca, Texas
Facility ID No. T3678; CN600755052; RN102335361

Dear Ms. Weaver;

CRG Texas Environmental Services, Inc. (CRG Texas) is pleased to present this work plan and cost proposal to prepare and submit the Affected Property Assessment Report (APAR) as requested by TCEQ in the November 2, 2022 Request for Information. In the letter, TCEQ states that:

"The information provided shows that soil and groundwater are affected by historical operations. Total petroleum hydrocarbons, lead, and arsenic are present in soil and concentration above the Texas Risk Reduction Program (TRRP) Protective concentration levels (PCLs). Concentrations of arsenic in groundwater exceed the PCL. Please submit an Affected Property Assessment Report within 90 days from the date of this letter."

The purpose of the APAR is to document all relevant affected property information to identify all release sources and constituents of concern (COCs), determine the extent of those COCs, identify all transport/exposure pathways, and to determine if any response actions are necessary. For the Harbor of Refuge landfill property, the previous investigations provide a substantial amount of information that will be used to prepare the APAR.

As a precursor to the APAR preparation, CRG Texas recommends the collection of an additional round of groundwater samples from the site monitoring wells as well as the collection of surface water and nearshore sediment samples from the Harbor of Refuge channel given its immediate proximity to the subject property. The APAR does evaluate potential surface water exposure scenarios and it's also possible that COCs (e.g., arsenic) from the surface water / sediments contribute to COC impacts observed at the affected property.

This proposal summarizes the project understanding, proposed scope of work, schedule, estimated costs, and contractual conditions.

SCOPE OF WORK

Groundwater Gauging and Sampling

CRG Texas will mobilize to the site gauge and sample the four existing monitoring wells. The wells will be opened and subsequently gauged to determine the depth to water. Once gauged, low-flow groundwater sampling will be conducted in accordance with industry standard and TCEQ-EPA sampling guidelines.

Groundwater sampling will be conducted using a peristaltic pump and dedicated ¼-inch polyethylene tubing. Tubing intake depths will be set at about 5' above the bottom the well. Low-flow purging will be conducted at purge rate of 0.1 - 0.2 liters/minute to minimize turbidity. Field parameters of pH, specific conductivity, temperature, dissolved oxygen, turbidity and oxidation-reduction potential will be monitored. Well drawdown will also be recorded with each set of field parameters. Upon stabilization of field parameters, groundwater samples collected directly into laboratory-supplied bottles. Filled sampled bottles will be immediately placed in an iced cooler. The samples will be transported under chain-of-custody to the Eurofins Xenco laboratory in Stafford, Texas for the analyses listed in the following section.

Surface Water and Sediment Sampling

Given the proximity of the Lavaca Bay (i.e., potential surface water exposure pathway), CRG Texas also proposes to collect 2 surface water and 2 near shore sediment samples. The samples will be used for further screening purposes.

Laboratory Chemical Analysis

All samples will be analyzed for the following parameters by the listed methods:

- Total petroleum hydrocarbons (TPH) by Texas Method 1005;
- If TPH is detected in the samples, the sample with the highest TPH concentration will be analyzed for poly-aromatic hydrocarbons (PAHs) by EPA Method 8270C or TPH speciation by Method TX 1006;
- RCRA metals by EPA Method 6010/6020/7471;

APAR Preparation

CRG Texas will prepare the APAR in accordance with the TCEQ's Instructions for Completing an Affected Property Assessment Report (TCEQ-10325/APAR June 2005). The APAR is a text-based report supported by various specified tables and figures. Additional discussions are provided as necessary to explain site-specific situations and to present conclusions and recommendations.

SCHEDULE

CRG Texas will complete the field sampling in a single day. It is expected the analytical results will be received within 7 business days. The effort needed to prepare the APAR deliverable is quite extensive. CRG Texas estimates it will take three (3) weeks to prepare the submittal. Assuming no glaring data gaps are identified, we should have no difficulties providing the requested APAR with the 90-day timeline.

Cost and Payment Terms

The costs to complete the identified work elements are estimated as follows and as shown on the attached unit cost estimate worksheet:

- Additional sampling and analyses \$ 5,210
- Prepare and submit the APAR \$ 10,000

These costs do not provide for additional field investigations which may be required to fully comply with delineation requirements under the Texas Risk Reduction Program (TRRP) or TCEQ-specified data requests.

Client Authorization

If you are in agreement with the estimated costs, terms, conditions, and schedule listed above please sign, date, and return this document as acknowledgement of Notice to Proceed with the project. We will coordinate directly with you as needed and begin work as soon as possible.

Printed Name: JoAnna P. Weaver

Title: Interim City Manager

Client Signature: 

Date: 11.14.2022

We appreciate the opportunity to provide Environmental Services to you.

Cordially,

Kevin C. Casler
Vice President
CRG Texas Environmental Services, Inc.

Attachments:
Cost Estimate



Cost Estimate
APAR Preparation / Additional Sampling
City of Port Lavaca Landfill

TCEQ Coordination, PM				
Project Manager	hours		\$152	\$0.00
Staff Geoscientist	hours		\$125	\$0.00
				\$0.00
Additional Sampling				
Staff Geoscientist	10	hours	\$125	\$1,250.00
Field Technician	10	hours	\$85	\$850.00
Field Vehicle with Hand Tools	1	day	\$100	\$100.00
Low Flow Sampling Equipment Package	1	day	\$275	\$275.00
Oil-Water Interface Probe	1	day	\$35	\$35.00
				\$2,510.00
Laboratory Chemical Analysis				
Groundwater (4), Surface Water (2), Sediment (2)				
TPH	4	each	\$110	\$440.00
Metals (RCRA 8)	4	each	\$140	\$560.00
TPH (TX1006, Supplemental)	1	each	\$350	\$350.00
Surface Water (2), Sediment (2)				
VOCs Water	4	each	\$140	\$560.00
TPH Water	4	each	\$110	\$440.00
SPLP Metals Analyses (Sediment - Supplemental)	1	each	\$350	\$350.00
				\$2,700.00
APAR Preparation	1	LS	\$10,000	\$10,000.00
Total Phase II ESA				\$15,210.00