
CITY OF PORT LAVACA

CITY COUNCIL MEETING: APRIL 12, 2021

DATE: 4.9.2021

TO: HONORABLE MAYOR AND CITY COUNCIL MEMBERS

FROM: JODY WEAVER, INTERIM CITY MANAGER

SUBJECT: **MODIFIED PHASE 1 ESA AND CONSIDERATION OF LIMITED PHASE II ESA AT TRACTS 16, 17, AND 17A HOR**

As you recall, the Port Commission contracted with CRG Texas Environmental Services to perform a Modified Phase I Environmental Site Assessment on Tracts 16, 17, and 17A at the Harbor of Refuge. Of key interest in the report is the results of 5 shallow soil samples tested as part of the ESA. Attached is a copy of the Site Map showing the location of those soil samples as well as Table 1 showing the Analytical Results of the testing done.

Elevated levels of Arsenic and Barium were found in samples 1 and 4 (although not significantly elevated) and elevated levels of Lead were found in samples 1, 3, and 4. Sample 2 indicated elevated levels of petroleum products like diesel or lubricating oils.

John Hogue with CRG offered this additional explanation:

There are two protective concentration levels (PCLs) that one compares soil sample data against when screening sites for potential releases and impacts.

- 1) The **Total Soil Combined PCL** is a risk-based concentration for exposure pathways **associated with surface soil** (ingestion, inhalation, leachability, direct contact). It's typically a higher standard. None of the values observed in the samples we collected exceed the compound specific total soil combined PCLs.
- 2) The **Soil-to-Groundwater transfer PCL**, also risk-based, focuses on the **potential for contaminants in soil to transfer (leach) into groundwater** (and that groundwater is then consumed). This is where we had minor exceedances.
- 3) Sometimes for select metals, one can use the medium specific background (MSB) concentrations (i.e., naturally occurring concentrations) as the comparative standard (you use the higher of the soil to groundwater transfer or the MSB concentration).
- 4) **Arsenic, lead and barium all had minor exceedances of the this PCL. No big surprise...lead is common at concentrations higher than the state background (often originates from vehicle leaded gas); arsenic is a common component in agricultural formulations; barium...drilling muds.**

John Hogue further explained that although the area is an old landfill whose permit was revoked in the late 70's, the presence of elevated potential chemicals of concern (that above TCEQ's protective concentration levels), **does trigger the "Texas Risk Reduction Program Rule" (TRRP)**. I have clarified with John that we are **required** to somehow address these finding within 180 days. I have attached a proposal from CRG Texas for their "next steps" recommendation to address these findings:

- To spend a day with a direct push rig and do 4 borings to groundwater (which is expected to be around 15 ft deep) and collect 2 soil samples per boring. One at 5 ft depth and one just above the groundwater.
- Analyze those samples for **ONLY** the analytes in question (arsenic, barium, lead, and TPH)
- Convert one location into a temporary monitoring well to collect a groundwater sample to see if the groundwater is impacted at all.
- All this will determine if there are any potential or active impacts to groundwater.

Note: To further clarify, all of the identified concentrations in the Phase I are barely over the acceptable limits now and were concentrated exceedances of the groundwater protection standard and generally not representative of an immediate health risk issue. If all goes well, CRG can prepare a report to TCEQ and solicit their agreement to keep the site out of TRRP and therefore no further action would be needed.

In conjunction with this we want to also move forward with additional research and bores to try and identify the footprint of the trash cells. Of specific interest is the proposed location of the Air Burner. We already have a proposal through Urban Engineering from TSI Laboratories to do this boring. If we move forward with this partial Phase II, CRG will assist in getting TCEQ approval for these bores to help identify the footprint while getting approval for the 4 bores they will be taking.

The best-case scenario is the one described above where we spend \$30,000+/- and end up with a resolution with TCEQ and no additional work needed. Medium case might involve some minor issues with some additional limited remediation required. Worst case would be if someone had dumped toxic waste into the landfill and it turns into a Superfund site, which is thought to be unlikely.

The Port Commission discussed this at their April 6 meeting and RECOMMEND TO COUNCIL TO MOVE FORWARD with the Limited Phase II Environmental Site Assessment of these tracts per the proposal of CRG Texas in the amount of \$28,164.00. This is not a budgeted expense. The Port Commission further recommends that the funds come from General Fund Reserves since this involves the site in its use as an old landfill.