

PCB & DIOXIN TMDL STAKEHOLDER MEETING
Draft Meeting Summary

June 23, 2010
1:00-4:00 PM

Members Present: Winston Denton (Texas Parks and Wildlife), Ed Matuszak (Private Citizen, with URS), Bob Stokes (Galveston Bay Foundation), John Westendorf (Occidental Chemical Corp)

Members Absent: Charles Beckman, Ronald Crabtree, Luke Giles, Sara Metzger (City of Pasadena), Kristy Morten (USACE), David Ramsden (URS Corp), Gerardo Ruiz (City of Baytown), Kerry Whelan (Reliant Energy), Kirk Wiles (Texas Department of Health) George Guillen (Environmental Institute of Houston), Nicole Hausler (Port of Houston Authority), Tracy Hester (Bracewell & Giuliani LLP), Steve Hupp (Harris County), Gordon Pederson (Gulf Coast Waste Disposal Authority), Jeff Stevenson (Shell), Lial Tischler (industrial representative)

Support Staff Present: Kristi Corse (H-GAC), Carl Masterson (H-GAC), Larry Koenig (TCEQ Austin), Hanadi Rifai (UH), Stephen Tzhone (EPA), Charles Faultry (EPA), Donn Walters (EPA), Felicity Dodson (USACE)

Others Present:

Latrice Babin (HCPHES)	Philip Moore (Private Citizen)
Debra Baker (Private Citizen)	Terence O'Rourke (Harris County)
Adriana Benavides (Texans Together)	Barbara Nann (EPA)
Mario Benavides (Private Citizen)	Mani Nezami (Harris County)
Linda Broach (TCEQ)	Felicia Paxtone (GCWDA)
Louis Brzuzy (Shell Oil Products),	Diane Pena (Texans Together)
Catarina Cron (Harris County)	Tina Petacen (Private Citizen)
Richard Cron (Private Citizen)	Will Petit (Galveston Bay Foundation)
Clayton Forswall (Galveston Bay Foundation)	Sergio Quintanilla (Texans Together)
Charles Foultry (EPA)	Herman Sanders (HC A&E Comm)
Linda Henry (Port of Houston Authority)	Javier Serna (Texans Together)
Megan Hochstedler (UH)	Andrew Shafer (Private Citizen)
Nathan Howell (University of Houston)	March Smith (MIMC)
Valmichael Leos (EPA)	Monica Suarez (Parsons)
Brandt Mannchen (Sierra Club)	Crystal Taylor (TCEQ)
Alisa Max (Harris County)	Laurie Thanheiser (Private Citizen)
Lisa Miller-Marshall (Galveston Bay Foundation)	Esteban Tovar (Texans Together)
Maria Modelska (University of Houston)	Bob Trinch (TxDoT)
	Tina Walker (TXDSHS)

Welcome & Introductions

Carl Masterson called the meeting to order at approximately 1:15 PM. Due to inclement weather, he allowed fifteen minutes for attendees to arrive. He thanked everyone for coming. He introduced the presenters. Self- introductions of stakeholders followed.

Review Agenda and Approve Meeting Notes

Carl reviewed the agenda and the group approved the meeting notes from December 2009.

Update on the Draft HSC Dioxin TMDL, Larry Koenig, TCEQ

Larry Koenig was asked if there was any new information concerning the Dioxin TMDL project. He did not have any significant updates to report at this time.

PCB TMDL Project--Project Updates, Hanadi Rifai, University Of Houston

Dr. Hanadi Rifai provided a summary on the sampling in the PCB TMDL project. The study project area encompasses the Houston Ship Channel turning basin to Upper Galveston Bay. Hanadi displayed a map showing the Houston Ship Channel water segments that were sampled for the TMDL project.

Samples that were collected in 2009 include:

PCB ambient sampling

- 47 sites sampled for water (dissolved and suspended using a high volume sampling technique)
- 35 sites sampled for sediment
- 30 sites sampled for catfish
- 16 sites sampled for sea trout or Atlantic Croaker

PCB runoff sampling

- 7 sites sampled once for water
- 1 site sampled twice

PCB effluent sampling

- 16 sites sampled for effluent (dissolved and suspended)

She presented a map showing where each sample site was located and for the various types that were sampled at each site. Maps were also provided which displayed the individual type and the concentrations of PCBs found at each sample site. Patrick Bayou had the highest concentrations of PCB in water, sediment, and catfish.

Of the 47 sites that were sampled for water, 28 sites exceeded the water quality standard of 0.885 ng/L of PCB concentration, meaning that 58% of the sample sites exceeded the standard. Also, of the 30 catfish samples that were taken, 24 exceeded the Department of State Health Services Health Assessment Comparison Value (HACV) of 47 ng/g of PCB in catfish tissue. 80% of the samples exceeded the standard. Of the samples gathered of the sea trout or Atlantic Croaker, 89% of the samples taken exceeded the HACV. These percentages were higher than the previous sample studies taken in 2002-2003 and 2008.

Dr. Rifai also provided extensive box plot graphs and bar graphs profiling the ambient, effluent, and runoff sampling. To summarize the graphs, the dissolved phase is similar in the three sampling types; however, the suspended phase shows that there was a greater difference than what was observed in the dissolved phase.

Pending Galveston Bay System Survey for Dioxin and PCBs, University of Houston

Dr. Rifai presented a proposed sampling plan for the Houston Ship Channel and Galveston Bay. For this project, sampling of in-stream water, bed sediment, and tissue samples will be conducted. For each sampling type certain parameters of interest will be explored.

In-Stream Water--Parameters of Interest

- Total Suspended Solids
- Dissolved Organic Carbon
- Total Organic Carbon
- PCB Dissolved in water
- PCB in suspended sediment
- Dioxin in water
- Dioxin in suspended sediment

Bed Sediment--Parameters of Interest

- Total organic carbon
- Solids content
- Grain size
- PCB in sediment
- Dioxin in sediment

Tissue--Parameters of Interest

- Lipid content
- PCB in fish tissue
- Dioxin in fish tissue

Six criteria are being used to develop potential sampling sites. The six criteria are reference conditions from previous sampling, potential sources, spatial distribution, physiography and hydrography, add-on opportunities, and secondary consideration. A map showing potential sites for future sampling efforts based on the six criteria was provided. The project will provide a framework for decision making for the PCB/Dioxin constituents and will include snapshots, or present conditions of PCB and Dioxins in the sediment and fish tissue of the Houston Ship Channel and also a snapshot of PCB and dioxin in the water of the Houston Ship Channel and Galveston Bay. The station selection will be primarily based on the high concentrations of the previous study sampling results, and the monitoring plan will consist of twenty five high-volume water samples, twenty one bottom sediment samples, and up to twenty one tissue samples. Also, the proposed locations may change, and suggestions for sampling locations can be submitted to Dr. Rifai, H-GAC, or Larry Koenig, TCEQ.

Questions about HSC and Bay System studies

Q: Were all catfish sampled of the same species?

A: No. Samples came from whichever species (hardhead or blue) happened to be present at the time of sampling.

Q: Is Christmas Bay a concern for PCB contamination?

A: A study has not been conducted of tissue samples for PCBs of fish species in Christmas Bay.

Comment: Fish are not staying the same place. They may migrate into areas of PCB contamination and then move into areas without contamination.

Q: Is surface sediment being sampled?

A: Yes, but it is a composite sample.

Q: Are the sources of PCBs known?

A: Some possibilities have been mapped, but these are under evaluation.

**Update on San Jacinto River Waste Pits Superfund Site,
Stephen Tzhone, EPA; Felicity Dodson, USACE**

Stephen thanked the group for inviting the EPA to speak to the stakeholder group.

Stephen began by displaying a site map of the San Jacinto River Waste Pits (SJRWP). EPA is working with participating agencies: natural resource trustees (NOAA, FWS, TCEQ, TPWD, GLO) as well as who have specific responsibilities and coordination partners (ATSR/CDC, USACE, TxDOT, H-GAC, Harris County, Port of Houston Authority) with whom EPA shares information.

Enforcement Process

Stephen reviewed updates in the enforcement process. International Paper Company and McGinnes Industrial Maintenance Corporation have been identified as the potentially responsible parties (PRPs). The remedial investigation/feasibility study (RI/FS) Unilateral Administrative Order was issued on November 20, 2009. Also, the TCRA Administrative Order of Consent was issued on May 11, 2010. The PRPs have accepted responsibility for this Superfund Site.

Q: Do the enforcement agencies have a plan to reduce the exposures to people fishing and wading in the area?

A: Signs have been posted advising people to not fish or swim in the containment area.

Comment: The signs should be bigger, or there should be more signs placed around the containment area. Also, public outreach such as mailing literature would help inform people of the SJRWP containment area.

Comment: Many people fishing in the area are doing so for economic or cultural reasons. It will be difficult to get them to abide by the advisories. For some, fishing might be the only means of providing food for their families. There should be alternative local areas where fishing can be conducted without the risk of exposure.

Q: Are humans at risk for dioxin poisoning from consuming contaminated fish?

A: We do not know at this time.

Comment: People are still fishing in the containment area. It does not seem that there is being enough done to inform them of the potential risks.

Remedial Investigation/Feasibility Study

Stephen provided a map of the San Jacinto River Waste Pits Location clearly displaying the preliminary perimeter of the site, the McGinnis parcel, and the northern impoundment perimeter. For the RI/FS, a work plan will be developed and will consist of all remedial investigation components. It will also identify critical paths needed to fully evaluate all remedial approaches. Stephen also provided the Highlight 1-5, Remedial Approaches for Contaminated Sediment chart. The different approaches consisted of in-situ approaches and ex-situ approaches. The in-situ approaches are in-situ capping, monitored natural recovery, hybrid approaches, institutional controls, and in-situ treatment. The ex-situ approaches are dredging and evacuation. For the RI/FS a sediment media sampling plan will also be conducted. Stephen provided maps which display the proposed boring locations for geotechnical and geotechnical and chemistry sampling, as well as proposed van shear tests.

USACE Permits

USACE is the responsible entity for issuance of CWA Section 404 and RHA Section 10 permits (dredge and fill) in the Houston Ship Channel.

Problem: Permitted activities may impact RI/FS activities and future cleanup actions. Also, permitted activities that do impact the site may expose those permitted to Superfund liability.

EPA/USACE/TCEQ have required that existing and new permit holders must strictly adhere to CWA 404 and RHA 10 permitting processes within the area of concern boundary of the SJWP.

More information about USACE Permitting was given by Felicity Dodson, USACE

Felicity began her presentation by presenting a map of the area of concern. On November 1, 2009, USACE announced and explained the Permit Evaluation Requirement Process. Now all projects in the area of concern are reviewed for potential impacts, and the test results of the material dredged will determine their placement. Nationwide permits have also been suspended in the area of concern. Applications now are under review and new permits now fall under the review process. Also, all existing permittees have been identified and will be contacted in the future to discuss their options.

Watershed Management and Permits

Stephen continued by discussing a Watershed Management Strategy for the area of concern. He said that a dioxin TMDL study would begin soon. The TCEQ and EPA approval process will begin for this project in the fiscal year 2010-2011. Also, public notice will be given when this begins. Stephen also asked for public participation through the Houston-Galveston Area Council.

Source Stabilization

Stephen presented a map which displayed the 1966 original perimeters of the San Jacinto Waste Pits impoundments. The Waste Pit 2 is almost completely submerged by the San Jacinto River. Some sampling of the site near the 1966 berm location has been conducted. Stephen provided a table showing the sampling results.

Along with additional sampling there will be a TCRA Memorandum. This will evaluate the effectiveness, implementability, and cost of remediating this site as well as what technologies should be used for removal, treatment, and containment.

Five containment alternatives were given.

- Alt. 1, Sheet Pile & Granular Cover
- Alt. 2, Sheet Pile, Granular Cover, Dredge, and Revetment
- Alt. 3, Granular Cover and Revetment
- Alt. 4, Rock Berm, Granular Cover, and Revetment
- Alt. 5, ACBM and dredge

Concerns were raised regarding the TCRA Memorandum. These included minimizing public health/environment cost, preventing spread and movement of contamination, designing for storm events, preventing impacts from flooding upstream, preventing impacts from scouring on the I-10 Bridge, and a combination of technologies (i.e. removal with containment).

Next Steps

Stephen identified five steps that should be taken in the future. The first step is to implement source stabilization activities. The next step would be to define the nature and extent of this site. The third step is

to evaluate the long-term cleanup alternatives. The fourth step is to issue a record of decision. The last step is to continue joint watershed management solutions with USACE and TCEQ.

Q: What activities are being looked at besides dredging?

A: All applicants have to go through a review process if they are getting a permit and all activities will be considered as to their impact.

Q: Will natural resource plans be developed?

A: We are not at that part of the process. We are waiting until the TMDL is complete.

Carl then thanked Stephen for his presentation.

Other Business

Future business was not discussed at this time.

Next Meeting

The next meeting might be within six months.

Adjourn

The meeting adjourned at approximately 3:30 PM.