UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 6
1445 ROSS AVENUE, SUITE 1200
DALLAS TX 75202-2733

JUL 31 2012

VIA CERTIFIED MAIL -
RETURN RECEIPT REQUESTED

David C. Keith
Anchor QEA, LLC
614 Magnolia Avenue
Ocean Springs, MS 39564

RE: San Jacinto River Waste Pits Superfund Site Time Critical Removal Action
TCRA Cap Repair Plan
CERCLA Docket No. 06-12-10
San Jacinto River Waste Pits Superfund Site near Pasadena, Harris County, Texas

Dear Mr. Keith:

On July 24, 2012, I conducted a site inspection of the western berm of the armor cap at the San Jacinto River Waste Pits site. Although I did not observe the release of any visible waste above land, further investigation of the surrounding areas and underwater is necessary in order to ensure the integrity of the armor cap. While there did not appear to be any visual tears in the exposed geotextile fabric, I observed several bulging areas along the western berm. Additionally, from my inspection of the areas where the geotextile fabric was left exposed without armor cap material present, it was evident the fabric had stretched considerably to accommodate the underlying bulge. Taken together, the bulging and the exposed geotextile fabric have raised significant concerns regarding the western berm's structural stability as well as the overall effectiveness and design of the armor cap.

A cursory review of the TCRA Cap Repair Plan ("Repair Plan") submitted on July 27, 2012, indicates that you are considering using the more dense armor cap material C rather than the B/C material originally specified. The request to alter the construction and design of the cap has prompted the Environmental Protection Agency (EPA) to retain a third party to conduct an overall review of the armor cap design and construction process. Moreover, EPA is requesting that Respondents conduct their own reassessment of the design, which includes the impact of waves on the armor cap material, and construction process and submit a detailed report discussing the failure of the western cap.

It is EPA's position that the observations listed above have increased potential threats to human health and the environment. Accordingly, we are approving the Repair Plan in accordance with Paragraph 45(c) of the Administrative Order on Consent only as a temporary mitigation measure necessary to abate any potential releases caused by the failure of the western cap. Respondents may proceed with the Repair Plan activities while the EPA allows a third party to review the overall effectiveness of the cap design and quality of construction.

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If you have any questions, please contact me at (214) 665-2283, or send an e-mail message to leos.valmichael@epa.gov.

Sincerely yours,

Valmichael Leos
Federal On-Scene Coordinator (FOSC)