July 30, 2014

Mr. Jonathan P. Carroll
Lazarus Texas Refinery I, LLC
801 Travis, Suite 2100
Houston, Texas 77002

RE: Human Health and Ecological Risk Assessment for Falcon Refinery Barge Dock

Dear Mr. Carroll:

EPA has reviewed the data collected related to the 14.24 acre tract of land upon which the "Barge Dock" of the Falcon Refinery Site is located and determined that the Barge Dock will not require further remedial action under CERCLA

A draft Ecological and Human Health Risk Assessment for the Barge Dock has been prepared for EPA by EA Engineering. As part of the risk assessment, EA installed and sampled monitor wells and collected soil/sediment samples throughout the Falcon Site. The results of the sample data indicate that the groundwater at the Barge Dock contains arsenic at 60.8 ppb which is above the Maximum Contaminant Level (MCL) for drinking water of 10 ppb. Arsenic was also found at levels above the MCL in the wells adjacent to the Barge Dock and at other wells on the site. The results of the soil/sediment sampling indicate that arsenic was at or below the Texas background criteria of 5.9 mg/kg at and adjacent to the Barge Dock. No other refinery related pollutants were found in the groundwater or soil/sediment at levels that would pose a human health or ecological based risk at or adjacent to the Barge Dock.

A review of aerial photographs taken prior to the construction of the refinery in 1979 indicates that a portion of the site was previously cultivated. Arsenic has been used extensively in the past in the cultivation of cotton. Arsenic was found above the MCL for arsenic in the monitor wells sampled in areas that were previously cultivated and was found at levels above the MCL for arsenic in areas that were not cultivated.

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Based on the levels of arsenic found in the soil, the past agricultural practices at the site, and the absence of other contaminants related to petroleum refining in samples collected at and adjacent to the Barge Dock, it appears that the levels of arsenic in the groundwater and soils are naturally occurring and/or related to past agricultural practices and that further remedial actions at the barge dock will not be required under CERCLA. Please contact me at (214) 665-7167 if you have any questions or concerns.

Sincerely,

Brian W. Mueller, RPM

cc: Phillip Winsor, TCEQ