2015 APAR

REDACTED VERSION

CHRONOLOGY OF EVENTS

FORMER F.J. DOYLE SALVAGE TRANSFORMERS
(b) (6) [redacted]
LEONARD, FANNIN COUNTY, TEXAS

EPA CERCLIS NO. TXD980865109 / TCEQ SWR 80951
TERRA-SOLVE PROJECT NO. 09724

DATE	ACTIVITY
1974-1989	
1974	Mr. Frank Doyle began operations at the site for reclamation of electrical transformers. The wiring and scrap metal were recycled and the residual oil was used for weed killer both on site and was distributed to others within the City of Leonard. **[Note that Terra-Solve was informed by the owner the site began operations in 1976].**
1976	Mr. Doyle indicated that after this date, no transformers containing PCBs were accepted at the facility.
01/21/88	Mr. Doyle began application to the Texas Air Control Board (TACB) for a special air operating permit to allow for operation of a heat cleaning unit at the site.
03/22/88	A public hearing was held on the above air permit application.
06/27/88	TACB issued an Agreement and Stipulation of Facts in lieu of the hearing on June 28, 1988.
07/15/88	TACB issued an order so the permit could not later be challenged by its opponents.
08/23/88	TACB issued the permit
04/22/89	Mr. Doyle applied for the air operating permit
1990	
07/20/90	EPA conducted a **PCB Inspection** at the site. *No record of this work has been located by subsequent EPA contractors even as early as May 1997.*
10/12/90	Ecology & Environment Technical Assistance Team (TAT), an EPA contractor, conducted a **Site Assessment** sampling investigation. *No record of this work has been located by subsequent EPA contractors even as early as May 1997.*
1991 - 1992	
04/05/91	Texas Air Control Board (TACB) issued an air permit to allow for operation of a combustion unit at the site.
04/19/91	Ecology & Environment TAT, an EPA contractor, conducted another **Site Assessment** sampling investigation. *No record of this work has been located by subsequent EPA contractors even as early as May 1997.*

1993-1994	
1993	Mr. Frank Doyle registered the site with TCEQ for various non-hazardous waste disposal for non-PCB oil, ash residue, plant refuse, various storage containers, and a Dumpster.
09/07/94	EPA conducted another **PCB Inspection** at the site. *No record of this work has been located by subsequent EPA contractors even as early as May 1997.*
1995-1996	
05/23-24/95	Worldwide Reclamation, a Doyle contractor, under supervision of EPA, conducted surface and subsurface **soil sampling**. *No record of this work has been located by subsequent EPA contractors even as early as May 1997.*
07/10-12/95	Ecology and Environment TAT, an EPA contractor, conducted a **Site Assessment (SA)** sampling investigation. A total of 68 samples were collected from the site, the alleyway, and the neighboring residences to the south, west, and east. Elevated levels of PCBs were found both on- and off-site. On-site levels ranged from 50.9 ppm to 2,730 ppm. Alleyway levels ranged from 5.7 ppm top 857 ppm while off-site residence levels ranged from 10.44 ppm to 37.7 ppm
07/95	Site was entered in CERCLIS database.
08/31/95	Ecology and Environment, EPA TAT, issued a **Site Assessment (SA) Report** recounting the above findings and requested a meeting with Mr. Frank Doyle at their offices no later than 09/15/95 to discuss *"removing and disposing of this contamination in an expeditious manner."*
10/4/95	Mr. Doyle met with three EPA officials as requested above. The contents of this meeting are unknown. However, files indicate calculations regarding the cubic yardage of affected materials were made by hand; these calculations show 94.21 cubic yards of on-site soil and 86.98 cubic yards of off-site soil for a total of 181.19 cubic yards would be needed to be removed presumably to meet the above requirements.
1997	
01/97	Frank Doyle retired and (b) (6) [redacted], his son, became the operator of the site.
05/20/97	Fluor Daniel, EPA TAT, conducted a site reconnaissance. EPA issued its **Preliminary Assessment Report (PA)** later that month. This report set that groundwater and soil exposure pathways were the only exposure pathways of concern.
07/21/97	EPA Screening Site Inspection (SSI) was approved to evaluate these pathways.
12/18/97	TCEQ issued a **Screening Site Inspection (SSI) Work Plan** to allow for further evaluation of the site using the above pathways of concern.
1998 - 1999	
01/13-14/98	TCEQ personnel conducted SSI work with sampling of city water supply wells and collection of on- and off-site soil samples. The groundwater samples did not contain metals or PCBs. Analysis of soil samples from 17 locations indicated that

	moderate levels of copper were detected at two on-site sample locations. PCBs were found on site and along drainage ditches away from the site.
09/98	TCEQ issued **SSI Report** on the above findings.
08/99	The site ceased operations.
2000-2009	
06/29/00	The Texas Department of Health (TDH), under a cooperative agreement with the Agency for Toxic Substances and Disease Registry (ATSDR), issued a **Health Consultation Report** which recommended that further delineation of the extent of PCB-affected soil be conducted, or that the soil be removed.
2001	Based on the above, the ATSDR chose not to enter the site into National Priorities List (NPL) for superfund sites.
07/14/06	TCEQ issued Unit Closure Request Letter to Mr. Frank J. Doyle.
10/23/06	(b) (6) [redacted] responded to the above letter noting the passing of his father earlier that year and requesting clarification on what TCEQ was specifically requesting.
01/26/07	TCEQ responded to the above letter directing that a closure report for the waste management units (WMUs) be submitted and that an **Affected Property Assessment Report (APAR)** be completed.
02/09/07	(b) (6) [redacted] emailed a response to the above letter.
09/05/08	TCEQ issued Second Request Letter reiterating the 01/26/07 letter requirements above.
08/10/09	TCEQ created a Case File Memorandum which noted that due to the lack of response to the above letters, the case was being considered for Notice of Violation (NOV) and that the 3rd letter would be the NOV.
08/24/09	(b) (6) [redacted] emailed again to TCEQ regarding the above letter in anticipation of a potential sale of the property.
09/11/09	TCEQ responded to the above email with a new point of contact, Mr. Pindy Lall.
11/05/09	A client contracted with Terra-Solve to conduct a Phase I ESA of the site.
11/20/09	Terra-Solve conducted site reconnaissance for the Phase I ESA and met with [redacted] (b) (6) [redacted] at the site.
11/30/09	Terra-Solve issued Freedom of Information Act (FOIA) request to EPA.
12/04/09	EPA issued response letter to the above FOIA request and Terra-Solve issued the Phase I ESA Report to the client noting this response.
12/15/09	EPA requested an extension in response time to 12/30/10.

2010 - 2013	
01/08/10	The client faxed additional information from (b) (6) to Terra-Solve. This information consisted of the items above with asterisks (*) next to the dates. Terra-Solve contacted Mr. Pindy Lall of TCEQ, the latest point of contact, and he requested a few days to familiarize himself with the case file.
01/19/10	Mr. Pindy Lall of TCEQ contacted Terra-Solve to discuss the case. He indicated that the items requested in the 01/26/07 letter (WMU closure reports and APAR investigation) are still required to complete work on the site.
01/30/10	Terra-Solve received a CD-ROM from EPA with the various reports referred to in the above entries and assembled this comprehensive chronology of site events.
02/03/10	Terra-Solve submitted a proposal to the client to arrange for and attend a meeting with TCEQ to discuss
02/08/10	Terra-Solve received a copy of the Central File Registry records from TCEQ and updated this chronology.
03/22/10	Terra-Solve received authorization to send the above information to TCEQ from the client and its attorney, Abernathy Roeder.
04/14/10	Terra-Solve submitted this information to Mr. Pindy Lall of TCEQ after several weeks of attempted contacts. Mr. Lall later contacted Terra-Solve regarding the above email submissions of EPA documents and directed Terra-Solve to submit a formal letter requesting review of this information.
04/15/10	Terra-Solve submitted the above-requested letter.
06/18/10	TCEQ issued a letter to Terra-Solve which outlined a "path to closure" for the site. Specifically, the letter directed the following:

(1) Surface soils be delineated horizontally to 1.1 ppm PCBs and copper and hexachlorobenzene to their Risk-Based levels;
(2) Vertical soil delineation to method quantitation limits (MQLs) or collect groundwater samples, in which case the entire soil column is assumed to be contaminated;
(3) If the site enters the Voluntary Cleanup Program (VCP), a groundwater sample will be required;
(4) If the entire soil column is assumed to be contaminated, a control such as a parking lot that serves as impervious cover may be implemented to prevent exposure, but such a measure would require maintenance to ensure integrity of the lot, and any uncovered areas would have to be removed, decontaminated, and/or otherwise controlled; and
(5) Demonstration that the drainage ditches are not impacting surface water will be needed.

2014	
04/24/14	Terra-Solve contacted by Abernathy Roeder regarding a possible sale of the subject property and asked to facilitate a meeting between all regulatory parties.
06/26/14	Terra-Solve and Abernathy Roeder met with Mr. James Sales of EPA Region VI at his office and also teleconferenced in Mr. Pindy Lall of TCEQ.
08/11/14	Terra-Solve and Abernathy Roeder met with other interested parties at the site to go over probably boring and well locations. <u>It was determined that if the likely amount of agency-directed assessment and analysis was going to ultimately be required, the cost of such work would likely make the project untenable based on the value of the property</u>. It was agreed that Terra-Solve would contact Pindy Lall to discuss these concerns.
08/13/14	After receiving non-deliverable replies to emails to Pindy Lall, Terra-Solve learned that Mr. Lall left the agency a few days previously. Terra-Solve attempted to find who the new coordinator is by telephone and in person on 08/14/14.
08/22/14	Terra-Solve submitted a letter to Mr. Richard Scharlach of TCEQ recapping the recent (2014) events and requesting a new case coordinator be assigned.
08/25/14	TCEQ assigned a new coordinator, Mr. Rodney Bryant.
09/02/14	TCEQ assigned a different coordinator, Ms. Eleanor Wehner, PG. Terra-Solve conferred with Ms. Wehner and wrote an update letter dated 09/10/14 which gave some hope for a reduced sampling scheme, particularly if the site did NOT go into the VCP. She did note, however, that a Drinking Water Survey was needed.
09/12/14	Terra-Solve conferred with Ms. Stephanie Kirschner of TCEQ regarding the availability of brownfields funds for the site. As the site is being contemplated for purchase by a non-profit group, these monies are available. A letter providing this information was submitted to the parties on 09/15/14 and a proposal for completion of the forms was submitted on 09/16/14.
10/21/14	Terra-Solve was engaged to complete the Brownfields Site Assessment (BSA) application.
10/23/14	Terra-Solve submitted the BSA application to Abernathy Roeder and the client. →rejected.
2015	
04/21/15	Terra-Solve contacted by (b) (6) [redacted] regarding redevelopment of the site. Terra-Solve confirmed with Leonard ISD that no conflict of interest exists.
04/24/15	Terra-Solve spoke with Ms. Wehner who confirmed that she sent a letter to Mr. Doyle on 03/30/15 directing that the APAR and WMU Closure be conducted forthwith or that enforcement procedures would begin.
04/27/15	Terra-Solve met with (b) (6) [redacted] to discuss the site.

5/27/15 . Unit Closure Request + Facility Registration Inactivation, &
11/16/15 - TCEQ approval of NOR 003 closure; comments to closure demonstration for NOR 001 + 002.

10/13/15 - Affected Property Assessment Report
1/12/16 - TCEQ NOD comments to APAR + closure request (WMU 001 + 002)