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

January 25, 2013

Bill Shafford, P.E.
Technical Specialist, Office of Waste
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, TX 78711-3087

Dear Mr. Shafford:

Thank you for the opportunity to comment on the Exide Response Action Work Plan (RAWP). Our comments on the RAWP are provided as an enclosure. Also enclosed are comments on the Perimeter Air Monitoring Plan and the Dust Control Plan.

Please contact me at (214) 665-8022 if you have any questions.

Sincerely,

Susan G. Spalding
Associate Director for RCRA
Multimedia Planning and Permitting Division (6PD)

Enclosures

cc: David McKercher, Exide Technologies, Frisco Plant Manager

Enclosure

Response Action Work Plan (RAWP) Comments

1. The RAWP allows Exide to conduct treatment of all wastes removed from the landfill in unpermitted waste piles at the landfill location. Exide's Class 2 Non-Hazardous Waste Landfill Investigation, dated March 2012, has analytical results that indicate 11 of the 25 test pits have at least 1 sample depth where the waste sampled exhibits the hazardous waste characteristic for either lead (D008) or cadmium (D005) or both. The landfill is not permitted or constructed as a hazardous waste unit. Please clarify the regulatory/statutory provisions TCEQ is following that would allow for treatment of hazardous waste in the landfill.

2. The landfill investigation indicates that the metal concentrations vary greatly over the breadth and depth of the landfill. It does not appear that Exide disposed of material in a manner where specific waste loads could be correlated to specific landfill locations. Exide should develop a comprehensive sampling plan which would include additional sampling information on the retreated material and confirmation sampling in the excavated areas. For example, the current plan for verification sampling during the removal of material from the landfill is one sample per 1,000 square feet of excavation base and one sample every 30 linear feet on the side walls. Due to the variability in the mixing process and issues with treatment in the past, a smaller area, such as 224 square feet (also the calculated coverage area of each one ton bag of reagent) is recommended. We would also expect Exide to conduct additional sampling on the retreated material prior to placement back into the landfill. The RCRA Waste Sampling Draft Technical Guidance (EPA530-D-02-002) is recommended as a resource for developing the sampling plan.

3. In addition to the 11 samples mentioned under comment 1 above, EPA collected a sample in April 2009 of leachate from the closed portion of the north landfill which exhibited the hazardous characteristics of arsenic toxicity (D004) and selenium toxicity (D010). Based on these sampling results, it appears that the hazardous waste treatment methodology was unsuccessful. We recommend that Exide conduct an evaluation of the closed portion of the north landfill, as similar treatment methods were applied to the waste disposed in this area.

4. Please clarify if the landfill has continued to be used since the collection of samples in 2011. If new material has been placed in the landfill, locating the material above UTS will be difficult. This may require removal of all material in the cells unless there is accurate survey data to support locating the areas that were sampled in 2011. The RAWP indicates "treated slag" would be dumped at the top of the open face and allowed to run down the slope. Please clarify plans to resample the landfill if new material has been added since 2011.

5. A site-wide groundwater investigation should be conducted by Exide because of potential issues with slag disposal in other cells in this landfill and in other locations on the site.

Perimeter Air Monitoring Plan Comments

1. Page 2, Section 3.3.1 Establishing Particulate "Take Action" and "Stop Action" Levels of Lead: The plan proposes to adjust the Pb NAAQS value of 0.15 ug/m3 by an averaging time factor. It should be noted that generally, final NAAQS are not adjusted based on averaging time but simply applied as a true value. We recommend that the Pb NAAQS be applied as an absolute value of 0.15 ug/m3, regardless of the sampling period.

2. Page 2, Section 3.2 "Monitoring Locations": The plan states that if there is a 180-degree change in the prevailing wind direction during the work day, the downwind monitors will be appropriately relocated and waste-disturbing work will be suspended until the monitors resume operation. It is recommended that the monitors be repositioned if the prevailing wind direction shifts by 90 degrees or more, and that the plan define the term "prevailing" in terms of time.

3. Page 3, Section 3.3.3 "Take Action and Stop Work Levels for PM10 as Surrogate": The use of the same acronym/symbol "AL^{PM}" in this section and elsewhere to refer to the 30- and 60-minute block average action level and stop work level for PM10 is ambiguous and confusing. For example, the third sentence of the first paragraph can be interpreted to describe the AL^{PM} as being two times itself. We recommend using different acronyms/symbols to represent these four separate parameters, e.g., AL^{PM-30}, SWL^{PM-30}, AL^{PM-60}, and SWL^{PM-60}.

4. Page 3, Section 3.4 "Stop Work" Level for Wind: The plan proposes to use a wind speed of 20 miles per hour (mph) for a "Stop Work" level. Since the Exide demolition site is in an urban type of environment in close proximity to residences and a school, we recommend using a lower wind speed in the vicinity of 10 – 15 mph as a more protective measure.

5. Page 4, Section 3.5 "Particulate Monitors and Wind Speed Data Monitoring and Notification": The plan specifies that notifications will be transmitted electronically to on-site field personnel and that data reports will be submitted on a regular basis to TCEQ. The plan does not specify whether any of this information will be made available to the public, and if so, how it will be publicized. Please clarify how this information will be shared with the public. For example, stop work notifications may be published to a public, dedicated Twitter feed in addition to being sent via text message and email to Exide personnel and consultants, and periodic reports on air monitoring data (including lab analysis of metals content) may be posted on the Exide website dedicated to the Frisco facility.

6. Page 6, Section 4.1 "Metals Analyses": It is recommended that the plan specify that only properly accredited laboratories be used to conduct the analytical analyses for metals.

7. Page 6, Section 4.1 "Metals Analyses": The plan describes the spatial positioning of the Gilian Model GilAir5 air sampling pumps, but does not specify if the GilAir5 samplers will be equipped with omni-directional air intakes or describe the orientation of the air intakes.

8. Page 6, Section 4.3 Metals Concentrations Stop Work Levels, adjustments to the Pb NAAQS based on averaging times: See related comment to page 2 above.

9. Page 7, Table 1. Initial Action Levels and Response, Particulates, PM10 Particulate Monitors, 30-minute block average, Stop Work Level: The listed PM10 Stop Work Level is described as 0.2 mg/m3. It is recommended that the absolute value of the PM10 NAAQS (0.15 mg/m3) be used as the Action Level as a protective measure.

10. Page 7, Table 1. Initial Action Levels and Response, Lead, Low Volume Particulate Samplers, Take Action Level and Stop Work Level: The Stop Work Level is not clearly described in the related narrative on page 2, Section 3.3.1. We do not recommend adjusting the Pb NAAQS to generate the Pb Action Level or Stop Work Level. See related first comment for page 2 above.

11. Page 9, Table 2 "Schedule of Audits, Calibrations, and Quality Control Checks" and Section 7.1.1: The table specifies a frequency of two weeks for cleaning size selective inlets, three weeks for flow checks, and monthly for leak checks and cleaning of nozzles and vanes. We recommend a frequency of one week for these items, due to anticipated potential high particulate matter concentrations in which these units will be operating.

12. Page 9, Table 2 "Schedule of Audits, Calibrations, and Quality Control Checks" and Section 7.1.1: We do not think that the E-BAM is a federal reference or equivalent method, and 1) the manufacturer's recommended operation, quality control and quality assurance should be followed, and 2) we recommend that acceptable ranges for corresponding parameters should be included in Table 2 and Section 7.1.1.

General Comments

1. Throughout the plan, ambiguous references are made to Exide's "contractors" and "consultants" (Sections 3.6.1, 3.6.2, 4.1, 4.2, 4.3, 5.1, 7.3, and 7.4). It is recommended that such consultants and contractors be explicitly identified in all instances, e.g., RSI, FDS, W&M Environmental Group, Inc., etc.

2. Throughout the report, the air samplers used to collect samples for metals analyses are referred to by different terms, such as "low volume particulate sampler" and "air sampling pump" in Section 4.1, and as "full shift air samplers" in Section 6.0. It is recommended that consistent terminology be used to refer to the air samplers used to collect samples for metals analyses.

Dust Control Plan Comments

1. Page 2, Section 2.0: The plan states that "[i]f the sustained wind speed (the wind speed obtained by averaging the measured values over a one minute period) exceeds 20 mph, it is a 'high wind condition.' When there is a high wind condition, all waste-disturbing activities must cease until the sustained wind speed declines to 20 mph or lower for at

least 15 consecutive minutes. Non-dust producing activities (equipment maintenance, etc.) may still be conducted during these periods." We recommend using a lower wind speed in the vicinity of 10 – 15 mph as a more protective measure.

General Comments

1. Adequate dust mitigation measures should be in place to address the dust at the sources of the dust-generating activity. If visible dust from a landfill waste-disturbing or traffic-related activity is observed, additional dust mitigation measures, including increased wetting, should be implemented. If the additional dust mitigation measures do not prevent generation of visible dust from the waste-disturbing or traffic-related activities, the activities generating the dust should be stopped until additional dust mitigation measures are implemented and demonstrated to eliminate visible dust.

2. This pertains both air monitoring and dust control plans: Points of contact at TCEQ, City of Frisco, and Exide should be explicitly identified for purposes of reporting citizen complaints/concerns regarding the demolition (observed demolition activity during declared work stoppages, visible dust plumes originating from the plant site, etc.).