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

DEC 2 0 2012

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

Dear Mr. Shafford:

We appreciate the opportunity to meet with you on December 6, 2012, to discuss the demolition and remediation of the Exide facility in Frisco, Texas. As we discussed, EPA has some concerns related to public participation in the remediation of the site. We have also provided comments on the demolition plan, dust control plan and air monitoring plan posted on the Exide website. These comments are attached to this letter. We are also preparing comments on the TCEQ approved Response Action Work Plan (RAWP) for the active landfill. Our comments on the RAWP will be provided in January.

One of our primary recommendations for the proposed clean up process is that TCEQ and Exide allow for a transparent process for public input and participation. Currently, it is not clear how TCEQ and Exide plan to remediate the entire site, how the RCRA permitting process will be used, and how the public will be provided an opportunity for meaningful comment on the proposed actions. We recommend that TCEQ and Exide post the comprehensive plan for the remediation of the site and identify places in the process wherein the public will have an opportunity to comment.

We look forward to working with you. 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)

Enclosure

cc: David McKercher, Exide Technologies, Frisco Plant Manager

Enclosure

EPA comments on Exide plans for activities associated with demolition and remediation:

Decontamination and Demolition Work Plan (dated November 9, 2012)

1. The plan indicates that rinsate samples will be taken and results compared to clean-up levels, which are class 2 non-hazardous waste classification criteria. A description of how many samples will be collected and exactly how the rinsate samples will be collected should be included.

2. The plan indicates base and walls of the buildings will be cleaned; cleaning of the ceiling should also be included.

3. There is only a general discussion on decontamination of other structures on site. Unless it can be shown that dust was not an issue, other process buildings should also be cleaned.

4. There is no discussion regarding closure of treatment units used to reduce the waste material to below class 2 standards for disposal in the on-site landfill (See page 17 of the plan). Please address.

5. The plan discusses unit inspection and verification sampling around the two RCRA permitted structures. However, based upon previous information concerning the condition of the containment building, additional sampling around the perimeter should be included.

6. Is a separate Asbestos Abatement Plan being developed? What asbestos containing materials (ACM) are going to be abated and how? The following ACM are listed from the survey: sheet flooring, mastic, and ceiling texture. It is not clear if these materials are going to be removed. A separate section in the plan that deals directly with the asbestos issue should be included.

Dust Control Plan (dated November 16, 2012)

7. Adequate dust mitigation measures should be in place to address the dust at the source of the dust generating activity. If visible dust from a demolition 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 demolition related activity, the demolition related activity generating the dust should stop until additional dust mitigation measures are implemented and demonstrated to eliminate visible dust.

8. The plans state that "If the sustained wind speeds (the wind speed obtained by averaging the measured values over a one minute period) exceed 20 miles per hour, all active facility demolition and debris/waste loading and placement must cease until the sustained wind speed declines to 20 miles per hour or lower." We recommend that Exide begin with a lower wind speed limit, for example 10 mph, and then raise it incrementally to 20 mph if monitoring data indicates the higher wind speed limit remains protective.

9. The most contaminated buildings at the site have operational dust collection systems, mostly bag houses. There are eighteen bag houses on site. In accordance with the Demolition and Decontamination Work Plan, waste removal and decontamination of these buildings will be

completed with the existing bag house(s) for the buildings in operation. But for demolition of the bag houses themselves, there will be no air pollution control system in operation. This places more importance on dust control for bag house demolition. The steps used to demolish the bag houses and the dust control measures to be employed during demolition should be described. Are the bags removed first? Are the interiors of the bag houses to be decontaminated before demolition? If the bag house structures are dropped or pulled down without prior decontamination, the potential for dust generation would be increased.

Air Monitoring Plan (dated November 21, 2012)

10. Page 5. 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.

11. Page 6. Section 3.3.3 Alternative Formulas to Adjust for Off-Site Particulate Emissions: The plan proposes to adjust the action levels based on potential contributions from off-site particulate emissions. We recommend that this adjustment not be made since the worker and/or off-site potential exposure would be cumulative regardless of whether it came from the Exide demolition or the off-site contributions.

12. Page 7. Section 3.4 "Stop Work" Level for Wind: The plan proposes to use a wind speed of 20 miles per hour 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 miles per hour as a more protective measure. See comment 8 above.

13. Page 10: The plan states that air sample cartridges for metals analysis will be sent to an "independent analytical laboratory (TBD)" for analysis of Pb and Cd. We recommend that the plan be modified to specify that an accredited lab will be used, preferably one accredited by an authorized agency, such as the State, or an accredited lab with nationally recognized expertise in this type of analysis, such as the Wisconsin Occupational Health Laboratory.

14. Page 11. Section 4.3 Metals Concentrations Stop Work Levels, adjustments to the Pb NAAQS based on averaging times: See related comment to page 5 above.

15. Page 12. Last paragraph. Last sentence related to adjustments based on potential upwind/off-site contributions. See related comment to page 6 above.

16. Page 13. Table 1. Action Levels and Response, Particulates, PM10 Particulate Monitors, 30-minute block average, Stop Work Level: The listed PM10 Stop Work Level is described as twice the PM10 NAAQS. The related plan narrative on page 11 does not describe the level as twice the value of the PM10 NAAQS. It is recommended that the absolute value of the PM10 NAAQS be used as the Action Level as a protective measure.

17. Page 13. Table 1. 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 5. Section 3.3.1. We do not recommend adjusting the Pb NAAQS to generate the Pb Action Level or Stop Work Level. See related comment for page 5 above.

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18. Page 13. Table 1. Action Levels and Response, Note related to adjustments based on upwind/off-site contributions. See related comment to page 6 above.

19. Pages 8 and 14, concerning air monitoring data, notifications and reports: 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 a website dedicated to the Exide Frisco facility.

20. It is not clear if dust suppression activities are going to be based on instantaneous results. If based on a 24-hour or work-time result, the "high" may not be known until after the day is complete. Real-time results would allow for the issue to be addressed immediately. EPA response contractors have used EBAMs for overall particulate numbers, but not for real time "work stoppage" data because other particulate monitors give particulate counts in real time and give the particulate data in mg/m3 not in a 24-hour average as the EBAM does. Our contractors have used DataRAMs with Viper Data Management system (telemetry) to provide second by second particulate monitoring.

Community Relations Plan (dated December 2012)

21. The plan needs to contain a clear schedule of all activities, both on the "Exide Retained" property and the J Parcel.

22. The plan also needs to clearly identify when and how public comment opportunities will be provided, particularly when key remedial decisions are being made and prior to approval by the state.

General Comments

23. This pertains to all of the 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.)