

**Many Diversified Interests, Inc.
Houston, Harris County, Texas**



**Contact:
Rafael Casanova, P.G. – (214) 665-7437**

**EPA Region 6
EPA ID#: TXD008083404
Site ID: 0605008**

**State Congressional District: 18
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Current Status

The U.S. Environmental Protection Agency (EPA) reached an agreement with a prospective purchaser, on September 29, 2006, to implement the remedy identified in the Record of Decision for Operable Unit 1 (On-Site Soils and Ground Water) of the Many Diversified Interests (MDI) Inc., Superfund Site (Site). The "Record of Decision" section of this summary discusses the EPA's agreement with the prospective purchaser and the ongoing Remedial Action to clean up the Site.

The EPA is currently performing a Remedial Investigation and Feasibility Study (RI/FS) for Operable Unit (OU) 3 (Residential Crawlspace and Those Residential Areas Not Addressed Under Operable Unit 2) of the Site. The purpose of the RI/FS is to determine the nature and extent of contamination and to gather sufficient information about the Site to support an informed risk management decision regarding which remedy is the most appropriate for the Site. The RI/FS is expected to be completed in August 2009.

The EPA has issued a Record of Decision (ROD) for OUs 1 (On-Site Soils and Ground Water) and 2 (Off-Site Residential Yards and High Access Areas). OU 1 consists of the "On-Site Soils and Ground Water" (e.g., the area within the fenced boundaries of the Site). The ROD for OU 1 was issued on July 30, 2004. OU 2 consists of the "Off-Site Residential Yards and High Access Areas" of the Site. The ROD for OU 2 was issued on September 23, 2005. These RODs are discussed in more detail in the "Record of Decision" section of this summary.

Benefits

The removal of lead-contaminated soils from 149 residential properties prevents those children and adults from being exposed to lead. Other specific cleanup benefits will be identified during the current RI/FS for OU 3, which will address the residential crawlspaces and other areas not addressed under OU 2. A crawlspace is a narrow space, such as one underneath homes elevated from the surface of the ground, which gives workers access to plumbing or other utilities. Children are known to play in these areas.

The thirty-six (36) acres within the Site's fenced boundaries (OU 1) can be redeveloped for beneficial use once the selected Remedial Action for OU 1 is implemented.

National Priorities List History

Final Listing Date: January 19, 1999.

The National Priorities List (NPL) is a list of national priorities among the known or threatened releases of hazardous substances, pollutants, or contaminants throughout the United States. The NPL is intended primarily to guide the EPA in determining which sites warrant further investigation to assess the nature and extent of public health and environmental risks associated with a release of hazardous substances.

Site Description

Location: The former foundry (OU 1) occupies a 36-acre tract of land located at 3617 Baer Street in Houston, Texas. The Site is located approximately 2 miles east of downtown Houston and 1 block south of Interstate Highway 10 in an area of mixed industrial and residential land use (see the "Site Map" section of this summary). This part of Houston is known as the "Fifth Ward." The MDI property is bounded by Hare Street to the north, National Vinegar Company and Press Street to the east, the former Texas & New Orleans railroad right-of-way beyond the easement to the south, and Bringhurst Street to the west. Residential areas are adjacent to the east, west, and north sides of the Site. Blanche Kelso Bruce Elementary School is located adjacent to the west side of the Site across Bringhurst Street. Industrial areas are adjacent to the south side of the Site. The Site includes the residential yards and High Access Areas (HAAs, OU 2) surrounding the former foundry. HAAs include residential yards or properties, schools, child day care centers, playgrounds, and churches that surround the fenced boundaries (OU 1) of the Site. Residential properties are defined, in the EPA's guidance, as any area with high accessibility to sensitive populations, and includes properties containing single- and multi-family dwellings, apartment complexes, vacant lots in residential areas, community centers, parks, green ways, and any other areas where children may be exposed to site-related contaminated media.

Population: According to Census data from the year 2000, there were 3,952 persons living within ½ mile of the MDI Site, with a minority percentage of 98.9%.

Setting: In 1926, Texas Electric Steel Casting Company (TESCO) began operations as a metal casting foundry at the MDI Site. A second foundry was built on the eastern portion of the Site during the latter half of the year 1970. TESCO primarily manufactured specialty molded parts such as large wheels, tracks, and mining equipment. In 1990, MDI bought the TESCO note from Texas Commerce Bank. TESCO ceased operations in February 1991, and MDI foreclosed on the property. MDI reopened as the San Jacinto Foundry (SJF) on March 1, 1991. SJF continued operations until about June 1, 1992. MDI filed for Chapter 7 Bankruptcy in the U.S. Bankruptcy Court for the Southern District of Texas (Houston District) on May 20, 1992.

The on-site facilities were demolished as a salvage operation under order of the U.S. Bankruptcy Court between March 1995 and January 1996. Structures currently on the Site include concrete foundations from several demolished foundry buildings, a laboratory and administration building, a railroad boxcar used as a former storage building, a large melt transformer in the northwest corner of the site, and several concrete structures formerly used as vats. Remnants at the Site include numerous piles of demolition debris consisting mainly of brick, wood, refractory brick, and miscellaneous debris. Other current significant Site features include two ponds, two former drum storage areas, and a pattern vault.

The EPA believes that the air emissions from the former foundry, which contained particles of lead, may have caused the on-site (OU 1) and off-site (OUs 2 and 3) soils to become contaminated through the air deposition of these particles. Foundry practices may have also contributed to the on-site lead contamination of the soils. Other probable sources of lead contamination that may have impacted the on- and off-site soils may include lead-based paint and historical deposition from vehicular lead-based fuel emissions, among other possible sources.

Photos: [2008](#)

Hydrology: Surface water features at the Site include the North and South Ponds. Both of these ponds appear to be remnants of the old Ingraham Gully, which existed at the Site prior to the installation of the underground concrete box culvert. Whereas standing water is prevalent in the South Pond, the North Pond is typically dry except immediately after a significant rainfall. The MDI Site is essentially flat, with a gentle slope to the west. Topography on the Site is primarily a function of the distribution of the stockpiled debris and foundry sands, resulting in topographic relief on the order of 20 feet. Surface water flows to the South Pond on the southern half of the Site, and towards the center of the Site and the North Pond on the northern half of the Site.

Ground water flow at the Site is controlled by the interaction between the North Pond, the foundry sands, and the native soils. A shallow water-bearing zone is identified as the water table aquifer that occurs in both the native materials and within the foundry sand fill materials. The static water surface of this zone is typically encountered between 22 and 26 feet below the ground surface.

Site Map



Wastes And Volumes

The Chemicals of Concern (COC) that were investigated during the RI/FS for OU 1 included lead, manganese, molybdenum, benzo(a)pyrene, "Total Petroleum Hydrocarbons" and asbestos. The COCs for OUs 2 and 3 included lead. The "Record of Decision" section of this summary identifies the wastes and volumes that will be addressed under the Selected Remedy for OU 1. The volume of lead-contaminated soil removed from the residential areas of OUs 2 and 3 will be determined once the remedial action for OU 3 has been completed.

Health Considerations

A Human Health Risk Assessment (HHRA) estimates the current and possible future risks if no action were taken to clean up a site. The EPA's Superfund risk assessors determine how threatening a hazardous waste site is to human health and the environment. They seek to determine a safe level for each potentially dangerous contaminant present (e.g., a level at which ill health effects are unlikely and the probability of cancer is very small). Living near a Superfund site doesn't automatically place a person at risk, that depends on the chemicals present and the ways people are exposed to them. A HHRA was has been performed for OUs 1 and 2 and is currently being planned for OU 3.

Carcinogens

For carcinogens, risks are generally expressed as the incremental probability of an individual developing cancer over a lifetime as a result of exposure to the carcinogen. These risks are probabilities that are expressed in scientific notation (e.g., 1×10^{-6}). An Excess Lifetime Cancer Risk (ELCR) of 1.0×10^{-6} indicates that an individual experiencing the Reasonable Maximum Exposure estimate has a 1 in 1,000,000 chance of developing cancer as a result of Site-related exposure. This is referred to as an ELCR because it would be in addition to the risks of cancer individuals face from other causes such as smoking or exposure to too much sun. The chance of an individual developing cancer from all other causes has been estimated to be as high as one in three. The EPA's generally acceptable risk range for Site-related exposures is 1.0×10^{-4} to 1.0×10^{-6} , or a 1 in 10,000 to 1 in 1,000,000 chance, respectively, of an individual developing cancer.

Noncarcinogens

For noncarcinogens (systemic toxicants), potential effects are evaluated by comparing an exposure level over a specified time period (e.g., exposure duration) with a reference dose (RfD) derived for a similar exposure period. An RfD represents a level that an individual may be exposed to that is not expected to cause any harmful effect. The ratio of exposure to toxicity is called a hazard quotient (HQ). An HQ of less than 1 indicates that a receptor's dose of a single contaminant is less than the RfD, and that toxic noncarcinogenic effects from that chemical are unlikely. The Hazard Index (HI) is generated by adding the HQs for all COCs that affect the same target organ (e.g., liver) or that act through the same mechanism of action within a medium or across all media to which a given individual may reasonably be exposed. An HI of less than 1 indicates that, based on the sum of all HQ's from different contaminants and exposure routes, toxic noncarcinogenic effects from all contaminants are unlikely. An HI greater than 1 indicates that Site-related exposures may present a risk to human health.

Lead

Lead (Pb) does not have a nationally approved reference dose, slope factor, or other accepted toxicological factor which can be used to assess risk; therefore, standard risk assessment methods, such as those used for carcinogens and noncarcinogens, cannot be used to evaluate the health risks associated with Pb contamination. Instead, the "Integrated Exposure Uptake Biokinetic (IEUBK) Model for Pb in Children" was used to evaluate the risks posed to young children as a result of the Pb contamination in the residential yards and HAAs of the Site. Site-specific data was used in the IEUBK

Model to predict a Pb soil level that will be protective of children and adults. Young children can be exposed to Pb by several media including air, soil, water, dust, diet, and Pb-based paint. The IEUBK Model predicts the probability that children exposed to Pb-containing media will have blood-Pb concentrations exceeding a health-based level of concern.

The EPA's Office of Solid Waste and Emergency Response states in the August 1998 directive that the risk reduction goal is to attempt to limit exposure to soil Pb levels such that a typical (or hypothetical) child or group of similarly exposed children would have an estimated risk of no more than 5% of exceeding a 10 microgram/deciliter ($\mu\text{g}/\text{dL}$) blood-Pb level. This blood-Pb level is established by the Federal Centers for Disease Control and Prevention (CDC). The directive also states that the EPA recommends that a soil Pb concentration be determined so that a typical child or group of children exposed to Pb at this level would have an estimated risk of no more than 5% of exceeding a blood-Pb level of 10 $\mu\text{g}/\text{dL}$.

Operable Unit 1 (On-Site Soils and Ground Water):

The Selected Remedy for the ground water at OU 1 will be protective of human health and the environment. Reduction of the B(a)P concentration in the ground water, by source removal and Monitored Natural Attenuation (MNA), to below the drinking water Maximum Contaminant Level will return the ground water to beneficial use and will reduce the cancer risk level of 1.0×10^{-3} to below the acceptable risk level of 1.0×10^{-4} . Reduction of the TPH concentration in the ground water to below the Protective Concentration Level of 4.1 milligrams/liter (mg/L), equivalent to an HI of 1.1, will also be protective of human health and the environment.

The Selected Remedy for the soil at OU 1 will also be protective of human health and the environment. The cleanup level of 500 milligrams/kilogram (mg/kg) for lead in soils will meet the EPA's goal of limiting soil lead levels such that a typical (or hypothetical) child or group of similarly exposed children would have an estimated risk of no more than 5% exceeding the 10 $\mu\text{g}/\text{dL}$ blood-lead level established by the CDC. Lead affects multiple target systems in adults and children; however, young children (generally seven years of age and younger) are at greatest risk from the effects of lead. Lead can cause damage to the brain and nervous system; slowed growth; and behavioral, learning, and hearing problems.

Institutional Controls (ICs) will be implemented to prevent exposure of human receptors to ground water contaminated with manganese and molybdenum. ICs will also be used during MNA for B(a)P and TPH.

Operable Unit 2 (Off-Site Residential Yards and High Access Areas):

The HHRA for OU 2 focused on the residual risk remaining after the removal actions for both children and adults in a residential setting (e.g., children ingesting soil while playing in the area) and on those residential yards and high access areas, within the study area, not addressed under a removal action (e.g., those areas with lead concentrations less than the conservative practical cleanup level of 463 mg/kg). The EPA believes that the Selected Remedy of "no further remedial action" is the appropriate decision since previous removal actions have eliminated the existing and potential risks to human health and the environment so that no further action is necessary.

Record Of Decision

The final remedy (cleanup alternative) for a site is published in a Record of Decision (ROD). The ROD is the official documentation of how the EPA considered the remedial alternatives and why the EPA selected the final remedy. Before a ROD can be finalized, the EPA must provide a Proposed Plan for public review and comment. This plan summarizes the remedial alternatives presented in the analysis of the RI/FS and identifies the preferred alternative, the rationale for that preferred alternative, and documents that support the EPA's decision.

Operable Unit 1 (On-Site Soils and Ground Water):

The EPA issued a ROD for OU 1 on July 30, 2004. Briefly, the major components of the Selected Remedy are:

- a. Excavation and Treatment (solidification/stabilization, if necessary) of approximately 13,600 cubic yards (yd³) of soils with lead concentrations equal to or greater than 500 milligrams per kilogram (mg/kg) to a maximum depth of 1.5 feet below ground surface (bgs), and approximately 3,000 yd³ of soils stockpiled at the Site from a previous removal action will also be treated, if necessary. Transportation and Disposal (at a permitted off-site waste disposal facility) of the treated and untreated soils;
- b. Transportation and Disposal (at a permitted off-site waste disposal facility) of approximately 31,621 yd³ of debris (nonhazardous debris, foundry sand, and slag), the Asbestos-Containing Material in the on-site building and scattered throughout the Site, and an Underground Storage Tank in the vicinity of Monitoring Well (MW) 20;
- c. Excavation and Disposal (at a permitted off-site waste disposal facility) of approximately 2,100 yd³ of soils contaminated with benzo(a)pyrene, or other organics, at the MW-3 location; light nonaqueous-phase liquids at the MW-11 location; and Total Petroleum Hydrocarbons at the MW-20 location. Soil cleanup levels for these isolated source areas will be determined during the remedial design and remedial action for the Selected Remedy;
- d. Implementation of Monitored Natural Attenuation for the ground water, which includes source removal and Long-Term Monitoring for the ground water to ensure that constituents above cleanup goals are naturally attenuating; and
- e. Implementation of Institutional Controls for both the soils and ground water to prevent exposure to soil contamination above acceptable cleanup levels and to prevent exposure to contaminated ground water in the shallow water-bearing zone.

The MDI Site is a Superfund Reuse pilot site. In September 1999, the Mayor's Office of Environmental Policy (City of Houston) received a Superfund Redevelopment Initiative (SRI) Grant. The City of Houston was selected to receive one of 10 pilot grants being awarded nationwide under the EPA's innovative SRI. The City received \$100,000 to conduct a reuse assessment and public outreach to help determine how best to redevelop the former MDI property in the Fifth Ward. The MDI Citizen Advisory Group, in the "Reuse Assessment Report," recommended reuse of the site for mixed residential, organized recreational, and neighborhood-scale commercial uses.

On March 22, 2005, the bankruptcy trustee for the MDI property, represented by Waldron & Schneider, LLP, auctioned the 36 acres of property (OU 1) for a total sales price of \$7,897,539.

On May 26, 2006, the prospective purchaser for the Site, Clinton Gregg Investments, Ltd., signed an "Agreed Order on Consent and Covenant Not to Sue" (Agreed Order). This is the first-ever agreement in the nation by a non-liaible party to clean up a Superfund Site. The prospective purchaser agrees to implement the remedy identified in the ROD for OU 1 (On-Site Soils and Ground Water). This agreement will save the EPA and taxpayers \$6.6 million, the EPA's estimated cost to implement the remedy. The remedy consists of, among other actions, cleanup of the soils to residential standards. The EPA published a Federal Register (FR) Notice on June 1, 2006. The FR Notice solicited public review and comment on the EPA's agreement with the prospective purchaser. The public comment period ended on July 3, 2006. As requested by the public, the EPA held a public meeting, on August 7, 2006, (see the "Community Involvement" section) to discuss the EPA's proposed decision not to sue the prospective purchaser. The Agreed Order became final on September 29, 2006. The Remedial Action for the soils is complete and has been approved by the EPA. Monitoring of the ground water is continuing according to the approved work plan.

Operable Unit 2 (Off-Site Residential Yards and High Access Areas):

The EPA issued a ROD for OU 2 on September 23, 2005. The EPA's final remedy decision for OU 2 was "no further remedial action," since the previous yard removal actions eliminated the existing and potential risks to human health and the environment so that no further action was necessary. In 1998 and 1999, the Texas Natural Resource Conservation Commission (TNRCC, now the Texas Commission on Environmental Quality [TCEQ]) performed a Removal Action at 89 residential yards and High Access Areas (HAAs). In November 2003 and June 2005, the EPA completed Removal Actions at 60 residential yards and HAAs, which included the Blanche Kelso Bruce Elementary School, Fifth Ward Multi-Service Center, and several churches. The purpose of the Removal Actions was to remove surface soil with concentrations of lead that equaled or exceeded the cleanup goal of 500 milligrams per kilogram (mg/kg) to reduce the exposure of children and adults to lead. The EPA believes that these Removal Actions addressed all of the residential yards and HAAs that could have been affected by the air emissions of particulates containing lead from the former foundry and for which the EPA was granted access for sampling.

Operable Unit 3 (Residential Crawlspace and Those Residential Areas Not Addressed Under Operable Unit 2):

Approximately one hundred and twelve (112) properties located within the study area could not be sampled because the owners could not be located, or they were not responsive to the EPA's requests for sampling, or they denied the EPA access for sampling. These residential areas, including the residential crawlspaces, will be investigated during the RI/FS for OU 3, which began on September 29, 2007. The ROD for OU 3 is scheduled for issuance in August 2009.

Community Involvement

Community Involvement Plan:

The Community Involvement Plan (CIP) specifies the community involvement activities that the EPA expects to undertake during the remedial activities planned for the Site. A CIP, prepared in November 1999, was based on community interviews and other relevant information about the Site. This CIP is available at the Site's Repository. The purpose of the Site Repository is to provide the public a location near their community to review and copy background and current information about the Site. The Site's repository is located at:

Fifth Ward Multi-Service Center/Library
4041 Market Street
Houston, TX 77020
Telephone Number: 832-393-1770

Phillis Wheatley High School/Library
4900 Market Street
Houston, TX 77020

Anyone who wishes to be placed on the mailing list to receive current information about the Site is encouraged to call 1-800-533-3508.

Open Houses:

Several open houses, community meetings, or other outreach campaigns were held to discuss the EPA's current and planned environmental activities for the Site.

On June 9-13, 2002, the EPA's staff conducted an extensive "Door-To-Door Community

Outreach Campaign” in an effort to inform the Fifth Ward residents of the EPA’s current and future remedial activities at the Site, gather information about the Site, and provide the community with an opportunity to meet with the EPA staff responsible for the activities at the Site. The Site Team conducted interviews with over 80 residents of homes located within a 1/4 mile radius of the Site, held a public meeting, interviewed several former employees of the TESCO Site, and met with local community leaders and business owners. Several community leaders and members of the “Mothers for Clean Air” organization participated in the extensive outreach effort.

A community meeting was held on November 19, 2002, at the Blanche Kelso Bruce Elementary School, which is located one block west of the Site. A simultaneous translator was provided for the Spanish-speaking community members. The purpose of this meeting was to discuss the EPA’s planned activities during the RI/FS for the Site.

A community meeting was held on June 24, 2003, at the local Fifth Ward Multi-Service Center. A simultaneous translator was provided for the Spanish-speaking community members. The purpose of this meeting was to discuss the planned removal and remedial actions for the Site. The EPA coordinated participation by the City of Houston’s Department of Health and Human Services, the Texas Department of Health, and the Agency for Toxic Substances and Disease Registry to address the community’s health concerns. The City’s health department conducted child blood-lead screening during the course of the meeting.

A community meeting was held on August 19, 2004, at 7 pm at the Fifth Ward Multi-Service Center to discuss the Selected Remedy for OU 1 with the community. EPA released a Record of Decision based on community input.

A community meeting was held on January 12, 2006, at 7 pm at the Kelly Village Community Center to discuss the planned Removal Action for a portion of the housing complex.

A community meeting was held on February 16, 2006, at 6 pm at the Kelly Village Community Center to discuss the planned Removal Action with residents that could not attend the first meeting.

An open house was held on May 16, 2006, at 7 pm at the Fifth Ward Multi-Service Center to provide the public an update on the status of OUs 1, 2, and 3.

An open house was held on February 27 and June 21, 2007, at 7 pm at the Fifth Ward Multi-Service Center to introduce the purchaser of the Site (OU 1) and the purchaser’s contractor.

An open house was held on June 24, 2008, at 7 pm at the Blanche Kelso Bruce Elementary School to discuss the current and future activities at the Site and to introduce the purchaser of the Site (OU 1) and the purchaser’s contractor.

Fact sheets have been prepared, and will continue to be prepared as necessary during the planning and implementation of the RI/FS for OU 3 and the Remedial Design and Remedial Action for OU 1. These fact sheets have been filed at the Site’s repository and distributed to people on the mailing list. Anyone who wishes to be placed on the mailing list to receive current information about the Site is encouraged to call 1-800-533-3508.

Proposed Plan:

Before a ROD can be finalized, the EPA must provide a Proposed Plan for public review and comment. This plan summarizes the remedial alternatives presented in the analysis of the Remedial Investigation and Feasibility Study (RI/FS) and identifies the preferred alternative, the rationale for that preferred alternative, and documents that support the EPA’s decision.

The Proposed Plan for OU 1 was issued on February 1, 2004. The EPA received numerous

public comments on the EPA's preferred alternative. The EPA's Selected Remedy for the Site reflected the public's comments.

The Proposed Plan for OU 2 was issued on July 28, 2005. The EPA's preferred alternative for the Site was "no further action required." The public did not comment on the EPA's preferred alternative.

A Proposed Plan has not been issued for OU 3. The Proposed Plan for OU 3 is scheduled for issuance in May 2009.

Public Meeting:

A formal public meeting was held on February 26, 2004, at 7 pm at the Fifth Ward Multi-Service Center to present the Proposed Plan for Operable Unit 1 (On-Site Soils and Ground Water). Oral and written comments were accepted at the meeting concerning the EPA's proposed alternative for the Site. The EPA's Selected Remedy for the Site reflected the public's comments.

A formal public meeting was held on August 16, 2005, at 7 pm at the Fifth Ward Multi-Service Center to present the Proposed Plan for Operable Unit 2 (Off-Site Residential Yards and High Access Areas). Oral and written comments were accepted at the meeting; however, the public did not comment on the EPA's preferred alternative.

A formal public meeting will be scheduled after issuance of the Proposed Plan for OU 3 so that the public can provide input into the EPA's proposed final decision for the Site. A Proposed Plan is scheduled for issuance in the latter part of the year 2007 or the early part of 2008.

As requested by the public, the EPA hosted a public meeting to discuss the EPA's proposed decision not to sue the prospective purchaser regarding the handling of waste that may present an imminent and substantial endangerment while the purchaser implements the remedy identified in the Record of Decision for Operable Unit 1. This meeting was held:

Monday, August 7, 2006, 7:00 p.m.
Fifth Ward Multi-Service Center
4014 Market Street, Houston, Texas 77020

Technical Assistance Grant:

A Technical Assistance Grant (TAG) is for a local citizens' group to secure the services of a technical advisor to increase citizen understanding of information that will be developed about the Site during the Superfund process. To be eligible for a grant, a group must incorporate. Also, the applicant must meet a 20 percent matching requirement, which may be in cash or donated services. If you are interested in applying for a TAG, please call Ms. Beverly Negri (TAG Coordinator) at (214) 665-8157 or toll-free at 1-800-533-3508.

"Availability Notices" were published in local newspapers on May 5, 1999, and October 31, 2000. The TAG application process begins when a group of individuals affected by the Site submit a Letter of Intent (LOI) to the EPA. LOIs to apply for the TAG were received from Phillip J. Smith on April 13, 1999; Sarah Rowles on April 13, 1999; Rita Love on May 11, 1999; and Jane L. Laping on September 12, 2000 (Mothers for Clean Air, Inc.; 3015 Richmond; Suite 270; Houston, Texas 77098). A final TAG application was received on May 18, 2001. The TAG was awarded to "Mothers for Clean Air" on September 2, 2001.

Site Contacts

U.S. Environmental Protection Agency

Remedial Project Manager: Rafael A. Casanova, P.G. (214) 665-7437*
E-Mail: casanova.rafael@epa.gov

Site Attorney: Barbara Nann (214) 665-2157*
E-Mail: nann.barbara@epa.gov

EPA Public Liaison: Donn R. Walters (214) 665-6483*
E-Mail: walters.donn@epa.gov

*EPA Toll-Free Telephone Number: (800) 533-3508

Texas Commission on Environmental Quality (TCEQ)

State Project Manager: Phillip Winsor (OU 1) (512) 239-1054*
E-Mail: pwinsor@tceq.state.tx.us

State Project Manager: Jeff Patterson (OU 3) (512) 239-2489*
E-Mail: jepatters@tceq.state.tx.us

*State Toll-Free Telephone Number: (800) 633-9363