

Bryan W. Shaw, Ph.D., *Chairman*
Carlos Rubinstein, *Commissioner*
Toby Baker, *Commissioner*
Zak Covar, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

May 15, 2012

Mr. Gary Shelby, P.E.
Principal Project Manager
Legacy Site Services
468 Thomas Jones Way, Suite 150
Exton, PA 19341-2528

Re: Approval of Remedy Standard A – Residential
Response Action Completion Report (RACR) – Municipal Lake Excavation Plan, dated
February 29, 2012
201 Dodge Street, Bryan, Brazos County, Texas
TCEQ SWR No. 31695, CN No. 600124044, RN No. 101664084
TCEQ Agreed Order dated December 2, 1992, Amended April 9, 1999
EPA ID No. TXD008085185

Dear Mr. Shelby:

The Texas Commission on Environmental Quality (TCEQ) has reviewed the above referenced submittal dated February 29, 2012. The response action reported in the subject RACR included the excavation of arsenic contaminated soils around the Municipal Lake and golf course. The contaminated soils were excavated and properly disposed. The properties remediated include: Property R101897 – City of Bryan Property including Austin Recreational Area and Williamson Park, City of Bryan Right-of-way along South College Avenue, including the Municipal Lake Dam Area, and Property R51043 – Grahams Property. Based on TCEQ review of the subject RACR, Texas Risk Reduction Program (TRRP) Remedy Standard A Residential Protective Concentration Levels (PCLs) have been achieved such that no institutional control or post-response action care is required. No further action is required under 30 Texas Administrative Code (TAC) §350 for the above-referenced areas.

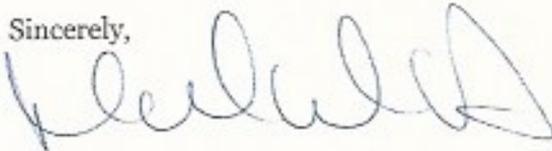
In order to attain Remedy Standard A under TRRP, all industrial solid waste and municipal hazardous waste and waste residues must be removed or decontaminated from affected media (i.e., soil, surface water, groundwater, air, etc.) to applicable human health and ecological based standards and criteria. In order to be released from the requirement to file an institutional control in accordance with 30 TAC §350 Subchapter F, contaminants that remain in place must not exceed Residential PCLs.

Please be aware that it is the continuing obligation of persons associated with a site to ensure that municipal hazardous waste and industrial solid waste are managed in a manner which does not cause the discharge or imminent threat of discharge of waste into or adjacent to waters in the state, a nuisance, or the endangerment of the public health and welfare as required by 30 TAC §335.4. If the activities described in the report fail to comply with these requirements, please take any necessary and authorized action to correct such conditions. A TCEQ field inspector may conduct an inspection of the site to determine compliance with the report.

Mr. Gary Shelby
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TCEQ SWR No. 31695

Questions concerning this letter should be directed to me at (512) 239-2261. When responding by mail, please submit an original and one copy of all correspondence and reports to the TCEQ Remediation Division at Mail Code MC-127 with an additional copy submitted to the local TCEQ Region Office. Please note that the Remediation Division sends letters via email when appropriate. Therefore, current email addresses and the site identification information in the reference block should be included in all future submittals.

Sincerely,

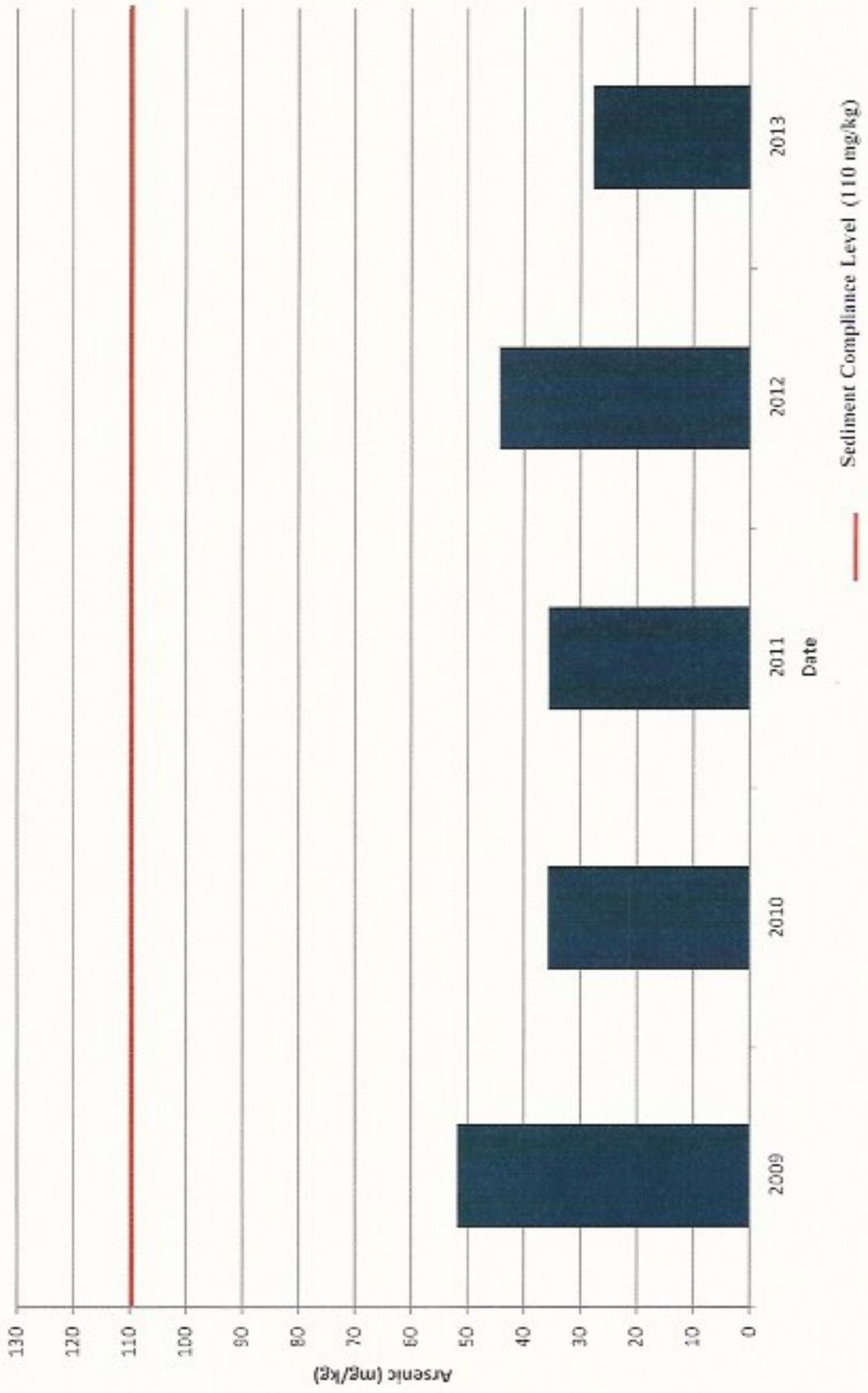


Antonieta Arteaga, Project Manager
Corrective Action Team, VCP-CA Section
Remediation Division
Texas Commission on Environmental Quality

AA/jdm

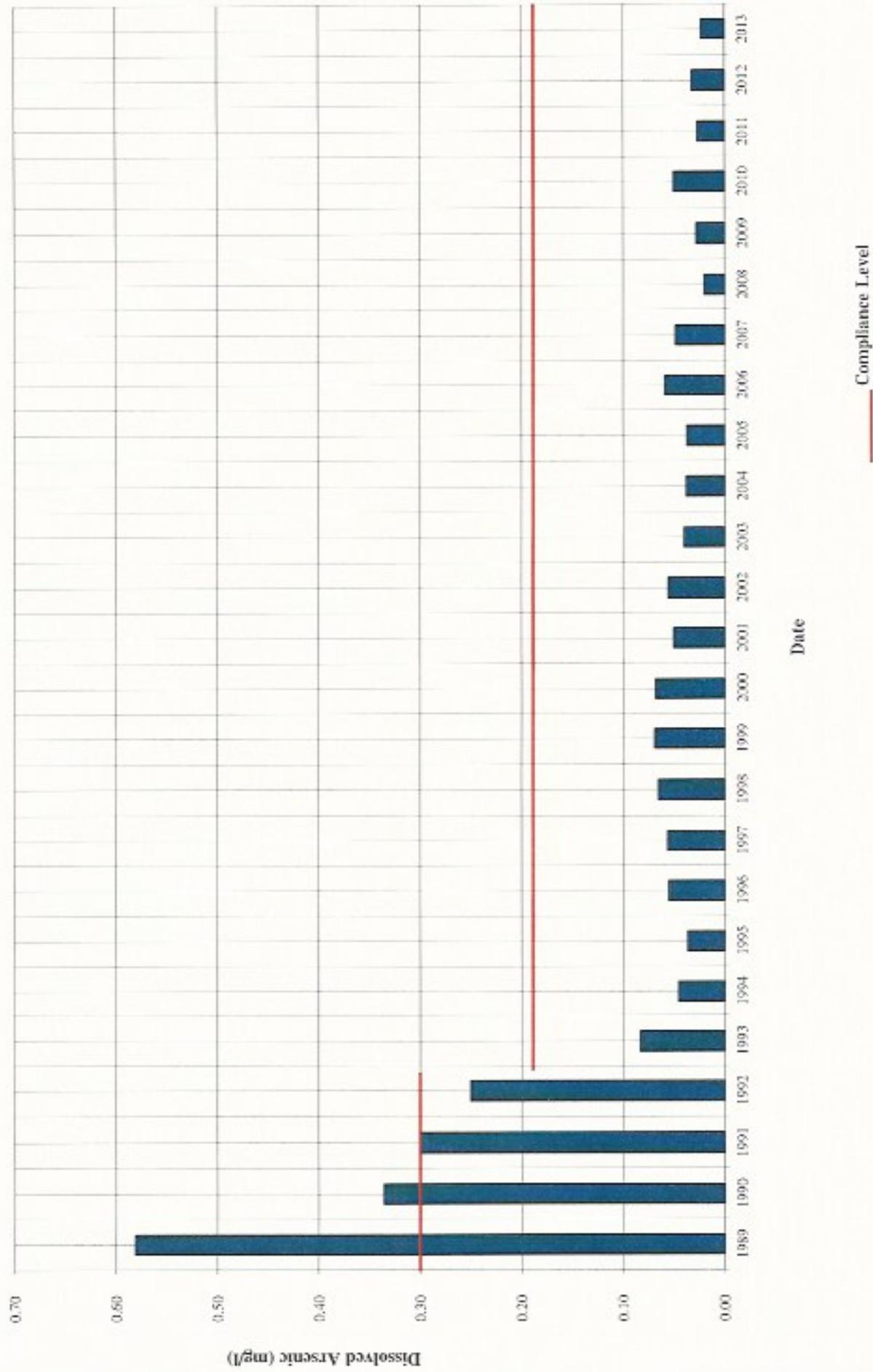
cc: Mr. Daniel C. Warth, P.E., URS Group, Inc. Dan_Warth@urscorp.com
Ms. Kim Sullivan, Legacy Site Services, LLC, Kimberly.sullivan@total.com
Ms. Cindy Schwarzlose, URS, cydneyn_schwarzlose@urscorp.com
Mr. Frank Burleson, Waste Program Manager, TCEQ Region 9 Office, Waco

Municipal Lake Average¹ Annual Arsenic Concentrations in Sediment Samples



¹ Multiple samples were collected from different locations within Municipal Lake each year. Arsenic concentrations for each sample location were below the compliance level.

Municipal Lake Annual Average Dissolved Arsenic Concentrations





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 City of Bryan GIS
 P.O. BOX 1000
 Bryan, TX 77805



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