

DOCUMENTATION OF ENVIRONMENTAL INDICATOR DETERMINATION

Interim Final 2/5/99

**RCRA Corrective Action  
Environmental Indicator (EI) RCRAInfo code (CA725)**

**Current Human Exposures Under Control**

**Facility Name:** Alpha Omega Recycling, Inc.  
**Facility Address:** 315 W. Whatley Road, Longview, TX  
**Facility EPA ID #:** TXD981514383

1. Has **all** available relevant/significant information on known and reasonably suspected releases to soil, groundwater, surface water/sediments, and air, subject to RCRA Corrective Action (e.g., from Solid Waste Management Units (SWMU), Regulated Units (RU), and Areas of Concern (AOC)), been **considered** in this EI determination?
- If yes - check here and continue with #2 below.
- If no - re-evaluate existing data, or
- If data are not available skip to #6 and enter "IN" (more information needed) status code.

**BACKGROUND**

**Definition of Environmental Indicators (for the RCRA Corrective Action)**

Environmental Indicators (EI) are measures being used by the RCRA Corrective Action program to go beyond programmatic activity measures (e.g., reports received and approved, etc.) to track changes in the quality of the environment. The two EI developed to-date indicate the quality of the environment in relation to current human exposures to contamination and the migration of contaminated groundwater. An EI for non-human (ecological) receptors is intended to be developed in the future.

**Definition of "Current Human Exposures Under Control" EI**

A positive "Current Human Exposures Under Control" EI determination ("YE" status code) indicates that there are no "unacceptable" human exposures to "contamination" (i.e., contaminants in concentrations in excess of appropriate risk-based levels) that can be reasonably expected under current land- and groundwater-use conditions (for all "contamination" subject to RCRA corrective action at or from the identified facility (i.e., site-wide)).

**Relationship of EI to Final Remedies**

While Final remedies remain the long-term objective of the RCRA Corrective Action program the EI are near-term objectives which are currently being used as Program measures for the Government Performance and Results Act of 1993, GPRA). The "Current Human Exposures Under Control" EI are for reasonably expected human exposures under current land- and groundwater-use conditions ONLY, and do not consider potential future land- or groundwater-use conditions or ecological receptors. The RCRA Corrective Action program's overall mission to protect human health and the environment requires that Final remedies address these issues (i.e., potential future human exposure scenarios, future land and groundwater uses, and ecological receptors).

**Duration / Applicability of EI Determinations**

EI Determinations status codes should remain in RCRAInfo national database ONLY as long as they remain true (i.e., RCRAInfo status codes must be changed when the regulatory authorities become aware of contrary information).

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2. Groundwater, soil, surface water, sediments, or air **media** known or reasonably suspected to be “contaminated”<sup>1</sup> above appropriately protective risk-based “levels” (applicable promulgated standards, as well as other appropriate standards, guidelines, guidance, or criteria) from releases subject to RCRA Corrective Action (from SWMUs, RUs or AOCs)?

	<u>Yes</u>	<u>No</u>	<u>?</u>	<u>Rationale / Key Contaminants</u>
Groundwater		X		No reports of contamination in available files.
Air (indoors) <sup>2</sup>		X		No reports of contamination in available files.
Surface Soil (e.g., <2 ft)		X		No reports of contamination in available files.
Surface Water		X		No reports of contamination in available files.
Sediment		X		No reports of contamination in available files.
Subsurf. Soil (e.g., >2 ft)		X		No reports of contamination in available files.
Air (outdoors)		X		No reports of contamination in available files.

- X  
— If no (for all media) - skip to #6, and enter “YE” status code after providing or citing appropriate “levels”, and referencing sufficient supporting documentation demonstrating that these “levels” are not exceeded.
- If yes (for any media) - continue after identifying key contaminants in each “contaminated” medium, citing appropriate “levels” (or provide an explanation for the determination that the medium could pose an unacceptable risk), and referencing supporting documentation.
- If unknown (for any media) - skip to #6 and enter “IN” status code.

Rationale and Reference(s):

**Facility Description**

Alpha Omega Recycling is located at 315 W. Whatley Road in Longview, Texas. The land use near the facility is a mix of commercial, agricultural, and residential property. The facility is a Treatment, Storage and Disposal Facility (TSDF), which is involved in the recycling of non-hazardous, industrial and hazardous waste, in order to recycle materials. The facility recycles wastes (debris, paints, and soils) in order to reclaim various metals such as zinc, nickel, cadmium, etc. (Reference 1). The facility also appears to conduct neutralization of acids and bases. The

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<sup>1</sup> “Contamination” and “contaminated” describes media containing contaminants (in any form, NAPL and/or dissolved, vapors, or solids, that are subject to RCRA) in concentrations in excess of appropriately protective risk-based “levels” (for the media, that identify risks within the acceptable risk range).

<sup>2</sup> Recent evidence (from the Colorado Dept. of Public Health and Environment, and others) suggests that unacceptable indoor air concentrations are more common in structures above groundwater with volatile contaminants than previously believed. This is a rapidly developing field and reviewers are encouraged to look to the latest guidance for the appropriate methods and scale of demonstration necessary to be reasonably certain that indoor air (in structures located above (and adjacent to) groundwater with volatile contaminants) does not present unacceptable risks.

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types of processes being conducted on site are not clearly described in the file material, because much of the processes involved at the facility are not regulated by RCRA due to recycling exceptions and exemptions.

The facility manages waste in various units including: two RCRA permitted container storage areas (CSAs), two permit exempt hazardous waste areas and a used oil storage area, permitted process units (solid waste permitted), and miscellaneous non-hazardous waste storage areas. There are several recycling units which have exempt status (Reference 1). The first RCRA permitted CSA has a permitted capacity of 534 fifty-five-gallon drums. This unit is a metal roof building with a concrete curb around the entire building to contain spills. The second CSA is a metal roof building with three walls, with one side open. This unit is also enclosed by a concrete curb around the entire building to contain spills (Reference 1). Alpha Omega has a security fence around the total perimeter of the property (Reference 2).

In a facility letter dated June 14, 2001 the facility indicated that they were no longer generating hazardous waste and requested the generator status to be changed from a Large Quantity Generator (LQG) to a Conditionally Exempt Small Quantity Generator (CESQG). This only impacts the generator status not the TSD status of the facility. (Reference 3). Based on the inspection report (Reference 1), the facility had received the CESQG designation prior to the 2002 inspection.

According to Reference 4, the RCRA permit was issued June 8, 1987 for an active "other Treatment" unit and two CSAs. No copy of this or a renewal permit were found in the available files, so corrective action obligations could not be determined from the permit. The Comprehensive Permitting Report also indicates that the "other treatment unit" was clean closed and closure verification was documented by the State of Texas on July 7, 1988. No closure plan, closure certification or closure verification was found in available files. According to the RCRA Information Comprehensive Corrective Action Report (CCAR) run on December 28, 2005, an RFI was determined as not necessary on December 23, 1986, and the CA Prioritization was established as low on June 30, 1992. No CA records to substantiate this information were found in the available files. On May 23, 2006, TechLaw reached TCEQ inspector Mike Van Burskirk who stated that there are no on-going corrective actions and no history of groundwater contamination at this site.

### **Compliance History**

The last inspection occurred on July 20, 2005 and was based on an anonymous complaint that Alpha Omega was improperly managing hazardous wastes by dumping unknown chemicals on the ground and allowing drums of metal catalyst to burn (Reference 7). During this inspection, there were no violations found. The complaint was not substantiated and no further action was determined necessary. Previous inspections including the October 30, 2002; October 6, 1998; July 12, 1995; November 1996; and April 7<sup>th</sup> and 13<sup>th</sup>, 1994 cited many repeat violations; the most common repeated violations included (1) storage of waste beyond the permitted capacity of CSA units 1 and 2, (2) not properly marking or labeling containers, (3) not transferring waste from leaking containers, (4) not notifying TCEQ of other waste units (non-hazardous), and (5) failure to show the need for storage or accumulation of waste for greater than one year. In addition, there were several various types of recordkeeping or administrative violations, such as not paying fees, paper work problems etc. The CEI performed on October 6 to 16, 1998 noted significant violations which resulted in an enforcement action. Agreed Order (AO) - Docket No. 1999-0922 was issued on December 26, 1999 and TCEQ issued a letter to the facility indicating that the facility has fulfilled requirements of the AO (Reference 1).

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When researching files under SWR 37531, it was determined that SWR 37531 and 50203 were duplicate solid waste registrations and the files were to be merged (Reference 6). Records were found under both SWRs.

**References:**

1. Mr. Wayne Wilson of Alpha Omega Recycling to TNRCC, Hazardous Waste Division, Regarding change of generator status to Conditionally Exempt Small Quantity Generator dated June 14, 2001.
2. TCEQ Investigation Report, Alpha Omega Recycling, investigation #15975, investigator, Thomas Erny, dated October 30, 2002.
3. Annual Site Activity Report for Alpha Omega Recycling, Inc. for 2003, dated January 15, 2004.
4. Interoffice Memorandum; To Karen Young, TCEQ from Elizabeth Granja, TCEQ; regarding merge of Files 37531 and 50203; dated October 17, 2003.
5. TCEQ Investigation Report, Alpha Omega Recycling, investigation #278967, investigator, Michael VanBuskirk, conducted July 6 through July 22, 2004.
6. TCEQ Investigation Report, Alpha Omega Recycling, investigation #374165, investigator, Michael VanBuskirk, conducted February 25, 2005.
7. TCEQ Investigation Report, Alpha Omega Recycling, investigation #433823, investigator, Michael VanBuskirk, dated October 03, 2005.
8. TCEQ Complaint Report; Alpha Omega Recycling; Regarding Investigation No. 402785; dated November 11, 2005.
9. RCRA Info Comprehensive Corrective Action Report, run on December 28, 2005
10. RCRA Info Comprehensive Permitting Report, run on January 3, 2006.
11. Communication Log; Between TCEQ Staff and June Dreith, TechLaw, Inc. dated May 18, 19 and 23, 2006.
12. Facility maps, figures 1, 2, and 3

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3. Are there **complete pathways** between “contamination” and human receptors such that exposures can be reasonably expected under the current (land- and groundwater-use) conditions?

Summary Exposure Pathway Evaluation Table

Potential **Human Receptors** (Under Current Conditions)

<b>“Contaminated” Media</b>	Residents	Workers	Day-Care	Construction	Trespassers	Recreation	Food <sup>3</sup>
Groundwater							
Air (indoors)							
Soil (surface, e.g., <2 ft)							
Surface Water							
Sediment							
Soil (subsurface e.g., >2 ft)							
Air (outdoors)							

Instructions for Summary Exposure Pathway Evaluation Table:

1. Strike-out specific Media including Human Receptors spaces for Media which are not “contaminated” as identified in #2 above.
2. enter “yes” or “no” for potential “completeness” under each “Contaminated” Media -- Human Receptor combination (Pathway).

Note: In order to focus the evaluation to the most probable combinations some potential “Contaminated” Media - Human Receptor combinations (Pathways) do not have check spaces (“\_\_\_”). While these combinations may not be probable in most situations they may be possible in some settings and should be added as necessary.

\_\_\_ If no (pathways are not complete for any contaminated media-receptor combination) - skip to #6, and enter “YE” status code, after explaining and/or referencing condition(s) in-place, whether natural or man-made, preventing a complete exposure pathway from each contaminated medium (e.g., use optional Pathway Evaluation Work Sheet to analyze major pathways).

\_\_\_ If yes (pathways are complete for any “Contaminated” Media - Human Receptor combination) - continue after providing supporting explanation.

\_\_\_ If unknown (for any “Contaminated” Media - Human Receptor combination) - skip to #6 and enter “IN” status code.

Rationale and Reference(s):

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<sup>3</sup> Indirect Pathway/Receptor (e.g., vegetables, fruits, crops, meat and dairy products, fish, shellfish, etc.)

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4. Can the **exposures** from any of the complete pathways identified in #3 be reasonably expected to be “**significant**”<sup>4</sup> (i.e., potentially “unacceptable” because exposures can be reasonably expected to be: 1) greater in magnitude (intensity, frequency and/or duration) than assumed in the derivation of the acceptable “levels” (used to identify the “contamination”); or 2) the combination of exposure magnitude (perhaps even though low) and contaminant concentrations (which may be substantially above the acceptable “levels”) could result in greater than acceptable risks)?

- If no (exposures can not be reasonably expected to be significant (i.e., potentially “unacceptable”) for any complete exposure pathway) - skip to #6 and enter “YE” status code after explaining and/or referencing documentation justifying why the exposures (from each of the complete pathways) to “contamination” (identified in #3) are not expected to be “significant.”
  
- If yes (exposures could be reasonably expected to be “significant” (i.e., potentially “unacceptable”) for any complete exposure pathway) - continue after providing a description (of each potentially “unacceptable” exposure pathway) and explaining and/or referencing documentation justifying why the exposures (from each of the remaining complete pathways) to “contamination” (identified in #3) are not expected to be “significant.”
  
- If unknown (for any complete pathway) - skip to #6 and enter “IN” status code

Rationale and Reference(s):

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<sup>4</sup> If there is any question on whether the identified exposures are “significant” (i.e., potentially “unacceptable”) consult a human health Risk Assessment specialist with appropriate education, training and experience.

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5. Can the “significant” **exposures** (identified in #4) be shown to be within **acceptable** limits?

—— If yes (all “significant” exposures have been shown to be within acceptable limits) - continue and enter “YE” after summarizing and referencing documentation justifying why all “significant” exposures to “contamination” are within acceptable limits (e.g., a site-specific Human Health Risk Assessment).

—— If no (there are current exposures that can be reasonably expected to be “unacceptable”)- continue and enter “NO” status code after providing a description of each potentially “unacceptable” exposure.

—— If unknown (for any potentially “unacceptable” exposure) - continue and enter “IN” status code

Rationale and Reference(s):

