

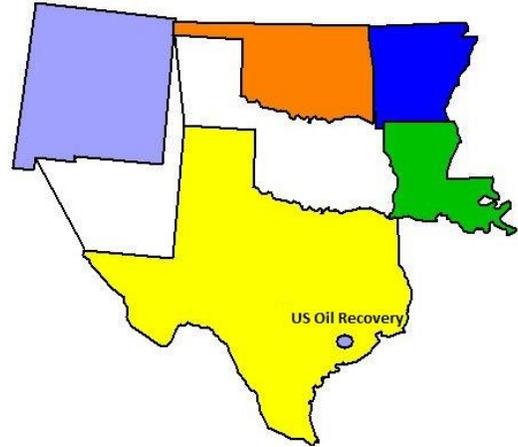
# US Oil Recovery Superfund Site

Pasadena, Harris County, Texas

EPA Region 6  
EPA ID: TXN000607093  
Site ID: A6X7  
Congressional District: 29

Contact: Raji Josiam (214) 665-8529

Updated: March 2015



## Current Status

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Notice is hereby given of a proposed administrative settlement between the United States Environmental Protection Agency (EPA) and Bayer Crop Science, Inc. and members of a group of Potentially Responsible Parties known as the “PRP Group” for the preparation and performance of a Remedial Investigation and Feasibility Study (RI/FS) for the 400 North Richey Street property, known as Area of Investigation 1, of the U.S. Oil Recovery Superfund Site located at 400 North Richey Street and 200 North Richey Street, Pasadena, Harris County, Texas, and the reimbursement for future response costs incurred by the EPA in connection with the RI/FS. The settlement includes a covenant not to sue the Settling Parties pursuant to Section 107(a) of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), 42 U.S.C. 9607(a), and protection from claims for contribution pursuant to Section 113(f)(2) of CERCLA, 42 U.S.C. 9613(f)(2). Questions or comments regarding the settlement should be addressed to EPA attorney Ed Quinones at (214) 665-8035 or at [quinones.edwin@epa.gov](mailto:quinones.edwin@epa.gov).

Pursuant to an Administrative Order on Consent (AOC), dated August 25, 2011, the PRP Group began stabilization activities at the Site around November 2011. In accordance with an EPA approved work plan, and in coordination with the EPA and the Texas Commission on Environmental Quality (TCEQ), a remediation contractor hired by the Potential Responsible Party (PRP) Group, has been stabilizing the Site. Stabilization efforts have included: (1) Site security and video monitoring; (2) regular inspections of the Site; (3) pump down/removal of liquids as necessary to prevent releases from containment areas; (4) removal/disposal of sludges and liquids from two frac tanks and 185 roll-off containers that are on site; (5) removal/disposal of liquids, sludges and PVC piping from the “bioreactor” a large aboveground concrete structure on the property; (6) demolition of the bioreactor; (7) removal of concrete/steel bioreactor demolition debris; (8) removal of liquids and sludges from the aboveground storage tanks (ASTs); (9) removal of drums and totes. As part of those efforts, approximately 1,742,000 gallons of liquid and approximately 576,000 gallons of sludge have been removed and transported off-site. Approximately 370 cubic yards of soil, debris, and other solids have been shipped offsite and approximately 760 cubic yards of bioreactor debris has been sent for recycling. 1157 drums and totes have been removed from Site and approximately 19,700 gallons from these containers have been shipped offsite. With prior authorization from the TCEQ and the EPA, approximately 591,000 gallons of containment pond stormwater was discharged to Vince Bayou. The PRP Group continues to remove liquids from the ASTs located within a tank farm on the property.

Currently the PRP group's contractors conduct routine Bi-Weekly Site Monitoring and routinely address any technical issues that come up that include maintaining adequate freeboard, controlling leaks, etc. The PRP Group will continue on-going stabilization efforts under EPA oversight as needed to protect the public and Vince Bayou.

The EPA has sent General Notice letters notifying parties of their potential liability for response efforts at the Site and has also sent Information Request letters (some in combination with the General Notice letters) as part of the EPA's civil investigative efforts concerning the Site. The EPA is continuing to pursue other prior owners, generators, and transporters/shippers. The EPA has also issued Special Notice Letters to perform a Remedial Investigation/Feasibility Study (RI/FS) for the Site. Good faith offers have been received from the PRP Group and Bayer Crop Science to negotiate the RI/FS. Due to past historical operations at the USOR property, Bayer Crop Science, Inc., as the legal successor in interest to a company that previously operated a pesticide formulation facility, has also been listed as a PRP for that parcel, and it continues to work and coordinate with the PRP Group for the USOR property at 400 N. Richey Street which is referred to as the Area of Investigation No. 1 (AOI 1). The AOC to begin the RI/FS for AOI 1 is in the process of being finalized between the EPA and the PRP Group and Bayer Crop Science, Inc.

The EPA and the TCEQ met with Bayer Corporation's and the PRP Group's Environmental Consultants a few times and have had a number of conference calls and email exchanges to discuss the scope of work for AOI 1. This scope of work document will be issued with the AOC once the AOC is signed.

As noted above, the bayou is within the area of several fish consumption advisories. The fish-advisory signs at the bridge are installed by the Gulf Coast Waste Disposal Authority.

## **Background**

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The US Oil Recovery (USOR) Site is comprised of two separate properties which are located in Pasadena, Texas, north of Highway 225 (the Site) that began operations in 2002. US Oil Recovery operations at the 400 N. Richey Street property included receipt of municipal and industrial Class I and Class II wastewater, characteristically hazardous waste, used oil and oily sludges, and municipal solid waste. Its affiliate MCC Recycling (MCC) conducted associated operations at the 200 N. Richey Street property which was a former sewage treatment plant, owned by the City of Pasadena from approximately 1945 until it was acquired by USOR in January 2009.

Wastes onsite generally consist of oily liquids and sludges containing concentrations of volatile organics, metals, and/or mercury. These onsite wastes are contained in various containers, including aboveground tanks, roll-off bins, frac tanks, drums, and totes. Arsenic, barium, cobalt, manganese, mercury, silver, and/or vanadium have been detected in some surface water and/or sediment samples collected within Vince Bayou near the Site. Several fish consumption advisories have been issued by the Texas Department of State Health Services for the Houston Ship Channel and Upper Galveston Bay, including Vince Bayou. These advisories, which were issued due to the presence of polychlorinated biphenyls (PCBs), dioxins, and/or organochlorine pesticides in fish and/or crabs, recommend consumption of no more than one eight-ounce meal of all fish/crab species per month. The advisories were not issued specifically because of the USOR Site. Based on an evaluation done in 2013, PCBs and dioxins are not attributed to the Site at this time. A health consultation performed by the Agency for Toxic Substances and Disease Registry

in 2009 concluded that exposure to arsenic and other substances detected in soil and sediment along Vince Bayou near the former City of Pasadena wastewater treatment plant at 200 N. Richey Street (Area of Investigation No. 2) does not pose a public health hazard. A health consultation has not been performed for the USOR part of the Site at 400 N. Richey Street (AOI 1).

In an initial response action, the Environmental Protection Agency (EPA) took steps to contain off-site migration, mitigate the threat to the public and to Vince Bayou, and stabilize the Site in July 2010, November 2010, and January 2011. As part of those efforts, approximately 833,500 gallons of non-hazardous oily liquid waste were transported off-site. Hazardous and non-hazardous sludges were removed and also disposed off-site.

Pursuant to the August 2011 AOC, the EPA has continued to protect the public health, welfare and the environment, including Vince Bayou, by overseeing subsequent Site stabilization activities performed by some of the Potentially Responsible Parties (known as the “PRP Group”). The PRP Group also obtained the Court appointment of a Receiver with legal custody and control over the Site. Part of the Receiver’s role is to also assist the Group in its performance of the EPA approved actions at the Site.

### Site Photos

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**400 N. Richey and 200 N. Richey Aerial View**



**400 N. Richey Warehouse after Removal/Disposal (Jan 2015)**



**200 N. Richey**

## **National Priorities Listing (NPL) History**

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NPL Inclusion Proposal Date: September 16, 2011  
NPL Inclusion Final Date: September 18, 2012  
HRS Score: 50.00

## **Site Contacts**

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EPA Remedial Project Manager:	Raji Josiam	214-665-8529
EPA On-Scene Coordinator	Adam Adams	214-665-2779
EPA Community Involvement Coordinator	Stephen Harper	214-665-2727
EPA Site Attorney:	Edwin Quinones	214-665-8035
EPA Regional Public Liaison:	Donn R. Walters	214-665-6483
TCEQ Project Manager:	Lam Tran	713-767-3559

EPA Superfund Region 6 Toll Free Number:  
1-800-533-3508  
TCEQ Superfund Toll Free Number:  
1-800-633-9363

Information Repository  
Pasadena Public Library  
1201 Jeff Ginn Memorial Drive  
Pasadena, TX 77506  
Wayne Holt, Acting Library Director  
713.477.0276