

## Post-Response Action Care

Associated Information: Attachments 5A-5C

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ID No.: SWR No. 31235

Report date:  
August 2016

Complete this worksheet only if Remedy Standard B will be used.

What is the proposed initial post-response action care period? (default 30 yr.) 10 Years

If the proposed initial post-response action care period is less than 30 years, provide a technical justification in accordance with §350.33(h).

Groundwater remediation under the Trust is limited in scope to achieve groundwater PCLs at alternate POE wells in the floodplain of the Rio Grande. Groundwater quality in the floodplain has been impacted by discharges over the past 100 years. The proposed response action for groundwater in the floodplain is MNA, once the source of COCs to groundwater at the site has been controlled. The groundwater model presented in Appendix 3.9 provides the projection of approximately 30 years following completion of groundwater gradient control on the plant site and PBA to achieve the groundwater-to-surface water (<sup>SW</sup>GW) PCL for arsenic in the floodplain of the Rio Grande to the west of the site (Arcadis, 2016c). Approximately 30 years of the OM&M schedule - from 2016 through 2045 during the implementation phase of the groundwater remedy, will be monitored using RAERs until on-site groundwater in the PBA has achieved <sup>SW</sup>GW PCLs and the RACR for the groundwater unit can be submitted (Arcadis, 2016b). Post-response action monitoring in the form of PRACRs is projected to begin in 2046 and last through 2056. The monitoring points being recommended to monitor MNA in the Floodplain will also be monitored as part of the RAER monitoring program. It is proposed that RAERs be prepared on a three-year schedule. Due to the extended monitoring period associated with the RAERs, the shorter PRACR monitoring period is justified.

What is the foreseeable land use during the post-response action care period? Residential and C/I

Describe how the future use of the property will not compromise the integrity of the physical controls, will not interfere with the function of the monitoring systems, will not pose a threat to human health or the environment, and will be in accordance with any institutional controls.

The physical controls associated with the response action for the El Paso Smelter Site include covers (asphaltic roads and parking lots, asphalt Category II covers, FML covers, compacted soil and vegetation, and soil ET covers), liners in the PBA channel, the PRBs, the GHB extraction well, stormwater gabions, stormwater retention/detention ponds, BMP features, and institutional controls. The future land use will be C/I for the plant site AAs, LC AA, Floodplain AA, and east of I-10 and south of the 100-year floodplain along the South Arroyo on the East Property. Institutional controls will be used to assure that land use restrictions are observed, groundwater is not used for potable purposes, and future construction/activities on protective covers (asphalt, ET, and FML covers) do not compromise the physical barrier to direct contact or cover permeability protecting groundwater. Institutional controls are presented in **Appendix 4**.

Re-development will not occur on WCUs 1, 2, 3, and 4 or the Fines Pile and Boneyard areas. Re-development for C/I land use will occur on the covered portions of the plant site. Residential land use is only planned for portions of the East Property AA located north of the South Arroyo (see **Figure 8**). The East Property AA had soil removals to achieve residential PCLs with the exception of the Category II Storage Area (see **Figure 10**). This area will be covered, and it will also be restricted from residential development just as the areas west of I-10 is.

Covered areas including the plant site and the Category II Storage Area are available for C/I re-

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development. The three cover types are included in the areas planned for re-development including asphalt covers, soil ET covers, and low permeability (FML) covers. Requirements for construction and re-development of covered areas are presented in O&M requirements detailed in **Worksheet 3.2** of this RAP document. Requirements for future construction are specific to individual cover materials: 1) asphalt covers – Table 3.2.1; 2) soil ET covers – Table 3.2.2; and 3) low permeable covers (FML covers) – Table 3.2.3. These O&M requirements are incorporated into the Institutional Controls presented in **Appendix 4**.

Briefly describe the proposed post-response action care activities. Describe the type of monitoring and/or inspections to be performed. Discuss the rationale for not including COC(s) analyzed during the response action, monitoring or sampling point location, frequency of monitoring and/or inspections, and the duration of the monitoring program.

Post-response action care includes the operation of the GHB extraction well, monitoring and maintenance of soil covers, monitoring and maintenance of the WCUs, monitoring groundwater and surface water quality, monitoring and maintaining stormwater retention/detention ponds, check dams, and gabions. All monitoring and maintenance activities are described in **Worksheets 3.1 and 3.2** of the RAP. The RACRs for closure of the Site are planned for on-site soils (Soil RACR) and groundwater (Groundwater RACR). The current schedule presented on **Figure 13** indicates that the Soil RACR will be submitted in 2016 and the Groundwater RACR will be submitted following 30 years of operation of the remedy in 2046. As a result, RAERs will be submitted over the 30-year monitoring program as part of the groundwater. The RAER reports will address the monitoring components of the Soil RACR including covers, stormwater controls, and surface water. These RAERs fulfill the PRACR requirement for the Soil RACR. The PRACR monitoring for the Groundwater RACR will begin in 2046 and continue through 2056. The monitoring network should be reviewed and revised as the remedy is implemented over the time between acceptance of the Soil RACR and the Groundwater RACR.

Will PRAC sampling procedures be the same as those as previously documented for monitoring and/ or confirmation sampling?  Yes  No  
If no, provide in Appendix 6 a description of the monitoring or sampling collection procedures to be conducted during the post-response action care period.

### Cost Estimate

Complete this portion of the form only if a physical control is proposed (installed hydraulic control system, slurry wall, cap, etc.). Provide in Attachment 5B a detailed cost estimate for a third party to operate and maintain the physical control during the PRAC period, based on current dollar amount.

Specify the physical control to which this information applies Covers, GHB, stormwater ponds, check dams and gabions, and groundwater monitoring

Complete this worksheet for each physical control that will be used as part of the response action.

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What is the total estimated annual cost of O&amp;M for the PRAC period?

Ranges from \$300,000 to \$500,000 per year, plus allowances for periodic storm events, installing PRC, one-time maintenance for East Category II Storage Area and Boneyard in year one, and/or groundwater remedy enhancements.

What is the total estimated cost for a third party to perform PRAC activities?

\$15,790,000 present value assuming 50 yrs @ 3%.

Identify the type of financial assurance mechanism to be used, and the contact person managing fiduciary responsibility, if known.

The financial mechanism established to ensure that the scoped O&M activities are preformed to meet requirements of the response action at the Site will be through a Trust fund established for the annual costs plus an additional amount to be used for remedy upgrades if determined to be needed. To fund these activities, the net proceeds from the sale of the Site will be placed into the Trust fund and managed the Trustee. The net proceeds are anticipated to be about \$15,800,000.

Does the person meet the criteria and definition of a small business? (see §350.33(n)) \_\_\_ Yes X No

If yes and the person desires to pursue the reduced amount of financial assurance, provide a legally binding affidavit as Attachment 5C. Include in the affidavit the information requested in 30 TAC §350.33(l), (m), and (n). An example affidavit is attached in the instructions.