

**Date Submitted: 11/26/21**

Greenfield Environmental Multistate Trust LLC,

Trustee of Multistate Environmental Response Trust (Multistate Trust)

**Date Approved: 12/22/21**

Submittal to: Texas Commission on Environmental Quality on November 26, 2021

**Summary of Site Work Completed in 2021 and Planned for 2022:**

**Work Completed in 2021:** Completed a Tier 3 soil protective concentration level (PCL) analysis to evaluate potential Site-specific soil cleanup levels. Performed soil sampling in the railroad rights-of-way to refine the remedial design for soil. Prepared and submitted the Response Action Plan. Prepared soil to outdoor air sampling work plan. Prepared and implemented Biological Aeration Tank pilot test to evaluate discontinuation of aeration. Initiated preliminary remedial design of the proposed remedy for the creeks, including wetland and stream assessment and TXRAM scoring. Began communications with U.S. Army Corps of Engineers (USACE) regarding permitting and cultural resources surveying. Obtained concurrence from USACE for on-Site stream and wetland mitigation - facilitating refinement of remedy cost estimates for remedy selection. Began coordination with City of Texarkana (City) and Natural Resource Trustees to align the Site-related creek construction projects with nearby natural resource damages (NRD) restoration projects being performed by the City. Performed routine Site Operations and Maintenance (O&M). Performed all compliance activities, monitoring, and reporting, to meet the requirements of the Texarkana Water Utilities (TWU) wastewater discharge permit, post-closure care requirements for the on-Site hazardous waste management unit, and other long-term monitoring requirements for the Site.

**Work Planned for 2022:** Achieve Texas Commission on Environmental Quality (TCEQ) approval of the Response Action Plan (RAP). Prepare Hazardous Waste Permit Renewal/Modification. Perform soil to outdoor air sampling and soil delineation sampling as inputs to soil capping and soil excavation designs. Complete remedial design for Days Creek re-route, Waggoner Creek lining, soil capping, and soil excavation. Perform soil excavation procurement and field implementation. Complete cultural resources survey and permit applications for Days and Waggoner Creek remedial construction. Implement on-Site deed restrictions and off-Site restrictive covenants as institutional controls. Perform routine Site O&M. Perform all compliance activities, monitoring, and reporting, to meet the requirements of the TWU wastewater discharge permit, post-closure care requirements for the on-Site hazardous waste management unit, and other long-term monitoring requirements for the Site.

Site Name: Former Kerr-McGee/Tronox Wood Treating Facility in Texarkana, Texas (the Site)

Site Location: Texarkana, Texas

Multistate Trust Site Code: XXX

Cost Center	Cost Center Description	Total 2021 Approved Budget	Project Costs incurred in 2021 (as of 9/30/2021)	2022 Budget	2022 Scope of Work
XXX.A	Regulatory Compliance and Site Operations/Maintenance	\$682,050	\$293,336	\$672,050	Continue O&M of groundwater and creosote recovery and treatment system, including well field, collection trenches, treatment building, process tanks, and other system infrastructure. Perform annual groundwater monitoring and reporting to TCEQ, and quarterly monitoring and reporting to TWU for discharge permit compliance. Routine Site maintenance, including mowing and maintaining security. Includes utilities, meter calibrations, and certified tank inspection of tanks >5,000-gallons in capacity (required every 5 years, last done in 2017). Includes \$50k allowance for unplanned events or emergency response, and \$25k for system infrastructure / equipment modification and/or repair. Transportation and off-Site disposal of recovered dense nonaqueous phase liquid (DNAPL) as creosote is not budgeted or expected in 2022 based on large DNAPL recovery tank capacity and low DNAPL recovery rate. Includes \$25k budget for creek bank stabilization, if needed in 2022. Also includes \$66k for a monitoring well plug and abandonment program to reduce the number of Site monitoring wells down from >150 wells after a Plume Management Zone is defined. Decreased budget as compared to 2021 due primarily to lower erosion mitigation, equipment repair, and DNAPL disposal estimates (each \$25k less than 2021).
XXX.C	New Environmental Actions	\$507,000	\$197,491	\$1,272,000	Achieve TCEQ approval of the RAP. Prepare Permit Renewal/Modification for Hazardous Waste Permit 50076. Complete deed restriction for on-Site land use restrictions and obtain restrictive covenants for off-Site land use restrictions. Conduct soil to outdoor air sampling and soil delineation sampling to facilitate soil cap and soil excavation designs. Complete Days Creek re-route design, Waggoner Creek lining design, and soil capping design. Use creek designs to complete permitting submittals for creek re-route and lining projects. Complete cultural resources survey in work area of Days Creek re-route. Perform contracting and procurement for soil excavation and soil capping. Perform soil excavation (\$458k included for excavation and off-Site disposal of 3,000 cubic yards of soil). Prepare Remedial Action Completion Report for soil excavation. Includes \$40k for Site reuse/redevelopment activities to coordinate remedial design, current/future hazardous waste permit obligations, and Site reuse interests and opportunities to facilitate reuse of property. Increased budget in 2022 compared to 2021 due to the inclusion of the design and soil excavation costs. Costs for procurement and construction of Days Creek re-route and Waggoner Creek Lining are not included in the 2022 budget. These activities are projected to begin in 2023. Fees for non-owned property restrictive covenants, if required, are not included in the 2022 budget.
XXX.D	Technical Team/Project Management	\$191,000	\$119,719	\$219,000	Budget includes fees and expenses for providing project direction and oversight of technical elements of on-going and new Environmental Actions including Site strategy, technical oversight of environmental contractors, project controls, project communications, financial management, beneficiary communications, community involvement, quality assurance/quality control, and contract management. Increased budget in 2022 compared to 2021 due to design, procurement, and construction activities planned for 2022.
XXX.E	Project Fees & Expenses	\$25,000	\$7,032	\$23,000	Budget includes Managing Principal time and expenses for: oversight and approval of technical strategy and Environmental Actions; beneficiary communications; support for beneficiary and community involvement; key stakeholder communications; policy matters; Settlement and Trust Agreement matters; and redevelopment planning activities.
XXX.F	Regulator Oversight Costs	\$10,000	\$0	\$0	Regulatory Oversight Cost for Lead Agency
XXX.G	Legal Fees and Accounting Fees	\$87,000	\$33,721	\$108,000	Budget includes fees and expenses for in-house legal services required to support Environmental Actions, including the preparation and execution of contracts, SOWs, access agreements, and other legal affairs. In addition, the 2022 legal budget includes a \$25k allowance for outside counsel to support a real estate transaction for the Site and support establishment of restrictive covenants as off-Site institutional controls. The budget also includes costs for financial services, including accounting, bookkeeping, financial reporting, invoice processing, budget preparation, and budget tracking. Increased budget compared to 2021 due to anticipated additional legal expenses related to preparing a real estate transaction regarding a potential sale of the property.
XXX.I	Lease & Property Use (Income & Costs)	\$0	\$0	\$0	Budget assumes no lease revenues in 2022
XXX	Total Site 2022 Budget	\$1,502,050	\$651,298	\$2,294,050	
Total Former Kerr-McGee/Tronox Wood Treating Facility in Texarkana, Texas Estimated Funding at Beginning of 2022 Budget Year*				\$19,133,000	Total funds allocated to the Site per Consent Decree and Environmental Settlement Agreement; less 2011 - 2020 actual and 2021 estimated costs; plus 2011 - 2020 actual and 2021 estimated investment activity and other receipts.
Estimated Remaining Funds (Post-2022)				\$16,838,950	Initial Funding (2/14/11): \$2,537,176 Anadarko Settlement Funds (2015 and 2016): \$22,657,151 Waterfall Distribution from Sale of Property: \$122,669

\*This is a projection based on estimates and is subject to change once final costs have been received. Actual balances are presented in the quarterly distributed financial statements.