

# Memorandum



CITY OF DALLAS

DATE December 20, 2019

TO Honorable Mayor and Members of the City Council

SUBJECT **Redevelopment of 7-Eleven Store on RSR Superfund Site**

The purpose of this memorandum is to update you on the steps that City staff have undertaken to ensure that construction of a 7-Eleven on a site located at 2826 North Westmoreland Road, Dallas, Texas follows approved plans and applicable requirements intended to protect human health and the environment. The site is within the RSR Superfund Site, Operable Unit 4 (OU4), the location of a former lead smelting operation that was remediated by U.S. EPA between 1984 and 2001. OU4 remains under U.S. EPA oversight in accordance with Federal law. OU4 was subject to a Federal "Ready for Reuse" determination in 2005 for commercial/industrial uses, and a convenience store is intended to be a beneficial reuse consistent with that determination.

City staff received a resident inquiry and visited the site on Thursday, December 12, 2019 to inspect construction activities that are now nearing completion. There is an U.S. EPA-reviewed Soil & Groundwater Management Plan in place to address potential soil or groundwater risks such as this during construction at the site. This plan requires monitoring of soil conditions and anticipates that impacted soils may be encountered at depth. Specifically, the plan requires plastic cover on and around soil stockpiles that are secured from access from the general public. Plastic covers were not being used during our site visit last week, and members of the public have accessed the site. We immediately presented the issue to the environmental consultant for the developer, W&M Environmental (W&M), and W&M agreed to correct site conditions based on our observations.

In addition, we reported our observations to the U.S. EPA (EPA). On both Friday, December 13, and Monday, December 16, City staff communicated to the EPA that plastic covers and perimeter fencing should be used, and fill materials appropriately handled. The EPA stated that they are also working directly with site representatives and will ensure protective remedies are immediately implemented. The EPA further reported to City staff that these issues were not observed during its most recent site visit on Wednesday, December 4, 2019. As of today, EPA has committed to closely monitoring progress at the site to ensure all future activities are in compliance with the plan and protective of human health and the environment. City staff led a site visit with EPA and W&M on Wednesday, December 18, 2019 to observe current site conditions and

