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TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

August 4, 2010

CERTIFIED MAIL

91 7108 2133 3935 2029 6248

Mr. Gary Silversmith
Roadway Food Mart, Inc.
2600 NW Virginia Ave. Ste. 606
The Watergate, DC 20037

Re: Leaking Petroleum Storage Tank (LPST) Case Closure of Hydrocarbon Contamination
at the Sunpower Truck Stop , 6421 North I-35, Denton (Denton County), Texas
LPST ID No. 94606; Priority ID No. 2.5; Facility ID No. 0015481; R -4

Dear Mr. Silversmith:

The Texas Commission on Environmental Quality (TCEQ) has reviewed the corrective action information submitted in relation to the release incident at the above-referenced facility. Provided that the documentation was accurate and representative of site conditions, it appears that the closure requirements of Title 30, Texas Administrative Code, Chapter 334 (30 TAC 334)—and applicable program guidance—have been met. Therefore, we concur that the site meets the Petroleum Storage Tank (PST) Program closure requirements and that no further corrective action is necessary.

The following criteria were part of the justification used for final closure:

- Although water wells completed in the impacted groundwater zone are located within 1/2 mile of the site, the dissolved-phase plume is delineated to federal Maximum Contaminant Levels (MCLs).
- Dissolved-phase concentrations are below the default target concentrations for construction worker exposure.
- The groundwater contaminant plume is stable/decreasing in size and concentrations.
- Although contaminant concentrations in soil exceed residential and commercial health-based concentrations, there is an impervious cover over the affected area, thus limiting the potential for exposure to any residual contaminants in the subsurface.

Please note that case closure is based on identified exposure pathways. Any contamination remaining at the site should be reevaluated if future soil excavation or construction activities are conducted. Please ensure that any wastes generated from such activities are handled in compliance with all applicable regulations.

Closure status shall remain in effect provided the conditions stated in the agreed upon institutional control are met, as set forth in 30 TAC 334.206(c). Should site conditions change, then the owner of the property shall take action as required pursuant to §334.206(b) and (c).

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Be aware that all monitoring wells which are not now in use and/or will not be used in the next 180 days must be properly plugged and abandoned in accordance with the requirements of the Texas Department of Licensing and Regulation (TDLR). Contact TDLR at 512/ 463-6599 or 800/803-9202 (toll free in Texas), or visit their website located at www.license.state.tx.us for more information.

If monitor well plugging or other necessary site restoration activities will be performed to complete site closure, please prepare and submit a *Final Site Closure Report* form (TCEQ-0030) to document the activities and the actual closure of the site. The *Final Site Closure Report*, if necessary, will be the last required submittal for this case. This final concurrence letter signifies the completion of corrective action associated with the release. No subsequent TCEQ correspondence will be issued in response to the *Final Site Closure Report*.

For sites which are eligible for reimbursement through the Petroleum Storage Tank Remediation Fund, written preapproval must be obtained prior to initiation of any site closure activities. Reimbursement claims for activities that are not preapproved will not be paid until all claims for preapproved work are processed and paid.

Be aware that any new or existing underground or above-ground storage tanks remaining at this site continue to be subject to TCEQ tank registration, self-certification, financial assurance and technical standards provisions. See www.tceq.state.tx.us/nav/permits/pst_cert.html or call 512/239-2182 for more information.

Please reference the LPST and facility ID numbers on any future correspondence regarding this site. Should you have any questions, please contact me at 512/239-2215. Your cooperation in this matter has been appreciated.

Sincerely,



Anne Dunckel, Project Manager
Team 3, PST/DCRP Section
Remediation Division
Texas Commission on Environmental Quality

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