

# Eldorado Chemical Co., Inc. Superfund Site Reuse Assessment

Live Oak, Texas

## Introduction

EPA's Superfund Redevelopment Initiative and EPA Region 6 developed this reuse assessment for the Eldorado Chemical Co., Inc. Superfund site (Site) in Live Oak, Texas. To support EPA during the reuse assessment process, consultants Skeo conducted a site document review, a September 2019 site visit, stakeholder discussions with property owners, municipal staff and community members, and land use analyses.

This report summarizes the reuse assessment findings. It also documents site background, remedy status, land use context, stakeholder reuse goals and reasonably anticipated future land uses to help inform EPA's investigation and remedial process. The report also provides information for prospective purchasers interested in the site property.

## Site Background

The Eldorado Chemical Co., Inc. Superfund site is located at 14350 Lookout Road in the city of Live Oak, Texas. The 4.5-acre property is located in a sparsely developed industrial area on the northwest side of Live Oak. A cleaning products manufacturer operated a facility on site from 1978 to 2007. Materials handling and storage practices at the facility led to the release of tetrachloroethene (PCE), trichloroethene (TCE), dichloroethene (DCE), and vinyl chloride at the site. These potential contaminants of concern are now found in alluvial groundwater at the Site.

Due to the potential for the plume of chlorinated solvents to migrate into the underlying Edwards Aquifer, the Texas Commission on Environmental Quality (TCEQ) and EPA have led investigations and taken initial steps to limit potential exposure to groundwater at the Site. Between 1984 and 2014, TCEQ and private parties conducted limited cleanup activities, a Phase II Subsurface Investigation, and subsequent supplemental site investigations in 2001, 2006, 2009 and 2014. In 2016, TCEQ referred the Site to EPA. In September 2016, EPA placed the Site on the National Priorities List of Superfund sites. EPA is currently conducting a remedial investigation that will determine the nature and extent of the contamination. EPA will then develop a feasibility study, which will identify and evaluate cleanup alternatives, and then select the site's remedy in a decision document called a Record of Decision.

## Land Use Considerations

The following section describes property ownership, land use, zoning, access and future land use considerations for the Site.

## Location and Physical Setting

The Site is located northeast of the city of San Antonio, Texas, in the suburb of Live Oak in Bexar County (see Figure 1). Live Oak is located in a major growth area for the state. The property is located on the northeast side of

Live Oak, near the boundary with the city of San Antonio, and is part of a low-density commercial/industrial area between Lookout Road and Topperwein Road. The Bridlewood Park residential neighborhood is located southeast of the Site.

## Land Use and Ownership

**Eldorado Chemical Co., Inc. Site:** The 4.5-acre Site is owned by the PIF Partnership, which includes family members of a previous site owner/operator who have been cooperating with EPA during site investigations and the remedial process. PIF Partnership members anticipate selling the site property in the future. The former facility remaining on site includes two large, vacant industrial warehouse buildings. The Site Features section below discusses these buildings in greater detail.



Figure 1. Location and Surrounding Uses

**Surrounding Ownership and Uses:** Surrounding properties are all privately owned. They are currently in commercial/light industrial use or classified as vacant land (Figure 1). Archer Creek owns properties to the north and northwest and currently leases light industrial buildings to small businesses. Property to the southwest is owned by garbage disposal and container businesses. Two large vacant parcels are located to the south and east. Known as the Lookout Road JV and Hensley properties, these parcels are classified as vacant commercial and

industrial land, respectively. The Hensley property occupies about 20 acres and has deeded access to arterial streets Lookout Road and Topperwein Road. The Site and adjoining properties all connect to an access road that extends across the Hensley property (labeled private road in Figure 1 below).

## Zoning

Key land use regulations relevant to future use at the Site include the city of Live Oak’s zoning regulations. Figure 2 shows city zoning on and near the site. The Site is one of a handful of properties in Live Oak that is currently zoned Light Industrial (I-1).

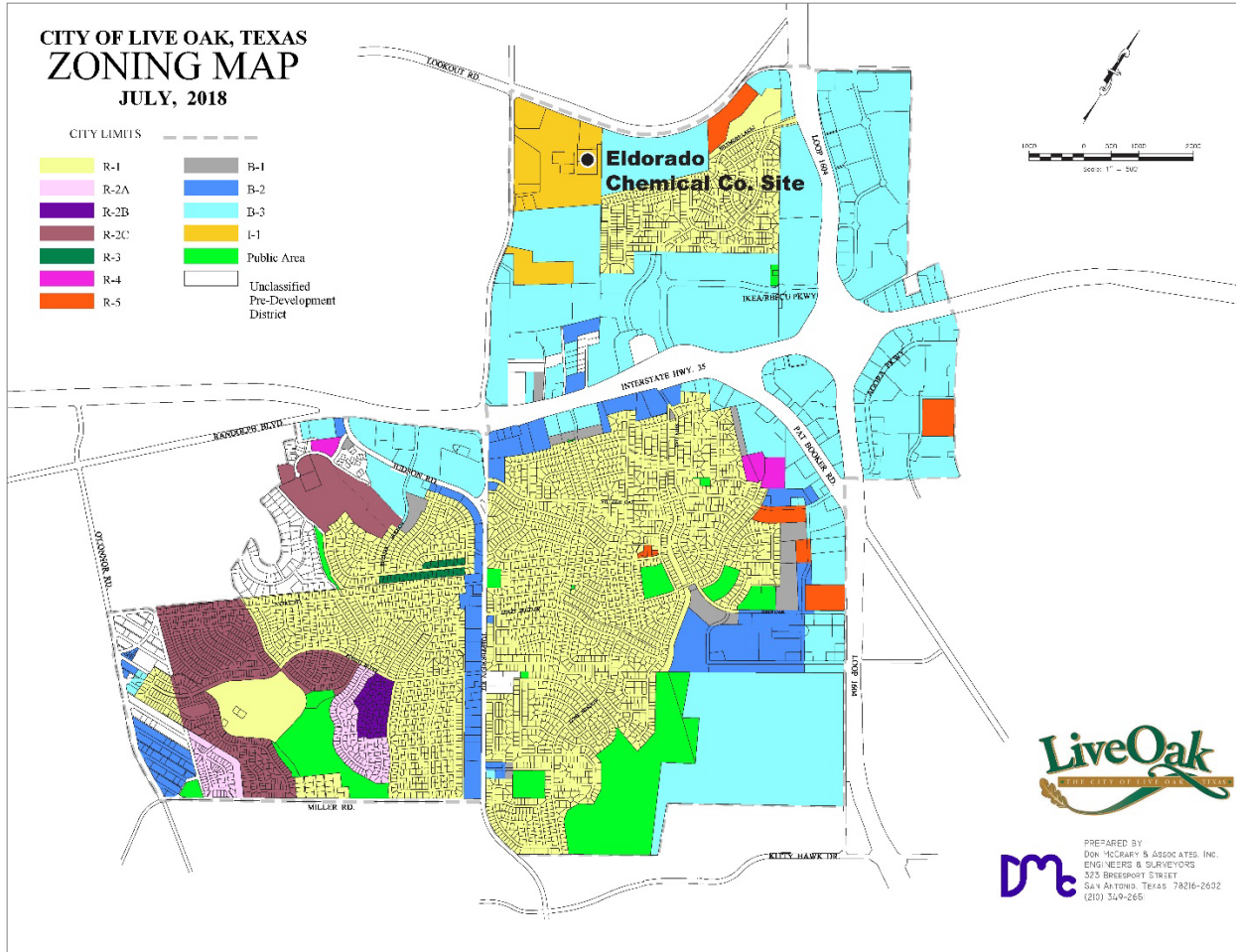


Figure 2: Zoning Map<sup>1</sup>

**Industrial Zoning:** The Site is located in a designated Light Industrial District (I-1), which permits “light manufacturing processes which do not emit detectable dust, odor, smoke, gas, or fumes beyond the boundary property lines of the lot or tract upon which the use is located or beyond the boundary line of the I-1 Industrial District zoned lot which is

<sup>1</sup> Available at <https://www.liveoaktx.net/departments/planning-and-zoning-commission/zoning-map#zoning-map>. Site point added by Skéo.

generally perceptible in frequency or pressure above the ambient level of noise in the adjacent areas.” Allowable uses in the I-1 district are included in Appendix B.

Only 1.5% of the city’s acreage is currently zoned for light industrial use. The industrial zoning district surrounding the Site is the only location where light industrial uses are permitted in the city. Areas classified as commercial business, mixed-use or retail account for more 8% of the city’s land area. And about 16% of the city’s acreage is vacant. Based on current zoning and future land use trends discussed in the next section, light industrial uses will likely continue to be located in the area immediately surrounding the Site. Any future owner of the Site interested in changing the zoning designation would need to go through the city’s rezoning process to do so.

## Access and Infrastructure

The Site is located in close proximity to major highways and rail lines. Loop 1604 and Interstate 35 are less than a mile from the Site. However, the local road network, property access conditions and utility infrastructure present several reuse challenges.

**Access:** The site property is located on a private access road that is part of the Hensley property. The Site has no street frontage on Lookout Road or Topperwein Road and has no deeded access from either public right of way.

**Rail:** The Site is less than 1,000 feet from an existing freight rail line, which is located north of Lookout Road. There are no existing or planned means for rail access at the Site. An at-grade rail crossing on Topperwein Road near the Lookout Road intersection has the potential to cause traffic congestion on both arterial streets and occasionally restricts vehicle access in and out of the private drive at 14350 Lookout Road.

**Utilities:** Existing utilities available at the Site include electric and gas services. There is a private drinking water well and a septic system on the site property. Public water and sewer utilities are not available at the Site or in surrounding areas. The city of Live Oak does not plan to extend infrastructure to the area in the near term due to several factors. The Site is located at a higher elevation than areas north, east, south and west. Bringing water and sewer service to the Site would require expansion of distribution and collection systems east of Topperwein Road and the construction of additional pumping stations with the capacity to deliver water and sewer services to the Site. Given existing water and septic systems, the Site is currently able to support for light industrial uses. These facilities are typically small businesses with low-volume water and wastewater demands.



Figure 3. Transportation and Access Considerations Map

## Land Use and Economic Trends

The city of Live Oak (population 15,335) is located at the northeastern edge of San Antonio’s Metro West region. Accessible via Interstate 35, Interstate 10 and Loop 1604 (the Charles W. Anderson Loop), Live Oak offers convenient commuting distances to San Antonio (16 miles), Randolph Air Force Base (9 miles) and New Braunfels (18 miles).

The city’s population has grown at an average rate of 3.1% over the past 10 years. Population projections anticipate that 17,300 to 18,200 people will live in Live Oak by 2040.

Since 2011, the city’s development pattern has generally remained the same, with the exception of new commercial development at the Live Oak Town Center, Gateway Center and Randolph Brooks Federal Credit Union (Interstate 35 and Loop 1604). Expansion of the Northeast Methodist Hospital (Topperwein Road Area) has spurred growth in the health-care sector. Live Oak’s expanding economic sectors in commercial retail/services are generally located in established and newer commercial districts east and northeast of the Site.

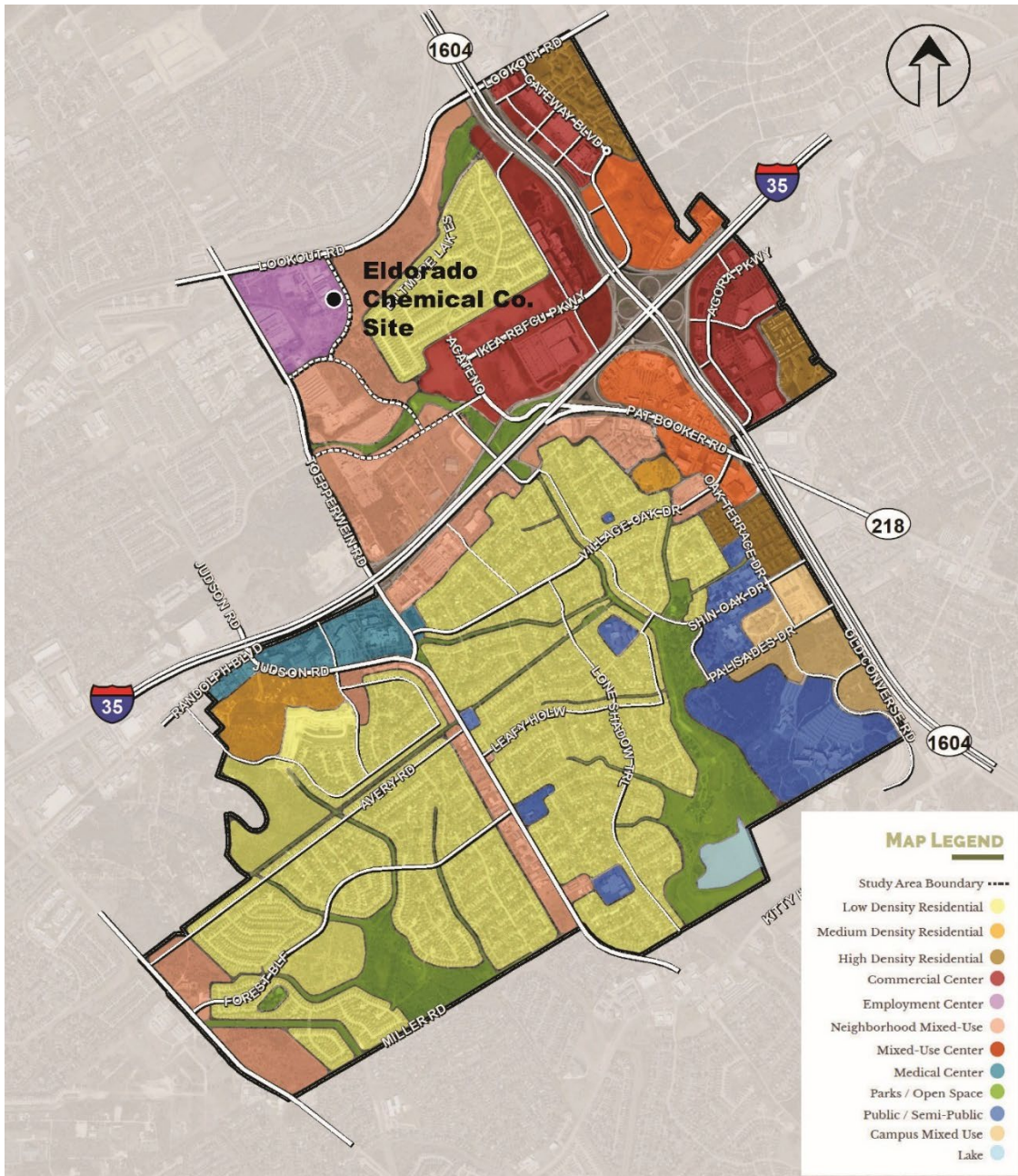


Figure 4: Future Land Use and Development<sup>2</sup>

### Future Land Use and Live Oak 2040 Comprehensive Plan

From 2019 to 2020, the city updated its comprehensive plan, a planning document that outlines a vision and set of policies to guide the types and locations of various land uses across the municipality in the future. The outcome of this process, known as the 2040 Plan, anticipates that the Site and surrounding area will continue to support commercial and light industrial businesses. The full 2040 Plan is available in Appendix E.

<sup>2</sup> Available at <https://clients.freese.com/liveoaktx/?page=ProjectDocuments>. Site point added by Skeo.

The Site area is defined as a future employment center, which is shown in Figure 4. The employment center is envisioned as mix of professional and service uses such as offices, research and development facilities, warehousing, advanced manufacturing, and logistic hubs. Emphasis is placed on siting, landscaping and aesthetics of these larger-footprint uses.

The 2040 Plan also recommended improvements in infrastructure and street connections for the Site area and the intersection of Topperwein Road and Lookout Road. Areas immediately east and south of the Site are envisioned as future mixed-use commercial districts.

## Key Land Use Considerations

Live Oak has strong local economic sectors in commercial retail/services, which are generally located in established and newer commercial districts east of the Site. Live Oak Town Center is located about 2.5 miles from the Site at the intersection of the Interstate 35 and Loop 1604 transportation routes and has space for expansion. The district includes an IKEA home furnishings store and financial institutions that function as anchors for future phases of retail and office development.

Future use of the Site and surrounding area will need to consider ways to create access via public streets to the Site and other nearby properties in the area. Potential future street connections for the area are outlined in the 2040 Plan (see Figure 5). New street connections between Lookout Road and Topperwein Road, as well as between Topperwein Road and Live Oak Town Center, could alleviate congestion and provide opportunities to extend water and sewer services to the area and provide new opportunities to address deeded access issues for the Site.



Figure 5. Future Land Use and Access Considerations (2040 Plan)

## Site Features

The Site's existing features include a perimeter fence with gated access to two large warehouse-type buildings, several small outbuildings and surrounding open space. These features are shown in Figure 6 and described below.

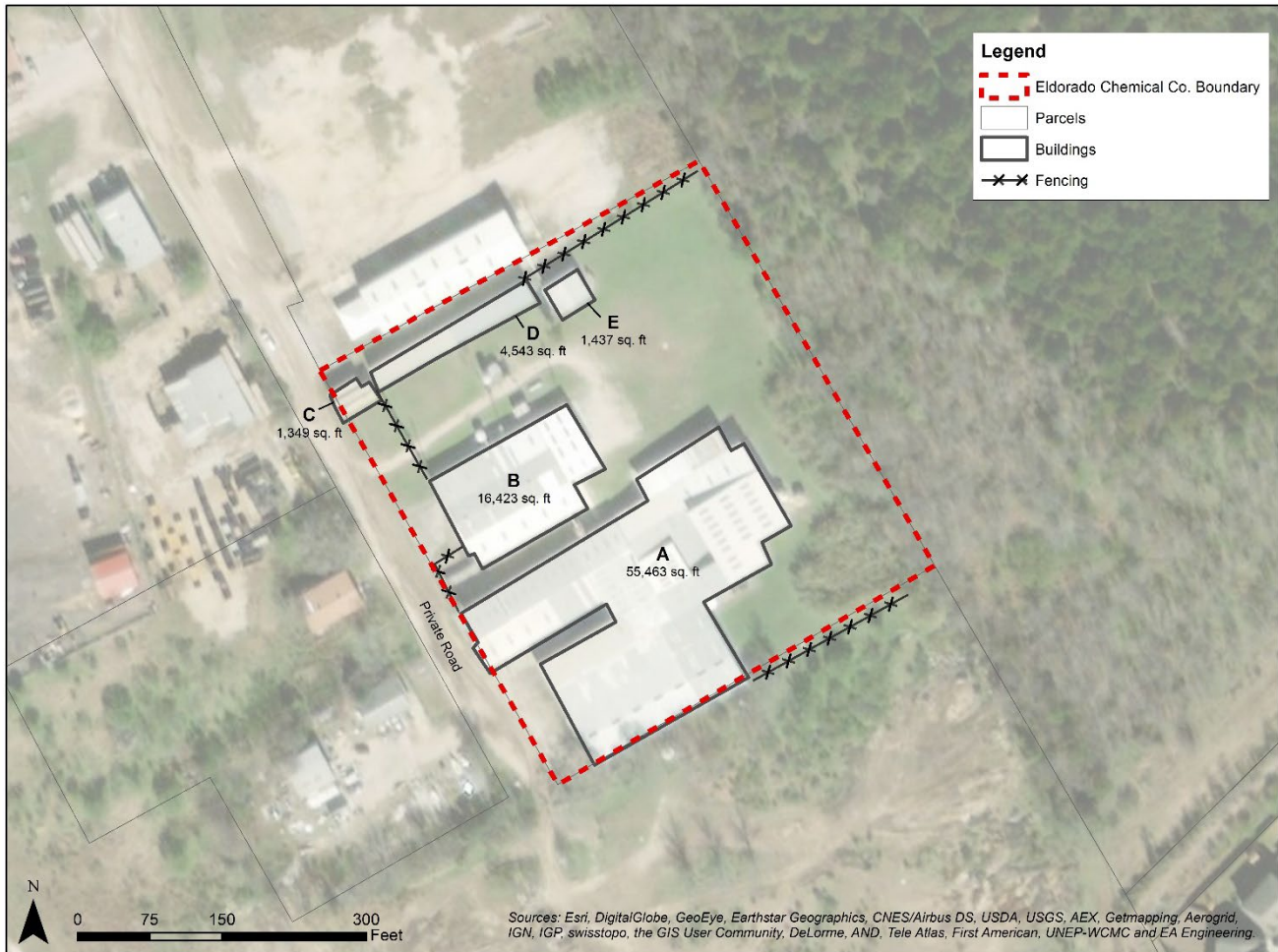


Figure 6. Site Features

**Building A:** The larger of the two buildings combines two structures connected by covered storage and includes a loading dock (west) and a covered storage area (east). Enclosed structures within Building A cover about 10,000 square feet and 12,000 square feet, respectively. Interior spaces are not secure and require plumbing and electrical equipment upgrades.

**Building B:** Building B includes an insulated and secure warehouse with about 16,000 square feet of indoor space. Interior spaces include a small office and open floor space with 20' clearance and garage bays on the east and west walls.

Ancillary structures, including two storage sheds (Buildings C and E) and covered vehicle parking (Building D), are located along the northern boundary of the site property.



## Photos of Key Site Features

Key site features are highlighted in the photographs below.



*Site Access Road*



*Interior Warehouse Space (Building B)*



*Internal Driveway on Site*



*Covered Loading and Storage Area (Building A, east side)*

## Stakeholder Involvement and Reuse Goals

The reuse assessment included reuse discussions with community members, property owners, municipal staff and other key stakeholders. The purpose of these discussions was to gather perspectives regarding future use, ownership and opportunities, and to identify key parties likely to be involved in determining future uses at the Site. Interviews were conducted with property owners of surrounding properties, developers and municipal staff in September 2019 through February 2020. As part of a September 16 site visit, EPA and Skeo provided an overview of the reuse assessment and solicited feedback regarding priority community uses, local needs and reuse goals. Key stakeholder and community perspectives are highlighted below.

## Stakeholder Perspectives

**Property Owner Goals:** The PIF Partnership holds title to the property and comprises family members that inherited the property from prior owner-operators. Partnership members do not plan to maintain property ownership over the long term but are committed to ensuring the Site is properly assessed and remediated so that it is safe for appropriate future uses. Partnership members hope to make minimal investments in property maintenance and to sell the property for a low-traffic commercial or light industrial use such as indoor storage, a repair shop or logistics.

**Opportunities:** PIF partnership and nearby property owners envision continued operation of small storage, repair and light industrial uses at the Site and surrounding properties. Surrounding property uses and business owners include a trucking company, a repair shop and a recreational vehicle store. A wide range of light industrial uses are permitted in the area, which is part of the city's only light industrial district (see Appendix B for allowable uses).

**Real Estate Perspective:** Neighboring Archer Creek property owners are developers and real estate investors and have recently acquired 16-acre and 4-acre properties adjoining the Site. From a real estate perspective, the properties in the area offer affordable acreage with flexible leasing opportunities. However, developers do not anticipate a significant return on property investments in the near term. The Hensley property located east of the Site includes 20 acres of land with frontage on Topperwein Road and Lookout Road and is also for sale. Most owners of light industrial property in the area are likely to lease land to small businesses with relatively low traffic, material and processing volume.

**Property Challenges:** PIF Partnership members and nearby owners noted that the property is isolated and not easily visible from nearby roads; stakeholders also cited frequent vandalism as a property maintenance challenge. Due to vandalism, site property buildings have been stripped of aboveground copper wiring and plumbing and accessible scrap metal. Restoring electrical and plumbing systems in site buildings was noted as a step that would need to be taken prior to reuse. Site access issues (lack of frontage and deeded access to a public right of way) as well as lack of water and sewer utilities are also limiting factors for future investment in the Site. Stakeholders noted that new road connections with water and sewer utilities could open up potential for larger-footprint businesses in sectors such as light manufacturing, assembly, and research and development that typically generate more jobs and revenue.

**Residential Use Considerations:** Stakeholders noted that undeveloped properties next to the Site such as the Lookout Road JV property are zoned to support mixed-use commercial uses. There was general consensus among property owners, developers and municipal staff that future residential development at the Site would be highly unlikely. The light industrial zoning district does not permit residential uses (single family, multi-family, mobile homes). A cluster of mobile homes on the corner of Lookout Road and Topperwein Road was permitted in the area as a grandfathered use but is not considered an allowable or suitable use in the zoning district.

## Community Involvement and Community Perspectives

On September 16, 2019, EPA and Skeo staff made presentations at the Bridlewood Park Homeowners Association (HOA) meeting, which took place at the City of Live Oak Justice Center, located at 8002 Shin Oak Drive. The presentations included an update on EPA's cleanup progress as well as an introduction to the reuse assessment process. Skeo distributed reuse assessment questionnaires for meeting attendees to fill out. EPA identified the HOA meeting as a community venue through prior community involvement work and has been providing regular

community updates about the Site at the HOA meetings. The questionnaire, included in Appendix A, covered questions about people’s perspectives on activities, uses and types of uses that they would like to see at the Site, services needed by the community and whether the Site could address them, as well as general feedback on potential site redevelopment. The questionnaire responses are summarized below.

### **Reuse Goals and Community Needs**

- Primarily light industrial uses (e.g., self-storage facility or parking).
- Recreational uses (e.g., dog parks, city parks, community pool, natural area with trails, basketball courts).
- Job creation and uses that help the city as a whole.
- A recycling center, solar farm, university and grocery stores.

### **Additional Considerations**

- Some respondents noted support for reuse if the contamination was contained.
- Respondents listed uses they would not like to see at the Site, which included heavy industry (specifically activities that are noisy or smelly), a chemical plant, any polluting industries or a large retail store.
- Community perspectives help to identify general needs in the community and can provide useful input for site owners and business owners considering potential future uses for the Site.
- Community members’ perspectives also recognize that land-use decisions are primarily up to the landowners with regulations set by the municipality.

## **Reasonably Anticipated Future Land Uses**

Based on site status, land use analysis and stakeholder perspectives, future land uses and reuse considerations for the Site are outlined below.

### **Continued Use**

The Site is currently an inactive light industrial facility with potential for covered and indoor storage, a repair shop, or a material staging and light assembly facility. Property maintenance and surveillance activities are recommended to limit potential vandalism impacts. Continued cooperation with ongoing EPA site investigations and the remedial process is needed.

### **Near-Term Reuse Opportunities**

In the next five to 10 years, future uses for the Site are likely to include small light industrial businesses with low demand for truck or vehicle traffic and utility services. Provided that electric and plumbing systems are upgraded or replaced, and regular property maintenance continues, the Site offers over 70,000 square feet of covered space and two warehouse buildings. Future businesses operating at the Site are most likely to lease some or all of the facility space rather than own the property.

#### *Examples of Potential Light Industrial Reuse Opportunities*

A range of businesses and future use activity types that could be compatible with the existing facilities and may make sense for the area are listed below.

- *Storage* – self-storage units, logistics, event staging, large equipment storage or climate-controlled storage.
- *Vehicle Repair/Trucking* – repair shop, trucking support service.

- *Assembly* – light structure manufacturing (tiny house, mobile home, wooden trusses), storage sheds, furniture assembly, engineered timbers, wood shop or machine shop.
- *Construction/Landscape Yard* – covered parking for fleet vehicles, construction equipment, maintenance shop.
- *Parking* – covered and indoor vehicle parking.
- *Arts* – studio or maker space.

### **Long-Term Reuse Opportunities**

Ten years or more in the future, given zoning, land uses and community goals, along with improved access and utility infrastructure in the area, site uses could include those listed above as well as the wider range of uses listed below.

- Professional office or lab space.
- Light industrial operations.
- Research and development facilities.
- Indoor recreation facilities.

### **Recommendations for Supporting Site Reuse**

The following strategies can help position the Site for successful reuse in the short term and over the long term.

- *Remedial Considerations:* There are over 70,000 square feet of concrete slab-covered surfaces at the Site. EPA is currently evaluating vapor intrusion risks. Based on initial sampling, current site uses and future construction should include mitigation of vapor intrusion risks for interior spaces of the facility buildings. During the site’s remedial investigation and feasibility study, it will be important to determine whether vapor mitigation measures can be effectively integrated into the existing facility layout or if removal of buildings and slabs may be necessary.
- *Access Considerations:* Building a new public street connection between Topperwein Road and Lookout Road along the current private access road or an alternate alignment could give the property convenient access to Live Oak’s major arterial roads. This increased potential for vehicular access could open up the potential for larger employers to move people and goods to and from the Site. Concepts similar to these types of access improvements are noted in the 2040 Plan, along with a vision for the area becoming an employment center. Future capital improvement allocations for new road connections could significantly benefit the Site and the surrounding area.
- *Utility Service Considerations:* As access improvements are planned, consider upgrades to water and sewer distribution and collection systems in the area south of Lookout Road and east of Topperwein Road. Delivering public water and sewer utilities could help attract bigger employers with larger accompanying water demands and wastewater flows.

Overall, the Site is well positioned for reuse. Light industrial uses are appropriate for the Site in the near term. With anticipated future growth and infrastructure improvements, the Site and surrounding area could provide a valuable location for expanded employment in the commercial and light industrial sectors.

## Contacts and Additional Information

### Reuse Assessment Appendices

This reuse assessment documents key considerations to help inform EPA's remedial process, property owners and prospective purchasers, and local planning activities. Appendices provide supplemental information for interested parties. The additional resources included as appendices are listed below.

- A. Reuse Assessment Questionnaire
- B. Live Oak Industrial Zoning – Allowable Uses
- C. Eldorado Chemical Co., Inc. Site Profile and Executive Summary Handout
- D. Prospective Purchaser and Lessee Liability Considerations Handout
- E. Live Oak 2040 Plan (Comprehensive Plan Update)

### Site Contacts for Additional Information

For further information about the Site, EPA's remedial process or resources to support Superfund reuse, please contact the EPA representatives listed below.

Stephen Tzhone, Remedial Project Manager, EPA Region 6  
[tzhone.stephen@epa.gov](mailto:tzhone.stephen@epa.gov) | 214-665-8409

Casey Lockett, Superfund Reuse Coordinator, EPA Region 6  
[lockett.casey@epa.gov](mailto:lockett.casey@epa.gov) | 214-665-7393

Janetta Coats, Community Involvement Coordinator, EPA Region 6  
[coats.janetta@epa.gov](mailto:coats.janetta@epa.gov) | 214-665-7308

## Appendix A: Reuse Assessment

### Questionnaire Eldorado Chemical Co., Inc. Site, Live Oak, Texas

The following questions were prepared to help identify the views of community members regarding the Eldorado Chemical Co., Inc. Superfund Site. EPA is gathering this information to better understand the

full range of potential activities that may be expected to take place at the site or surrounding area in the future. If you would like to share your ideas, please write your answers in the space provided below each question.

*Are there specific activities or uses that you would like to see at the site property in the future?*

*What types of uses or amenities would the community like to see at the site in the future?*

*What services or uses are needed in the community? Would the site be a good location to help address gaps?*

*Feel free to share other ideas you have regarding the site below:*

## Appendix B. Live Oak Industrial Zoning – Allowable Uses

### Industrial Zoning

The Eldorado Chemical Co., Inc. site property is located in the city’s Light Industrial District (I-1), which permits “light manufacturing processes which do not emit detectable dust, odor, smoke, gas, or fumes beyond the boundary property lines of the lot or tract upon which the use is located or beyond the boundary line of the I-1 Industrial District zoned lot which is generally perceptible in frequency or pressure above the ambient level of noise in the adjacent areas.”

According to the Live Oak Zoning Regulations’ Schedule of Uses, the I-1 district can include the land uses listed below.<sup>3</sup>

Land uses generally permitted in the zoning district (X):

- Agricultural field crops
- Agricultural animal husbandry
- Farm, ranch or orchard
- Accessory building residential
- Farm accessory building
- Off-street parking incidental to main use
- Servant or caretakers’ quarters
- Social and recreational building
- Swimming pool (private)
- Temporary field or construction office
- New and unscheduled accessory and incidental uses—Sec. 2.1.
- Airport, heliport or landing field
- Church and rectory
- Civic center
- Library, art gallery, museum
- Public administration offices
- Schools, private, college, university
- Schools, public or parochial
- Electrical substation
- Electric power generating plant
- Fire station
- Gas transmission and metering station
- Local utility distribution lines
- Radio, television or microwave towers
- Radio television transmitting station commercial
- Sewerage pumping station
- Telephone business office
- Telephone exchange switching/relay equipment

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<sup>3</sup> Available at [https://library.municode.com/tx/live\\_oak/codes/code\\_of\\_ordinances](https://library.municode.com/tx/live_oak/codes/code_of_ordinances).

- Utilities, public or private other than listed
- Utility shops or storage, yards and buildings
- Water well, reservoir pumping station or storage
- New and unscheduled utility and related services
- Amusement, commercial outdoor-indoor
- Country club
- Park playground similar public site
- Private club
- Public recreation center
- Private tennis/swim club
- Auto wash
- Auto sales and repair (in building)
- Auto sales, new and used car lot (open)
- Auto painting and body shop
- Convenience self-service stations
- Primary petroleum product
- Secondary petroleum product
- Commercial parking lot or structure, auto
- Sale, new auto parts in building
- Seat cover or muffler installation shop
- Tire retreading and capping
- Recreation vehicle/boat/auto storage rental facility
- New and unscheduled automobile related service uses
- Antique shop
- Art supply store
- Animal clinic or pet hospital (no outside pens)
- Bank or savings and loan office
- Book and stationery store
- Barber and beauty shop
- Bakery/confectionery shop (retail sales)
- Cafeteria/restaurant (without alcoholic beverages)
- Restaurant (with alcoholic beverages)
- Camera shop
- Cleaning shop/laundry
- Cleaning/laundry pick-up station
- Cleaning/laundry self-service shop
- Clinic, medical/dental
- Drug store, pharmacy
- Department store discount house
- Grocery store
- Furniture/appliance store
- Florist shop
- Garden shop and plant sales
- Handcraft and art object sales



- Hardware store
- Hobby shop
- Key shop
- Laboratory, medical or dental
- Medical appliances fitting and sales
- Mortuary
- Office/professional general business
- Optical shop
- Package store
- Pawn shop
- Pet shop-small animal, birds/fish
- Personal custom services such as tailor, milliner, related
- Retail shops, apparel accessories, gifts and similar items
- Shoe repair
- Signs, billboard advertising
- Signs, pole type not exceeding 64 square feet on exposed face
- Signs, church and school
- Signs, real estate
- Studio, photographer, artist, music, drama dance
- Studio, health, reducing or similar service
- Studio, decorator and display of art objects
- Tavern
- Travel bureau or consultant
- Veterinarian, office (no outside kennels)
- Variety store
- New and unscheduled retail and business services
- Bakery, wholesale
- Building material sales
- Cabinet or upholstery shop
- Clothing manufacturing similar light manufacturing process
- Cleaning, dyeing/laundry plant commercial
- Contractors storage/equipment yard
- Dance hall/night club
- Drive-in theater
- Heavy machinery sale storage repair
- Laboratory, manufacturing
- Maintenance and repair service
- Milk depot, dairy/ice cream plant
- Open storage and sale of furniture, appliance and machinery
- Paint shop
- Plumbing shop
- Railroad/bus passenger station
- Storage warehouse (mini)
- Storage warehouse (commercial)

- Trade/commercial schools
- Trailer and mobile home sales or rental only
- Transfer storage and baggage terminal
- Veterinarian hospital/kennel (outside pens)
- Welding or machine shops
- Wholesale office storage sales
- Commercial radiology clinic
- Medical appliances fitting and sales
- Medical laboratory
- New and unscheduled commercial and related services
- Light manufacturing process
- Job printing, lithographer, printing or blueprint plant
- Individualized manufacturing of medical equipment

Uses for which a specific use permit is required (S):

- One family dwelling attached (townhouse)
- Water treatment plant
- Signs, business
- Testing laboratory
- Research laboratory
- Laboratory, scientific or research
- Recycling collection facility
- Any manufacturing processes
- Manufacturing, industrial storage or assembling process
- New and unscheduled uses - industrial and related uses
- Asphalt or concrete batching plants
- Storage of shell, soil sand and gravel
- Commercial extraction of sand, soil, gravel
- Wrecking salvage yard

Uses for which City Council approval is required (CC):

- Sewerage treatment plant
- Railroad tracks and right of way
- Drag strip
- Fairgrounds
- New and unscheduled entertainment and recreational use

# Appendix C. Eldorado Chemical Co., Inc. Superfund Site Reuse Profile and Executive Summary

# REUSE PROFILE

## Eldorado Chemical Co., Inc. Superfund Site Live Oak, Texas

MAY 2020

### OVERVIEW

EPA's Superfund Redevelopment Initiative and EPA Region 6 developed this reuse profile for the Eldorado Chemical Co., Inc. Superfund Site in Live Oak, Texas.

The site is located at 14350 Lookout Road. The 4.5-acre property is located in a sparsely developed industrial area on the west side of Live Oak. A cleaning products manufacturing facility operated on site from 1978 to 2007. Materials handling and storage practices at the facility led to release of tetrachloroethene (PCE), trichloroethene (TCE), dichloroethene (DCE) and vinyl chloride at the Site. These potential contaminants of concern have been found in alluvial groundwater at the Site.

Due to the potential for the plume of chlorinated solvents to migrate into the underlying Edwards Aquifer, the Texas Commission on Environmental Quality (TCEQ) and EPA have led investigations and taken initial steps to limit potential exposure to groundwater at the Site. Between 1984 and 2014, TCEQ and private parties conducted limited cleanup activities, a Phase II Subsurface Investigation and subsequent supplemental site investigations in 2001, 2006, 2009 and 2014. In 2016, TCEQ referred the Site to EPA. In September 2016, EPA placed the Site on the National Priorities List of Superfund sites. EPA is currently conducting a remedial investigation and feasibility study for the Site.

This reuse profile summarizes regional assets, site features, zoning and land use, along with suitable future uses and reuse opportunities for the Site.

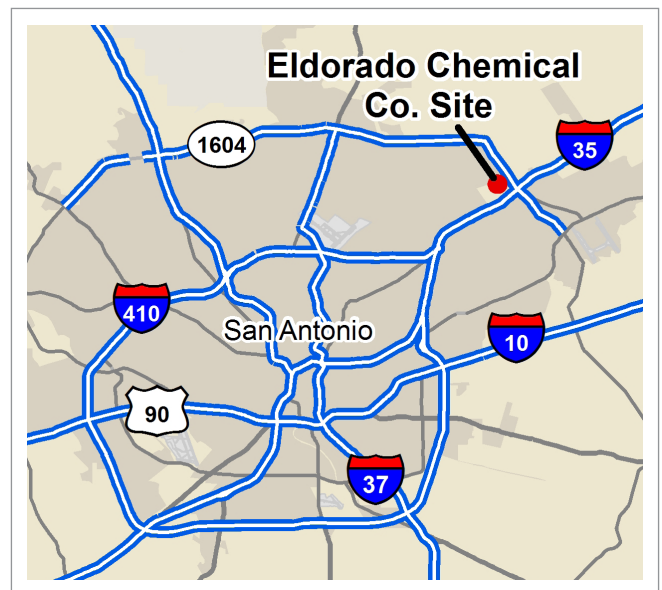


Figure 1. Site location.

### SITE ASSETS

- Industrial zoned property in Live Oak, Texas.
- Live Oak (pop. 15,335) is located at the northeastern edge of San Antonio's Metro West region. The City's population has grown at an average rate of 3.1% over the past 10 years.
- Convenient access to Interstate 35 and Loop 1604 (Charles W. Anderson Loop).
- Utilities include electric and gas services. On-site infrastructure includes a private potable water well and an in-ground septic system.

### NEARBY POPULATION & EMPLOYMENT CENTERS

- Downtown San Antonio (16 miles)
- Randolph Air Force Base (9 miles)
- New Braunfels (18 miles)

# SITE LOCATION AND FEATURES

The property is located on the west side of Live Oak near the boundary with the city of San Antonio and is part of a low-density commercial/industrial area between Lookout Road and Topperwein Road. The Bridlewood Park residential neighborhood is located southeast of the Site.

The Site's existing features include a perimeter fence with gated access to two large warehouse-type buildings, several small outbuildings and surrounding open space. These features are illustrated in Figure 6 and described below.

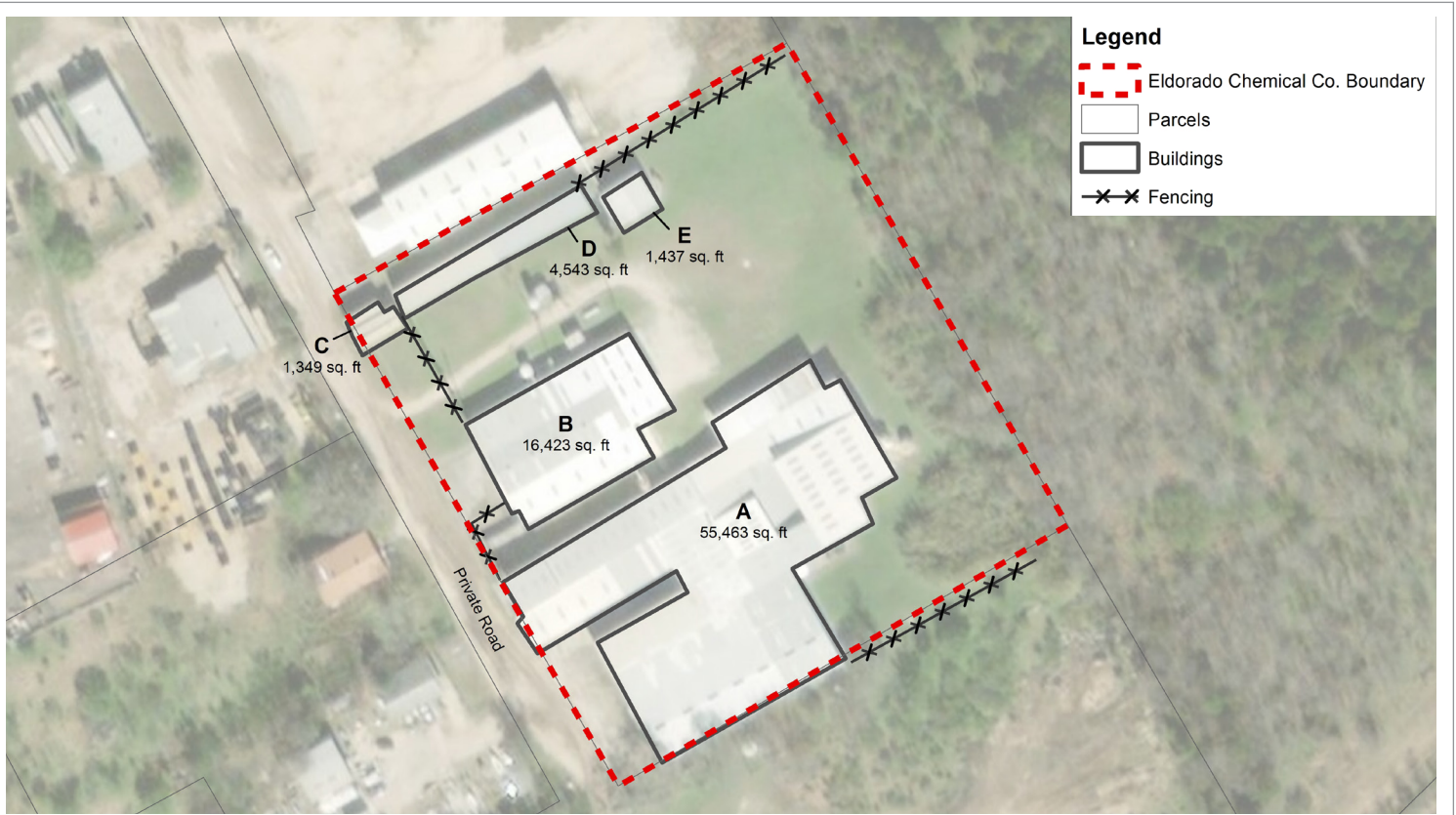


Figure 2. Existing Site Features



## Building A:

The larger of the two buildings combines two structures connected by covered storage and includes a loading dock (west) and a covered storage area (east). Enclosed structures within Building A cover about 10,000 square feet and 12,000 square feet, respectively. Interior spaces are not secure and require plumbing and electrical equipment upgrades.



## Building B:

Building B includes an insulated and secure warehouse with about 16,000 square feet of indoor space. Interior spaces include a small office and open floor space with 20' clearance and garage bays on the east and west walls.

## ZONING

The Site is located in the city's Light Industrial District (I-1), which permits "light manufacturing processes which do not emit detectable dust, odor, smoke, gas, or fumes beyond the boundary property lines of the lot or tract upon which the use is located or beyond the boundary line of the I-1 Industrial District zoned lot which is generally perceptible in frequency or pressure above the ambient level of noise in the adjacent areas."

## COMMUNITY FUTURE LAND USE GOALS

From 2019 to 2020, the city of Live Oak updated its comprehensive plan. The outcome of this process, known as the 2040 Plan, identifies current and projected future growth and development patterns for the community.

The Site area is defined as a future employment center that includes a mix of professional and service uses such as offices, research and development facilities, warehousing, advanced manufacturing, and logistic hubs.

The 2040 Plan also recommended improvements in infrastructure and street connections for the intersection of Topperwein Road and Lookout Road as well as the adjacent Site area.

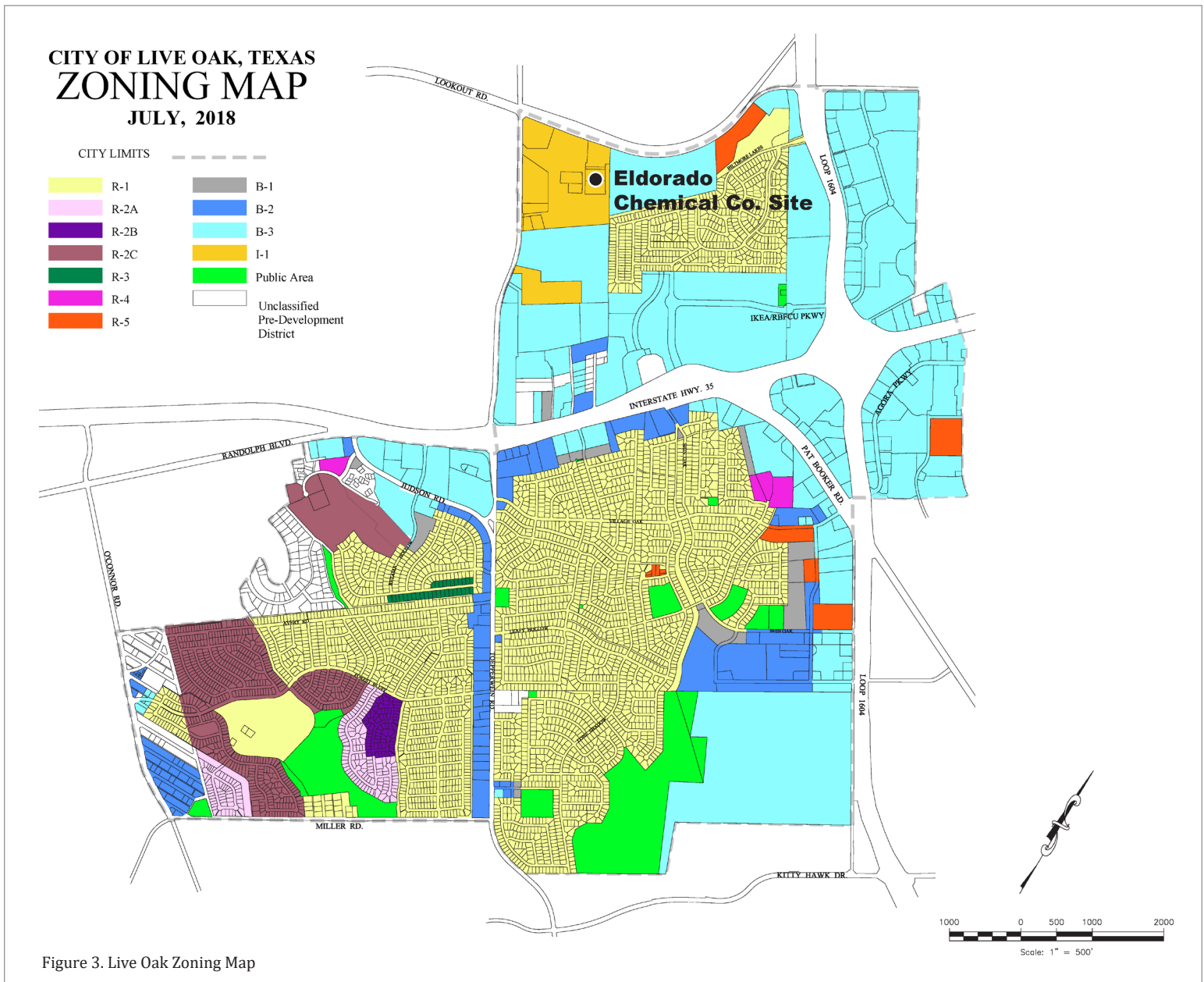


Figure 3. Live Oak Zoning Map

# FUTURE LAND USE AND REUSE OPPORTUNITIES

The Site is well positioned for reuse. Light industrial uses are appropriate for the Site in the near term. With anticipated future growth and infrastructure improvements, the Site and surrounding area could provide a valuable location for expanded employment in the commercial and light industrial sectors.

## CONTINUED USE

The Site is currently an inactive light industrial facility with potential for covered and indoor storage, a repair shop, or a material staging and light assembly facility. Property maintenance and surveillance activities are recommended to limit potential vandalism impacts. Continued cooperation with ongoing EPA site investigations and the remedial process is needed. EPA is currently evaluating vapor intrusion risks. Based on initial sampling, current site uses and future construction should include mitigation of vapor intrusion risks for interior spaces of the facility buildings.

## NEAR-TERM REUSE OPPORTUNITIES

In the next five to 10 years, future uses for the Site are likely to include small light industrial businesses with low demand for truck or vehicle traffic and utility services. Provided that electric and plumbing systems are upgraded or replaced and regular property maintenance continues, the Site offers over 70,000 square feet of covered space and three separate warehouse buildings. Future businesses operating at the Site are most likely to lease some or all of the facility space rather than own the property.

Businesses and future use activity types that could be compatible with the existing facilities and may make sense for the area are listed below.

- **Storage:** self-storage units, logistics, event staging, large equipment storage or climate-controlled storage.
- **Vehicle Repair/Trucking:** repair shop, trucking support service.
- **Assembly:** light structure manufacturing (tiny house, mobile home, wooden trusses), storage sheds, furniture assembly, engineered timbers, wood shop or machine shop.
- **Construction/Landscape Yard:** covered parking for fleet vehicles, construction equipment, maintenance shop.
- **Parking:** covered and indoor vehicle parking.
- **Arts:** studio or maker space.

## LONG-TERM REUSE OPPORTUNITIES

Ten or more years in the future, Given zoning, land uses and community goals, along with improved access and utility infrastructure in the area site uses could include those listed above as well as the a wider range of uses listed below:

- Professional office or lab space.
- Light industrial operations.
- Research and development facilities.
- Indoor recreation facilities.



Site access road.



Covered storage and loading areas.

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## Appendix D. Prospective Purchaser and Lessee Liability Protection Considerations Handout



# POTENTIAL SUPERFUND LIABILITY PROTECTIONS FOR PURCHASERS AND LESSEES

Acquiring and redeveloping property located within a Superfund site can be done in a manner that addresses Superfund liability protections for the new owner or lessee. Parties who are interested in purchasing or developing the properties within a Superfund Site should contact the region's Superfund Redevelopment Coordinator or site team (see contact information below) to better understand the following issues:

- Status of the site;
- Compatibility of any proposed reuse with the site cleanup and any property restrictions (before and during cleanup, EPA may be able to take into consideration proposed reuse plans to enhance the reuse);
- Superfund liability protections (which are outlined briefly below);
- Available redevelopment resources and tools.

There are hundreds of examples of successful redevelopment of Superfund sites across the country. Sometimes, inclusion of property within a Superfund site is incorrectly perceived to limit reuse of the property; however, there are legal provisions available to successfully manage liability risk. Prospective purchasers and local government entities involved in the acquisition and redevelopment of a Superfund site should understand the available liability protections and steps needed to manage these environmental liability issues. The 2002 Brownfield Amendments to the Comprehensive Environmental Response Compensation and Liability Act (CERCLA (otherwise known as Superfund)) and the subsequent Brownfields Utilization, Investments and Local Development (BUILD) Act, which passed in March 2018, provide important protections to prospective purchasers and lessees who meet certain statutory criteria and comply with ongoing obligations at the property. The 2018 BUILD Act also expanded and codified existing EPA guidance on BFPP liability protection for tenants of federal Superfund sites.

## *Bona Fide Prospective Purchaser (BFPP) – CERCLA Sections 101(40) and 107(r)(1)*

BFPP status is the most common of the Superfund liability protections for prospective purchasers and lessees. In order to attain and maintain BFPP liability protection status under CERCLA, a prospective purchaser needs to ensure it meets the provision's threshold criteria requirements before purchasing the site and meet ongoing obligations after purchasing the site. These criteria are discussed in EPA's "common elements" guidance, which includes 1) performing "all appropriate inquiries" prior to acquiring the property, 2) demonstrating "no affiliation" with a liable party and 3) satisfying ongoing long-term stewardship obligations. See the Common Elements guidance here: <https://www.epa.gov/enforcement/common-elements-guidance>. For additional information on BFPP liability protections, see: <https://www.epa.gov/sites/production/files/documents/top-10-ques.pdf>

### **EPA Region 6 Contact**

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## Appendix E. Live Oak 2040 Plan

Available online at:

<https://clients.freese.com/liveoaktx/?page=ProjectDocuments>