



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 6  
1445 ROSS AVENUE  
DALLAS, TEXAS 75202-2733

APR 22 2011

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Sam A. Listi, City Manager  
City of Belton  
333 Water Street  
P.O. Box 120  
Belton, Texas 76513

Re: Rockwool Industries Superfund Site, Belton, Texas.

Dear Mr. Listi:

This letter addresses the City of Belton's Superfund liability concerns with respect to the Rockwool Industries Superfund Site (Site). In your letter dated December 16, 2010, you expressed concern regarding the Environmental Protection Agency (EPA) enforcement of the existing Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), Section 107(l) lien, and the Agency's ability to perfect a Section 107(r) lien in the future.

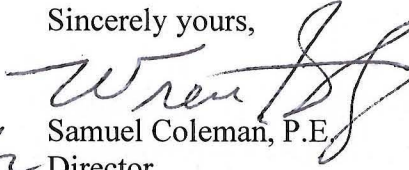
As previously discussed, the City is aware of certain conditions at the Site including that hazardous substances were disposed at the Site and that EPA took response actions pursuant to CERCLA. Because hazardous substances remain at the Site above levels that allow for unlimited use and unrestricted exposure, EPA will conduct five-year reviews of the Site in accordance with CERCLA Section 121(c), 42 U.S.C. § 9621(c). The enclosure provides additional background information about the site.

EPA incurred response costs totaling \$17,576,958.90, through March 31, 2010. As you know, EPA perfected a lien on the Site property under CERCLA Section 107(l), 42 U.S.C. § 9607(l), on April 2, 2007. Agency records show that the statute of limitations for EPA cost recovery expired on April 11, 2011, and therefore, the CERCLA 107(l) lien will not be pursued.

Based upon information currently available, EPA does not intend to take further enforcement actions, including the pursuit of liens under CERCLA Sections 107(l) and 107(r). EPA Region 6 supports your interest in responsibly developing the Site. EPA acknowledges the

City's responsibility to implement and enforce institutional controls and manage the Site property in a manner consistent with the remedial action. If I can be of further assistance, please let me know. If you have any questions, feel free to call me at 214.665.3110, or Mr. George Malone, the EPA attorney, at 214.665.8030.

Sincerely yours,

  
for Samuel Coleman, P.E.  
Director  
Superfund Division

Enclosure

cc: Robert Patton, Jr., Manager  
Federal Superfund Program, TCEQ

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## Enclosure – Background

The Rockwool Industries facility was in operation from the mid-1950s until February 1987, and the facility produced two types of mineral wool insulation (i.e., blow wool and batt wool). The mineral wool was produced in blast furnaces using raw material such as slag from copper and antimony smelting, waste from limestone mining, as well as coke and basalt. The residue left in the furnaces was a metal named “shot.” The shot was the main type of waste generated as a result of the production process. The waste was stockpiled in various areas across the Site. The Site was placed on the National Priorities List (NPL) in March 1998. The EPA selected the final remedial action for the Site in September 2004. As set forth by the September 30, 2004, Record of Decision (ROD), components of the remedial action included the excavation of the top two feet of contaminated soil; installation of two buried culverts to route storm water away from Site contamination; re-grading of the excavated soil areas; seeding of the clay and soil cover with grass; installation of a permeable geotextile cover over excavated areas near the Leon River bank; and installation of a multi-layer industrial landfill or containment cell to contain excavated materials and contaminated soil. EPA commenced the on-site construction of the selected remedial action on April 11, 2005, and completed the remedial action work by the end of 2005.

The selected remedial action was modified by an August 19, 2005, Explanation of Significant Differences (ESD) because the total volume of contaminated soil excavated at the Site exceeded the capacity of the on-site containment cell. Instead of removing all contaminated materials from the Central Property area of the Site, the ESD required a partial removal of the contaminated materials, installation of a clay cap over the contaminated materials, and institutional controls. The Rockwool Site was subsequently acquired by the City.

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