Texas Department of Health

RECEIVED
OCT 26 1993
By_____

David R. Smith, M.D.
Commissioner

Robert A. MacLean, M.D.
Deputy Commissioner

Public Health Region 8
601 W. Sesame Drive
Harlingen, Texas 78550
(210) 423-0130

Leonel Vela, M.D., M.P.H.
Regional Director

PLAINTIFF'S EXHIBIT KRC-62

October 11, 1993

Mr. David C. Cantu
Environmental Technician
KOCH Refining Company
P.O. Box 2608
Corpus Christi, Texas 78403

Dear Mr. Cantu:

Your company's asbestos abatement operation at KOCH Refining Company, off of Suntide Road, Corpus Christi, Texas, (Process Unit) conducted by Gilman Insulation, Inc., Corpus Christi, Texas, was inspected for compliance with the requirements of 40 CFR 61 Subpart M EPA National Emission Standards for Hazardous Air Pollutants on October 8, 1993.

Enclosed is a copy of the site evaluation checklist. The checklist outlines the job areas inspected and indicates the areas of compliance and/or noncompliance. The overall evaluation indicates that this project is in compliance with existing departmental rules.

Thank you and your staff for the courtesy and cooperation extended to me during the inspection. If we can be of any further assistance, please do not hesitate to call us at (210) 423-0130.

Sincerely,

Esteban Gonzalez, R.S.

Esteban Gonzalez, R.S.
Environmental Quality Specialist IV

Approved: _____
(for) Jacob Rathmell, Jr., P. E.
Regional Director for Environmental
and Consumer Health Protection

EG

cc: Rudy De Leon, Supervisor
Gilman Insulation, Inc.
P.O. Box 4074
Corpus Christi, Texas 78469

K018583

EPA REGION VI
ASBESTOS DEMOLITION AND RENOVATION (D/R)
FIELD DATA COLLECTION CHECKLIST

I. GENERAL INFORMATION (from notification)

Site Name: Koch Refining Company
Location: off of Suntide Road.
Date/time of inspection: 10/08/1993 10:30 A.M.
Inspector(s): Esteban Gonzalez, R.S.

Notification Received? (Yes) (ID #, date): 29300 09/24/1993

Reason for Inspection:
Routine Compliance Inspection ✓ Citizen Complaint ____
Suspected Non-notifier ___ State Oversight/Joint ___ Other ___ (explain)

1. Establish identity of Owner/operator(s):
   a. Owner name: Koch Refining Company
   b. Main contact person, and title: David C. Cantu, Environment Tech.
   c. Mailing address: P.O. Box 2608 Corpus Christi, Texas 78403
   d. Telephone number: (512) 241-4811
2. Prime Contractor (provide the following information for each contractor related to the D/R job):
   a. Company name: Gilman Insulation Inc.
   b. Main contact person and title: Rudy De Leon, Supervisor
   c. Mailing address: P.O. Box 4074 Corpus Christi, Texas 78469
   d. Telephone number: ~~(615) 868-8860~~ (512) 884-4906
3. Activity Description:
   a. Is more than one project occurring at the facility? Yes ___ No ✓ (If yes, complete a separate checklist for each or differentiate accordingly.)
   b. Type of activity: Demolition ___ Ordered Demolition ___ Planned Renovation ✓ Nonscheduled Operation ___ Emergency Renovation ___
   c. Describe the project: This asbestos abatement project has to do with the removal of asbestos containing material from process vessels and piping.

   Indicate its current phase: pre- ___ during ✓ post- ___ abatement
   d. Describe type of abatement occurring (e.g., removal, encapsulation, etc.): (Glove bagging) The asbestos abatement crew of 35 all trained in the removal of asbestos were removing pipe insulation using the glove bag method and wetting the material, encapsulating the pipe.
   e. Abatement starting date [145(b)(3)(C)(ix)]: 10/04/1993
      Ending date: 9/1/1994

II. REMOTE OBSERVATIONS

1. Visible emissions to the outside air? Yes ___ No ✓ If yes, describe specific location (e.g., door, window, waste storage area, etc.) referring to remote observation sketch. ____
2. Suspect ACM debris observed outside removal area? Yes ___ No ✓ If yes, describe [e.g., location, estimated quantity, condition (intact? crushed? wet? dry?)] ____
3. Are vehicles being used to haul suspect ACWM properly marked? Yes ___ No ___

BFI/Lanbor Waste, Inc. Johnnie Mae Bosworth
P.O. Box (Drawer C)
Sinton, Texas 78387

BFI Sinton Landfill
OFF of FM 1945 & County Road 39. Sinton, Texas

K018584

4. Land use surrounding site (Residential___, Schools___, Businesses___, Industrial ✓, Other___):
   a. Distance to the closest residence/public building from the D/R site:_____
   b. Number of residences or occupied buildings on adjacent properties or lots:_____
   c. Distance to pedestrian walkway, street, or thoroughfare from site:_____
   d. Additional information indicating potential public exposure:_____

5. Building/Structure Information
   a. Use: Office__, Retail__, Industry ✓, School__, Other_____
   b. Brief physical description of building involved in D/R: No. of floors___ Dimensions (sq ft)_____
   c. Year constructed:_____ Year(s) renovated:_____

Using the space provided, draw a sketch of the suspected abatement area. Draw the building or other source of suspect ACM, waste storage area(s), location(s) of debris, land use surrounding site, vehicles of importance, etc. Estimate and indicate dimensions and distances as accurately as possible on the drawing.

Area ; Personal Air Monitoring Zone
Gilman Insulation.
Eduardo Ybarra -

III. PRE-INSPECTION INTERVIEW

1. Credentials shown: [145(c)(8)] Yes No
   - Agency identification ✓ ___
   - Medical monitoring certification ✓ ___
2. Name and position of person(s) being interviewed (include company name):
   Rudy De Leon, Supervisor, Gilman Insulation (Contractor/Supervisor Refresher June 19, 1993)
   Stoney K. Vining, Environmental Engineer, Kock Refining Company
3. Describe any changes/modifications/discrepancies in the information in the notification [145(b)(3)(A), (B), (C)]: NONE.
4. Prime Contractor
   a. Contractor's responsibilities at job: Supervision of Asbestos Abatement Workers.
   b. Number of employees involved in job: 35
   c. Number of on-site employees trained in asbestos removal: 35
   d. Name of Supervisor (if different from 5b.): Rudy De Leon
   e. What type of asbestos training has the supervisor had? Contractor/Supervisor training
      Date of last training: June 19, 1993
   f. On-site Representative
      1) If applicable, name of on-site representative who has had required training in the provisions of the NESHAP regulations, training course and date (effective 1 year after promulgation of the revised NESHAP) [145(b)(3)(c)(xiii)]: Rudy De Leon
      2) Is evidence regarding this individual's training posted and available for inspection at the demo/reno site: [145(c)(B)]: Yes ✓ No ___ N/A ___
5. Subcontractors or any other party on site (e.g., hygienist, consultant, etc.) who controls or supervises the D/R project.
   a. Company name: ___ b. Main contact person and title: ___
   c. Mailing address: ___ d. Telephone number: (___) ___
      City State Zip Code
   e. Responsibilities at job: ___
   f. Number of employees involved in job: ___
   g. Number of on-site employees trained in asbestos removal: ___
   h. Name of supervisor: ___
   i. What type of asbestos training has the supervisor had? ___

Eduardo Ybarra - Contractor/Supervisor June 19, 1993
Robert Cardenas - " "
George H. Gonzalez - " June 11, 1993
Sampling
John Duncan Contractor/Supervisor Refresher June 11, 1993

IV. SITE INSPECTION OBSERVATIONS

A. Type of Suspect ACM:
   Insulation:
   Pipe
   - felt ___ - air cell ___ - premolded ✓ - asbestos cement ___
   Block ___
   Surfacing Materials:
   Plaster ___ Spackling Compound ___ Stucco ___ Joint Compound ___
   Spray on:
   - Acoustical ___ - Decorative ___ - Insulative ___
   Miscellaneous:
   Ceiling tiles ___
   Category I Nonfriable ACM:
   Packings ___ Gaskets ___ Asphalt Roofing Products ___
   Resilient floor coverings:
   - Vinyl/asbestos tile ___ - Asphalt/asbestos tile ___ - Linoleum ___

That's what they are removing at the present time.

K018586

Category II nonfriable ACM:
Extrusion panels___ Putties___ Clapboards/shingles___ Sealants___
Millboard___ Adhesives(mastics)___ Vinylwallpaper___
Concrete/asbestos pipe___ Pegboard___ Paints and coatings___
Laboratory bench tops___
Textiles:
fire blankets___ laboratory aprons___
theater and welding curtains___ gloves___
Others:_____

B. Quantity Determination [145(a)]
Complete Attachment A (Quantification of ACM) and the following:
1. Linear footage of ACM present on pipes:_____
2. Square footage of ACM present on other facility components:_____
3. Cubic footage of ACM off facility components where the amount of ACM previously on pipes and other facility components is unknown:_____
4. Method of measuring or estimating amount of ACM present:_____

Yes	No	N\A	Demolition
			C. Emission Control Procedures [145(c)]
___	___	___	1. Facility ordered demolished (removal not required) [(c)(4)]: If yes,
___	___	___	a. Governmental agency ordering demolition:
___	___	___	b. Portion of facility containing ACM adequately wet during wrecking?
___	___	___	c. Visible dust emissions:
___	___	___	2. Category I nonfriable ACM not in poor condition and not friable? (removal not required) [(c)(1)(i)]:
___	___	___	3. Encased in concrete (removal not required): If yes, adequately wetted whenever exposed during demolition? [(c)(1)(ii)]:
___	___	___	4. ACM not discovered until after demolition began and cannot be safely removed (removal not required) [(c)(1)(iii)]: If yes, adequately wet at time of inspection?
___	___	___	5. Is the facility being demolished by intentional burning?
___	___	___	If yes, has all ACM (including Categories I and II) been removed before burning? [(c)(10)]:
___	___	___	6. Category II nonfriable with low probability of becoming crumbled, pulverized or reduced to a powder during demolition? (removal not required) [(c)(1)(iv)]:
___	___	___	7. Is ACWM being generated during an ordered demolition or demolition where RACM is not required to be removed? If yes, is the ACWM kept:
___	___	___	a. adequately wet after demolition?
___	___	___	b. wet during handling and loading for transport to a disposal site?
			NOTE: (Sealing in leak-tight containers or wrapping not required - may be transported and disposed of in bulk.)
			DEMOLITION or RENOVATION
___	___	___	8. Unit/section removal? If yes, answer the following:
___	___	___	a. ACM adequately wet whenever exposed?
___	___	___	b. Lowered to floor and ground level without disturbing ACM? [(c)(3)(i)&(ii)]:

Yes	No	N/A	
			9. Stripping in place? if yes, answer the following:
			a. ACM adequately wet while being stripped and until collected and contained or treated in preparation for disposal? [(c)(6)(i)]:
			b. Lowered to floor and ground level without disturbing ACM? [(c)(6)(ii)]:
			c. Transported to ground via leak-tight chutes or containers if removed or stripped >50 feet above ground level and not removed as units or in sections? [(c)(6)(iii)]:
			10. Temperature at point of wetting below 32°F? If yes, answer the following [(c)(7)]:
			a. Regulated facility components being removed as units or sections?
			b. Visible emissions to the outside air?
			c. Required records kept regarding cessation of wetting?
			d. Records available for inspection?
			11. Has the owner/operator been granted an exemption from wetting? [(c)(3)(A),(B)]:
			a. Reason for exemption_____
			b. Who granted the exemption? [(c)(3)(B)(3)(ii)]:_____
			c. Is one of the following emission control techniques in use?
			Local exhaust ventilation and collection system [(c)(3)(B)]:
			Glove-bag system
			Leak-tight wrapping
			Equivalent approved method (with approval kept at the worksite)
			d. Are there visible emissions to the outside air?
			12. Is Category I nonfriable ACM being sanded, ground or abraded? If yes:
			a. Are visible emissions produced?
			b. Is the ACM adequately wet?
			c. Is a local exhaust and ventilation and collection system being used?
			13. Are Large facility components being removed without the ACM being stripped? [(c)(5)]: If yes,
			a. Is the ACM being disturbed or damaged in any way?
			b. Is the component encased in a leak-tight wrapping labeled appropriately during all loading and unloading operations and during storage?

D. Evaluation of Wetting [150]

✓			1. Is there a water or wetting agent supply?
			2. What equipment is used to apply it? Hand pump sprayer
			3. Is water or a wetting agent observed being sprayed on suspect ACM during:
			a. removal of units or sections?
			b. stripping?
			c. government-ordered demolitions?
			4. Is there visible dust (airborne or settled), or dry suspect ACM or ACWM debris in the immediate vicinity of the operations? [(a)]

Yes	No	N/A	
___	___	___	5. Upon examination of some removed ACM, does the full depth of the ACM appear to have been wetted?
			6. Describe how the ACM changes when it is wetted (color_____, texture_____, weight_____, other_____)
___	___	___	7. Is ACM awaiting containerization adequately wet throughout? If not, describe:_____
___	___	___	8. Is ACM in bags or other containers adequately wet? (follow sampling procedures detailed in "Asbestos NESHAP Demolition and Renovation Inspection Procedures Field Manual") If not, describe:_____
___	___	___	9. Are there any open or ripped waste bags in the waste storage area? How many?___ Are the contents of these bags adequately wet?

E. Waste Disposal [150]

___	___	___	1. Are there visible emissions to the outside air? [(a)]
___	___	___	2. Is there any suspect ACM dust or debris on the ground? If yes, describe the quantity and location of the material and collect samples for analysis (sketch and photograph as necessary):_____
___	___	___	3. Is the owner/operator choosing an alternative to the "no visible emission" standard? If yes, which of the following options is in use?
			a. Treat with water and put into leak-tight, labeled containers:
___	___	___	Is the ACM adequately wet?
___	___	___	Are the containers leak-tight?
___	___	___	Are the containers properly labeled?
			b. Process into nonfriable forms
___	___	___	Alternative method approved by Administrator
			Description of alternative method:_____
			Approving Agency:_____
			Name and title of approving official:_____
___	___	___	4. Are containers of ACWM destined for off-site transport labeled with the name of the waste generator and the location of its generation?
___	___	___	5. Is all ACWM (excluding Category I Nonfriable in good condition) disposed of properly as soon as is practical?
___	___	___	6. Are vehicles used in the transport of ACWM marked appropriately during loading and unloading? [(c)]
			7. Waste Shipment Records [(150)(d)]
			The following information may not be available on site:
___	___	___	a. Are appropriate waste shipment records maintained? [(d)(1)]
___	___	___	b. Has a signed copy of the waste shipment record been received by the generator from the waste disposal facility within 35 days? [(d)(3)]
___	___	___	c. If such a signed copy has not been received, has the status of the ACWM been determined? [(d)(3)]

K018589

Yes	No	N/A	
___	___	___	d. Has the generator notified EPA in writing within 45 days if a signed copy of the waste shipment record has not been received from the disposal facility? [(d)(4)]
___	___	___	e. Are copies of all waste shipment records (including the signed copy sent by the disposal facility) maintained for two years? [(d)(5)]

f. Comments:_____

_____

_____

V. OSHA REQUIREMENTS

Containment Barrier? (Yes)/No Respiratory Protection? (Yes)/No
Decontamination Unit? (Yes)/No Glove Bag? (Yes)/No
Secondary containment in place where glove bags are used? Yes/No
Signs posted? (Yes)/No Number of cfm rating of local exhaust ventilation units:_____
Estimated size of containment area:_____
Hygienist company:_____
On-site representative:_____
Weather conditions: Hot/Clear/ with a few clouds.

VI. POST INSPECTION INTERVIEW

Summary of Recommendations/Discussion with Owner/Operator:

Whenever a violation of the asbestos NESHAP is suspected, document occurrence in field notes and with photographs and take samples as needed to prove ACM was involved. Use Attachment B for documenting sample information and Attachment C for documenting photograph information.

K018590

VII. ADDITIONAL COMMENTS

Estaba Sanjoly, R.S.
Inspector Signature and Title

10/08/1993
Date

Version 10/10/91