

# EL PASO TIMES

## TCEQ: Levels of chromium at Cemex site don't warrant investigation

By Diana Washington Valdez \ El Paso Times  
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The Texas Commission on Environmental Quality did not investigate the source of chromium reported by El Paso Water Utilities at the Cemex site in West El Paso because the levels reported were too low, TCEQ spokesman Terry Clawson said.

Officials said a contractor for the water utility found chromium and hydrocarbons during construction of a new waterline along a utility easement on West Paisano Drive on the Cemex property.

Clawson said Monday that the chromium level samples provided by the utility were not high enough to warrant further environmental investigation.

The World Health Organization and the Environmental Protection Agency consider chromium-6 to be carcinogenic to humans at certain concentration levels.

El Paso environmental advocate Heather McMurray said chromium should be of concern because it "is an indicator of the presence of other forms of chromium, some of which are extremely toxic. We know that from the 'Erin Brockovich' movie."

Chromium-6 was the pollutant highlighted in the film "Erin Brockovich" starring Julia Roberts that was based on a true story about water contamination in Hinckley, Calif.

Clawson said El Paso Water Utilities provided two soil samples and a water sample containing chromium. One of the soil samples measured 3.7 mg/kg (milligrams per kilogram) of chromium and the second one 5.49 mg/kg. The water sample measured 0.005 mg/L (milligrams per liter).

"All the chromium samples were for Total Chromium," Clawson said. Total Chromium includes chromium-6 and chromium-3.

According to the TCEQ, the protective concentration level (PCL) for chromium in groundwater is 0.1 mg/L.

It's different for soils.

"For residential total soil combined chromium (the) PCL depends on the type of chromium," Clawson said.

The safe maximum level for Total Chromium is 33,000 mg/kg. For chromium-6, the maximum protective level is 120mg/kg.

Clawson said that for soil to be protective of groundwater the protective concentration levels for chromium are 2,400 mg/kg for Total Chromium and 28 mg/kg for chromium-6.

"Chromium-6 occurs naturally in the environment from the erosion of natural chromium deposits but it can also be produced by industrial processes," according to the EPA's website. "There are demonstrated instances of chromium being released to the environment by leakage, poor storage, or inadequate industrial waste disposal practices."

Questions about possible contamination at the Cemex site on West Paisano became public during recent litigation between Asarco and Cemex.

Asarco alleges in a federal lawsuit pending before U.S. District Judge Phil Martinez's court that Cemex and its predecessors are responsible for alleged lead and arsenic contamination found in or near the International Boundary and Water Commission site by the Rio Grande. Asarco is asking the court to order Cemex to share in the \$19 million of the IBWC cleanup costs.

Cemex has denied the allegations and is asking for the court to dismiss the suit. A hearing to decide several motions is set for June 10.

In a new court filing, Asarco is asking the court to compel new depositions by Stanley Jobe and Cemex environmental director Kimberly Dennis, and for Cemex to pay \$59,555 in attorneys fees and costs associated with this latest motion.

Asarco argues that it needs further testimony from Jobe, in light of a 1989 environmental assessment that Jobe commissioned and which surfaced after Jobe's earlier deposition.

Environmental inspectors reported finding lead, cadmium, chromium, barium, chloride, sulfate, high pH levels and PCBs on the old Toro quarry premises at Paisano Drive and Executive Center Boulevard; the report was submitted Dec. 5, 1989, to Jobe Concrete Products Inc. Two kiln bricks analyzed at the time had chromium concentrations of 800 mg/kg of and 1,200 mg/kg, the report said.

Asarco's lawyers also want documents related to the contamination discovered in 2011 during work for the El Paso Water Utilities' Paisano waterline project.

Jobe sold his operation at the West Paisano site to RMC Group PLC and RMC later sold it to Cemex.

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