



# News Release

## For Immediate Release

### Contacts:

USFWS – Chip Wood -361-994-9005  
Lesli Gray - 972-569-8588  
NOAA – Ben Sherman - 301-713-3066

## Natural Resource Injury Case Settled For Waste Disposal Site In Texas City, Texas

State and Federal trustee agencies will use the majority of funds from a \$3,109,000 settlement to restore natural resources injured by contamination from a Texas City hazardous waste site. The U.S. District Court for the Southern District of Texas has approved the settlement between more than three dozen companies and government agencies for payment of natural resource damages under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) resulting from the release of hazardous substances from the Malone Services Company site. In addition to restoration of natural resources, the settlement also separately provides for the cleanup of the site.

The Malone Services Company site, located along the shores of Galveston Bay in Texas City, is a former 150-acre waste oil and chemicals disposal facility. While in operation from 1964 to 1996, more than 480 million gallons of waste were brought to the site from hundreds of businesses. Hazardous substances released from the site -- including chlorinated solvents, phenols, PAHs, chromium and lead -- have contaminated soils, groundwater, sediments and surface waters around the site and in Galveston Bay. The U.S. Environmental Protection Agency placed the site on the National Priorities List in 2001 and began subsequent remedial investigations and actions.

This natural resource damages settlement is the result of years of scientific evaluation and negotiations by Federal and Texas natural resource trustee agencies (Trustees) with the Malone Cooperating Parties, a group of settling defendants for the site. Prior to making their claim for natural resource damages, the Trustees undertook an assessment to determine which natural resources had been injured by contamination at the site and the extent of the damage. During their assessment, the Trustees identified injuries to upland-woodland habitat, freshwater marsh habitat and saltwater marsh habitat. Settlement monies will be used to restore the same types of natural resources as those injured by contamination at the site.

The settlement money will be jointly held by the State and Federal Trustees in the Interior Department's Natural Resource Damage Assessment and Restoration Fund until restoration projects are selected. The Trustees will solicit project ideas and prepare one or more draft restoration plans for public review and comment before selecting projects for implementation.

"I am pleased to see this settlement agreement between the Trustees and the Malone Services Company," said Benjamin Tuggle, Southwest Regional Director, U.S. Fish and Wildlife Service. "Now we can begin the process of restoration by working with the public and other involved

stakeholders to determine what restoration project or projects will best compensate for the lost resources.”

"As these funds are turned into on-the-ground restoration projects they will provide a source of green jobs and ensure a healthy coastal environment for future generations" said David Kennedy, NOAA assistant administrator for the [National Ocean Service](#).

The Trustees for the settlement are the U.S. Department of the Interior through the U.S. Fish and Wildlife Service (USFWS); the Department of Commerce through the National Oceanic and Atmospheric Administration (NOAA); the Texas Parks and Wildlife Department (TPWD); the Texas General Land Office (GLO); and the Texas Commission on Environmental Quality (TCEQ).