

The following is an Adobe Acrobat reproduction of the official  
**Notice of Proposed Selection of Remedy**

for

**Aztec Ceramics**

as published in the

***Texas Register***

**(24 TexReg 7056-7057)**

on

**September 3, 1999**

**A portion of the records for this site, including documents  
pertinent to the TNRCC selection of remedy, is available for  
viewing with the site repository records**

at

**Carver Branch Library**

**3350 E Commerce Street**

**San Antonio, Texas**

**and/or**

**TNRCC Records Management Center**

**Austin, Texas**

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to be published if those changes are made in response to written comments.

Copies of each of the proposed Shutdown Orders is available for public inspection at both the TNRCC's Central Office, located at 12100 Park 35 Circle, Building A, 3rd Floor, Austin, Texas 78753, (512) 239-3400 and at the applicable Regional Office listed as follows. Written comments about the Shutdown Order should be sent to the attorney designated for the Shutdown Order at the TNRCC's Central Office at P.O. Box 13087, MC 175, Austin, Texas 78711-3087 and must be **received by 5:00 p.m. on October 3, 1999**. Written comments may also be sent by facsimile machine to the attorney at (512) 239-3434. The TNRCC attorneys are available to discuss the Shutdown Orders and/or the comment procedure at the listed phone numbers; however, comments on the Shutdown Orders should be submitted to the TNRCC in **writing**.

(1)FACILITY: Softouch Car Wash; OWNER: Doy Avni Kamihetzki; DOCKET NUMBER: 1999-0241-PST-E; TNRCC IDENTIFICATION (ID) NUMBER: 0047404; LOCATION: Houston, Harris County, Texas; TYPE OF FACILITY: USTs; RULES VIOLATED: 30 TAC §334.49(a) by failing to have corrosion protection for the UST systems; 30 TAC §334.50(b)(1) and (2)(A) by failing to monitor the USTs for releases at a frequency of at least once every month and by failing to provide proper release detection for the piping associated with the UST systems; 30 TAC §334.50(b)(2)(A)(i)(III) by failing to test a line leak detector at least once per year for performance and operational reliability; 30 TAC §334.50(d)(1)(B)(ii) by failing to conduct reconciliation of detailed inventory control records at least once each month, sufficiently accurate to detect a release which equals or exceeds the sum of 1.0% of the total substance flow through for the month plus 130 gallons; and 30 TAC §334.50(d)(1)(B)(iii)(I) by failing to record inventory volume measurement for regulated substance inputs, withdrawals, and the amount still remaining in the tank each operating day; PENALTY: Shutdown Order; STAFF ATTORNEY: Lisa Lemanczyk, Litigation Division, MC 175, (512) 239-6939; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1486, (713) 767-3500.

(2)FACILITY: The Short Stop; OWNER: Mr. R. E. Harper; DOCKET NUMBER: 1999-0291- PST-E; TNRCC ID NUMBER: 66832; LOCATION: Channelview, Harris County, Texas; TYPE OF FACILITY: USTs; RULE(S) VIOLATED: 30 TAC §334.50(a)(1)(A) and (b)(2)(A)(i) by failing to have a release detection method capable of detecting a release from any portion of the UST systems which contain regulated substances including the tanks, piping, and other ancillary equipment and by failing to equip each separate pressurized line with an automatic line leak detector; 30 TAC §334.51(b)(2)(C) by failing to equip each tank with spill and overflow prevention equipment; and 30 TAC §334.49(a) by failing to have corrosion protection for the UST systems; PENALTY: Shutdown Order; STAFF ATTORNEY: Tracy Gross, Litigation Division, MC 175, (512) 239-1736; REGIONAL OFFICE: 5425 Polk Avenue, Suite H, Houston, Texas 77023-1486, (713) 767-3500.

TRD-9905392

Paul C. Sarahan

Director, Litigation Division

Texas Natural Resource Conservation Commission

Filed: August 25, 1999



### Notice of Proposed Selection of Remedy

The executive director of the Texas Natural Resource Conservation Commission (TNRCC or Commission) is issuing this public notice

of a proposed selection of remedy for the Aztec Ceramics state Superfund Site. In accordance with 30 Texas Administrative Code (TAC) §335.349(a) concerning requirements for the remedial action and the Texas Health and Safety Code, §361.187 of the Solid Waste Disposal Act concerning the proposed remedial action, a public meeting regarding the TNRCC's selection of a proposed remedy for the Aztec Ceramics state Superfund site must be held. The statute requires that the Commission shall publish notice of the meeting in the *Texas Register* and in a newspaper of general circulation in the county in which the facility is located at least 30 days before the date of the public meeting. This notice was also published in the September 3, 1999 issue of the *San Antonio Express*.

The public meeting is scheduled at the Pheiffer Elementary School located at 4551 Dietrich, San Antonio, Texas on Thursday, October 7, 1999 beginning at 7:00 p.m. The public meeting will be legislative in nature and is not to be a contested case hearing under the Texas Government Code, Chapter 2001.

The site for which a remedy is being proposed, the Aztec Ceramics state Superfund site, was proposed for listing on the state registry of Superfund sites in the April 11, 1995 issue of the *Texas Register* (20 TexReg 2733).

The Aztec Ceramics state Superfund site is located at 4735 Emil Road in San Antonio, Bexar County, Texas.

The facility manufactured ceramic tile products for approximately 50 years prior to ceasing operation in 1988. Solid wastes generated by this process were fired and unfired tile rejects as well as glaze waste. Heavy metal pigments were used as the coloring agents in the glaze mixture.

During the spring and summer of 1997, a Phase I remedial investigation confirmed that surface and subsurface soils are contaminated with metals and that groundwater had not been impacted by this contamination. In February 1998, TNRCC conducted a removal of approximately 200 drums of waste from the site. Then in January and February 1999, the property owners paid for the demolition and removal of all buildings and removal of all contaminated debris on site except for the glaze waste-filled impoundment and contaminated soils. In February and March 1999, TNRCC conducted a Phase II remedial investigation to better define the volume of contaminated soils and glaze waste. During May 1999, TNRCC began the presumptive remedies process to evaluate remedies for cleanup of the site.

The Presumptive Remedies Document for the site evaluated two containment options (one with consolidation and one without) and two off-site disposal options (one with on-site stabilization and one with off-site stabilization) for remediation of soils above the action levels for the site. The action levels for the contaminants of concern (arsenic, barium, cadmium, chromium, lead and zinc) were based on Texas Risk Reduction Rules Standard No. 2 Medium-Specific Concentrations (MSCs) for soil inhalation, ingestion and dermal contact for an industrial use site or site-specific groundwater protection numbers calculated with the Soil Attenuation Model, whichever was determined to be the most conservative. Each alternative was evaluated against the following criteria described in the TNRCC Presumptive Remedies for Soil guidance: long term effectiveness; compliance with applicable regulations; reduction of toxicity, mobility, and volume; relative cost; impacts of implementation; and technical merit. Based on this evaluation, containment with consolidation and capping was determined to be the most appropriate remedial alternative for the site. For this reason, TNRCC is proposing containment with consolidation and capping as the proposed remedial action for the contaminated soils and glaze waste filled impoundment.

Persons desiring to make comments on the proposed remedial action or the identification of potentially responsible parties may do so at the meeting or in writing prior to the public meeting. Written comments may be submitted to Glenda Champagne, Project Manager, TNRCC, Remediation Division, MC 143, P.O. Box 13087, Austin, Texas 78711-3087. All comments must be received by the close of the public meeting on September 30, 1999.

The executive director of the TNRCC prepared a brief summary of the Commission's records regarding this site. This summary and a portion of the records for this site, including documents pertinent to the proposed remedy, is available for review during regular business hours at the Carver Branch Library, 3350 Commerce, San Antonio, Texas, telephone 210-225-7801. Copies of the complete public record file may be obtained during business hours at the TNRCC, Central Records Center, Building D, North Entrance, Room 190, 12100 Park 35 Circle, Austin, Texas 78753, telephone 512-239-2920. Photocopying of file information is subject to payment of a fee.

TRD-9905408

Margaret Hoffman

Director, Environmental Law Division

Texas Natural Resource Conservation Commission

Filed: August 25, 1999



#### Notice of Water Quality Applications

The following notices were issued during the period of August 18, 1999 through August 24, 1999.

The following require the applicants to publish notice in the newspaper. The public comment period, requests for public meetings, or requests for a contested case hearing may be submitted to the Office of the Chief Clerk, Mail Code 105, P O Box 13087, Austin Texas 78711-3087, WITHIN 30 DAYS OF THE DATE OF NEWSPAPER PUBLICATION OF THIS NOTICE.

AFG/JOHNSON NORTH, L.L.C. has applied for a new permit, proposed Texas Pollutant Discharge Elimination System (TPDES) Permit No. 14100-001, to authorize the discharge of treated domestic wastewater at a daily average flow not to exceed 902,000 gallons per day. The plant site is located 0.5 mile southwest of the intersection of State Highway 6 and McKeever Road, 1.1 miles east of the intersection of Thompson Ferry and Hagerson Roads in northeast Fort Bend County, Texas.

AKER GULF MARINE has applied for a major amendment to TNRCC Permit No. 12064-001 to authorize an increase in the discharge of treated domestic wastewater from a daily average flow not to exceed 4,000 gallons per day to a daily average flow not to exceed 12,000 gallons per day. The plant site is located on the east side of Farm-to-Market Road 2725, approximately one-half mile southeast of the intersection of State Highway 361 and Farm-to-Market Road 2725 in San Patricio County, Texas.

AMERICAN BROOKSTONE, LTD. has applied for a new permit, proposed Texas Pollutant Discharge Elimination System (TPDES) Permit No. 14075-001, to authorize the discharge of treated domestic wastewater at a daily average flow not to exceed 300,000 gallons per day. The plant site is located approximately 2 miles west of the Town of Roanoke along Litsey Road, southeast of the intersection of Litsey Road and Henrietta Creek in Denton County, Texas.

CITY OF ARCOLA has applied to the Texas Natural Resource Conservation Commission (TNRCC) for a renewal of TNRCC Permit No. 13367-001, which authorizes the discharge of treated domestic

wastewater at a daily average flow not to exceed 500,000 gallons per day. The plant site is located approximately 1,000 feet east of Farm-to-Market Road 521 and 3,200 feet south of the intersection of Farm-to-Market Road 521 and Texas Highway 6 in Fort Bend County, Texas.

CITY OF BELLAIRE has applied for a renewal of TNRCC Permit No. 10550-001, which authorizes the discharge of treated domestic wastewater at an annual average flow not to exceed 4,500,000 gallons per day. The plant site is located at 4401 Edith Street, approximately 1 mile northeast from the intersection of Interstate Highway 610 and Post Oak Road in Harris County, Texas.

BRAZOS RIVER AUTHORITY AND LOWER COLORADO RIVER AUTHORITY has applied for a renewal of TNRCC Permit No. 10264-002, which authorizes the discharge of treated domestic wastewater at a daily average flow not to exceed 11,800,000 gallons per day. The draft permit authorizes the discharge of treated domestic wastewater at an annual average flow not to exceed 11,800,000 gallons per day. The plant site is located at 3939 Palm Valley Boulevard, adjacent to and south of State Highway 79 approximately 4 miles east of the intersection of State Highway 79 and Interstate Highway 35 in Williamson County, Texas.

CITGO REFINING AND CHEMICALS COMPANY L.P. has applied to the Texas Natural Resource Conservation Commission (TNRCC) for a renewal of TNRCC Permit No. 02614, which authorizes the discharge of stormwater on an intermittent and flow variable basis via Outfalls 001 and 002. The applicant operates its Deep Sea Terminal, a petroleum intermediates storage facility. The plant site is located at 4806 Up River Road in the City of Corpus Christi, Nueces County, Texas.

CREEKSIDE UTILITIES, INC. has applied for a renewal of TNRCC Permit No. 11375-001, which authorizes the discharge of treated domestic wastewater at a daily average flow not to exceed 637,000 gallons per day. The draft permit authorizes the discharge of treated domestic wastewater at a daily average flow not to exceed 637,000 gallons per day. The plant site is located approximately 2.5 miles east of the intersection of Farm-to-Market Road 529 (Spencer Road) and U.S. Highway 290 on the north bank of Whiteoak Bayou between Windfern Road and Fairbanks- North Houston Road in Harris County, Texas.

CITY OF DALLAS has applied for a major amendment to TNRCC Permit No. 10060-001 to authorize an increase in the discharge of treated domestic wastewater from a daily average flow not to exceed 150,000,000 gallons per day to an annual average flow not to exceed 200,000,000 gallons per day. The plant site is located on the west bank of the Trinity River at 1020 Sargent Road in the City of Dallas in Dallas County, Texas.

CITY OF DENISON has applied for renewal of an existing wastewater permit. The applicant has an existing National Pollutant Discharge Elimination System (NPDES) Permit No. TX0047210 and an existing Texas Natural Resource Conservation Commission (TNRCC) Permit No. 10079-005. The draft permit authorizes the discharge of treated domestic wastewater at a daily average flow not to exceed 0.0412 million gallons per day. The plant site is located on the east side of Grayson County Airport, approximately 100 feet due north of the intersection of Warehouse Road and Anderson Street, 1.1 miles northwest of the intersection of Farm-to-Market Road 691 and Farm-to-Market Road 1417, and approximately 8 miles southwest of the City of Denison in Grayson County, Texas.

EQUISTAR CHEMICALS, L.P. has applied to the Texas Natural Resource Conservation Commission (TNRCC) for a renewal of