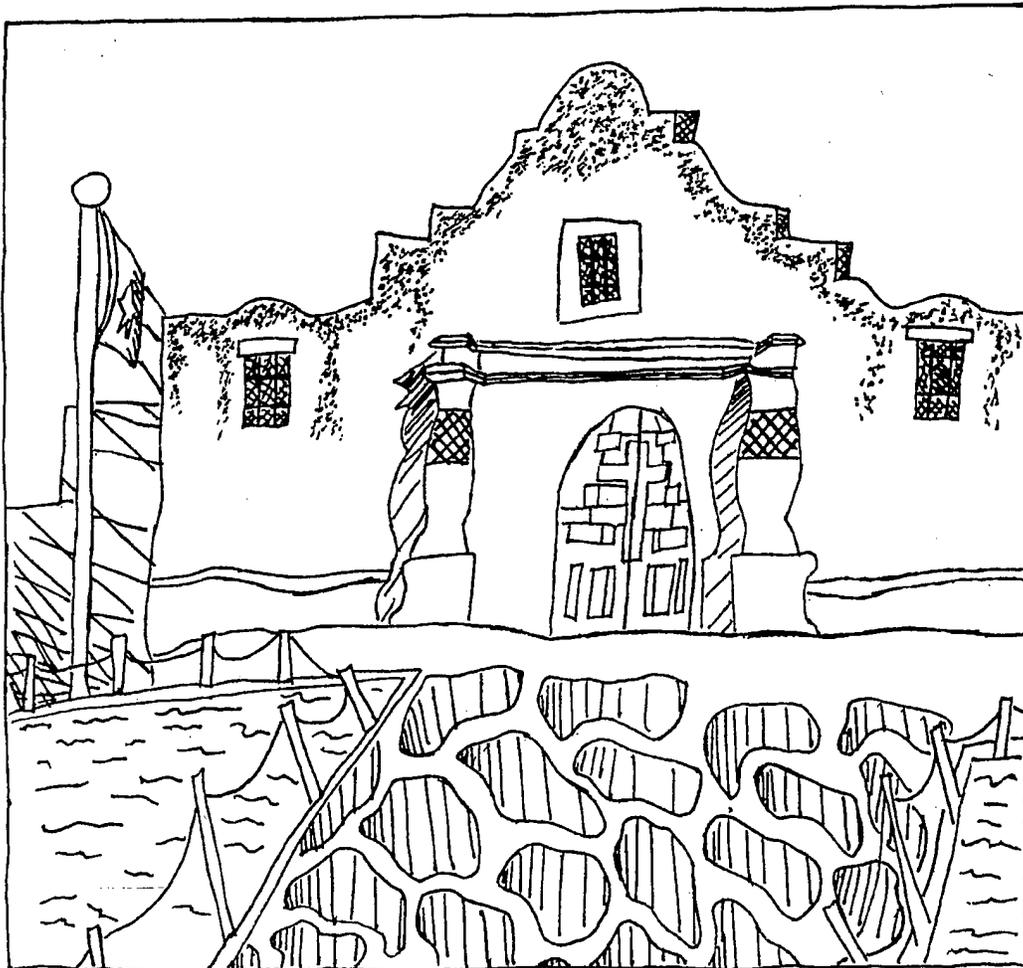

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Jaime Vela

public meeting on this general permit. A public meeting is not a contested case hearing. The purpose of a public meeting is to provide the opportunity to submit comments or to ask questions about the general permit. The public meeting will be held as follows:

March 17, 2009 at 1:00 p.m. at the TCEQ Austin Office, 12100 Park 35 Circle, Building F, Room 2210.

Written public comments must be submitted to the Office of the Chief Clerk, MC 105, TCEQ, P.O. Box 13087, Austin, Texas 78711-3087 or electronically at www.tceq.state.tx.us/about/comments.html within 30 days from the date this notice is published in the *Texas Register* or at the end of the public meeting, whichever is later.

APPROVAL PROCESS. After the comment period, the Executive Director will consider all the public comments and prepare a written response. The response will be filed with the TCEQ Office of the Chief Clerk at least 10 days before the scheduled Commission meeting when the Commission will consider approval of the general permit. The Commission will consider all public comment in making its decision and will either adopt the Executive Director's response or prepare its own response. The Commission will issue its written response on the general permit at the same time the Commission issues or denies the general permit. A copy of any issued general permit and response to comments will be made available to the public for inspection at the agency's Austin and regional offices. A notice of the Commissioner's action on the proposed general permit and a copy of its response to comments will be mailed to each person who made a comment. Also, a notice of the Commission's action on the proposed general permit and the text of its response to comments will be published in the *Texas Register*.

MAILING LIST. In addition to submitting public comments, you may request to be placed on a mailing list to receive future public notices mailed by the Office of the Chief Clerk. You may request to be added to: (1) the mailing list for this specific general permit; (2) the mailing list for a specific county; and/or (3) the mailing list for a specific applicant name and permit number. Clearly specify which list(s) to which you wish to be added and send your request to TCEQ Office of the Chief Clerk at the address above. Unless you otherwise specify, you will be included only on the mailing list for this specific general permit.

AGENCY CONTACTS AND INFORMATION. If you need more information about this general permit or the permitting process, please call the TCEQ Office of Public Assistance, toll-free, at 1-800-687-4040. General information about the TCEQ can be found at our web site at www.tceq.state.tx.us.

Further information may also be obtained by calling Laurie Fleet at (512) 239-5445.

Si desea información en Español, puede llamar al 1-800-687-4040.

TRD-200900317

LaDonna Castañuela

Chief Clerk

Texas Commission on Environmental Quality

Filed: January 27, 2009

◆ ◆ ◆
Notice of Availability of the Draft January 2009 Update to the Water Quality Management Plan for the State of Texas

The Texas Commission on Environmental Quality (TCEQ or commission) announces the availability of the draft January 2009 Update to the Water Quality Management Plan for the State of Texas (draft WQMP update).

The Water Quality Management Plan (WQMP) is developed and promulgated in accordance with the requirements of federal Clean Water Act, §208. The draft WQMP update includes projected effluent limits of indicated domestic dischargers useful for water quality management planning in future permit actions. Once the commission certifies a WQMP update, the update is submitted to the United States Environmental Protection Agency (EPA) for approval. For some Texas Pollutant Discharge Elimination System (TPDES) permits, the EPA's approval of a corresponding WQMP update is a necessary precondition to TPDES permit issuance by the commission. The draft WQMP update may contain service area populations for listed wastewater treatment facilities, designated management agency information and total maximum daily load (TMDL) updates.

A copy of the January 2009 draft WQMP update may be found on the commission's web site located at http://www.tceq.state.tx.us/nav/eq/eq_wqmp.html. A copy of the draft may also be viewed at the TCEQ Library, Building A, 12100 Park 35 Circle, Austin, Texas.

Written comments on the draft WQMP update may be submitted to Nancy Vignali, Texas Commission on Environmental Quality, Water Quality Division, MC 150, P.O. Box 13087, Austin, Texas 78711-3087. Comments may also be faxed to (512) 239-4420, but must be followed up with the submission and receipt of the written comments within three working days of when they were faxed. Written comments must be submitted no later than 5:00 p.m. on March 9, 2009. For further information or questions, please contact Ms. Vignali at (512) 239-1303 or by e-mail at nvignali@tceq.state.tx.us.

TRD-200900322

Robert Martinez

Director, Environmental Law Division

Texas Commission on Environmental Quality

Filed: January 27, 2009

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Notice of Meeting on March 19, 2009 in Pearland, Brazoria County, Texas Concerning the Camtraco Enterprises, Inc. Facility

The purpose of the meeting is to obtain public input and information concerning proposal of the facility to the state registry of Superfund sites, the identification of potentially responsible parties and the proposal of non-residential land use.

The Texas Commission on Environmental Quality (TCEQ or commission) is required under the Texas Solid Waste Disposal Act, Health and Safety Code, Chapter 361, as amended (the Act), to annually publish a state registry that identifies facilities that may constitute an imminent and substantial endangerment to public health and safety or the environment due to a release or threatened release of hazardous substances into the environment. The most recent registry listing of these facilities was published in the October 10, 2008, issue of the *Texas Register* (33 TexReg 8608).

Pursuant to the Act, §361.184(a), the commission must publish a notice of intent to list a facility on the state registry of state Superfund sites in the *Texas Register* and in a newspaper of general circulation in the county in which the facility is located. With this publication, the commission hereby gives notice of a facility that the executive director has determined eligible for listing, and which the executive director proposes to list on the state registry. By this publication, the commission also gives notice pursuant to the Act, §361.1855, that it proposes a land use other than residential as appropriate for the facility identified. The commission proposes a commercial/industrial land use designa-

tion. Determination of appropriate land use may impact the remedial investigation and remedial action for Camtraco Enterprises, Inc. (the Site). The TCEQ is proposing a land use designation of commercial/industrial based on the existing land use of the property, as is prescribed in the Texas Risk Reduction Program rule at 30 TAC §350.53.

This publication also specifies the general nature of the potential endangerment to public health and safety or the environment as determined by information currently available to the executive director. This notice of intent to list this facility will also be published on February 11, 2009, in the *Pearland Reporter News*.

The facility proposed for listing is the Site, located at 18823 Amoco Drive in Pearland, Brazoria County, Texas. The geographic coordinates of the Site are Latitude 29 degrees 30 minutes 15.36 seconds North and Longitude 95 degrees 16 minutes 12.96 seconds West. The description of the Site is based on information available at the time the Site was evaluated with the Hazard Ranking System (HRS). The HRS is the principal screening guide used by the commission to evaluate potential, relative risk to public health and the environment from releases or threatened releases of hazardous substances. The Site description may change as additional information is gathered on the sources and extent of contamination.

Texas Health and Safety Code, §361.184(a) requires that the notice of intent to list the facility specify "... the general nature of the potential endangerment to public health and safety or the environment as determined by information available to the executive director at the time...". The Site is identified as a 3.577 acre site located at 18823 Amoco Drive in Pearland, Brazoria County, Texas and was operated as a fuel storage and fuel blending/distillation facility. The blending/distillation operations employed six 18,000 gallon tanks, seven 10,000 gallon tanks, one 36,000 gallon tank and one 2,000 gallon underground storage tank (UST). The Site also accepted barge cleaning wastes. Several investigations were conducted by various regulatory agencies during the active life of the facility as a result of complaints from nearby residents. Investigations identified evidence of on-site spills, air violations, and buried drums. The Site has been inactive since 1992 and is presently abandoned. The access to the Site is restricted by a fence and locked gate.

In February 2005, the TCEQ began to routinely collect samples from private residential water wells within a 1/2-mile radius of the Site. Observed releases of volatile and inorganic constituents are documented by chemical analysis of drinking water samples.

In May 2005, the TCEQ began conducting sampling events on-site and off-site. Sampling of the on-site and off-site soil and groundwater detected chemicals, including, arsenic, barium, chromium, lead, mercury, bis(2-ethylhexyl)adipate, bis(2-ethylhexyl)phthalate, diethyl phthalate, di-n-butyl phthalate, methylene chloride, 1,4 dichromobenzene, toluene, and trichloroethene (TCE).

In August 2005, the TCEQ conducted a Removal Action (RA) at the Site. The RA consisted of removal and demolition of 14 aboveground storage tanks (ASTs) from the tank farm and removal of one UST. The tank farm was constructed on a flat concrete slab with a soil berm surrounding the tank farm. The sampling and analysis of the tank contents revealed the presence of benzene, 2-butanone, tetrachloroethene and 1,1,1-trichloroethane.

During the removal of the UST, staining and odor were noted in the surrounding soil. It was also noted that the bottom of the UST developed a hole due to corrosion. Analytical data of the soil collected from the UST basin indicated presence of acetone, tetrachloroethene, 1,1-dichloroethene, methyl tert-butyl ether (MTBE), and toluene. To determine vertical extent of soil contamination, four soil borings were advanced to 12 feet below the UST basin. Analysis of the soil

samples collected from soil borings indicated the presence of acetone, trichloroethene, cis-1,2-dichloroethene, MTBE, and vinyl chloride between a depth of four feet to ten feet. The contaminated soil was excavated and a total of 3,600 cubic yards of contaminated soil was transported for off-site disposal at Waste Management's Coastal Plain Landfill in Alvin, Texas.

In November 2005, in order to determine the extent of soil contamination, five direct push soil borings were advanced to a depth of 20 feet in a contaminated area 30 feet west and north of the former UST basin. Subsurface soil samples collected from the borings documented presence of trichloroethene, and cis-1,2-dichloroethene. In an effort to investigate the potential releases to the groundwater TCEQ installed six monitor wells on-site in May 2006; these wells have been routinely monitored since installation. The chemicals detected in the groundwater include trichloroethene, cis-1,2-dichloroethene, 2-butanone, MTBE, acetone and toluene.

A public meeting will be held March 19, 2009, at 7:00 p.m., at the Pearland Junior High South, located at 4719 Bailey Road, Pearland, Texas 77584. The purpose of this meeting is to obtain additional information regarding the Site relative to its eligibility for listing on the state Registry, identify additional potentially responsible parties, and obtain public input and information regarding the appropriate use of land on which the facility that is the subject of this notice is located. The public meeting is not a contested case hearing under the Texas Administrative Procedure Act (Texas Government Code, Chapter 2001).

All persons desiring to make comments may do so prior to or at the public meeting. All comments submitted prior to the public meeting must be received by 5:00 p.m., on March 18, 2009 and should be sent in writing to Mr. Subhash C. Pal, P.E., Texas Commission on Environmental Quality, Remediation Division, MC 136, P.O. Box 13087, Austin, Texas 78711-3087 or by facsimile at (512) 239-2450. The public comment period for this action will end at the close of the public meeting on March 19, 2009.

A portion of the record for this Site, including documents pertinent to the executive director's determination of eligibility, is available for review at the Pearland Library, located at 3522 Liberty Drive, Pearland, Texas 77581, during regular business hours. Copies of the complete public record file may be obtained during regular business hours or at the commission's Records Management Center, Building E, First Floor, Records Customer Service, MC 199, Austin, Texas 78753, telephone number (800) 633-9363 or (512) 239-2920. Photocopying of file information is subject to payment of a fee. Parking is available for persons with disabilities on the east side of Building D, convenient to access ramps that are between Buildings D and E.

For further information about this Site or the public meeting, please call Crystal Taylor, TCEQ Community Relations, at (800) 633-9363. Information is also available regarding the state Superfund program at www.tceq.state.tx.us/remediation/superfund/index.html.

TRD-200900332

Kathleen C. Decker

Director, Litigation Division

Texas Commission on Environmental Quality

Filed: January 27, 2009

◆ ◆ ◆ Notice of Opportunity to Comment on Agreed Orders of Administrative Enforcement Actions

The Texas Commission on Environmental Quality (TCEQ or commission) staff is providing an opportunity for written public comment on the listed Agreed Orders (AOs) in accordance with Texas Water Code