

The following is an Adobe Acrobat reproduction of the official

**Notice of Final Deletion**

of

**Munoz Borrow Pits**

from the

**Texas Superfund Registry**

as published in the

***Texas Register***

**(23 TexReg 9499-9500)**

on

**September 11, 1998**

**The records for this site, including documents  
pertinent to the determination to delete, are  
available for viewing and copying**

**at**

**TNRCC Records Management Center  
12100 Park 35 Circle, Bldg E  
Austin, Texas**

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shop without first obtaining a permit or a permit exemption; PENALTY: \$400; ENFORCEMENT COORDINATOR: Tel Croston, (512) 239-5717; REGIONAL OFFICE: 1921 Cedar Bend, Suite 150, Austin, Texas 78758-5336, (512) 339-2929.

(18)COMPANY: Hsuan Yu dba Ted's Auto; DOCKET NUMBER: 98-0121-AIR-E; IDENTIFIER: Account Number DB-4830-Q; LOCATION: Richardson, Dallas County, Texas; TYPE OF FACILITY: automobile inspection station; RULE VIOLATED: 30 TAC §114.50(e)(1) and the Act, §382.085(b), by issuing passing inspection stickers to vehicles that had not properly passed the emissions test; PENALTY: \$1,250; ENFORCEMENT COORDINATOR: Sheila Smith, (512) 239-1670; REGIONAL OFFICE: 1101 East Arkansas Lane, Arlington, Texas 76010-6499, (817) 469-6750.

(19)COMPANY: Texas A&M University; DOCKET NUMBER: 98-0193-IWD-E; IDENTIFIER: Enforcement Identification Number 12233; LOCATION: College Station, Brazos County, Texas; TYPE OF FACILITY: power plant; RULE VIOLATED: 30 TAC §305.125(2) and the Code, §26.121, by failing to renew a permit application on or before the expiration date and by allowing an unauthorized discharge of wastewater; 30 TAC §334.22(a), by failing to pay annual facility fees for underground storage tanks; 30 TAC §334.128, by failing to pay annual facility fees for aboveground storage tanks; the THSC, §341.041, by failing to pay public health service fees; 30 TAC §335.328(a), by failing to pay annual generation fees assessed of industrial solid waste generators; and 30 TAC §305.504, by failing to pay annual waste treatment fees assessed against each person holding a permit; PENALTY: \$3,750; ENFORCEMENT COORDINATOR: Karen Berryman, (512) 239-2172; REGIONAL OFFICE: 6801 Sanger Avenue, Suite 2500, Waco, Texas 76710-7826, (254) 751-0335.

(20)COMPANY: Ms. Linda Williams; DOCKET NUMBER: 97-1147-PST-E; IDENTIFIER: Enforcement Identification Number 11883; LOCATION: Paradise, Wise County, Texas; TYPE OF FACILITY: former retail gasoline station; RULE VIOLATED: 30 TAC §334.54(d)(1)(B), by failing to permanently remove from service USTs which have been temporarily out of service longer than 12 months; PENALTY: \$0; ENFORCEMENT COORDINATOR: Cameron Lopez, (817) 469-6750; REGIONAL OFFICE: 1101 East Arkansas Lane, Arlington, Texas 76010-6499, (817) 469-6750.

TRD-9813836  
Paul Sarahan  
Director, Legal-Litigation Division  
Texas Natural Resource Conservation Commission  
Filed: September 1, 1998



#### Notice of Public Hearing (Chapter 106, Major Source Thresholds)

Notice is hereby given that under the requirements of Texas Health and Safety Code, §382.017 and Texas Government Code, Subchapter B, Chapter 2001, the Texas Natural Resource Conservation Commission (commission) will conduct a public hearing to receive testimony concerning revisions to 30 TAC Chapters 106 and 116.

The commission proposes the repeal of Chapter 106, Subchapter A, and new Chapter 106, Subchapter A, concerning general requirements for exemptions from permitting. The proposed repeals and new sections lower the upper emission limits for facilities to use exemptions from permitting. The subchapter is also revised to improve readability. In addition, §116.620, concerning Installation and Modification of Oil and Gas Facilities, is amended to replace the cross-reference to

§106.4 in the new Subchapter A with the actual emission limits designated for each pollutant that is contained in the current rule. This change will maintain the status quo for facilities authorized under the standard permit.

A public hearing on the proposal will be held October 8, 1998, at 2:00 p.m. in Room 2210 of Texas Natural Resource Conservation Commission Building F, located at 12100 Park 35 Circle, Austin. The hearing is structured for the receipt of oral or written comments by interested persons. Individuals may present oral statements when called upon in order of registration. Open discussion will not occur during the hearing; however, an agency staff member will be available to discuss the proposal 30 minutes prior to the hearing and answer questions before and after the hearing.

Comments may be submitted to Lisa Martin, Office of Policy and Regulatory Development, MC 205, P.O. Box 13087, Austin, Texas 78711-3087 or faxed to (512) 239-4808. Comments must be received by 5:00 p.m., October 12, 1998, and should reference Rule Log Number 98020-106-AI. For further information, please contact Dale Beebe-Farrow, New Source Review Permits Division, (512) 239-1310, or Jim Dodds, Air Policy and Regulations Division, (512) 239-0970.

Persons with disabilities who have special communication or other accommodation needs who are planning to attend the hearing should contact the agency at (512) 239-4900. Requests should be made as far in advance as possible.

TRD-9813815  
Margaret Hoffman  
Director, Environmental Law Division  
Texas Natural Resource Conservation Commission  
Filed: August 31, 1998



#### Public Notice

The executive director of the Texas Natural Resource Conservation Commission (TNRCC) by this notice is issuing a public notice of deletion (delisting) of a facility from the state registry (state Superfund registry) of sites which 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 site which has been deleted is the Muñoz Borrow Pits state Superfund site which was originally placed on the state Superfund registry on January 16, 1987 (12 TexReg 205). The Muñoz Borrow Pits state Superfund site, including all land, structures, appurtenances, and other improvements, is 0.1 miles south of U. S. Highway 83 on the east side of State Highway 1016, in the City of Mission, Hidalgo County, Texas. In addition, the site includes any areas outside the site property boundary where hazardous substance(s) came to be located as a result, either directly or indirectly, of releases of hazardous substance(s) from the site property. The site is on the southern portion of an approximately 7.86 acre tract of land.

With the removal of soil contaminated with pesticides and arsenic above cleanup levels, the site has been remediated to the degree necessary to reduce the risk to public health, safety, and the environment to acceptable levels. The property is considered appropriate for residential use according to the risk reduction standards applicable at the time of this filing.

This notice is issued to finalize the deletion process which began on July 3, 1998, when the executive director of the TNRCC issued a

public notice in the *Texas Register* (23 TexReg 7137) of TNRCC's intent to delete the Muñoz Borrow Pits site from the state Superfund registry, following the determination made pursuant to 30 TAC §335.344(c), that the site does not present an imminent and substantial endangerment to public health and safety or the environment. The notice (23 TexReg 7137) further indicated that the TNRCC shall hold a public meeting, as required by 30 TAC §335.344(b), if a written request is filed with the executive director of the TNRCC within 30 days, challenging the determination by the executive director made pursuant to 30 TAC §335.344(c). Equivalent publication of the notice (23 TexReg 7137) was also published in the July 3, 1998 edition of the *Progress Times*.

The TNRCC did not receive a request for a public meeting from any interested persons during the request period (within 30 days of publication of notice); therefore, the Muñoz Borrow Pits site is hereby deleted from the Texas state Superfund registry.

All inquiries regarding the deletion of this site should be directed to Janie Montemayor, TNRCC Community Relations, 1-800-633-9363 (within Texas only) or 512-239-3844.

TRD-9813946

Margaret Hoffman

Director, Environmental Law Division

Texas Natural Resource Conservation Commission

Filed: September 2, 1998

## North Texas Local Workforce Development Board

### Request for Proposal

North Texas Local Workforce Development Board is requesting proposals for delivery of services in accordance with Section 123 of the Job Training Partnership Act (JTPA). Allowable training activities include: school-to-work transition, literacy and lifelong learning, and model programs designed to train, place, and retain women in non-traditional employment.

Training must be provided by Texas Education Agency/Texas Higher Education Coordinating Board approved institutions that are either 1) accredited independent school districts, community colleges or post-secondary institutions, institutions of higher education, 2) private businesses, trade, technical or vocational schools certified by TEA, 3) the Texas State Technical College, or 4) education service centers.

Participants to be served reside in 11 counties of North Texas: Archer, Baylor, Clay, Cottle, Foard, Hardeman, Jack, Montague, Wichita, Wilbarger, and Young.

RFP packets will be available Tuesday, September 8, 1998. Contact Barbara A. Young, Administrative Technician, North Texas Local Workforce Development Board, 4309 Jacksboro Highway, Suite 106, Wichita Falls, TX 76302. Call (940) 322-5281 (TDD# 1-800-RELAYTX or 1-800-735-2989) for more information.

Deadline for proposal submission is 4:00 p.m., October 9, 1998. A Bidder's Conference to provide assistance in completing proposals will be held September 16, 1998, 10 a.m., Nortex Regional planning Commission, small conference room.

JTPA services are offered in accordance with Equal Employment Opportunity policies and auxiliary aids and services are available upon request to individuals with disabilities. Project operation dependent upon availability of funds from Texas Workforce Commission.

TRD-9813652

Mona Williams

Executive Director

North Texas Local Workforce Development Board

Filed: August 27, 1998

## Texas Department of Protective and Regulatory Services

### Public Notice-Adult Protective Services Policy and Procedures Regarding Clients with Limited Proficiency and Impaired Sensory or Speaking Skills

The Adult Protective Services (APS) program of the Texas Department of Protective and Regulatory Services (PRS) has two major components, *In-home, or community-based investigations and services, known as "APS,"* and *Facility Investigations, or investigations in Texas Department of Mental Health Mental Retardation (MHMR) facilities and community MHMR centers.*

To receive protective services, an individual must be elderly or disabled and be reported to be in a state of abuse, neglect, or exploitation.

**Use of Interpreter Services:** Federal law requires state programs receiving federal funds to provide appropriate interpreter services to limited English proficient and sensory impaired clients. The APS handbooks for facility investigations (as issued December 15, 1997) and for in-home investigations and services (as revised effective July 1, 1998) contain specific policy and procedures related to serving persons with limited English proficiency (LEP) and impaired sensory or speaking skills. These are as follows.

When conducting investigations of suspected instances of abuse or neglect, the investigator or case worker *shall ensure that the investigation not be subject to delays or interference with any actions necessary to protect a person served from harm or risk of harm, and is required to clearly identify any person served or other principle in a case in need of interpreter services and document all reasonable efforts to acquire the service in the client's case record.*

**Who May Provide Interpreter Services:** When a principle in a case has limited proficiency in English, APS staff make reasonable efforts to provide information and communicate service availability to the client and alleged perpetrator(s) using: *bilingual PRS workers, other qualified translators, such as a speech pathologist with no conflicts of interest, sign language interpreters, pictures or objects and bilingual brochures, communication devices, and forms or other materials printed in the principle's preferred language.*

Ideally, the interpreter will be a professional trained as an interpreter or an APS investigator, caseworker, or supervisor fluent in the client's preferred language.

*If the only option is a family member, the investigator or caseworker should ensure that this person is not involved in the case.*

**In investigations regarding persons with LEP served in MHMR settings, facility staff are not used as interpreters unless they are unrelated to the case and are qualified to provide the interpreter service.**

**Service Provision:** APS efforts are intended to insure that principles with LEP or with hearing, visual, or speech impairments understand all significant APS actions at each stage of the case, including