

The following is an Adobe Acrobat reproduction of the official

**Notice of Amended Proposed Remedy**

for

**Tricon America, Inc.**

as published in the

***Texas Register***

**(25 TexReg 233-234)**

on

**January 7, 2000**

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

**Crowley Public Library  
121 North Hampton Road  
Crowley, Texas**

**and/or**

**TNRCC Records Management Center  
Austin, Texas**

**Scroll Down to View**

calling Ms. Garcia at (512) 475-0471 or by writing Ms. Garcia at the TDHCA address given above. Plans will be available January 11, 2000.

The second public hearing will be held at 2:00 p.m. on Tuesday, January 25, 2000 in Room 119 of the Stephen F. Austin Building, 1700 North Congress Avenue, Austin, Texas. At the second hearing, a representative from TDHCA will provide descriptions of any changes incorporated into the final completed WAP plan. Written and oral comments received will be used to make any necessary final changes to the FFY 2000 WAP plan.

Individuals who require auxiliary aids or services for this meeting should contact Ms. Gina Esteves, ADA responsible employee, at (512) 475-3943 or Relay Texas at 1-800-735-2989 at least two days before the meeting so that appropriate arrangements can be made.

TRD-9909079  
Daisy A. Stiner  
Executive Director  
Texas Department of Housing and Community Affairs  
Filed: December 29, 1999



## Texas Department of Insurance

### Insurer Services

The following applications have been filed with the Texas Department of Insurance and are under consideration:

Application for admission to the State of Texas by LEADERS LIFE INSURANCE COMPANY, a foreign life company. The home office is in Tulsa, Oklahoma.

Application to change the name of NYLCARE HEALTH PLANS OF THE SOUTHWEST, INC. to SOUTHWEST TEXAS HMO, INC., a domestic health maintenance organization. The home office is in Richardson, Texas.

Application to change the name of NYLCARE HEALTH PLANS OF THE GULF COAST, INC. to TEXAS GULF COAST HMO, INC., a domestic health maintenance organization. The home office is in Richardson, Texas.

Application to change the name of THE COLLEGE LIFE INSURANCE COMPANY OF AMERICA to AMERICO ANNUITY AND LIFE INSURANCE COMPANY, a domestic life company. The home office is in Dallas, Texas.

Application to change the name of THE VIRGINIA INSURANCE RECIPROCAL to THE RECIPROCAL GROUP, a foreign reciprocal. The home office is in Glen Allen, Virginia.

Any objections must be filed with the Texas Department of Insurance, addressed to the attention of Godwin Ohaechesi, 333 Guadalupe Street, M/C 305-2C, Austin, Texas 78701.

TRD-9909077  
Bernice Ross  
Deputy Chief Clerk  
Texas Department of Insurance  
Filed: December 29, 1999



## Texas Department of Mental Health and Mental Retardation

### Public Notice Announcing Pre-application Orientation for Waiver Program Provider Enrollment

The Texas Department of Mental Health and Mental Retardation (TDMHMR), pursuant to 25 TAC §419.704, will hold a Pre-application Orientation (PAO) for persons seeking to participate as a program provider in the Home and Community-Based Services, Home and Community-Based Services-OBRA, or Mental Retardation Local Authority Programs.

The PAO will be held at 8:30 a.m., Monday, April 10, 2000, in Austin, Texas. Persons wanting to attend the PAO must request a registration form by letter or by fax. Requests should be addressed to Bill Fordyce, Enrollment/Sanctions Manager, Medicaid Administration, TDMHMR, PO Box 12668, Austin, Texas 78711-2668. The fax number is (512) 206-5725.

Upon receipt of a written request, TDMHMR will forward a registration form to the requestor. Completed registration forms must be returned to TDMHMR no later than 5:00 p.m., Friday, March 10, 2000. Written requests for a registration form received after March 5, 2000, may not be timely enough to meet the March 10, 2000, registration form return date. If the registration form is not returned to TDMHMR by March 10, 2000, the form is invalid and the applicant will be required to reapply when the next PAO is announced.

Persons with disabilities who have special communication or accommodation needs and who plan to attend the PAO and who may need auxiliary aids or services such as an interpreter for persons who are deaf or hearing impaired or readers, large print or braille for persons sight-impaired, are requested to contact Helen Rayner, Enrollment Sanctions, Medicaid Administration, TDMHMR, PO Box 12668, Austin, Texas 78711-2668, (512) 206-5249, at least two working days prior to the PAO so that appropriate arrangements can be made. You may also contact Helen Rayner for additional information concerning the PAO.

TRD-9909043  
Charles Cooper  
Chairman, Texas Mental Health and Mental Retardation Board  
Texas Department of Mental Health and Mental Retardation  
Filed: December 27, 1999



## Texas Natural Resource Conservation Commission

### Notice of Amended Proposed Remedy

The executive director of the Texas Natural Resource Conservation Commission (TNRCC or Commission) is issuing this public notice of an amended proposed remedy for the Tricon America, Inc. state Superfund site. In accordance with 30 TAC §335.349(a), concerning requirements for the remedial action, and Texas Health and Safety Code, §361.187, concerning the proposed remedial action, a public meeting regarding the TNRCC's selection of an amended proposed remedy for the Tricon America, Inc. state Superfund site shall 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 *Crowley Star Review* on January 6, 2000.

The public meeting is scheduled at the Crowley City Hall, 120 North Hampton, Crowley, Texas, on Thursday, February 10, 2000, at 7:00 p.m. The public meeting will be legislative in nature and is not a contested case hearing under Texas Government Code, Chapter 2001.

The site for which a remedy is being proposed, the Tricon America, Inc. state Superfund site, was proposed for listing on the state registry of Superfund sites in the July 26, 1991 edition of the *Texas Register* (16 TexReg 4102-4103).

The Tricon site occupies approximately five acres at 101 East Hampton Road within the city limits of Crowley, Tarrant County, Texas. The property has been used as an aluminum and zinc smelting and casting operation, for the production of concrete buildings, and as a facility to assemble fiberglass buildings. An ash pile from the smelting and casting operation is the area of concern. Cadmium, chromium, and lead are the major contaminants of concerns on the site.

In March 1997, a Remedial Investigation was completed for the Tricon site to determine the nature and extent of the contamination. A Focused Feasibility Study conducted in September 1998 identified and evaluated remedial alternatives for the site. Additional sampling was performed in December 1998 to define the extent of contamination in surface and shallow subsurface soils on the Tricon facility and Deer Creek flood plain. During this additional sampling, no contaminated soil was located in the Deer Creek flood plain and no further action for this area is planned.

A Supplemental Focused Feasibility Study, dated June 1999, identified and evaluated additional remedies for the Tricon site. In the July 22, 1999 edition of the *Crowley Star Review* and the July 23, 1999 edition of the *Texas Register*, the TNRCC initially proposed Remedial Action B-2, Cap Repair and Installation of a French Drain, based on the calculated volume of the waste ash and contaminated soil. A public meeting was held on August 26, 1999, in Crowley, Texas to discuss the proposed remedy and to take public comments concerning the proposed remedy for the site.

In order to respond to issues raised at the August 26, 1999 meeting, the TNRCC conducted additional investigation to further characterize the contamination in the Triloc cap area. After a review of the results from the additional sampling, further consideration of the remedial investigation results, and consideration of the public comments received at the August 26, 1999 meeting, the TNRCC is proposing excavation and off-site disposal of the Triloc cap area waste. This alternative, shown as Alternative B-3 in the *August 1999 Proposed Remedial Action Document for Tricon America, Inc.*, is more economical and it will eliminate the need for engineering controls and future monitoring, since all contaminated materials above the action level will be removed. This recommendation is consistent with the state remedy selection criteria found in Texas Health and Safety Code, §361.193, in that it is the lowest cost alternative that is technologically feasible and reliable. It effectively mitigates and minimizes damage to, and provides protection of, the public health and safety and the environment.

Persons desiring to make comments on the amended proposed remedial action may do so at the meeting or in writing prior to the public meeting. Written comments may be submitted to Mr. Subhash Pal, P. E., TNRCC Project Manager, Remediation Division, MC 143, P.O. Box 13087, Austin, Texas 78711-3087. The public comment period for this amended proposed remedy will begin on January 6, 2000, and end at the completion of the public meeting on February 10, 2000.

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 amended remedy, is available for review during regular business hours at the Crowley Public Library, 121 North Hampton Road, Crowley, Texas, telephone (817) 297-6707. Copies

of the complete public record file may be obtained during business hours at the TNRCC, Records Management 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. For further information regarding this meeting or the Tricon site, please call Ms. Barbara Daywood, TNRCC Community Relations, 1-800-633-9363 (within Texas calls only) or (512) 239- 2463.

TRD-9909053  
Margaret Hoffman  
Director, Environmental Law Division  
Texas Natural Resource Conservation Commission  
Filed: December 28, 1999



#### Notice of Availability

The Texas Natural Resource Conservation Commission (TNRCC) furnishes this notice of availability of the draft Needs Assessment for Hazardous Waste Commercial Management Capacity in Texas (2000 Update) and a 30-day period for public comment.

Notice is hereby given that the document entitled, "Needs Assessment for Hazardous Waste Commercial Management Capacity in Texas (2000 Update) (Hazardous Waste Needs Assessment)," is available for public review and comment. Section 361.0232 of the Texas Health and Safety Code requires the TNRCC to conduct an assessment of the need for commercial capacity to manage hazardous wastes generated in Texas. The Hazardous Waste Needs Assessment identifies the need for specific commercial hazardous waste management technologies. TNRCC uses information in the Hazardous Waste Needs Assessment in conjunction with rules to prioritize the TNRCC's processing of commercial hazardous waste facility permit applications. TNRCC is required by law to update the Hazardous Waste Needs Assessment every two years. The 2000 update is the fourth update to the first Needs Assessment that was published in 1992.

The public is invited to submit written comments on the draft Needs Assessment for Hazardous Waste Commercial Management Capacity in Texas (2000 Update) to TNRCC. Written comments must be received by no later than February 7, 2000. Please address written comments to: Amanda Corson, Capacity Assessment Planner, Strategic Assessment Division, TNRCC, P.O. Box 13087, MC 206, Austin, Texas 78711-3087.

Copies of the draft Needs Assessment for Hazardous Waste Commercial Management Capacity in Texas (2000 Update) can be obtained via the Internet at <http://www.tnrcc.state.tx.us/oprd/wasteplan/notice.html>, by contacting Amanda Corson at (512) 239-2331, or by submitting an e-mail request to [capacity@tnrcc.state.tx.us](mailto:capacity@tnrcc.state.tx.us).

TRD-9909050  
Margaret Hoffman  
Director, Environmental Law Division  
Texas Natural Resource Conservation Commission  
Filed: December 27, 1999



#### Notice of District Application for Standby Fees

LAKE LBJ MUNICIPAL UTILITY DISTRICT OF LLANO AND BURNET COUNTIES has applied to the Texas Natural Resource Conservation Commission (TNRCC) for authority to adopt and impose an annual operations and maintenance standby fee of \$34.00 per vacant lot within the District which has available water and/or