

The following is an Adobe Acrobat reproduction of the official

Notice of Final Deletion

of

Houston Lead

from the

Texas Superfund Registry

as published in the

Texas Register

(23 TexReg 12963)

on

December 18, 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**

Scroll Down to View

Building A, 3rd Floor, Austin, Texas 78753, (512) 239-3400 and at the applicable Regional Office listed as follows. Written comments about the AOs should be sent to the attorney designated for the AO 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 January 16, 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 AOs and/or the comment procedure at the listed phone numbers; however, §7.075 provides that comments on the AOs should be submitted to the TNRCC in **writing**.

(1)COMPANY: Chappell, Incorporated; DOCKET NUMBER: 96-0818-PST-E; ENFORCEMENT ID NUMBER: E11268; LOCATION: Cisco, Eastland County, Texas; TYPE OF FACILITY: underground storage tank; RULES VIOLATED: Texas Water Code, §26.121(a)(1) and (2) by allowing the discharge of contaminated water into or adjacent to water in the state; 30 TAC §334.50(b)(1)(A) by failing to provide adequate release detection for their underground storage tanks; 30 TAC §334.51(b)(1)(B) by failing to provide spill and overflow prevention equipment for their underground storage tank systems; 30 TAC §334.54(d)(1)(B) by failing to permanently remove from service underground storage tanks that have been temporarily out of service for longer than 12 months; PENALTY: \$21,000; STAFF ATTORNEY: Booker Harrison, Litigation Division, MC 175, (512) 239-4113; REGIONAL OFFICE: 1977 Industrial Boulevard, Abilene, Texas 79602, (915)698-9674.

(2)COMPANY: AZIZOLAH REZAKHANI DBA LUBE KWIK; DOCKET NUMBER: 98-0569- AIR-E; TNRCC ID NUMBER: DB-4770-J; LOCATION: Garland, Dallas County, Texas; TYPE OF FACILITY: state emissions inspection station; RULES VIOLATED: 30 TAC §114.50(e)(1) and Texas Health and Safety Code, §382.085(b) by issuing three motor vehicle inspection certificates without conducting all emissions tests; PENALTY: \$2,344; STAFF ATTORNEY: Tracy L. Harrison, Litigation Division, MC 175, (512) 239-1736; REGIONAL OFFICE: 1101 East Arkansas Lane, Arlington, Texas 76010-6499, (817) 469-6750.

(3)COMPANY: Sports and Fitness Clubs of America, Incorporated dba "Q" The Sports Club; DOCKET NUMBER: 98-0270-MWD-E; TNRCC ID NUMBER: 90101602; LOCATION: Austin, Travis County, Texas; TYPE OF FACILITY: health club and associated pond system; RULES VIOLATED: 30 TAC §313.4 by failing to operate and maintain the permanent water quality system in accordance with the water pollution abatement plan and by failing to control debris/brush in the stormwater pond as documented during an inspection; PENALTY: \$2,000; STAFF ATTORNEY: William Puplampu, Litigation Division, MC 175, (512) 239-0677; REGIONAL OFFICE: 1921 Cedar Bend, Suite 150, Austin, Texas 78758-5336, (512) 339-2929.

(4)COMPANY: Harris County Fresh Water Supply District Number 1-A; DOCKET NUMBER: 97-0819-MWD-E; TNRCC ID NUMBER: 11195-001; LOCATION: Baytown, Harris County, Texas; TYPE OF FACILITY: wastewater treatment facility; RULES VIOLATED: TNRCC Permit Number 11195-01 and the Texas Water Code, §26.121 by causing, suffering, or allowing a discharge of pollutants into or adjacent to water in the state without authorization; PENALTY: \$14,000; STAFF ATTORNEY: Guy Henry, Litigation Division, MC 175, (512) 239-6259; REGIONAL OFFICE: 5425 Polk Avenue, Suite H, Houston, Texas 77023-1486, (713) 767-3500.

TRD-9818212

Paul C. Sarahan

Director, Litigation Division

Texas Natural Resource Conservation Commission

Filed: December 9, 1998

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Provisionally-Issued Temporary Permits to Appropriate State Water

Permits issued during the period of December 9, 1998

Application Number TA-8047 by Bay Ltd. for diversion of 1 acre-foot in a 1 year period for industrial (road construction) use. Water may be diverted from the Mud Flats tributary of Copano Bay, San Antonio-Nueces Coastal Basin, approximately 15 miles east of Sinton, San Patricio County, Texas where the Mud Flats tributary crosses State Highway 188.

Application Number TA-8049 by Texas Utilities Pipeline Services, Inc. for diversion of 2 acre-feet in a 6 month period for mining (boring) use. Water may be diverted from the East Fork of the Trinity River, Trinity River Basin, approximately 12.5 miles southeast of McKinney, Collin County, Texas at the Texas Utilities Pipeline Services right of way on the East Fork of the Trinity River.

The Executive Director of the TNRCC has reviewed each application for the permits listed and determined that sufficient water is available at the proposed point of diversion to satisfy the requirements of the application as well as all existing water rights. Any person or persons who own water rights or who are lawful users of water on a stream affected by the temporary permits listed above and who believe that the diversion of water under the temporary permit will impair their rights may file a complaint with the TNRCC. The complaint can be filed at any point after the application has been filed with the TNRCC and the time the permit expires. The Executive Director shall make an immediate investigation to determine whether there is a reasonable basis for such a complaint. If a preliminary investigation determines that diversion under the temporary permit will cause injury to the complainant the commission shall notify the holder that the permit shall be canceled without notice and hearing. No further diversions may be made pending a full hearing as provided in Section 295.174. Complaints should be addressed to Water Rights Permitting Section, Texas Natural Resource Conservation Commission, P.O. Box 13087, Austin, Texas 78711, Telephone (512) 239-4433. Information concerning these applications may be obtained by contacting the Texas Natural Resource Conservation Commission, P.O. Box 13087, Austin, Texas 78711, Telephone (512) 239-3300.

TRD-9818209

LaDonna Castanuela

Chief Clerk

Texas Natural Resource Conservation Commission

Filed: December 8, 1998

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Public Notices

Final Notice of Deletion

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 South Texas Solvents state Superfund site which was originally proposed for listing on the state Superfund registry on January 16, 1987 (12 TexReg 205). The site is in Banquete, Nueces County, Texas, approximately four miles south of Banquete at the intersection of FM 666 and Nueces CR 23.

This notice is issued to finalize the deletion process which began on October 30, 1998, when the executive director of the TNRCC issued a public notice in the *Texas Register* 23 TexReg 11243-11244) of TNRCC's intent to delete the South Texas Solvents site from the state Superfund registry, following the determination made pursuant to 30 TAC §335.344(c), that the site no longer poses an imminent and substantial endangerment to public health and safety or the environment. The notice (23 TexReg 11243-11244) 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 7135-7136) was also published in the October 29, 1998 edition of the *The Nueces County Record Star*. The TNRCC did not receive a request for a public meeting from the potentially responsible parties or any interested persons during the request period (within 30 days of publication of notice); therefore, the South Texas Solvents 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-9818207
Margaret Hoffman
Director
Texas Natural Resource Conservation Commission
Filed: December 8, 1998



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 Houston Lead state Superfund site which was originally placed on the state Superfund list in November 1987.

This notice is issued to finalize the deletion process which began on October 23, 1998, when the executive director of the TNRCC issued a public notice in the *Texas Register* TexReg 10986-10987) of TNRCC's intent to delete the Houston Lead site from the state Superfund registry, following the determination made pursuant to 30 TAC §335.344(c)(5), that the site had been accepted under the voluntary cleanup program and was therefore eligible for deletion from the state Superfund list. The notice (23 TexReg 10986-10987) 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)(5). Equivalent publication of the notice (23 TexReg 10986-10987) was also published in the October 23, 1998 edition of the *Houston Chronicle*.

The TNRCC did not receive a request for a public meeting from the potentially responsible parties or any interested persons during the request period (within 30 days of publication of notice); therefore, the Houston Lead site is hereby deleted from the Texas state Superfund registry. All inquiries regarding the deletion of this site should be directed to Joe Shields, TNRCC Community Relations, 1-800-633-9363 (within Texas only) or 512-239-0666.

TRD-9818206

Margaret Hoffman
Director
Texas Natural Resource Conservation Commission
Filed: December 8, 1998



Public Utility Commission of Texas

Applications to Introduce New or Modified Rates or Terms Pursuant To P.U.C. Substantive Rule §23.25

Notice is given to the public of an application filed with the Public Utility Commission of Texas on December 4, 1998 to introduce new or modified rates or terms pursuant to P.U.C. Substantive Rule §23.25, Procedures Applicable to Chapter 58-Electing Incumbent Local Exchange Companies (ILECs).

Tariff Title and Number: Application to Contel of Texas, Inc. to Waive NRCs for Discretionary and Competitive Services, Pursuant to P.U.C. Substantive Rule §23.25. Tariff Control Number 20187.

The Application: Contel proposes to waive the special services service charge of \$6.85 for residential customers who order CUSTOM CALLING AND/OR CUSTOMER CALLING LOCAL AREA SIGNALING SERVICES during the period of January 4, 1999 through April 3, 1999.

Persons who wish to intervene in this proceeding should contact the Public Utility Commission of Texas, by mail at P.O. Box 13326, Austin, Texas 78711-3326, or call the commission's Office of Customer Protection at (512)936-7120 by December 31, 1998. Hearing and speech-impaired individuals with text telephone (TTY) may contact the commission at (512) 936-7136.

TRD-9818204
Rhonda Dempsey
Rules Coordinator
Public Utility Commission of Texas
Filed: December 8, 1998



Notice is given to the public of an application filed with the Public Utility Commission of Texas on December 4, 1998 to introduce new or modified rates or terms pursuant to P.U.C. Substantive Rule §23.25, Procedures Applicable to Chapter 58-Electing Incumbent Local Exchange Companies (ILECs).

Tariff Title and Number: Application to GTE-Southwest, Inc. to Waive NRCs for Discretionary and Competitive Services, Pursuant to P.U.C. Substantive Rule §23.25. Tariff Control Number 20188.

The Application: GTE-SW proposes to waive the secondary service order charge of \$8.00 for residential customers who order Custom Calling and/or Customer Calling Local Area Signaling Services during the period of January 4, 1999 through April 3, 1999.

Persons who wish to intervene in this proceeding should contact the Public Utility Commission of Texas, by mail at P.O. Box 13326, Austin, Texas 78711-3326, or call the commission's Office of Customer Protection at (512)936-7120 by December 31, 1998. Hearing and speech-impaired individuals with text telephone (TTY) may contact the commission at (512) 936-7136.

TRD-9818203
Rhonda Dempsey
Rules Coordinator
Public Utility Commission of Texas