

Log Number 99009-331-WT. For further information, please contact Mary Ambrose, Policy and Regulations Division, (512) 239-4813.

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-200000224

Margaret Hoffman

Director, Environmental Law Division

Texas Natural Resource Conservation Commission

Filed: January 14, 2000



Public Notice

The Texas Natural Resource Conservation Commission (TNRCC or Commission) is required under the Texas Solid Waste Disposal Act, Texas 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 November 26, 1999, issue of the *Texas Register* (24 TexReg 10608-10610).

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 TNRCC hereby gives notice of a facility or area 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 TNRCC also gives notice pursuant to the Act, §361.1855, that it proposes a land use other than residential as appropriate for the facility identified below. The TNRCC proposes a commercial/industrial land use designation. Determination of future land use will impact the remedial investigation and remedial action for the site.

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 was also published in the *Palacios Beacon* and *Bay City Tribune* on January 26, 2000.

The facility proposed for listing is the Hu-Mar Chemical site, located north of Palacios, Matagorda County, Texas on McGlothlin Road between 4th and 12th Streets. The approximate geographic coordinates of the site are 28 degrees, 43 minutes, 45 seconds, North Latitude and 96 degrees, 13 minutes, 15 seconds, West Longitude.

In 1976, Consolidated Chemical Company began pesticide/herbicide production at this 20-acre facility. In 1978, Hu-Mar Chemical Corporation bought the facility and all permits were transferred to Hu-Mar Chemical Corporation. Pesticide/herbicide production continued at this facility until it closed due to nuisance odors in December 1979.

In 1980, Hu-Mar Chemical Corporation performed a removal action. The removal was conducted in two phases: first, 190 drums containing chemicals were removed to an approved disposal site; second, soil from the area where spillage from the drums had occurred was excavated and moved to an approved disposal site. After the drums were removed, the kiln was demolished and all contaminated soil/bricks in and near the kiln site were removed. On-site surface impoundments were closed in 1985. During the

closure activities, the surface impoundments were de-watered by pumping the wastewater onto a diked area adjacent to the surface impoundments. Contaminated sludges were left in the impoundments and were consolidated with other on-site soils. The impoundments were then capped and vegetated. On-site tanks were dismantled and sold.

Releases of hazardous substances to the groundwater pathway are the major concern for this site. Hazardous substances have been documented in the subsurface soils and shallow groundwater beneath the site. The Chicot Aquifer is the aquifer for the groundwater pathway.

A public meeting will be held Thursday, March 2, 2000, at 7:00 p.m., in council chambers of Palacios City Hall, located at 205 Fourth Street in Palacios, Texas. The purpose of this meeting is to obtain additional information regarding the site relative to its eligibility for listing on the state registry, identify potentially responsible parties, and obtain public input and information regarding the appropriate use of land on which the facility subject of this notice is located. The public meeting will be legislative in nature and not a contested case hearing under the Texas Administrative Procedure Act (Texas Government Code, Chapter 2001).

Written comments may also be submitted to the attention of Michael A. Bame, Superfund Cleanup Section, Remediation Division, MC-143, P.O. Box 13087, Austin, Texas 78711-3087, telephone number (512) 239-5658. All comments must be submitted to the Commission by 5:00 p.m. on March 2, 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 executive director's determination of eligibility, are available for review at Palacios Library, 326 Main Street in Palacios, Texas, telephone number (361) 972-3234, during regular business hours. Copies of the complete public record files may be obtained during regular business hours at the TNRCC Records Management Center, Building D, Room 190, 12100 Park 35 Circle, Austin, Texas 78753, telephone numbers (800) 633-9363 (within Texas only) or (512) 239-2920. Photocopying of file information is subject to payment of a fee.

TRD-200000228

Margaret Hoffman

Director, Environmental Law Division

Texas Natural Resource Conservation Commission

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Notice of Water Quality Applications

The following notices were issued during the period of October 21, 1999 - January 14, 2000.

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.**

ADVANCED AROMATICS, L.P. has applied for a renewal of TNRCC Permit Number 01914, which authorizes the discharge of treated process, domestic, utility wastewater and stormwater at a daily average flow not to exceed 60,000 gallons per day via Outfall 001, and stormwater on an intermittent and flow variable basis via