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Notice of Intent to Delete

Munoz Borrow Pits

from the

Texas Superfund Registry

as published in the

Texas Register

(23 TexReg 7137)

on

July 3, 1998

A portion of the records for this site, including documents pertinent to the TNRCC determination to delete, is available for viewing with the site repository records

at

Speer Memorial Library

801 E. 12th Street

Mission, Texas

and/or

TNRCC Records Management Center

Austin, Texas

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(800) 633-9363 (within Texas only) or (512) 239-2145. A portion of the record for this site, including documents pertinent to the executive director's determination, is available for inspection and copying at the Commerce Public Library, 1210 Park Street, Commerce, Texas, (903) 886-6858. Copies of the complete public file may be obtained during regular business hours at the TNRCC, Central Records, Building D, North Entrance, Room 190, 12100 Park 35 Circle, Austin, Texas 78753, telephone (800) 633-9363 or (512) 239-2920. Copying of file information is subject to payment of a fee.

TRD-9810070
Kevin McCalla
Director, Legal Division
Texas Natural Resource Conservation Commission
Filed: June 24, 1998



The executive director of the Texas Natural Resource Conservation Commission (TNRCC) by this notice is issuing a public notice of intent to delete a facility from the state registry (state Superfund list) 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 proposed for deletion is the Munoz Borrow Pits State Superfund Site that was originally placed on the state Superfund list on January 16, 1987 (12 TexReg 205). The Munoz Borrow Pits State Superfund Site (the 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. During the late 1950's soil contaminated with pesticides and arsenic were deposited on the property.

The Texas Water Commission, predecessor agency to the TNRCC, conducted a remedial investigation/feasibility study at the site in two phases, which were completed in 1991 and 1993. The objectives of the remedial investigation were to characterize and identify the contamination at the site. The Baseline Risk Assessment Report, which measured the degree of hazard at the site, indicated that action was necessary to eliminate an imminent and substantial endangerment to human health and the environment.

From April through July 1997, the TNRCC excavated and removed soils containing concentrations of pesticides and arsenic which represented an endangerment to human health and the environment. All soils found to be above the cleanup goal were transported off-site and disposed of at a permitted disposal facility. The cleanup plan also required that a notice be placed in the deed records for the property, describing the actions taken to reduce the risk to human health and the environment and the condition of the property following the cleanup. The property is considered appropriate for residential use according to the risk reduction standards applicable at the time of this filing. As a result of the removal of the soil contaminated above cleanup levels, the executive director has determined that this site no longer presents an imminent and substantial endangerment to public health and safety and the environment and is therefore eligible for deletion from the list of sites proposed for the state Superfund registry in accordance with 30 TAC §335.344(c).

In accordance with 30 TAC §335.344(b), the TNRCC shall hold a public meeting to receive comment on this intended deletion. This meeting is not considered a contested case hearing within the meaning of Texas Government Code, Chapter 2001. This meeting shall be held upon initiation by the executive director or by requests filed with the executive director before 5:00 p.m., August 3, 1998. At least 30 days prior to the date set for the meeting, notice shall be provided by first class mail to all Potentially Responsible Parties and other interested persons, and by publication in a newspaper of general circulation in the county where the facility is located. The person submitting the request shall bear the cost of the publication of the notice. The executive director does not intend to initiate a public meeting. If a public meeting challenging this intention to delete by the executive director is not requested by a potentially responsible party or any interested person(s) before the designated date, the Munoz Borrow Pits State Superfund Site will be deleted from the state Superfund registry.

All inquiries regarding the Munoz Borrow Pits State Superfund Site should be directed to Jeffrey E. Patterson, TNRCC Project Manager, at (800) 633-9363 (within Texas only) or (512) 239-2489. A portion of the record for this site, including documents pertinent to the executive director's determination, is available for inspection and copying at the following location: Speer Memorial Library, 801 East 12 Street, Mission, Texas 78572-4416, (956) 580-8754. Copies of the complete public file may be obtained during regular business hours at the TNRCC, Central Records, Building D, North Entrance, Room 190, 12100 Park 35 Circle, Austin, Texas 78753, telephone (800) 633-9363 or (512) 239-2920. Copying of file information is subject to payment of a fee.

TRD-9810068
Kevin McCalla
Director, Legal Division
Texas Natural Resource Conservation Commission
Filed: June 24, 1998



The executive director of the Texas Natural Resource Conservation Commission (TNRCC) by this notice is issuing a public notice of intent to delete a facility from the state registry (state Superfund list) 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 proposed for deletion is the Wortham Lead Salvage State Superfund Site that was originally placed on the state Superfund list on January 16, 1987 (12 TexReg 205).

The Wortham Lead Salvage State Superfund Site (the "Site"), including all land, structures, appurtenances, and other improvements, is located on the northeast corner of U.S. Highway 175 and County Road 2938 in the northwest portion of Henderson County, Texas. The Site is located midway between Eustace and Mabank, Texas approximately 100 miles southeast of Dallas. 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 currently a vacant lot enclosed by a chain link fence with a locked gate.

Lead-acid battery salvaging operations at the Wortham Lead Salvage site were conducted during a nine-month period in 1980. During this period of operation, unauthorized releases of battery acids and