

The following is an Adobe Acrobat reproduction of the official

Notice of Final Deletion

of

Newton Wood Preserving

from the

Texas Superfund Registry

as published in the

Texas Register

(24 TexReg 3640-3641)

on

May 7, 1999

**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

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1405, Texas Natural Resource Conservation Commission, P.O. Box 13087, Austin, Texas 78711-3087.

A default order was entered regarding DAVID RAY DBA D & R DESIGN, Docket Number 1998-0266-AIR-E; TNRCC ID Number FG-05512-I; Enforcement ID Number 12314 on April 12, 1999 assessing \$3,000 in administrative penalties.

Information concerning any aspect of this order may be obtained by contacting William Puplampu, Staff Attorney at (512)239-0677 or Sheila Smith, Enforcement Coordinator at (512)239-1670, Texas Natural Resource Conservation Commission, P.O. Box 13087, Austin, Texas 78711-3087.

A default order was entered regarding DOUGLAS BOWSER DBA BOWSER'S AUTO BODY, Docket Number 1998-0008-AIR-E; Account Number TA-3554-T; Enforcement ID Number 12094 on April 12, 1999 assessing \$750 in administrative penalties.

Information concerning any aspect of this order may be obtained by contacting Lisa Z. Hernandez, Staff Attorney at (512)239-0612 or David Henrichs, Enforcement Coordinator at (512)239-1883, Texas Natural Resource Conservation Commission, P.O. Box 13087, Austin, Texas 78711-3087.

A default order was entered regarding CHARLIE PALMER, Docket Number 1997-0419-LII-E; Unlicensed Irrigator; Enforcement ID Number 12717 on April 12, 1999 assessing \$2,620 in administrative penalties.

Information concerning any aspect of this order may be obtained by contacting Cecily Small Gooch, Staff Attorney at (817)469-6750 or Laurie Eaves, Enforcement Coordinator at (512)239-4495, Texas Natural Resource Conservation Commission, P.O. Box 13087, Austin, Texas 78711-3087.

A default order was entered regarding ERNEST ROMO, Docket Number 1997-0423-LII-E; Enforcement ID Number 12480 on April 12, 1999 assessing \$1,250 in administrative penalties.

Information concerning any aspect of this order may be obtained by contacting Mary Risner, Staff Attorney at (512)239-6224 or Claudia Chaffin, Enforcement Coordinator at (512)239-4717, Texas Natural Resource Conservation Commission, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was entered regarding CITY OF PORT ARTHUR, Docket Number 1998-0261-MWD-E; Permit Nos. 10364-01 and 10364-02; Enforcement ID Nos. 8261 and 8622 on April 12, 1999 assessing \$56,250 in administrative penalties.

Information concerning any aspect of this order may be obtained by contacting Booker Harrison, Staff Attorney at (512)239-4113 or Michael Meyer, Enforcement Coordinator at (512)239-4492, Texas Natural Resource Conservation Commission, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was entered regarding AVALON WATER SUPPLY & SEWER SERVICE CORPORATION, Docket Number 1998-0209-MWD-E; Permit Number 11022-001 (Expired); Enforcement ID Number 8161 on April 12, 1999 assessing \$2,500 in administrative penalties.

Information concerning any aspect of this order may be obtained by contacting Merrilee Gerberding, Enforcement Coordinator at (512)239-4490, Texas Natural Resource Conservation Commission, P.O. Box 13087, Austin, Texas 78711-3087.

A default order was entered regarding ROBERT WEBB, Docket Number 1996-0266-AGR-E; No TNRCC Permit 9556 on April 12, 1999 assessing \$2,240 in administrative penalties.

Information concerning any aspect of this order may be obtained by contacting Lisa Z. Hernandez, Staff Attorney at (512)239-0612 or Claudia Chaffin, Enforcement Coordinator at (512)239-4717, Texas Natural Resource Conservation Commission, P.O. Box 13087, Austin, Texas 78711-3087.

A default order was entered regarding VICTOR SIMEK, Docket Number 1998-0373-OSI-E; TNRCC ID Number 1791; Enforcement ID Number 12217 on April 12, 1999 assessing \$1,375 in administrative penalties.

Information concerning any aspect of this order may be obtained by contacting Tracy Harrison, Staff Attorney at (512)239-1736 or Claudia Chaffin, Enforcement Coordinator at (512)239-4717, Texas Natural Resource Conservation Commission, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was entered regarding OKLAHOMA METAL PROCESSING COMPANY, INC., Docket Number 1998-0864-IWD-E; WQ Permit Number 03532; Enforcement ID Number 12731 on April 12, 1999 assessing \$6,000 in administrative penalties.

Information concerning any aspect of this order may be obtained by contacting Karen Berryman, Enforcement Coordinator at (512)239-2172, Texas Natural Resource Conservation Commission, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was entered regarding ARTHUR HERNANDEZ DBA CENTRAL TEXAS UTILITY SERVICES AND CONSULTING, Docket Number 1998-0314-UCR-E; TNRCC ID Number 20185; Enforcement ID Number 12334 on April 12, 1999 assessing \$1,000 in administrative penalties.

Information concerning any aspect of this order may be obtained by contacting William Puplampu, Staff Attorney at (512)239-0677 or Craig Carson, Enforcement Coordinator at (512)239-2175, Texas Natural Resource Conservation Commission, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was entered regarding CITY OF LAREDO, Docket Number 1998-0839-MSW-E; MSW Landfill Permit Number 1693; Enforcement ID Number 11840 on April 12, 1999 assessing \$66,875 in administrative penalties.

Information concerning any aspect of this order may be obtained by contacting Lisa Hernandez, Staff Attorney at (512)239-0612 or Carol Piza, Enforcement Coordinator at (512)239-6729, Texas Natural Resource Conservation Commission, P.O. Box 13087, Austin, Texas 78711-3087.

TRD-9902504

LaDonna Castanuela

Chief Clerk

Texas Natural Resource Conservation Commission

Filed: April 27, 1999



Final Notice of Deletion of Newton Wood Preserving Company State Superfund Site

The executive director of the Texas Natural Resource Conservation Commission (TNRCC) by this notice is advising the public of the 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 Newton Wood Preserving Company state Superfund site which was originally published for listing on the state Superfund register in the May 29, 1998, issue of the *Texas Register* (23 TexReg 5831).

This notice is issued to finalize the deletion process which began on March 12, 1999, when the executive director of the TNRCC issued a public notice in the *Texas Register* (24 TexReg 1860) of TNRCC's intent to delete the Newton Wood site from the state Superfund registry, following the determination made pursuant to 30 TAC §335.344(c) that the site had been accepted into the TNRCC Voluntary Cleanup Program and was thereby eligible for deletion. The notice in the March 12, 1999, issue of the *Texas Register* (24 TexReg 1860) further indicated that the TNRCC shall, upon requests filed with or initiated by the executive director, hold a public meeting, in accordance with 30 TAC §335.344 (b), if a written request was filed with the executive director of the TNRCC within 30 days of notice of the agency's intent to delete. Equivalent publication of the notice in the *Texas Register* (24 TexReg 1860) was also published in the March 11, 1999, edition of the Newton County News.

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 Newton Wood Preserving Company state Superfund site is hereby deleted from the Texas state Superfund registry. All inquiries regarding the deletion of this site should be directed to Barbara Daywood, TNRCC Community Relations, (800) 633-9363 (within Texas only) or (512) 239- 2463.

TRD-9902534
Margaret Hoffman
Director, Environmental Law Division
Texas Natural Resource Conservation Commission
Filed: April 28, 1999



Notice of District Petition

Petitioners filed a petition for creation of Fort Bend County MUD Number 121 pursuant to Article XVI, Section 59 of the Constitution of the State of Texas; Chapters 49 and 54 of the Texas Water Code; 30 Texas Administrative Code Chapter 293; and the procedural rules of the TNRCC. The proposed District will contain approximately 495.828 acres located within Fort Bend County and within the extraterritorial jurisdiction of Richmond, Texas. According to the petition, a preliminary investigation has been made to determine the cost of said project to be approximately \$20,230,744.

The TNRCC may grant a contested case hearing on this petition if a written hearing request is filed within 30 days after the newspaper publication of this notice. To request a contested case hearing, you must submit the following: (1) your name (or for a group or association, an official representative), mailing address, daytime phone number, and fax number, if any; (2) the name of the applicant and the TNRCC Internal Control Number; (3) the statement "I/we request a public hearing"; (4) a brief description of how you would be adversely affected by the granting of the request in a way not common to the general public; and (5) the location of your property relative to the proposed district's boundaries. You may also submit your proposed adjustments to the petition which would satisfy your concerns. Requests for a contested case hearing must be submitted

in writing to the Office of the Chief Clerk at the address provided in the information section below.

The Executive Director may approve the application unless a written request for a contested case hearing is filed within 30 days after the newspaper publication of this notice. If a hearing request is filed, the Executive Director will not approve the petition and will forward the petition had hearing request to the TNRCC Commissioners for their consideration at a scheduled Commission meeting. If a contested case hearing is held, it will be a legal proceeding similar to a civil trial in state district court.

Written hearing requests should be submitted to the Office of the Chief Clerk, MC 105, TNRCC, P.O. Box 13087, Austin, TX 78711-3087. For information concerning the hearing process, please contact the Public Interest Counsel, MC 103, the same address. For additional information, individual members of the general public may contact the Office of Public Assistance, at 1-800-687-4040. General information regarding the TNRCC can be found at our web site at www.tnrcc.state.tx.us.

TRD-9902506
LaDonna Castanuela
Chief Clerk
Texas Natural Resource Conservation Commission
Filed: April 27, 1999



Notice of Opportunity to Comment on Settlement Agreements of Administrative Enforcement Actions

The Texas Natural Resource Conservation Commission (TNRCC or commission) Staff is providing an opportunity for written public comment on the listed Agreed Orders (AOs) pursuant to Texas Water Code (the Code), §7.075, which requires that the TNRCC may not approve these AOs unless the public has been provided an opportunity to submit written comments. Section 7.075 requires that notice of the proposed orders and of the opportunity to comment must be published in the Texas Register no later than the 30th day before the date on which the public comment period closes, which in this case is June 6, 1999. Section 7.075 also requires that the TNRCC promptly consider any written comments received and that the TNRCC may withhold approval of an AO if a comment discloses facts or considerations that indicate the proposed AO is inappropriate, improper, inadequate, or inconsistent with the requirements of the Code, the Texas Health and Safety Code (THSC), and/or the Texas Clean Air Act (the Act). Additional notice is not required if changes to an AO are made in response to written comments.

A copy of each of the proposed AOs is available for public inspection at both the TNRCC's Central Office, located at 12100 Park 35 Circle, Building C, 1st Floor, Austin, Texas 78753, (512) 239-1864 and at the applicable Regional Office listed as follows. Written comments about these AOs should be sent to the enforcement coordinator designated for each AO at the TNRCC's Central Office at P.O. Box 13087, Austin, Texas 78711-3087 and must be received by 5:00 p.m. on June 6, 1999. Written comments may also be sent by facsimile machine to the enforcement coordinator at (512) 239-2550. The TNRCC enforcement coordinators 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: **AGM Texaco, Incorporated**; DOCKET NUMBER: 98-0719-PST-E; IDENTIFIER: Petroleum Storage Tank (PST) Facility Identification Number 0026715; LOCATION: Houston, Harris