

The following is an Adobe Acrobat reproduction of the official
Notice of Proposed Selection of Remedy

for

Houston Scrap

as published in the

Texas Register

(22 TexReg 5800-5801)

on

June 13, 1997

**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

Kashmere Gardens Branch Library

5411 Pardee Street

Houston, Texas

and/or

TNRCC Records Management Center

Austin, Texas

Scroll Down to View

30 TAC §101.7(a) and (b), §116.115(a), and the Act, §382.085(b), by failing to operate all pollution capture and abatement equipment during normal operations and by failing to notify the TNRCC of planned maintenance, startup, or shutdown of three scrubbers; PENALTY: \$37,200; ENFORCEMENT COORDINATOR: Miriam Hall, (512) 239-1044; REGIONAL OFFICE: 5425 Polk Avenue, Suite H, Houston, Texas 77023-1423, (713) 767-3500.

(5)COMPANY: The Lubrizol Corporation; DOCKET NUMBER: 97-0123-AIR-E; ACCOUNT NUMBER: HG-0459-J; LOCATION: Deer Park, Harris County, Texas; TYPE OF FACILITY: petrochemical plant; RULE VIOLATED: 30 TAC §115.132(a) and §116.115(a) and the Act, §382.085(b), by failing to control volatile organic compound emissions from three oil water separators and by failing to route vents from two storage tanks to a flare; PENALTY: \$24,500; ENFORCEMENT COORDINATOR: Miriam Hall, (512) 239-1044; REGIONAL OFFICE: 5425 Polk Avenue, Suite H, Houston, Texas 77023-1423, (713) 767-3500.

(6)COMPANY: Thiel Manufacturing and Supply Company; DOCKET NUMBER: 97-0019-AIR-E; ACCOUNT NUMBER: HX-1196-S; LOCATION: Pasadena, Harris County, Texas; TYPE OF FACILITY: scaffold manufacturing plant; RULE VIOLATED: 30 TAC §116.110(a) and the Act, §382.0518(a) and §382.085(b), by constructing and operating a scaffold manufacturing plant without first obtaining a permit or qualifying for a standard exemption; 30 TAC §115.412(a)(1) and §115.421(a)(9)(A)(iii) and the Act, §382.085(b), by using xylene solvents for cleaning the paint area and equipment without an emission control system and by using coatings that exceeded the 3.5 pounds of volatile organic compounds per gallon of coating emission limit; PENALTY: \$6,000; ENFORCEMENT COORDINATOR: Miriam Hall, (512) 239-1044; REGIONAL OFFICE: 5425 Polk Avenue, Suite H, Houston, Texas 77023-1423, (713) 767-3500.

Issued in Austin, Texas, on June 6, 1997.

TRD-9707315
Kevin McCalla
Director, Legal Division
Texas Natural Resource Conservation Commission
Filed: June 6, 1997

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Provisionally-Issued Temporary Permits to Appropriate State Water

Permits issued during the period of June 6, 1997.

Application Number TA-7817 by Brown Engineering and Testing, Inc. for diversion of eight acre-feet in a one-year period for industrial (hydrostatic testing) purpose. Water may be diverted from the Sabine River, approximately 2.5 river miles west of the intersection of US Highway 59 and the Angelina River and approximately nine miles north-northwest of Lufkin, Angelina county, Texas, Neches River Basin.

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.

Issued in Austin, Texas, on June 6, 1997.

TRD-9707331
Eugenia K. Brumm, Ph.D.
Chief Clerk
Texas Natural Resource Conservation Commission
Filed: June 6, 1997

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Public Notice

The executive director of the Texas Natural Resource Conservation Commission (TNRCC) has issued a public notice of the selection of a proposed remedial action for a State Superfund site which constitutes an imminent and substantial endangerment due to a release or threatened release of hazardous substances into the environment. The notice is being published in the *Houston Chronicle* on June 15, 1997.

In accordance with 30 Texas Administrative Code (TAC) §335.349(a), concerning requirements for the remedial action and the Texas Health and Safety Code, Chapter 361.187 Solid Waste Disposal Act, concerning the proposed remedial action, a public meeting regarding the proposed remedial action for the Houston Scrap State Superfund site must be held at least 45 days after publishing a notice in the *Texas Register* and a local newspaper.

The public meeting is scheduled at the Eva Alice McCrane Library, Kashmere Gardens Branch, 5411 Pardee, Houston, Texas on August 12, 1997 at 7:00 p.m.

The site for which a remedy has been selected, the Houston Scrap State Superfund site, was originally proposed for listing on the State Registry of Superfund sites at a public meeting in Pasadena, Texas on November 19, 1987. The Houston Scrap site originally appeared on the State Registry of Superfund sites in the January 22, 1988, issue of the *Texas Register* (13 TexReg 427-428).

Houston Scrap State Superfund Site is located at 3799 Jensen Drive in Houston, Texas on approximately 20 acres of land just south of Loop 610 and west of Highway 59 in Houston, Texas. The former office area is located on approximately two acres and is bounded by Porter Street to the north, Cherry Street to the west, Cavalcade Street to the south, and Jensen Drive to the east. The main scrap facility is on 18 acres. The main scrap facility tract is roughly rectangular and consists of six abandoned buildings and two stockpiles of soil. The remainder of the property is undeveloped.

A remedial investigation was initiated and completed in October 1996. The results of the investigation and laboratory analyses show that the primary soil contaminants at the Houston Scrap site are metals associated with battery recycling. The metals contamination is generally confined to the upper six inches of soil. The highest lead concentrations were in the battery recycling buildings. However, due to the temporary storage of batteries and processed battery casing mounds around the site, elevated levels of metals are found throughout the site. Other contaminants found in ground-water samples were lead, antimony, arsenic, barium, beryllium, cadmium, chromium, and nickel. These exceeded the Maximum Contaminant Levels in at least one monitor well.

The TNRCC is proposing the on-site containment of contaminated soil and materials at the Houston Scrap State Superfund site. The soil will be excavated and consolidated on-site to reduce the surface area of the containment cell. The soil containment area will be designed to minimize leaching of the soil contaminants to the ground water and will be covered by a cap that will eliminate surface exposure. Groundwater monitoring will be conducted to evaluate any possible impact of the containment cell on the groundwater at the Houston Scrap site. Groundwater remediation will not be addressed at this time.

The public meeting will be legislative in nature and not a contested case hearing within the meaning of Texas Government Code, Chapter 2001.

Persons desiring to submit or make comments on the proposed remedial action, the facility or the identity of the potentially responsible parties, are encouraged to do so at the public meeting. Or, public comment ends on August 12, 1997 at the close of the public meeting. Written comments should be submitted at least 10 days prior to the public meeting to Mr. Michael Garrigan, Superfund Investigation Section, MC 143, Texas Natural Resource Conservation Commission, P.O. Box 13087, Austin, Texas 78711-3087.

The public records/site repository for this site are available for public review during regular business hours at the Texas Natural Resource Conservation Commission, 12100 Park 35 Circle, Building D, North Entrance, Austin, Texas 78753, (512) 239-2927, or at the Eva Alice McCrane Library, Kashmere Gardens Branch, Houston, Texas, telephone 713/674-8461. The Library hours of operation are Mondays and Thursdays, noon-9:00 p.m.; Tuesdays, 10:00 a.m.-9:00 p.m.; Wednesdays, 10:00 a.m.-6:00 p.m.; Fridays and Saturdays, 10:00 a.m.-6:00 p.m.; and closed on Sundays. Copying of file information is subject to payment of a fee.

For further information, please call: 1-800-633-9363.

Issued in Austin, Texas, on June 9, 1997.

TRD-9707420

Kevin McCalla

Director, Legal Division

Texas Natural Resource Conservation Commission

Filed: June 9, 1997



Public Notice (JBT State Superfund Site)

The executive director of the Texas Natural Resource Conservation Commission (TNRCC or commission) has issued a public notice of a proposed selection of remedy for the Jerrell B. Thompson

State Superfund Site, which constitutes an imminent and substantial endangerment due to a release or threatened release of hazardous substances into the environment. The notice was published in the *Canton Herald* on Thursday, June 12, 1997. In accordance with 30 Texas Administrative Code (TAC) §335.349(a), concerning requirements for the remedial action and the Texas Health and Safety Code, Solid Waste Disposal Act, §361.187 concerning the proposed remedial action, a public meeting regarding the proposed remedy for the Jerrell B. Thompson State Superfund Site shall be held. The statute requires that the commission 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 45 days before the date of the public meeting.

The public meeting is scheduled at the Canton City Hall, Council Chambers, 290 East Tyler Street in Canton, Texas on Thursday, July 31, 1997, at 8:00 p.m. The public meeting will be legislative in nature and not a contested case hearing under the Texas Government Code, Chapter 2001.

The site for which a remedy has been selected, the Jerrell B. Thompson State Superfund Site, was proposed for listing on the State Registry of Superfund Sites at a public meeting in Canton, Texas on October 26, 1990, and originally appeared on the State Registry of Superfund Sites published in the October 1, 1991, issue of the *Texas Register* (16 TexReg 5420).

The Jerrell B. Thompson (JBT) State Superfund Site is located north of Phalba, Texas on Van Zandt County Road 2410, approximately one mile north of the intersection of County Road 2410 and State Highway 198.

The JBT site was the location of an automotive battery reclamation operation that began in 1970. In 1978, a waste battery processing facility was built on-site. The tops of the batteries were cut off with a saw. Anhydrous ammonia was used to wash sulfuric acid from the battery cells, creating a neutralized or basic wash that was collected in stainless steel troughs. In November 1980, Mr. Jerrell B. Thompson filed a Part A Permit Application as an interim status hazardous waste management facility. In April 1981, the facility became inactive. In May 1982 and November 1982, the Texas Department of Health (TDH) inspected the site and collected soil samples and found total lead concentrations as high as 329,000 mg/kg. On April 5, 1984, the TDH sent a Notice of Violation letter to Mr. Thompson; no response was received. On August 20, 1984, a letter was sent to Mr. Thompson terminating interim status.

Between 1984 and 1987, the TNRCC's District 5 Regional office inspected the site, noted several violations, and filed several enforcement actions against the operators of the site. During this time, the TNRCC collected surface soil, pond, and liquid waste samples, and based on the collected information, a Site Inspection Report was completed. The following investigations were conducted at the site from 1987 to 1990: Comprehensive Groundwater Monitoring Evaluation (1987); Solid Waste Compliance Monitoring Inspection (1987); RCRA Facility Assessment PR/VSI Report (1988); and Solid Waste Inspection (1989).

From 1993 to 1994, the TNRCC performed a Remedial Investigation and Baseline Risk Assessment. In May 1997, the TNRCC completed the Presumptive Remedy Document. The Remedial Investigation results indicate that metals contamination (lead, arsenic, cadmium, and antimony) exists at the site at levels which may threaten human health and the environment. A Baseline Risk Assessment concluded