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**Notice of Intent to Delete**

**Houston Scrap**

from the

**Texas Superfund Registry**

as published in the

***Texas Register***

**(25 TexReg 1808)**

on

**February 25, 2000**

**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

**Kashmere Gardens Branch Library**

**5411 Pardee Street**

**Houston, Texas**

**and/or**

**TNRCC Records Management Center**

**Austin, Texas**

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This posting is Notice of Opportunity to comment on Proposal for Decision and Order. Comment period will end 30 days from date of publication. If you have any questions or need assistance, please contact Doug Kitts, Chief Clerk's Office, (512) 239-3317.

TRD-200001203

Douglas A. Kitts

Agenda Coordinator

Texas Natural Resource Conservation Commission

Filed: February 16, 2000



## Public Notice

The executive director of the Texas Natural Resource Conservation Commission (TNRCC or commission) is issuing a public notice of intent to delete (delist) 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 Houston Scrap state Superfund site that was originally proposed for listing on the state Superfund registry on October 16, 1987 (13 TexReg 427-428).

The Houston Scrap state Superfund site, including all land, structures, appurtenances, and other improvements, is approximately 20 acres, and is located at 3799 Jensen Drive, Houston, Harris 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. Following deletion, the site (except for the fenced-in area of the containment cell) would be suitable for commercial/industrial use.

Houston Scrap was previously a rendering facility until approximately 1976, when the aluminum and lead-acid battery recycling began along with various other scrap metal recovery activities. It was estimated that the site contained about 7,500 cubic yards of used battery casings, scrap metal, used 55-gallon drums, household garbage, and approximately 1,000 used car and truck tires. Lead contamination was documented in the soil from residue washed from the used battery casings that were left exposed to wind and rain. Some soil was also contaminated with polychlorinated biphenyls. The metals contamination was generally confined to the upper six inches of soil.

Contaminated soil was excavated to a nonresidential cleanup level, consolidated on-site, and covered by an engineered cap to minimize leaching of contaminants to the groundwater. While groundwater remediation was not addressed as part of the cleanup, monitoring wells have been installed to detect any impact of the containment cell on the groundwater at the site.

A lien for recovery of environmental remediation costs has been filed by the TNRCC on the real property. The deed certification of remediation notifies the owner, prospective purchasers and lessors of the property of the existence of the fenced-in contamination cell and cap, and the requirement that the property owner is responsible for maintenance of and compliance with engineered or institutional controls required by TNRCC.

The engineering and institutional controls required by TNRCC include maintenance of the fence around the containment cell, posting of signs warning of the presence of hazardous material in the cell, maintenance of the cap over the consolidated waste material in the containment cell, biannual monitoring of groundwater for the

presence of antimony, arsenic, beryllium, and lead. There are seven monitoring wells around the containment cell inside the fence.

Future use of the property is considered appropriate for commercial/industrial use according to risk reduction standards applicable at the time of this filing.

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 will hold a public meeting to receive comment on this intended deletion. This meeting will not be considered a contested case hearing within the meaning of Texas Government Code, Chapter 2001. The meeting will be held on March 28, 2000 at 7:30 p.m. at the Eva Alice McCrane Kashmere Gardens Branch Library, 5411 Pardee Street in Houston, Texas.

All comments or inquiries regarding the proposed deletion of the Houston Scrap state Superfund site should be submitted to Subhash C. Pal, P.E., Texas Natural Resource Conservation Commission, Superfund Cleanup Section, Remediation Division, MC 143, P.O. Box 13087, Austin, Texas 78711-3087; telephone numbers (800) 633-9363 (within Texas only) or (512) 239-4513. A portion of the record for this site including documents pertinent to the executive director's determination are available for review during regular business hours at the Eva Alice McCrane Kashmere Gardens Branch Library, 5411 Pardee Street, Houston. The complete public file may be reviewed during regular business hours at the commission's 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-200001195

Margaret Hoffman

Director, Environmental Law Division

Texas Natural Resource Conservation Commission

Filed: February 15, 2000



## Public Utility Commission of Texas

Notice of Application for Service Provider Certificate of Operating Authority

Notice is given to the public of the filing with the Public Utility Commission of Texas (commission) of an application on February 8, 2000, for a service provider certificate of operating authority (SPCOA), pursuant to §§54.151 - 54.156 of the Public Utility Regulatory Act (PURA). A summary of the application follows.

Docket Title and Number: Application of Fiber Data Communications, Inc. for a Service Provider Certificate of Operating Authority, Docket Number 22100 before the Public Utility Commission of Texas.

Applicant intends to provide plain old telephone service, Digital Subscriber Line, ISDN, T1- Private Line, Switch 56 KBPS, Frame Relay, Fractional T1, long distance, wireless and CMRS services.

Applicant's requested SPCOA geographic area includes the entire state of Texas.

Persons who wish to comment upon the action sought should contact the Public Utility Commission of Texas at P.O. Box 13326, Austin,