Harris County Municipal Utility District Number 127; Houston; wastewater treatment facilities; approximately 1/2 miles west on the intersection of Barker-Cypress Road and Gummert Road in Harris County; 12209-01; renewal.

Intercontinental Energy Corporation; Three Rivers; in situ uranium mining; approximately 2.4 miles east northeast (via State Highway 798) of the Community of Pawnee, Bee County; 02788; amendment.

Keller Industries, Inc.; Woodville; wastewater treatment facilities; a plant which produces aluminum products; approximately two miles north of the Town of Woodville, Tyler County; 02633; amendment.

Lake Forest Plant Advisory Council; Houston; wastewater treatment facilities; approximately one-half mile west of FM Road 149 and 1/4 mile north of Grant Road in Harris County; 11084-01; renewal.

City of Lubbock; water reclamation plant; the plant site is west and adjacent to the city of Lubbock's Southeast Water Reclamation Plant (Permit Number 10353-002) at the eastern terminus of East 38th Street, south of the Fort Worth and Denver Railroad bridge crossing of the North Fork of the Double Mountain fork of the Brazos River, approximately one mile northwest of the intersection of State Highway-Loop 289 and FM Road 835 (Buffalo Springs Lake Road), in the southeastern portion of the City of Lubbock, in Lubbock, County; 10353-08; new.

Marathon Letourneau Company; Longview; an integrated heavy equipment manufacturing plant; approximately 0.5 mile west-southwest of the intersection of FM Road 1845 and State Highway 149 (Estes Parkway), southwest of the City of Longview, Gregg County; 01603; renewal.

Maxim Production Co., Inc.; Boling; a poultry operation; on the north side of the intersection of FM Road 442 and FM 1096 in Wharton County; 03357; new.

Northgate Crossing Municipal Utility District Number 1; Houston; wastewater treatment facilities; approximately 4,500 feet southeast of the intersection of Interstate Highway 45 and Spring Creek and approximately 1.3 miles northeast of the intersection of Stuebner Road and Interstate Highway 45 in Harris County; 12979-01 renewal.

City of Oglesby; wastewater treatment facilities; approximately 1.25 miles south of the intersection of U.S. Highway 84 and FM Road 1996 in Coryell County; 10914-01; renewal.

Roden Dairy, Inc.; Godley; a dairy; approximately two miles northeast of the intersection of State Highway 171 and FM Road 917 in Johnson County; 03258; amendment.

Roelof Van Benthem; Sulphur Springs; a dairy; approximately one mile southeast of State Highway 19, and approximately 3.5 miles north of the intersection of FM Road 2297 and FM Road 1567 in Hopkins County; 03368; new.

Issued in Austin, Texas, on July 15, 1991.

TRD-9108449 Laurie J. Lancaster
Deputy Chief Clerk
Texas Water Commission

Filed: July 15, 1991

For further information, please call: (512) 463-7906

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Public Notice

The Texas Water Commission (the commission) is required under the Texas Solid Waste Disposal Act, Texas Health and Safety Code, Chapter 361, as amended (the Act), to identify and assess 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. A registry identifying those sites was published in the April 18, 1989, issue of the *Texas Register* (14 TexReg 1882). Pursuant to the Act, §361.184(a), the commission must publish in the *Texas Register* those facilities which are eligible for listing on the state registry.

The following is a list of facilities or areas which have been determined eligible and which the executive director of the Texas Water Commission proposes to list on the state registry. Also specified is 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.

Site Number 1–Hagerson Road Drum Site is located on the south side of Hagerson Road east of 1215 Hagerson Road near Dewalt, Fort Bend County. The site consists of two areas of abandoned drums of paint and organic wastes. These drums were stabilized by overpacking on March 13, 1991, under a February 7, 1991 commission order. Hazards presented by this site are lead contamination of surface soils, as documented by sample analyses, and possible ground water contamination due to the release of wastes to the surface of the site.

Site Number 2–Tricon America, Inc. site is located at 101 East Hampton Road, Crowley, Tarrant County. From 1978 to 1984 an aluminum and zinc melting and casting facility occupied the site. A large ash pile estimated to contain 12,000 cubic yards of materials remains on-site. Sample analyses of the ash and soil and sediments in the rain water run-off pathway from the pile indicate the presence of heavy metals including lead, cadmium, and chromium. In April 1990, the ash pile was stabilized with a tar-like sealant. In November-December 1990, the ash pile was capped with a 40 mil plastic liner which was covered with "Tri-Lock" blocks.

Interested parties may submit written comments to the commission relative to the proposed listing of any of these facilities and/or request a public meting to discuss the proposed listing by submitting a request not later than the 30th day after the date of this notice. The public meetings will be legislative in nature and not a contested case hearing under the Administrative Procedure and Texas Register Act (Texas Civil Statutes, Article 6252-13a). Persons desiring to comment on the proposed listing of any of these sites may do so in the context of the public meeting either orally or in writing. Written comments may also be submitted to the attention of James A. Feeley, Superfund and Emergency Response Section, Texas Water Commission, P.O. Box 13087, Austin, Texas 78711-3087, (512) 463-7785.

A public meeting has been requested and scheduled to receive information about the proposed listing and the identification of potentially responsible parties for Tricon America, Inc. (Site Number 2). The time and place for this public meeting is as follows: September 26, 1991, at 7 p.m. in the cafeteria of the H. F. Stevens Middle School, 1016 Hwy 1187, Crowley, Texas 76036.

The executive director of the Texas Water Commission has prepared a brief summary of TWC's public records regarding each site. This summary, as well as the public records themselves, are available for inspection and copying during regular commission business hours. Such information may be obtained by contacting Evelyn Lawson, Central Records Center, Texas Water Commission, P.O. Box 13087, Austin, Texas 78711-3087; (512) 463-8562. Copying of file information is subject to payment of a fee.

Other information may also be obtained from Stephen Dickman, Staff Attorney, Texas Water Commission, at the same address, (512) 463-8069.

Issued in Austin, Texas, on July 22, 1991.

TRD-9108647 Jim F. Haley
Director, Legal Division
Texas Water Commission

Filed: July 22, 1991

For further information, please call: (512) 463-8069

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Texas Workers' Compensation Commission

Correction of Error

The Texas Workers' Compensation Commission submitted the adoption of new 28 TAC §112.200, concerning the definition of "residential structures", for publication in the May 21, 1991, issue of the *Texas Register* (16 TexReg 2830).

In the second paragraph of the preamble, the statutory reference to Article 8308-3.05 should read "Article 8308-3.06.".

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Notice of Non-Enforcement

The Texas Workers' Compensation Commission publishes notice of non-enforcement of emergency §134.400, and §42.110. This notice of non-enforcement will cover the period from June 30, 1991, the effective date of the emergency sections, through July 3, 1991, the date of the emergency sections were withdrawn.

The sections were published in the June 28th issue of the *Texas Register* (16 TexReg 3568), and adopted a Hospital and Ambulatory Surgical Center Fee Guideline for a period of 120 days. The reason for non-enforcement is that a temporary restraining order was entered against enforcement of these rules in Cause Number 449,718, *Texas Hospital Association, et al v. Industrial Accident Board,* in the 345th Judicial District Court of Travis County. The commission and the executive director have subsequently withdrawn these emergency sections, effective July 3, 1991, and do not intend to enforce these sections for the brief period they were in effect, whether or not the temporary restraining order is continued.

Issued in Austin, Texas, on July 15, 1991.

TRD-9108448 Susan M. Kelley
General Counsel
Texas Workers' Compensation Commission

Filed: July 15, 1991

For further information, please call: (512) 440-3972

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