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**Notice of Intent to Delete
Wortham Lead**

from the

Texas Superfund Registry

as published in the

Texas Register

(23 TexReg 7137-7138)

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

**Tri-County Library
202 N. Third Street
Mabank, 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

discarded battery pieces impregnated with lead resulted in lead contamination in soils at the site.

In April, 1989, the Texas Water Commission (TWC), the predecessor to the TNRCC, contracted with Jones and Neuse, Inc., to conduct a Remedial Investigation/Feasibility Study (RI/FS) for the site. The objectives of the Remedial Investigation were to characterize and identify the contamination at the site. The final Remedial Investigation Report was published in February, 1991. The resulting baseline risk assessment indicated that further action was necessary to eliminate an imminent and substantial endangerment to human health and the environment from lead contamination in soils at the site.

In December of 1996, Exide Corporation (Exide) agreed to perform a removal action at the Wortham Lead Salvage State Superfund Site. The removal action included excavation, stabilization and disposal of 2,880 cubic yards of contaminated soils and investigation derived waste, sampling and characterization of off-site soils and sediments, sampling and recordation of the remaining lead concentrations in the soils and sediments following excavation, and the restoration of excavated areas to ensure positive drainage. All removed materials were transported off-site to a permitted disposal facility. The removal action was completed on February 5, 1998.

The Site has been remediated pursuant to the terms of the Removal Action Scoping Document and in accordance with the Work Plan agreed to by the Executive Director, and has been investigated pursuant to such study as approved by the Executive Director. The remediation plan requires the institutional control measure of deed recordation. Future use of the property is considered appropriate for residential use according to risk reduction standards applicable at the time of this filing. The executive director has determined that this site does not present 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. 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 Wortham Lead Salvage State Superfund Site will be deleted from the state Superfund registry if a public meeting challenging this determination by the executive director is not requested by any interested person(s) before the designated date.

All inquiries regarding the Wortham Lead Salvage State Superfund Site should be directed to E. R. (Trey) Collins, III, TNRCC Project Manager, at (800) 633-9363 (within Texas only) or (512) 239-2030. 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 locations: 1) Henderson County Public Library, 121 South Prairieville, Athens, Texas 75751, telephone (903) 675-1717; or, 2) Tri-County Library, Family Resource Center, 202 North 3rd Street, Mabank, Texas 75147, telephone (903) 887-9622. 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-9810069

Kevin McCalla

Director, Legal Division

Texas Natural Resource Conservation Commission

Filed: June 24, 1998

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Texas Department of Protective and Regulatory Services

Request for Proposal-Project CFSA-"Children Free of Substance Abuse."

Under Chapter 40 of the Texas Human Resources Code, the Texas Department of Protective and Regulatory Services (PRS) invites proposals to provide residential substance abuse treatment services for foster care youth, in the State of Texas. These client services are pertaining to PRS's Child Protective Services (CPS) program and are part of a joint project between PRS and the Texas Commission on Alcohol and Drug Abuse (TCADA). This project is referred to, under this Request for Proposals (RFP), as Project CFSA - "Children Free of Substance Abuse."

Description: The selected offeror(s) and contractor(s) under this Request for Proposals (RFP) will provide adolescent residential substance abuse treatment services for eligible PRS foster care youth in the State of Texas. Eligible foster care youth will be referred from qualified PRS staff throughout Texas. The selected offeror(s) and contractor(s) that will provide services under this Request for Proposals (RFP) are preferred to be located in the following PRS regions and geographical areas: Region 03 - Dallas, Arlington, Fort Worth, Region 06 - Houston, Region 01 - Amarillo / Lubbock; Region 07 - Austin; Region 08 - San Antonio, or Region 10 - El Paso. **A separate proposal for each region of interest is to be submitted to PRS at the address stated as follows. One or more proposals may be selected from any PRS region solely at PRS discretion.**

Eligible Applicants: Eligible applicants include public or private non-profit and for profit agencies with demonstrated knowledge, competence, and qualifications in providing adolescent residential substance abuse treatment services. Historically Underutilized Businesses, Minority or Women's Enterprise Businesses, and Small Business Enterprises who are eligible applicants are encouraged to apply by notifying the contact person named as follows.

Limitations: PRS reserves the *absolute right* to cancel or rescind this RFP, in whole or in part, and to reject, in whole or in part, any and all offers received. PRS does not guarantee any quantities or types of services, goods, customers, or other items to be available under this RFP. PRS shall not reimburse any costs incurred in applying for this RFP.

Term and Total Value: The contract period is projected from **September 1, 1998, through August 31, 1999**. Funding is not to exceed \$250,000 per proposal for geographical areas (PRS Regions 03 and 06) and is not to exceed \$150,000 per proposal for geographical areas (PRS Regions 01, 07, 08, or 10). Funding shall be on a unit rate basis and is not to exceed an adolescent residential substance abuse treatment daily rate projected at \$132.00 per day. Funding of proposals under this RFP is wholly contingent upon PRS receipt of revenue for these adolescent residential substance abuse treatment services from the Texas Commission on Alcohol and Drug Abuse (TCADA). Total funding allocation for three (3)