

The following is an Adobe Acrobat reproduction of the official

**Notice of Final Deletion**

of

**Aztec Mercury**

from the

**Texas Superfund Registry**

as published in the

***Texas Register***

**(23 TexReg 8915)**

on

**August 28, 1998**

**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**

(1)COMPANY: D and D International Incorporated; DOCKET NUMBER: 97-1011-PST-E; TNRCC ID NUMBER: 35350; LOCATION: Houston, Harris County, Texas; TYPE OF FACILITY: retail gasoline dispensing facility; RULES VIOLATED: 30 TAC §115.241 and Texas Health and Safety Code, §382.085(b), by failing to install an approved Stage II vapor recovery system which is certified to reduce the emissions of volatile organic compounds to the atmosphere by 95%; PENALTY: \$18,750; STAFF ATTORNEY: Ali Abazari, Legal-Litigation Division, MC 175, (512) 239-5915; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1486, (713) 767-3500.

(2)COMPANY: Calvin Pareo dba Pareo Dairy; DOCKET NUMBER: 97-0902-AGR-E; TNRCC NUMBER 11708; LOCATION: Dublin, Erath County, Texas; TYPE OF FACILITY: dairy feedlot facility; RULES VIOLATED: 30 TAC §321.31 and Texas Water Code, §26.121 by allowing unauthorized discharges into or adjacent to the waters in the State; 30 TAC § 321.35 by failing to provide adequate facilities to prevent feedlot runoff; 30 TAC §238.48 by failing to properly cap an abandoned well near the Facility fence line; PENALTY: \$19,180; STAFF ATTORNEY: Kathy Keils, Legal-Litigation Division, MC 175, (512) 239-0678; REGIONAL OFFICE: 1101 East Arkansas Lane, Arlington, Texas 76010-6499, (817) 469-6750.

TRD-9813154  
Margaret Hoffman  
Director, Legal-Environmental Law Division  
Texas Natural Resource Conservation Commission  
Filed: August 19, 1998



#### Public Notices

The executive director of the Texas Natural Resource Conservation Commission (TNRCC) by this notice is issuing a public notice of 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 Aztec Mercury state Superfund site which was originally placed on the state Superfund registry in the October 16, 1987, issue of the *Texas Register* (12 TexReg 3538). The site is in Alvin, Brazoria County, Texas, at 970 Callaway Drive. The property is approximately 3.5 acres in size. Several buildings are on the property, including the property owner's residence, a former mercury distillation building, a covered work and storage area, and various other storage buildings. Drainage ditches are immediately north and east of the property. The surrounding area is residential.

As a result of a removal action of soil and sediment which contained mercury, and the additional groundwater investigation, the executive director has determined that this site no longer presents an imminent and substantial endangerment to public health and safety or the environment.

This notice is issued to finalize the deletion process which began on July 3, 1998, when the executive director of the TNRCC issued a public notice in the *Texas Register* (23 TexReg 7135-7136) of TNRCC's intent to delete the Aztec Mercury site from the state Superfund registry, following the determination made pursuant to 30 TAC §335.344(c), that the site does not present an imminent and substantial endangerment to public health and safety or the environment. The notice (23 TexReg 7135-7136) further indicated

that the TNRCC shall hold a public meeting, as required by 30 TAC §335.344(b), if a written request is filed with the executive director of the TNRCC within 30 days, challenging the determination by the executive director made pursuant to 30 TAC §335.344(c). Equivalent publication of the notice (23 TexReg 7135-7136) was also published in the July 6, 1998 edition of the *Alvin Sun*.

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 Aztec Mercury 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, 1-800-633-9363 (within Texas only) or 512-239-2463.

TRD-9813169  
Margaret Hoffman  
Director, Environmental Law Division  
Texas Natural Resource Conservation Commission  
Filed: August 19, 1998



The executive director of the Texas Natural Resource Conservation Commission (TNRCC) by this notice is issuing a public notice of 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 Hi-Yield state Superfund site which was originally placed on the state Superfund registry in the September 21, 1993, issue of the *Texas Register* (18 TexReg 6486-6487). This site is located in northeast Texas in and near the Norris community of Commerce, Hunt County, Texas. It lies in the vicinity of Ross, Sycamore and Johnson Streets.

As a result of the study and the removal of soils containing arsenic and pesticides conducted regarding this site, the executive director has determined that this site no longer presents an imminent and substantial endangerment to public health and safety or the environment.

This notice is issued to finalize the deletion process which began on July 3, 1998, when the executive director of the TNRCC issued a public notice in the *Texas Register* (23 TexReg 7136-7137) of TNRCC's intent to delete the Hi-Yield site from the state Superfund registry, following the determination made pursuant to 30 TAC §335.344(c), that the site does not present an imminent and substantial endangerment to public health and safety or the environment. The notice (23 TexReg 7136-7137) further indicated that the TNRCC shall hold a public meeting, as required by 30 TAC §335.344(b), if a written request is filed with the executive director of the TNRCC within 30 days, challenging the determination by the executive director made pursuant to 30 TAC §335.344(c). Equivalent publication of the notice (23 TexReg 7136-7137) was also published in the July 1, 1998 edition of the *Commerce Journal*.

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 Hi-Yield 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, 1-800-633-9363 (within Texas only) or 512-239-2463.

TRD-9813170