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**Notice of Intent to Propose
Barlow's Wills Point Plating**

for listing on the

Texas Superfund Registry

as published in the

Texas Register

(21 TexReg 11125-11126)

on

November 12, 1996

**A portion of the records for this site, including documents
pertinent to the TNRCC determination of eligibility, is
available for viewing with the site repository records available**

at

**Van Zandt County Library
317 First Monday Lane
Canton, Texas**

or

**TNRCC Records Management Center
Austin, Texas**

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which requires a public hearing on proposed reimbursement rates for medical assistance programs.

The hearing will be held at 8:30 a.m., Wednesday, November 27, 1996, in the Auditorium of the TDMHMR Central Office (main building) at 909 West 45th Street in Austin, Texas.

Persons who wish to offer testimony but who are unable to attend the hearing may submit written comments which must be received by noon the day of the hearing. The written comments should be sent to the Data Analysis Section, Medicaid Administration, Texas Department of Mental Health and Mental Retardation, P.O. Box 12668, Austin, Texas 78711-2668 or faxed to (512) 206-5725.

Interested parties may obtain a copy of the reimbursement briefing package by calling the Data Analysis Section at (512) 206-5680. If interpreters for the hearing impaired are required, please contact the Data Analysis Section at the number given above at least 72 hours in advance of the hearing.

Issued in Austin, Texas, on November 6, 1996.

TRD-9616095

Ann K. Utley
Chairman

Texas Department of Mental Health and Mental Retardation
Filed: November 6, 1996

Texas Natural Resource Conservation Commission

Notice of Award

The Texas Natural Resource Conservation Commission (TNRCC) furnishes this notice of a consulting services contract award for the gathering and evaluation of information how to effect maximum local stakeholder involvement and input for the development of the Comprehensive Conservation and Management Plan ("CCMP").

The notice for request for proposals was published in the July 5, 1996, issue of the *Texas Register*.

Description of Services. The consultant will provide information and advice to the Corpus Christi Bay National Estuary Program regarding how to effect maximum local stakeholder involvement and input for the development of the CCMP. The following major products will be produced: Monthly Written Reports; Final Report, June 30, 1997.

Effective Date and Value of Contract. The contract will be effective from October 25, 1996, until August 31, 1997. The total cost of the contract is \$30,000.

Name of the Contractor. The contract has been awarded to the Coastal Bend Bays Foundation, P.O. Box 23025, Corpus Christi, Texas 78403.

Persons who have questions concerning this award may contact Richard Volk, Corpus Christi Bay National Estuary Program, Natural Resources Center, Suite 3300, 6300 Ocean Drive, Corpus Christi, Texas 78412, (512) 980-3420.

Issued in Austin, Texas, on November 3, 1996.

TRD-9616112

Kevin McCalla
Director, Legal Division

Texas Natural Resource Conservation Commission
Filed: November 6, 1996

Public Notices

Texas Natural Resource Conservation Commission (TNRCC) is required under the Texas Solid Waste Disposal Act, 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. Pursuant to §361.184(a), the Commission must publish in the Texas Register those facilities which are identified as eligible for listing on the state registry. The most recent registry listing was published in the April 12, 1996, issue of the *Texas Register* (21TexReg 3273-3274).

The following is a facility or area that the Executive Director of the TNRCC has determined eligible for listing and which the Executive Director 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.

The facility known as the Barlow's Wills Point Plating Company (the "site") is located on the south side of U.S. Highway 80, 3.4 miles east of the intersection of US Highway 80 and State Highway 64 in Wills Point, Van Zandt County, Texas. The site is a 2.0 acre plot consisting of one metal building located on a cement slab. The facility was used in the electroplating operations from early 1987 until early 1990. The electroplating operations involved nickel-chromium electroplating, zinc-aluminum anodizing, and other miscellaneous plating lines utilizing copper, silver, or cyanide. The material generated from these processes included hazardous waste and rinse water, as well as non-hazardous wastes. All wastes were handled on site with no apparent off-site shipments. Elevated levels of chromium, nickel, zinc, and copper have been found in the site soils. In March of 1990, the site was abandoned with waste on site, including approximately 133 drums and containers.

In May of 1994, TNRCC performed a Site Screening Investigation and determined that conditions at the site required an immediate removal action due to the potential exposure of the public and the environment to hazardous substances found at the site. During December 1995, the secured fence was installed around the site and "Contaminated Area" warning signs were posted. The metal building was cleaned of debris and made secure for use as a staging area for the old drums and containers that had been left at the site. A total of 53 old drums were overpacked into new drums in order to containerize liquids and solids. Ten new, corrosive resistant, drums were used to containerize liquids with extremely low pH. The containerized wastes were categorized, staged on pallets and samples were collected to characterize the waste. The results of these analyses show significant levels of cyanide, elevated levels of chromium and lead, and also the presence of corrosive liquids.

A public meeting has been scheduled regarding the proposed listing of the site. The public meeting will be legislative in nature and not a contested case hearing under the Texas Administrative Procedure Act (Government Code, Chapter 2001). Persons desiring to comment on the proposed listing of this site may do so at the public meeting either orally or in writing. Written comments may also be submitted to

Attention of Ms. Luda Voskov, Superfund Investigation Section, Pollution Cleanup Division, Texas Natural Resource Conservation Commission, MC-143, P. O. Box 13087, Austin, Texas 78711-3087; telephone 1-800-633-9363. All comments must be received by the Commission on or before December 16, 1996.

The public meeting has been scheduled for the following time and place: 6:30 p.m.; Monday, December 16, 1996, at Wills Point City Hall, Wills Point, Texas.

The Executive Director of the Texas Natural Resource Conservation Commission has prepared a brief summary of the Commission's public records regarding this site. This summary, as well as a portion of the public records for the site, are available for inspection and copying during the business hours of the Van Zandt County Library, 317 First Monday Lane, Canton, Texas 75103; telephone (903) 567-4276. Copies of the complete public record file may be obtained during regular business hours at the Texas Natural Resource Conservation Commission, Central Records Center, Building D, First Floor, North Entrance, 12100 North IH-35, Austin, Texas; telephone (512) 239-2920. Copying of file information is subject to payment of a fee.

Issued in Austin, Texas, on November 6, 1996.

TRD-9616100

Kevin McCalla

Director, Legal Division

Texas Natural Resource Conservation Commission

Filed: November 6, 1996

The Executive Director of the Texas Natural Resource Conservation Commission (TNRCC) by this notice is issuing a public notice of intent to delete (delist) a facility from the list of sites proposed for the state registry (*State Superfund Registry*). The *State Superfund Registry* contains the 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 delisting is Hagerson Road Drums State Superfund Site, Dewalt, Texas. This site was published in the July 26, 1996, issue of the *Texas Register* (16 TexReg 4102) as a site proposed for listing on the *State Superfund Registry*.

Hagerson Road Drums State Superfund Site is located in the community of Dewalt, Fort Bend County, Texas. This site consists of two areas: Area A and Area B. Area A, which is approximately 250 feet south of Hagerson Road, is adjacent to 1215 Hagerson Road, Dewalt. Area B is located approximately 1.25 miles south of Area A. Areas A and B are undeveloped land where drummed paint waste was illegally dumped during the 1970's. Records indicate that approximately 50 drums were disposed within a 2,500 square foot area in Area A and another 100 drums in a 4,800 square foot area of Area B. Site records indicate that the condition of the drums had deteriorated, and the contents of some of the drums leaked and/or were emptied onto the ground over a period of time.

The period from 1980 to 1990, the site was investigated on six occasions by EPA and the predecessor agencies to the TNRCC. In April 1992, the TNRCC removed all the drums from Area A and Area B. At the same time (April 1992), Area A was excavated to a depth of approximately 18 inches and Area B to a depth of

approximately 48 inches in one section and 18 inches in another section. When the excavation at Area B failed to remove all visually apparent contamination, the 48 inch (four-foot) excavation was backfilled with the excavated soil while the TNRCC initiated a remedial investigation. OHM Remediation Services Corp. (OHM) was contracted by the TNRCC in October 1993 to conduct a Remedial Investigation/Feasibility Study (RI/FS), including a Baseline Risk Assessment at the Hagerson Road State Superfund Site in Dewalt, Texas.

The purpose of the remedial investigation was to determine the nature and extent of contamination present at the site. The Baseline Risk Assessment evaluates potential risk to human health and the environment attributable to the contaminants discerned from the remedial investigation. Following the remedial investigation, only paint waste impacted soil, lead, and Total Petroleum Hydrocarbon (TPH) warranted further consideration in the risk assessment. All other analytes either showed levels of contamination below the instrument detection limit (typically a smaller value than the action level) or the prescribed federal and TNRCC action levels. The quantitative and qualitative evaluation of risk associated with the levels of lead and TPH present at the site demonstrate that both constituents do not pose unacceptable risk to human health and the environment even under the most conservative, residential future land use scenario. No health based risk is attributable to the paint waste impacted soil.

Because both the Remedial Investigation and Risk Assessment conducted at this site support the conclusion that the site does not currently pose an unacceptable risk to human health and safety or the environment, no further action is required. Available data supports the conclusion that this site is usable for residential development without any further remediation.

The executive director has determined that this site does not present an imminent and substantial endangerment to public health and safety or 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 commission shall hold a public contested case hearing....., provided that a written request for hearing is filed with the Chief hearings examiner of the commission by any Potential Responsible Party (PRP)..... or any interested party, within 30 days after receipt of a determination by the executive director..... At least 30 days prior to the date set for hearing, notice shall be provided by first class mail to all other PRPs 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 publication of this notice". The cost of publication may vary depending on the newspaper.

Hagerson Road Drums State Superfund Site will be delisted from the *State Superfund Registry* if a contested public hearing, challenging this determination by the executive director, is not requested by any interested party(ies) before the designated date.

All inquiries regarding the Hagerson Road Drums State Superfund Site should be directed to Bruce McAnally, TNRCC, Community Relations Unit at 1-800-633-6393. Documents and testing results pertinent to this determination by the executive director are available at the following repositories for inspection and copying during regular business hours; George Memorial Library, 1001 Gulfview, Richmond, Texas 77469-5199, telephone (713) 341-2640, and TNRCC