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**Notice of Intent to Delete
Butler Ranch**

from the

Texas Superfund Registry

as published in the

Texas Register

(25 TexReg 2209-2210)

on

March 10, 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

Falls City Public Library

Farm Road 791

Falls City, Texas

and/or

TNRCC Records Management Center

Austin, Texas

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78711-3087, WITHIN 30 DAYS OF THE DATE OF NEWSPAPER PUBLICATION OF THIS NOTICE.

AZTECA MILLING L.P. has applied to the Texas Natural Resource Conservation Commission (TNRCC) for a renewal of Permit No. 03111, which authorizes the disposal of process wastewater at a daily average flow not to exceed 290,000 gallons per day via irrigation of 246 acres. The applicant operates a corn flour milling facility. This permit will not authorize a discharge of pollutants into waters in the State. The plant is located one-half mile south of the intersection of Interstate Highway 27 and Business 27, five miles southwest of the City of Plainview, Hale County, Texas.

MICHAEL DON DUBOSE has applied for a renewal of Permit No. 11705-001, which authorizes the disposal of treated domestic wastewater at a daily average flow not to exceed 4,500 gallons per day via evaporation using three evaporation ponds with a combined area of 3.1 acres. Effluent not evaporated in the ponds will be disposed of on 3.5 acres of grassland. The wastewater treatment facilities and disposal site are located approximately 4 miles north of the City of Vidor on the west side of Farm-to-Market Road 105 and 1.5 miles north of the intersection of Farm-to-Market Roads 105 and 1131 in Orange County, Texas

CITY OF HOUSTON has applied for a major amendment to TNRCC Permit No. 10495-050 to authorize an increase in the discharge of treated domestic wastewater from an annual average flow not to exceed 3,750,000 gallons per day to an annual average flow not to exceed 5,760,000 gallons per day. The plant site is located at 7410 Galveston Road (State Highway No. 3) in the City of Houston in Harris County, Texas.

LEON INDEPENDENT SCHOOL DISTRICT has applied for a renewal of Permit No. 12542-001, which authorizes the disposal of treated domestic wastewater at a daily average flow not to exceed 15,000 gallons per day via surface irrigation of 33 acres of nonpublic access agriculture land. This permit will not authorize a discharge of pollutants into waters in the State. The wastewater treatment facilities are located on the west side of County Road 350 approximately 1,000 feet north-northwest of the intersection of County Road 350 and U.S. Highway 79 in Leon County. The disposal site is located on the east side of County Road 350 approximately 1,000 feet north-northwest of the intersection of County Road 350 and U.S. Highway 79 in Leon County, Texas.

CITY OF SEAGRAVES has applied for a renewal of Permit No. 10275-001, which authorizes the disposal of treated domestic wastewater at a daily average flow not to exceed 280,000 gallons per day via surface irrigation. This permit will not authorize a discharge of pollutants into waters in the State. The wastewater treatment facilities and disposal site are located approximately 1,300 feet north of State Highway 328, east of the City of Seagraves in Gaines County, Texas.

TRD-200001556
LaDonna Castañuela
Chief Clerk
Texas Natural Resource Conservation Commission
Filed: March 1, 2000



Notice of Water Rights Application

The CITY OF SAN AUGUSTINE, 301 South Harrison, San Augustine, Texas 75972, applicant, seeks an amendment to Certificate of Adjudication No. 06-4409, pursuant to §11.122, Texas Water Code, and Texas Natural Resource Conservation Commission Rules 30 TAC

§§ 295.1, et seq. Certificate of Adjudication No. 06-4409 was issued to the City of San Augustine on August 8, 1986 and includes authorization for owner to divert and use not to exceed 500 acre-feet of water per annum for municipal purposes from an existing reservoir on Carrizo Creek, tributary of Ayish Bayou, tributary of the Angelina River, tributary of the Neches River, Neches River Basin in San Augustine County at a maximum diversion rate of 2.67 cfs. The reservoir has an authorized capacity of 2750 acre-feet. The time priority of owner's right is November 1, 1957. The certificate contains a Special Condition which requires owner to maintain a metering instrument which will automatically record to within 5 percent of accuracy the total amount of water diverted. Applicant has one well which produces 300 gallons of water per minute which will be used to supply water to the reservoir or directly to their water treatment plant. Applicant seeks to amend the certificate by increasing the amount of water diverted for municipal purposes to 1285 acre-feet of water per annum and increasing the maximum diversion rate to 3.12 cfs.

The TNRCC may grant a contested case hearing on this application if a written hearing request is filed within 30 days from the date of newspaper publication of this notice. The Executive Director may approve the application unless a written request for a contested case hearing is filed within 30 days after newspaper publication of this notice.

To request a contested case hearing, you must submit the following: (1) your name (or for a group or association, an official representative), mailing address, daytime phone number, and fax number, if any; (2) applicant's name and permit number; (3) the statement "[I/we] request a contested case hearing;" (4) a brief and specific description of how you would be affected by the application in a way not common to the general public; and (5) the location and distance of your property relative to the proposed activity. You may also submit any proposed conditions to the requested amendment which would satisfy your concerns. Requests for a contested case hearing must be submitted in writing to the TNRCC Office of the Chief Clerk at the address provided in the information section below. If a hearing request is filed, the Executive Director will not issue the requested amendment and may forward the application and hearing request to the TNRCC Commissioners for their consideration at a scheduled Commission meeting.

Written hearing requests, public comments or requests for a public meeting should be submitted to the Office of the Chief Clerk, MC 105, TNRCC, P.O. Box 13087, Austin, TX 78711-3087. For information concerning the hearing process, please contact the Public Interest Counsel, MC 103 at the same address. For additional information, individual members of the general public may contact the Office of Public Assistance at 1-800-687-4040. General information regarding the TNRCC can be found at our web site at www.tnrcc.state.tx.us.

TRD-200001553
LaDonna Castañuela
Chief Clerk
Texas Natural Resource Conservation Commission
Filed: March 1, 2000



Public Notice

The executive director of the Texas Natural Resource Conservation Commission (TNRCC) is issuing a public notice of intent to delete (delist) 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 proposed for deletion is the Butler Ranch State Superfund site (Site) that was originally proposed for listing on the state Superfund Registry in the January 22, 1988, issue of the *Texas Register* (13 TexReg 427-428).

The Site, including all land, structures, appurtenances, and other improvements, is located approximately 12 miles west of Falls City, Karnes 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 consists of two abandoned uranium mining pits that were used for the disposal of hazardous substances in the early to mid 1970's. The TNRCC designated these pits as Pit 1 and Pit 2. Pit 1 is located 11.1 miles west of Falls City, and immediately south of FM 791. Pit 2 is located 11.8 miles west of Falls City, and immediately south of FM 791.

From 1993 to 1995, the TNRCC performed a remedial investigation at the site to determine the nature and extent of contamination. The remedial investigation included the collection and analysis of surface and subsurface soils, the installation of groundwater monitoring wells, and the collection of surface water samples. From 1995 to 1996, the TNRCC performed a removal action that entailed the removal of 276 55-gallon drums containing hazardous substances and the excavation and disposal of approximately 820 cubic yards of contaminated soil. Soil samples collected after the removal action was completed indicated residual chemical constituents remain in the bottom of both pits.

The on-site shallow groundwater has been affected by the chemical constituents at the Site; however, the shallow groundwater zone beneath the Site is not a current source of drinking water and is incapable of supplying water in useable quantities. The TNRCC equates "useable quantities" as 150 gallons per day. For these reasons, existing concentrations of the chemical constituents found in the groundwater do not pose a threat to human health. In 1997, all Site monitoring wells were properly plugged and abandoned.

Site risks were evaluated through the preparation of a human health risk assessment which used facts and assumptions to estimate potential adverse effects on human health from exposure to the existing chemical constituents. The future land use in Pit 1 and Pit 2 is considered to be commercial/industrial. Both pits contain very limited areas of chemical constituents that are at concentrations greater than their respective remediation goals. However, the risk assessment concluded that because of exposure including future mine reclamation and future land use considerations, adverse health effects are not expected at the Site. The TNRCC will place a deed notice on the Site in order to document the levels of chemical constituents remaining at the site in the soils and groundwater.

The two former mining pits have also been regulated by the Texas Railroad Commission (TRC). The TRC has identified these former mining pits as the J. M. Hackney site. The J. M. Hackney site has been listed on the TRC's list for consideration for mine reclamation. Because the residual chemical constituents found in the surface soils are located in the bottom of both former uranium mining pits, and because both pits are on the list for consideration for reclamation using monies from the Abandoned Mine Reclamation Fund, the TNRCC on February 4, 2000, deferred the Butler Ranch State Superfund site to the TRC for further action.

The TNRCC has determined that because the Site has been deferred to the TRC for further action, the Site is eligible for deletion from the

list of sites proposed for the State Superfund Registry in accordance with 30 Texas Administrative Code (TAC), §335.344(c)(6).

In accordance with 30 TAC, §335.344(b), the executive director of 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. 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 by publication in a newspaper of general circulation in the county where the facility is located. The public meeting is scheduled at the Falls City City Hall, 208 Irvin Street, Falls City, Texas on Thursday, April 13, 2000, at 7:00 p.m.

All inquiries regarding the Butler Ranch State Superfund site should be directed to Mr. Michael A. Bame, TNRCC, Remediation Division, MC 143, P. O. Box 13087, Austin, Texas, 78711-3087; telephone (800) 633-9363 (within Texas only) or (512) 239-5658. A portion of the record for this Site, including documents pertinent to the executive director's determination, is available for review during regular business hours at the Falls City Public Library, FM 791, Falls City, Texas, 78113. The complete public file may be obtained during regular business hours at the TNRCC, Records Management Center, Building D, North Entrance, Room 190, 12100 Park 35 Circle, Austin, Texas 78753, telephone (800) 633-9363 or (512) 239-2920. Photocopying of file information is subject to payment of a fee.

TRD-200001498
Margaret Hoffman
Director, Environmental Law Division
Texas Natural Resource Conservation Commission
Filed: February 28, 2000

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North Texas Tollway Authority

RFQ Engineering Firm Segment IV

Notice of Invitation. The North Texas Tollway Authority (the NTTA), a regional tollway authority and a political subdivision of the State of Texas, intends to issue a request for qualifications (RFQ) to enter into an agreement or agreements with a qualified engineering firm or firms pursuant to Chapter 366 of the Texas Transportation Code and Chapter 2254 of the Texas Government Code to provide professional engineering services for the development of final designs, and the preparation of plans, specifications and estimates (PS&E) for Segment IV of the President George Bush Turnpike.

To be considered, potential proposers must submit a Letter of Request, requesting a copy of the Request for Qualifications (RFQ), which letter must also contain the name of the proposer, a contact person, and an address to which the RFQ may be sent. The NTTA will send only one copy of the RFQ to each proposer.

Deadline. A Letter of Request notifying the NTTA of a request for an RFQ will be accepted by fax at (214) 461- 2053, or by mail or hand delivery to: North Texas Tollway Authority, 3015 Raleigh Street, P.O. Box 190369, Dallas, Texas 75219, Attn: Ms. Nancy Greer.

Letters of Request will be received until 1:00 p.m. on March 24, 2000.

Agency Contact. Any requests for additional information regarding this notice of invitation should be sent, in writing, to Mr. Mark Bouma, P.E., Director of Engineering, at the above address or fax number.