

The following is an Adobe Acrobat reproduction of the official

**Notice of Final Deletion**

of

**Hi-Yield**

from the

**Texas Superfund Registry**

as published in the

***Texas Register***

**(23 TexReg 8915-8916)**

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

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 Wortham Lead Salvage state Superfund site which was originally placed on the state Superfund registry in the January 16, 1987, issue of the *Texas Register* (12 TexReg 205). The site is located on the northeast corner of U. S. Highway 175 and County Road 2938 in the northwest portion of Henderson County, Texas, and is 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 substances(s) from the site property. The site is currently a vacant lot enclosed by a chain link fence with a locked gate.

The site was 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 was investigated pursuant to such study as approved by the executive director.

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 7137-7138) of TNRCC's intent to delete the Wortham Lead Salvage 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 7137-7138) 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 7137-7138) was also published in the July 3, 1998 edition of the *Athens Daily Review*.

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 Wortham Lead Salvage site is hereby deleted from the Texas state Superfund registry. In accordance with §361.188(d) of the Health and Safety Code, a notice was filed in the real property records of Henderson County, Texas stating that the Wortham Lead Salvage state Superfund site has been deleted from the 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-9813171  
Margaret Hoffman  
Director, Environmental Law Division  
Texas Natural Resource Conservation Commission  
Filed: August 19, 1998



## Texas Optometry Board

### Correction of Error

The Texas Optometry Board adopted an amendment to 22 TAC §§271.1, 271.2, and 271.3. The rules appeared in the July 31, 1998, issue of the *Texas Register*, (23 TexReg 7561).

The agency name and liaison has been listed incorrectly. Shown on the printing is Dr. George W. Latimer, Jr., Assistant to the Associate Vice Chancellor of Agriculture, Office of the Texas State Chemist/Texas Feed and Fertilizer Control Service, rather than Lois Ewald, Executive Director of the Texas Optometry Board.



## Public Utility Commission of Texas

### Applications To Introduce New or Modified Rates or Terms Pursuant To P.U.C. Substantive Rule §23.25

Notice is given to the public of an application filed with the Public Utility Commission of Texas on August 14, 1998 to introduce new or modified rates or terms pursuant to P.U.C. Substantive Rule §23.25, *Procedures Applicable to Chapter 58-Electing Incumbent Local Exchange Companies (ILECs)*.

Tariff Title and Number: Application of Southwestern Bell Telephone Company Notification to Introduce a New Optional Service Called Integrated Pathway Pursuant to Substantive Rule §23.25. Tariff Control Number 19756.

The Application: SWBT filed an application to introduce an optional service called Integrated Pathway. Integrated Pathway is a channeled HICAP service which provides up to 24 channels to which various products can be connected. The customer will be able to integrate their voice and data services on the same DS1 facility.

Persons who wish to intervene in this proceeding should contact the Public Utility Commission of Texas, by mail at P.O. Box 13326, Austin, Texas 78711-3326, or call the commission's Office of Customer Protection at (512)936-7120 by September 2, 1998. Hearing and speech-impaired individuals with text telephone (TTY) may contact the commission at (512) 936-7136.

TRD-9813134  
Rhonda Dempsey  
Rules Coordinator  
Public Utility Commission of Texas  
Filed: August 18, 1998



Notice is given to the public of an application filed with the Public Utility Commission of Texas on August 14, 1998 to introduce new or modified rates or terms pursuant to P.U.C. Substantive Rule §23.25, *Procedures Applicable to Chapter 58-Electing Incumbent Local Exchange Companies (ILECs)*.

Tariff Title and Number: Notification of Southwestern Bell Telephone Company to Withdraw Discretionary Service, Voice Dial Service, Pursuant to Substantive Rule §23.25. Tariff Control Number 19758.

The Application: SWBT filed a notification that it is withdrawing a discretionary service called Voice Dial Service. Voice Dial is a discretionary voice recognition service that allows residence and business customers to originate a telephone call by speaking the name/phrase of the person or place they wish to call. SWBT is withdrawing Voice Dial service without grandfathering existing customer due to the high costs associated with ongoing vendor right to use fees and