

The following is an Adobe Acrobat reproduction of the official

Notice of Intent to Propose

First Quality Cylinders

for listing on the

Texas Superfund Registry

and

Propose Non-Residential Land Use

as published in the

Texas Register

(24 TexReg 10234-10235)

on

November 12, 1999

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

at

San Antonio Public Library

600 Soledad

San Antonio, Texas

and/or

TNRCC Records Management Center

Austin, Texas

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The TNRCC inspected the site and noted numerous drums and other containers of various sizes containing pesticides, solvents, paint and other unknown materials. In addition to the drums and containers, the soil appeared to be impacted. TNRCC collected several soil and ground-water samples. The results of the soil samples indicated that the site was impacted by various pesticides and heavy metals. These substances in the amounts detected at the site may constitute an imminent and substantial endangerment to public health and safety or the environment.

A public meeting may be requested regarding the proposed listing of the McNabb Flying Service site on the State registry. The public meeting must be requested by submitting a written request by 5:00 p.m., December 13, 1999. Interested parties may submit a written request for a public meeting or may submit written comments to the commission relative to the proposed listing of the McNabb Flying service site to the attention of Ms. Carol Boucher, TNRCC, Remediation Division, MC-143, P.O. Box 13087, Austin, Texas, 78711-3087; telephone 1-800-633-9363 (within Texas only) or (512) 239-2501.

If a public meeting is requested regarding the proposed listing of this facility on the State Registry, the commission is required to publish general notice of the time, date and location of the public meeting in the Texas register and in *The Alvin Sun*. The public notice must be provided not later than the 31st day before the date of the meeting. Notice of any such meeting will be provided by certified mail, return receipt requested, to each identified potentially responsible party at the party's last known address. If a public meeting is requested, it will be legislative in nature and not a contested case hearing under Texas Administrative Procedure Act (Government Code, Chapter 2001).

The executive director prepared a brief summary of the Commission's records regarding this site. This summary and a portion of the records for this site, including documents pertinent to the executive director's determination of eligibility for listing on the state registry, is available for review, during regular business hours, at the Brazoria County Alvin Branch Library, 105 South Gordon Street, Alvin, Texas. Copies of the complete public record file may be obtained during regular business hours at the Commission's record management center, Building D, Room 190, 12100 Park 35 Circle, Austin, Texas, 78753; telephone 1-800-633-9363 (within Texas only) or (512) 239-2920. Photocopying of file information is subject to payment of a fee.

TRD-9907453

Margaret Hoffman

Director, Environmental Law Division

Texas Natural Resource Conservation Commission

Filed: November 3, 1999



The Texas Natural Resource Conservation Commission (TNRCC or the Commission) 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. The most recent registry listing of these sites was published in the June 4, 1999 issue of the *Texas Register* (24 TexReg 4303).

Pursuant to Texas Health and Safety Code, §361.184 (a), the Commission must publish in the *Texas Register* and in a newspaper of general circulation in the county in which the facility is located a notice of intent to list a facility on the state registry of state Superfund

sites. This is a notice of 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 notice of intent to list this facility will also be published in the *San Antonio Express News* on November 12, 1999.

The site being proposed to be added to the state Superfund registry is the First Quality Cylinder site located at 931 West Laurel Street, San Antonio, Texas. The property is bordered on the north and south sides by Fredericksburg Road and Laurel Street, and North Comal Street on the west side. The site has a security fence and consists of an inactive plating facility on approximately 1.3 acres of property, and contains a warehouse building as well as groundwater collection and containment system. Operations at the First Quality Cylinder site included the rebuilding of aircraft cylinders utilizing a chromium plating process from 1986 until abandonment in January of 1994.

In April of 1988, during renovation of a plating line, workers at the site discovered subsurface leakage of chromium plating solution, and on March 19, 1993, a spill of approximately 200 gallons of chromium-contaminated wastewater occurred at the site. Releases of hazardous substances to the groundwater pathway are the major concern for this site. Hazardous substances have been documented in the subsurface soils and shallow groundwater beneath the site. These substances in the amounts detected at the site may constitute an imminent and substantial endangerment to public health and safety or the environment.

The executive director is also issuing a notice of a proposed commercial/industrial land use designation for the site. Determination of future land use will impact the remedial investigation and remedial action for the site. In accordance with Texas Health and Safety Code, §361.1855 the TNRCC must hold a public meeting to obtain comments on the proposed future land use, when, as in this case, a land use other than residential is proposed.

The public meeting will be held on Thursday, December 16, 1999 at 7:00 p.m. at the Eskridge Community Room, 1021 San Pedro, of the VIA Metro Center in San Antonio, Texas. The public meeting will be legislative in nature and not a contested case hearing under the Administrative Procedure Act (Texas Government Code, Chapter 2001). This public meeting is for the executive director to receive information regarding the proposed listing of the site, including information regarding the facility and identification of potentially responsible parties (PRP's), and comments regarding the appropriate use of the land. Notice of this meeting will also be provided by certified mail, return receipt requested, to each identified potentially responsible party at the party's last known address.

Persons desiring to comment on the proposed listing, identification of PRP's and future land use determination of the First Quality Cylinder site may do so in the context of the public meeting either orally or in writing. Written comments may also be submitted to the attention of Mr. Alonzo G. Arredondo, TNRCC, Remediation Division, MC-143, P.O. Box 13087, Austin, Texas, 78711-3087; telephone 1-800-633-9363 (within Texas only) or (512) 239-2145.

The executive director has prepared a brief summary of the Commission's records regarding this site. A portion of the records for this site, including documents pertinent to the executive director's determination of eligibility for listing on the State Registry, is available for review, during regular business hours, at the Central Library, 600 Soledad, in San Antonio, Texas. Copies of the complete public record file may be obtained during regular business hours at the Commis-

sion's record management center, Building D, Room 190, 12100 Park 35 Circle, Austin, Texas, 78753; telephone 1-800-633-9363 (within Texas only) or (512) 239-2920. Photocopying of file information is subject to payment of a fee.

TRD-9907454

Margaret Hoffman
Director, Environmental Law Division
Texas Natural Resource Conservation Commission
Filed: November 3, 1999



Public Utility Commission of Texas

Correction of Error

The Public Utility Commission of Texas proposed new 16 TAC §§26.341, 26.342, 26.343, 26.344, 26.345, 26.346, and 26.347. The rules appeared in the October 15, 1999, issue of the *Texas Register* (24 TexReg 8851).

Due to agency error.

In §26.345(a)(1)(B), the rule as published states "...set forth in §26.321(b)(g)(2)(A)-(F)..." The correct reference should be "...set forth in §26.321(b)..."



Notice of Application for Amendment to Service Provider Certificate of Operating Authority

On October 28, 1999, CommcoTec Corporation filed an application with the Public Utility Commission of Texas (PUC) to amend its service provider certificate of operating authority (SPCOA) granted in SPCOA Certificate Number 60257. Applicant intends to reflect an internal transfer of control/ownership and to change its name to BroadStream Corporation.

The Application: Application of CommcoTec Corporation for an Amendment to its Service Provider Certificate of Operating Authority, Docket Number 21518.

Persons with questions about this docket or who wish to intervene or otherwise participate in these proceedings should make appropriate filings or comments to the commission at the Public Utility Commission of Texas, P.O. Box 13326, Austin, Texas 78711-3326 no later than November 17, 1999. You may contact the PUC Office of Customer Protection at (512) 936-7120. Hearing and speech-impaired individuals with text telephone (TTY) may contact the commission at (512) 936-7136. All correspondence should refer to Docket Number 21518.

TRD-9907324

Rhonda Dempsey
Rules Coordinator
Public Utility Commission of Texas
Filed: October 29, 1999



Public Notices of Interconnection Agreements

On October 27, 1999, GTE Southwest, Inc. and Alternative Telephone Connections, Inc., collectively referred to as applicants, filed a joint application for approval of interconnection agreement under Section 252(i) of the federal Telecommunications Act of 1996, Public Law Number 104-104, 110 Statute 56, (codified as amended in scattered sections of 15 and 47 United States Code) (FTA) and

the Public Utility Regulatory Act, Texas Utilities Code Annotated, Chapters 52 and 60 (Vernon 1998) (PURA). The joint application has been designated Docket Number 21561. The joint application and the underlying interconnection agreement are available for public inspection at the commission's offices in Austin, Texas.

The commission must act to approve the interconnection agreement within 35 days after it is submitted by the parties.

The commission finds that additional public comment should be allowed before the commission issues a final decision approving or rejecting the interconnection agreement. Any interested person may file written comments on the joint application by filing 10 copies of the comments with the commission's filing clerk. Additionally, a copy of the comments should be served on each of the applicants. The comments should specifically refer to Docket Number 21561. As a part of the comments, an interested person may request that a public hearing be conducted. The comments, including any request for public hearing, shall be filed by November 29, 1999, and shall include:

- 1) a detailed statement of the person's interests in the agreement, including a description of how approval of the agreement may adversely affect those interests;
- 2) specific allegations that the agreement, or some portion thereof:
 - a) discriminates against a telecommunications carrier that is not a party to the agreement; or
 - b) is not consistent with the public interest, convenience, and necessity; or
 - c) is not consistent with other requirements of state law; and
- 3) the specific facts upon which the allegations are based.

After reviewing any comments, the commission will issue a notice of approval, denial, or determine whether to conduct further proceedings concerning the joint application. The commission shall have the authority given to a presiding officer pursuant to Public Utility Commission Procedural Rule §22.202. The commission may identify issues raised by the joint application and comments and establish a schedule for addressing those issues, including the submission of evidence by the applicants, if necessary, and briefing and oral argument. The commission may conduct a public hearing. Interested persons who file comments are not entitled to participate as intervenors in the public hearing.

Persons with questions about this project or who wish to comment on the joint application should contact the Public Utility Commission of Texas, 1701 North Congress Avenue, P.O. Box 13326, Austin, Texas 78711-3326. You may call the Public Utility Commission Office of Customer Protection at (512) 936-7120. Hearing and speech-impaired individuals with text telephones (TTY) may contact the commission at (512) 936-7136. All correspondence should refer to Docket Number 21561.

TRD-9907325

Rhonda Dempsey
Rules Coordinator
Public Utility Commission of Texas
Filed: October 29, 1999



On October 27, 1999, GTE Southwest, Inc. and Now Communications, Inc., collectively referred to as applicants, filed a joint application for approval of interconnection agreement under §252(i) of the federal Telecommunications Act of 1996, Public Law Number