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Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: October 18, 2023



Texas Superfund Registry 2023

BACKGROUND

The Texas Commission on Environmental Quality (TCEQ or commission) is required under the Texas Solid Waste Disposal Act, Texas Health and Safety Code (THSC), Chapter 361, to identify, to the extent feasible, and evaluate facilities which may constitute an imminent and substantial endangerment to public health and safety or to the environment due to a release or threatened release of hazardous substances into the environment. The first registry identifying these sites was published in the January 16, 1987, issue of the *Texas Register* (12 TexReg 205). Pursuant to THSC, §361.181, the commission must update the state Superfund registry annually to add new facilities that have been proposed for listing in accordance with THSC, §361.184(a) or listed in accordance with THSC, §361.188(a)(1) (see also 30 Texas Administrative Code (TAC) §335.343) or to remove facilities that have been deleted in accordance with THSC, §361.189 (see also 30 TAC §335.344). The current notice also includes facilities where state Superfund action has ended, or where cleanup is being adequately addressed by other means.

SITES LISTED ON THE STATE SUPERFUND REGISTRY

The state Superfund registry identifying those facilities that are *listed* and have been determined to pose an imminent and substantial endangerment are set out in descending order of Hazard Ranking System (HRS) scores as follows.

1. Col-Tex Refinery. Located on both sides of Business Interstate Highway 20 (United States Highway 80) in Colorado City, Mitchell County: tank farm and refinery.
2. First Quality Cylinders. Located at 931 West Laurel Street, San Antonio, Bexar County: aircraft cylinder rebuilder.
3. Camtraco Enterprises, Inc. Located at 18823 Amoco Drive in Pearland, Brazoria County: fuel storage/fuel blending/distillation.
4. Pioneer Oil Refining Company. Located at 20280 South Payne Road, outside of Somerset, Bexar County: oil refinery.
5. Precision Machine and Supply. Located at 500 West Olive Street, Odessa, Ector County: chrome plating and machine shop.
6. Voda Petroleum Inc. Located approximately 1.25 miles west of the intersection of Farm-to-Market Road (FM) 2275 (George Richey Road) and FM 3272 (North White Oak Road), 2.6 miles north-northeast of Clarksville City, Gregg County: waste oil recycling.
7. Sonics International, Inc. Located north of Farm Road 101, approximately two miles west of Ranger, Eastland County: industrial waste injection wells.
8. Maintech International. Located at 8300 Old Ferry Road, Port Arthur, Jefferson County: chemical cleaning and equipment hydroblasting.
9. Federated Metals. Located at 9200 Market Street, Houston, Harris County: magnesium dross/sludge disposal, inactive landfill.

10. International Creosoting. Located at 1110 Pine Street, Beaumont, Jefferson County: wood treatment.

11. McBay Oil and Gas. Located approximately three miles northwest of Grapeland on Farm Road 1272, Houston County: oil refinery and oil reclamation plant.

12. Materials Recovery Enterprises (MRE). Located about four miles southwest of Ovalo, near United States Highway 83 and Farm Road 604, Taylor County: Class I industrial waste management.

13. Hu-Mar Chemicals. Located north of McGlothlin Road, between the old Southern Pacific Railroad tracks and 12th Street, Palacios, Matagorda County: pesticide and herbicide formulation.

14. American Zinc. Located approximately 3.5 miles north of Dumas on United States Highway 287 and five miles east of Dumas on Farm Road 119, Moore County: zinc smelter.

15. Toups. Located on the west side of Texas 326, 2.1 miles north of its intersection with Texas 105, in Sour Lake, Hardin County: fencepost treating and municipal waste.

16. Harris Sand Pits. Located at 23340 South Texas 16, approximately 10.5 miles south of San Antonio at Von Ormy, Bexar County: commercial sand and clay pit.

17. JCS Company. Located north of Phalba on County Road 2415, approximately 1.5 miles west of the intersection of County Road 2403 and Texas 198, Van Zandt County: lead-acid battery recycling.

18. Jerrell B. Thompson Battery. Located north of Phalba on County Road 2410, approximately one mile north of the intersection of County Road 2410 and Texas 198, Van Zandt County: lead-acid battery recycling.

19. Ballard Pits. Located at the end of Ballard Road (also known as Ballard Lane), west of its intersection with County Road 73, northwest of Robstown, Nueces County: disposal of oil field drilling muds and petroleum wastes.

20. Spector Salvage Yard. Located at Jackson Avenue and Tenth Street, Orange, Orange County: military surplus and chemical salvage yard.

21. Hayes-Sammons Warehouse. Located at Miller Avenue and East Eighth Street, Mission, Hidalgo County: commercial grade pesticide storage.

22. Jensen Drive Scrap. Located at 3603 Jensen Drive, Houston, Harris County: scrap salvage.

23. State Highway 123 PCE Plume. Located near the intersection of State Highway 123 and Interstate Highway 35 in San Marcos, Hays County: contaminated groundwater plume.

24. Baldwin Waste Oil Company. Located on County Road 44 approximately 0.1 mile west of its intersection with Farm Road 1889, Robstown, Nueces County: waste oil processing.

25. Hall Street. Located north of the intersection of 20th Street East with California Street, north of Dickinson, Galveston County: waste disposal and landfill/open field dumping.

26. Unnamed Plating. Located at 6816 - 6824 Industrial Avenue, El Paso, El Paso County: metals processing and recovery.

27. Bailey Metal Processors, Inc. Located at 509 San Angelo Highway (United States Highway 87), in Brady, McCulloch County: scrap metal dealer, primarily conducting copper and lead reclamation.

28. Tricon America, Inc. Located at 101 East Hampton Road, Crowley, Tarrant County: aluminum and zinc smelting and casting.

29. Mineral Wool Insulation Manufacturing Company. Located on Shaw Road at the northwest corner of the city limits of Rogers, Bell County: mineral wool manufacturing.

SITES PROPOSED FOR LISTING ON THE STATE SUPERFUND REGISTRY

Those facilities that may pose an imminent and substantial endangerment and that have been *proposed* to the state Superfund registry are set out in descending order of HRS scores as follows.

1. Kingsland. Located in the vicinity of the 2100 and 2400 blocks of FM Road 1431 in the community of Kingsland, Llano County: former coin-operated dry cleaning facility.
2. Angus Road Groundwater Site. Located beneath the 4300 block of Angus Road, west of Odessa, Ector County: groundwater plume of unknown source.
3. Industrial Road/Industrial Metals. Located at 3000 Agnes Street in Corpus Christi, Nueces County: lead acid battery recycling and copper coil salvage.
4. Tenaha Wood Treating. Located at 275 County Road 4382, about a mile and a half south of the city limits and near the intersection of United States Highway 96 and County Road 4382, Tenaha, Shelby County: wood treatment.
5. Poly-Cycle Industries, Inc., Tecula. Located northeast of Tecula on the southeast corner of the intersection of FM 2064 and County Road 4216, Cherokee County: lead acid battery recycling.
6. Process Instrumentation and Electrical (PIE). Located at the northwest corner of 48th Street and Andrews Highway (Highway 385) in Odessa, Ector County: chromium plating.
7. Marshall Wood Preserving. Located at 2700 West Houston Street, Marshall, Harrison County: wood treatment.
8. Avinger Development Company (ADCO). Located on the south side of State Highway 155, approximately 0.25 mile east of the intersection with State Highway 49, Avinger, Cass County: wood treatment.
9. Wigginsville Road Groundwater Plume. Located on the eastern edge of the Conroe Oilfield, southeast of Conroe, Montgomery County: groundwater plume of an unknown origin.
10. Moss Lake Road Groundwater Site. Located approximately 0.25 mile north of the intersection of North Moss Lake Road and Interstate Highway 20, approximately four miles east of Big Spring, Howard County: groundwater plume of an unknown source.
11. Cass County Treating Company. Located at 304 Hall Street within the southeastern city limits of Linden, Cass County: wood treatment.
12. Tucker Oil Refinery/Clinton Manges Oil Refinery. Located on the east side of United States Highway 79 in the rural community of Tucker, Anderson County: oil refinery.
13. City View Road Groundwater Plume. Located northwest of the intersection of Interstate Highway 20 and State Highway 158, Midland County: groundwater contamination plume.
14. Scrub-A-Dubb Barrel Company. Located at 1102 North Ash Avenue, and at 1209 North Ash Avenue, Lubbock, Lubbock County: former drum cleaning and reconditioning business.

CHANGES SINCE THE OCTOBER 2022 SUPERFUND REGISTRY PUBLICATION

The commission listed Bailey Metal Processors, Inc. to the state Superfund registry. There were no sites proposed to or deleted from the

state Superfund registry since its last publication, in the *Texas Register* on October 28, 2022 (47 TexReg 7338).

SITES DELETED FROM THE STATE SUPERFUND REGISTRY

The commission has *deleted* 57 sites from the state Superfund registry.

Aluminum Finishing Company, Harris County;
Archem Company/Thames Chelsea, Harris County;
Aztec Ceramics, Bexar County;
Aztec Mercury, Brazoria County;
Barlow's Wills Point Plating, Van Zandt County;
Bestplate, Inc., Dallas County;
Butler Ranch, Karnes County;
Cox Road Dump Site, Liberty County;
Crim-Hammett, Rusk County;
Dorchester Refining Company, Titus County;
Double R Plating Company, Cass County;
El Paso Plating Works, El Paso County;
EmChem Corporation, Brazoria County;
Force Road Oil, Brazoria County;
Gulf Metals Industries, Harris County;
Hageron Road Drum, Fort Bend County;
Harkey Road, Brazoria County;
Hart Creosoting, Jasper County;
Harvey Industries, Inc., Henderson County;
Hicks Field Sewer Corp., Tarrant County;
Higgins Wood Preserving, Angelina County;
Hi-Yield, Hunt County;
Houston Lead, Harris County;
Houston Scrap, Harris County;
J.C. Pennco Waste Oil Service, Bexar County;
James Barr Facility, Brazoria County;
Kingsbury Metal Finishing, Guadalupe County;
LaPata Oil Company, Harris County;
Lyon Property, Kimble County;
McNabb Flying Service, Brazoria County;
Melton Kelly Property, Navarro County;
Munoz Borrow Pits, Hidalgo County;
Newton Wood Preserving, Newton County;
Niagara Chemical, Cameron County;
Old Lufkin Creosoting, Angelina County;
Permian Chemical, Ector County;
Phipps Plating, Bexar County;
PIP Minerals, Liberty County;
Poly-Cycle Industries, Ellis County;

Poly-Cycle Industries, Jacksonville, Cherokee County;
Rio Grande Refinery I, Hardin County;
Rio Grande Refinery II, Hardin County;
Rogers Delinted Cottonseed-Colorado City, Mitchell County;
Rogers Delinted Cottonseed-Farmersville, Collin County;
Sampson Horrice, Dallas County;
SESCO, Tom Green County;
Shelby Wood Specialty, Inc., Shelby County;
Sherman Foundry, Grayson County;
Solvent Recovery Services, Fort Bend County;
South Texas Solvents, Nueces County;
State Marine, Jefferson County;
Stoller Chemical Company, Hale County;
Texas American Oil, Ellis County;
Thompson Hayward Chemical, Knox County;
Waste Oil Tank Services, Harris County;
Woodward Industries, Inc., Nacogdoches County; and
Wortham Lead Salvage, Henderson County.

REMOVAL FROM INCLUSION

The Lindsay Post Company Site, located in Alto, Cherokee County, was removed from inclusion on the registry as a site that was proposed for listing in the January 22, 1988, issue of the *Texas Register* (13 TexReg 427).

How to Access Agency Records

Agency records for these sites may be accessible for viewing or copying by contacting the TCEQ Central File Room (CFR) Customer Service Center, Building E, North Entrance, at 12100 Park 35 Circle, Austin, Texas 78753, phone number (512) 239-2900, fax (512) 239-1850, or e-mail cfrrreq@tceq.texas.gov. CFR Customer Service Center staff will assist with providing program area contacts for records not maintained in the CFR. Accessible parking is available on the east side of Building D, located near building ramps, between Buildings D and E. There is no charge for viewing the files, however, copying of file information is subject to payment of a fee.

Inquiries concerning the agency Superfund program records may also be directed to Superfund staff at the Superfund toll-free line (800) 633-9363 or e-mail superfnd@tceq.texas.gov.

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Gitanjali Yadav

Deputy Director, Litigation

Texas Commission on Environmental Quality

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Texas Health and Human Services Commission

Notice of Public Hearing on Proposed Payment Rates for Medicaid Community Hospice and Physician Services

Notice of Public Hearing on Proposed Payment Rates for Medicaid Community Hospice and Physician Services, Effective Retroactive to October 1, 2023; and Rate Actions for Emergency Response Services (ERS) rates under STAR+PLUS non-Home and Community-Based

Services (HCBS), STAR+PLUS HCBS, Community First Choice (CFC), and Title XX programs, and STAR Kids/STAR Health Medically Dependent Children Program (MDCP) Out-of-Home Respite rates, effective January 1, 2024.

Hearing. The Texas Health and Human Services Commission (HHSC) will conduct a public hearing on November 14, 2023, at 9:00 a.m. (Central Standard Time or CST) to receive public comments on proposed Medicaid and Non-Medicaid payment rates.

This hearing will be conducted both in-person and as an online event. To join the hearing from your computer, tablet, or smartphone, register for the hearing in advance using the following link:

Registration URL: <https://attendee.gotowebinar.com/register/44179910691418972>

After registering, you will receive a confirmation email containing information about joining the webinar.

Members of the public may attend the rate hearing in person, which will be held in the Public Hearing Room 1.401 in the North Austin Complex Building, 4601 W. Guadalupe St., Austin, Texas 78751, or they may access a live stream of the meeting at <https://hhs.texas.gov/about-hhs/communications-events/live-archived-meetings>. For the live stream, select the "North Austin Complex Live" tab. A recording of the hearing will be archived and accessible on demand at the same website under the "Archived" tab. The hearing will be held in compliance with Texas Human Resources Code Section 32.0282, which requires public notice of and hearings on proposed reimbursements.

Proposal. HHSC proposes rate actions for the following services:

Effective October 1, 2023

Payment Rates for Medicaid Community Hospice and Physician Services

Effective January 1, 2024

ERS rates under STAR+PLUS non-HCBS, STAR+PLUS HCBS, CFC, and Title XX programs

STAR Kids/STAR Health MDCP Out-of-Home Respite

Methodology and Justification. The proposed payment rates for hospice care are authorized by Section 1814(i)(1)(C)(ii) of the Social Security Act, which outlines annual increases in payment rates for hospice care services. Federal fiscal year 2024 payment rates for Medicaid Community Hospice for routine home care, continuous home care, inpatient respite care, general inpatient care services, service intensity add-on, and physician services under the Medicaid Hospice Program, will follow the federal hospice payment regulations in Title 42 of the Code of Federal Regulations (CFR), Part 418, Subpart G, effective retroactive to October 1, 2023.

Payment for Physician Services under the Medicaid Hospice Program is aligned with Medicaid hospice rates calculated using the Medicare hospice methodology. Medicaid contractors pay the hospice an amount equivalent to 100 percent of the physician fee schedule for those Physician Services provided in settings other than Medicaid Community Hospice (42 CFR 418.304(b)).

The Provider Finance Department (PFD) proposes revising ERS rates following rate evaluation for these services and the available methodological documentation as part of the biennial fee review. ERS rates have not been updated since September 1, 2008. The current reimbursement methodology established in Title 1 of the Texas Administrative Code (TAC) §355.510, concerning Reimbursement Methodology for Emergency Response Services (ERS), is not supported by current