

The following is an Adobe Acrobat reproduction of the official

**Notice of Intent to Propose  
Toups**

for listing on the

**Texas Superfund Registry**

as published in the

***Texas Register***

**(18 TexReg 1217)**

on

**December 17, 1993**

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

**Alma M. Carpenter Public Library  
300 S. Ann Street  
Sour Lake, Texas**

**and/or**

**TNRCC Records Management Center  
Austin, Texas**

**Scroll Down to View**

## Public Notices

The Texas Natural Resource Conservation Commission (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. Pursuant to sec.sec.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 March 30, 1993 issue of the Texas Register (18 TexReg 2159).

The following is a facility or area that the Executive Director of the Texas Natural Resource Conservation Commission 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 former Toups site (the site) is located at Sour Lake, Hardin County, Texas. The site operated simultaneously as a fencepost treating facility and a municipal waste dump from 1957 until the late 1960's, when the fencepost treating facility closed. In addition to operating as a municipal waste dump from 1970 to 1974, the site was operated as a swine farm, of approximately 400 to 1000 head, from 1970 until 1982. The site is abandoned, and located on-site are soils which contain pentachlorophenol, chromium, and lead. One-hundred-forty-four drums were found on-site. As part of a TNRCC immediate response action, the contents of the drums were sampled tested. The drums were placed in overpack containers and appropriately stored at the site. Hazards presented by the site are potential contamination of surface water and groundwater due to the release of hazardous substances from the site; and potential exposure from the ingestion and direct contact of contaminated soils, surface water and groundwater.

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 Administrative Procedure Act (Chapter 268, sec.sec.1 of the Session Laws, 73rd Legislature). Persons desiring to comment on the proposed listing of this site may do so in the context of the public meeting either orally or in writing. Comments may also be submitted to the attention of Charles Epperson, Superfund Investigation Section, Pollution Cleanup Division, Texas Natural Resource Conservation Commission, P.O. Box 13087, Austin, Texas 78711-3087; (512) 908-2498. All comments must be received by the Commission on or before February 8, 1994.

The public meeting has been scheduled for the following time and place; 7: 00 p.m. to 9:00 p.m., Tuesday, January 25, 1994, City Hall, Council Chambers, 121

West Barkley, Sour Lake, 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 Alma M. Carpenter Public Library, 310 South Ann, Sour Lake, Texas (409) 287-3573. Copies of the complete public record file may be obtained during regular business hours of the Texas Natural Resource Conservation Commission by contacting Beth Wigham, Central Records Center, Texas Natural Resource Conservation Commission, P.O. Box 13087, Austin, Texas 78711-3087, (512) 908-2020. Copying of file information is subject to payment of a new fee.

Issued in Austin, Texas on December 13, 1993.

TRD-9333590

Mary Ruth Holder

Director, Legal Division

Texas Natural Resource Conservation Commission

Filed: December 13, 1993