

The following is an Adobe Acrobat reproduction of the official

**Notice of Intent to Propose  
Tucker Oil Refinery**

for listing on the

**Texas Superfund Registry**

and to

**Propose Non-Residential Land Use**

as published in the

***Texas Register***

**(25 TexReg 11179-11180)**

on

**November 3, 2000**

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

**Palestine Public Library  
1101 N Cedar Street  
Palestine, Texas**

**and/or**

**TNRCC Records Management Center  
Austin, Texas**

**Scroll Down to View**

Margaret Hoffman  
Director, Environmental Law Division  
Texas Natural Resource Conservation Commission  
Filed: October 20, 2000



### Proposal for Decision

The State Office Administrative Hearing issued a Proposal for Decision and Order to the Texas Natural Resource Conservation Commission on October 18, 2000. Executive Director of the Texas Natural Resource Conservation Commission, Petitioner v. Ashraf Ibrahim and Essra Corp, dba Que Paso Store Respondent; SOAH Docket No. 582-00-0853; TNRCC Docket No. 1999-1473-PST-E. In the matter to be considered by the Texas Natural Resource Conservation Commission on a date and time to be determined by the Chief Clerk's Office in Room 201S of Building E, 12118 N. Interstate 35, Austin, Texas. This posting is Notice of Opportunity to Comment on the Proposal for Decision and Order. The comment period will end 30 days from date of publication. Written public comments should be submitted to the Office of the Chief Clerk, MC-105 TNRCC PO Box 13087 Austin, Texas 78711-3087. If you have any questions or need assistance, please contact Doug Kitts, Chief Clerk's Office, (512) 239-3317.

TRD-200007480  
Doug Kitts  
Agenda Coordinator  
Texas Natural Resource Conservation Commission  
Filed: October 24, 2000



### Public Notice

The Texas Natural Resource Conservation Commission (TNRCC or commission) is required under the Texas Solid Waste Disposal Act, Health and Safety Code, Chapter 361, as amended (the "Act"), to annually publish a state registry that identifies 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 facilities was published in the May 26, 2000, issue of the *Texas Register* (25 TexReg 4944).

Pursuant to §361.184(a), the commission must publish a notice of intent to list a facility on the state registry of state Superfund sites in the *Texas Register* and in a newspaper of general circulation in the county in which the facility is located. With this publication, the TNRCC hereby gives notice of a facility or area that the executive director has determined eligible for listing, and which the executive director proposes to list on the state registry. By this publication, the TNRCC also gives notice pursuant to the Act, §361.1855, that it proposes a land use other than residential as appropriate for the facility identified below. The TNRCC proposes a commercial/industrial land use designation. Determination of future land use will impact the remedial investigation and remedial action for the site.

This publication also specifies 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. This notice of intent to list this facility was also published on November 3, 2000, in the *Palestine Herald Press*.

The facility proposed for listing is the Tucker Oil Refinery/Clinton Manges Refinery site, located along the east side of U.S. Highway 79 in the rural community of Tucker, approximately 9 miles west of Palestine in Anderson County, Texas. The approximate geographic coordinates

of the site are 35° 40' 38" North Longitude and 95° 44' 32" West Latitude.

Section 361.184(a) requires that the notice specify "the general nature of the potential endangerment to public health and safety or the environment as determined by information available to the executive director at that time."

The facility known as the Tucker Oil Refinery/Clinton Manges Refinery site is located along the east side of U.S. Highway 79 in the rural community of Tucker, approximately 9 miles west of Palestine in Anderson County. The land use surrounding the site is a mixture of rural and residential. The site is bounded on the north by a public water supply well, on the east by the Union Pacific Railroad and rural land, on the south by a residential property and on the west by U.S. Highway 79 and rural residential land.

Also located on the west side of the site is a possible location of a former gasoline service station that is not believed to have been associated with the refinery site. The facility consists of an inactive and dismantled oil refinery situated on approximately 9.249 acres of land. An additional 2.2 acres, which housed a small frame office building for the refinery operations, is located directly across U.S. Highway 79 to the west. Other tracts of land located adjacent to the refinery tract, may have been connected to the operations. Oil was refined at the site as early as 1940 and operations continued through a succession of owners until 1981.

On November 4, 1981, an application for permit renewal was submitted for the refinery under the name Clinton Manges Oil and Refining Company. The permit renewal carried an expiration date of June 30, 1982, however the refinery never operated under the permit renewal, having last processed crude oil in July of 1981. On February 4, 1983, the refinery National Pollutant Discharge Elimination System permit was terminated at the request of Clinton Manges Oil and Refining Company. The facility was sold for scrap metal salvage in 1994. Salvage operations were completed in late December 1995.

On March 28, 2000, the U.S. Environmental Protection Agency (EPA) referred the site to the State of Texas Superfund program for any future action. In June 2000, the TNRCC identified benzene, ethylbenzene, xylene, toluene, and naphthalene in the groundwater at the site.

A public meeting will be held Thursday, December 7, 2000, at 7:00 p.m., at the Tucker Volunteer Fire Department Station House, located in Tucker on the south side of U.S. Highway 79, one-quarter mile west of the intersection of FM 645 and U.S. Highway 79. The purpose of this meeting is to obtain additional information regarding the site relative to its eligibility for listing on the state registry, identify additional potentially responsible parties, and obtain public input and information regarding the appropriate use of land on which the facility subject of this notice is located. The public meeting will be legislative in nature and not a contested case hearing under the Texas Administrative Procedure Act (Texas Government Code, Chapter 2001).

Written comments may also be submitted to the attention of Alonzo Arredondo, Superfund Cleanup Section, Remediation Division, MC-143, P.O. Box 13087, Austin, Texas, 78711-3087, telephone number (512) 239-2145. All written comments must be received by the commission on or before Thursday, December 7, 2000.

The executive director of the TNRCC 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, are available for review at Palestine Public Library, 1101 North Cedar Street, Palestine, Texas 75801, telephone number (903) 729-4121, during regular business hours. Copies of the complete public record file may be obtained

during regular business hours at the TNRCC Records Management Center, Building D, Room 190, 12100 Park 35 Circle, Austin, Texas 78753; telephone numbers (800) 633-9363 or (512) 239-2920. (Handicapped parking is available on the east side of Building D, convenient to access ramps that are between Building D and Building E.) Photocopying of file information is subject to payment of a fee.

TRD-200007375  
Margaret Hoffman  
Director, Environmental Law Division  
Texas Natural Resource Conservation Commission  
Filed: October 19, 2000

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## Texas Parks and Wildlife Department

### Notice of Public Hearing

This is a notice of a public hearing and opportunity for public comment regarding the application of Texas Tech University at Junction (TTU) for a Texas Parks and Wildlife Sand and Gravel Permit. TTU has applied for a permit to stabilize and restore the east bank of the South Llano River adjacent to the TTU facility in Kimble County. The proposed project site is approximately sixteen miles downstream from the highway 377 South crossing, and approximately two and one-half miles upstream from the Loop 481 crossing. Gravel will be moved from the west bank of the current channel. Overall, approximately 14,000 cubic yards of rock and gravel will be cut and filled. Approximately 144,000 square feet of river bottom will be disturbed. The duration of the disturbance is expected to be about ten to twelve days. The area will be revegetated once the rock and gravel work is complete.

The hearing will be held on November 28, 2000, at 1:00 p.m. in the cafeteria at the TTU facility in Junction. The purpose of the hearing is to receive public comment on the proposed application. The hearing is not a contested case hearing under the Administrative Procedure Act. Public comment may be submitted at the hearing orally or in writing. Written public comment will be accepted until thirty days after the publication of this notice in the newspaper or the *Texas Register*, whichever is later, and should be submitted to: Mr. Rollin MacRae, Texas Parks and Wildlife Department, 4200 Smith School Road, Austin, TX, 78744, fax (512) 389-8059, e-mail rollin.macrae@tpwd.state.tx.us. This notice is also being mailed to alongshore property owners listed in the application. To review a copy of the application or with any questions, please contact Mr. MacRae.

TRD-200007493  
Gene McCarty  
Chief of Staff  
Texas Parks and Wildlife Department  
Filed: October 24, 2000

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## Public Utility Commission of Texas

### Notice of Application for Sale, Transfer, or Merger

Notice is given to the public of the filing with the Public Utility Commission of Texas (commission) of an application for transfer of a certificate of convenience and necessity on September 20, 2000, pursuant to the Public Utility Regulatory Act, Texas Utilities Code Annotated §§14.101 (Vernon 1998, Supplement 2000).

Docket Style and Number: Application for Sale, Transfer, or Merger of Central Power and Light Company, Docket Number 23054.

The Application: Central Power and Light Company, a Texas electric operating company of American Electric Power Company, Inc.

(AEP-CPL) filed an application for sale of a substation facility and approximately 200 feet of transmission line to South Texas Electric Cooperative, Inc. (STEC). There are no territorial certificate rights affected by this transaction.

Persons who wish to intervene in the proceeding or comment upon the action sought should contact the Public Utility Commission of Texas, P.O. Box 13326, Austin, Texas 78711-3326, or call the commission's Customer Protection Division at (512) 936-7120 or (888) 782-8477. Hearing- and speech-impaired individuals with text telephones (TTY) may contact the commission at (512) 936-7136 or use Relay Texas (toll-free) 1-800-735-2989.

TRD-200007425  
Rhonda Dempsey  
Rules Coordinator  
Public Utility Commission of Texas  
Filed: October 20, 2000

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### Notice of Application for Service Provider Certificate of Operating Authority

Notice is given to the public of the filing with the Public Utility Commission of Texas (commission) of an application on October 19, 2000, for a service provider certificate of operating authority (SPCOA), pursuant to §§54.151-54.156 of the Public Utility Regulatory Act (PURA). A summary of the application follows.

Docket Title and Number: Application of Telera Communications, Inc. for a Service Provider Certificate of Operating Authority, Docket Number 23164 before the Public Utility Commission of Texas.

Applicant intends to provide specific forms of intrastate local exchange and interexchange telecommunications services primarily for business customers including switched local exchange services including carrier access, and 1+ and 101XXXX outbound dialing; toll-free inbound dialing, and data services.

Applicant's requested SPCOA geographic area includes the area of Texas currently served by Southwestern Bell Telephone Company, Verizon Southwest (formerly known as GTE Southwest, Inc.), United Telephone Company of Texas, Inc., and Central Telephone Company of Texas, doing business as Sprint.

Persons who wish to comment upon the action sought should contact the Public Utility Commission of Texas, P.O. Box 13326, Austin, Texas, 78711-3326, or call the commission's Customer Protection Division at (512) 936-7120 no later than November 8, 2000. Hearing and speech-impaired individuals with text telephone (TTY) may contact the commission at (512) 936-7136.

TRD-200007434  
Rhonda Dempsey  
Rules Coordinator  
Public Utility Commission of Texas  
Filed: October 23, 2000

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### Notice of Application to Amend Certificated Service Area Boundaries

Notice is given to the public of the filing with the Public Utility Commission of Texas (commission) of an application on October 17, 2000, to amend a certificated service area boundary in Uvalde County pursuant to §§14.001, 37.051, and 37.054, 37.056, 37.057 of the Public