

John Hall, *Chairman*
Pam Reed, *Commissioner*
R. B. "Ralph" Marquez, *Commissioner*
Dan Pearson, *Executive Director*



104199

TEXAS NATURAL RESOURCE CONSERVATION COMMISSION

Protecting Texas by Reducing and Preventing Pollution

JUL 13 1995

Ms. Kathleen Scheutzow
Bridgestone/Firestone, Inc.
1200 Firestone Parkway
Akron, Ohio 44317

Re: Subsurface Release of Hydrocarbons at Firestone Master Care Center, 7203 San Pedro, San Antonio (Bexar County), Texas (LPST ID No. 104199)

Dear Ms. Scheutzow:

We have completed our review of the investigation and remedial procedures addressing subsurface hydrocarbon contamination at the above-referenced facility as provided in the report submitted by your consultant. Based upon this and other information available to us at this time, we concur that your response has been satisfactory and no further remedial action is necessary.

Should you have any questions, please contact Mr. Howard Nichols of my staff at 512/239-2200. **Please reference the LPST ID Number when making inquiries.** Your cooperation in this matter has been appreciated.

Sincerely,

A handwritten signature in cursive script, appearing to read "Chet Clarke".

Chet Clarke, Manager
Responsible Party Remediation Section
Petroleum Storage Tank Division

WDC/HLN/msl
104199.pr6

cc: Henry Karnei, TNRCC Region 13 Field Office, 210/490-3096
(140 Heimer Rd., San Antonio, Texas 78232-5042)

104199

your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address

2. ☐ Restricted Delivery. Consult postmaster for fee.

3. Article Addressed to: *104198, 104199, 104245, 102547, 103713, 103869, 103872, 103873, 103889, 104040, 104041, 104517*

4a. Article Number **100312**

4b. Service Type

☐ Registered ☐ Insured

☒ Certified ☐ COD

☐ Express Mail ☐ Return Receipt for Merchandise

7. Date of Delivery *11/3/92*

8. Addressee's Address (Only if requested and fee is paid)

5. Signature (Addressee)

6. Signature (Agent) *Bernice M. Minard*

BRIDGESTONE/FIRESTONE INC
1200 FIRESTONE PKWY
AKRON, OH 44317 -
ATTN: SCHEUTZOW KATHLEEN

PS Form 3811, December 1991 *U.S. GPO: 1992-323-402 DOMESTIC RETURN RECEIPT

Thank you for using Return Receipt Service.

John Hall, Chairman
Pam Reed, Commissioner
Peggy Garner, Commissioner



104 12/28/92
CLARIFY1-6

TEXAS WATER COMMISSION

PROTECTING TEXANS' HEALTH AND SAFETY BY PREVENTING AND REDUCING POLLUTION

December 28, 1992

Re: Clarification -- Responsible Party Initiated Activities

Dear Responsible Party:

This letter is intended to clarify previous letters issued by the Texas Water Commission (TWC) dated October 23, 1992 regarding the termination of corrective action on priority 5 and 6 LPST cases, and November 9, 1992, which revised TWC policy for tank removal over-excavation.

The letters directed owners and operators to stop ongoing assessment activities and to return excavated materials to open excavations. These letters were issued in order to allow the TWC to evaluate all sites to better evaluate actual threat to health and the environment. The Commission will be implementing a risk based remediation program whereby sites will be cleaned up to a level where they no longer pose a risk to human health and the environment. The risk based approach will ensure the most efficient use of the limited funds available to perform corrective actions. In some cases risk assessment at sites will yield a decision that it is not necessary or prudent to clean sites to the traditional action levels of 30 ppm BTEX and 100 ppm TPH. It may be appropriate to leave higher levels of BTEX and TPH at some sites without creating undue risk.

The letters of October 23 and November 9 have apparently created a misunderstanding which I must correct. Those letters have been interpreted as absolute prohibitions on cleanups. This is not the case. Those letters were intended to warn tank owners of problems with the balance in the Petroleum Storage Tank Remediation Fund so that owners with potential cash flow difficulty would be advised not to spend money until they had reasonable assurance that money for reimbursement would be available. In order to further clarify this situation and to rectify misunderstandings that exist, you are advised as follows:

- Anyone who anticipates NOT seeking reimbursement from the PSTR Fund is free to proceed with cleanup activity.
- Anyone who is willing to proceed with cleanup, who expects reimbursement for eligible cleanup costs, but is also willing to wait an extended period of time for reimbursement, may proceed with cleanup activity in accordance with the procedure detailed in this letter.

- If free product, vapors, or other conditions present immediate threats to human health, the owner must proceed with emergency abatement actions immediately notwithstanding the fund balance. Claims of financial incapability will be reviewed by examining documentation of financial strength of the owner. TWC staff are to be consulted about whether an emergency exists and MUST BE NOTIFIED IMMEDIATELY about such a possibility.

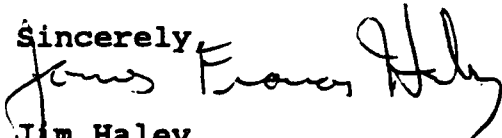
Those who expect reimbursement but are willing to proceed with cleanup activity even though reimbursement is not likely to occur soon must understand very clearly that it is currently impossible to predict when reimbursement can be made.

In order to proceed, prior written approval from this agency is necessary. To obtain such approval, it is necessary to fill out the attached form completely. Approval will involve review of assessment plans and remedial action plans, or directives for the implementation of Limited Sites Assessments.

It is extremely important, if you wish to proceed with as little delay as possible, to indicate (on the attached form) whether you wish to proceed immediately with cleanup in spite of the likelihood that reimbursement from the PSTR Fund will be delayed for an undetermined, but potentially long period of time.

Along with you, we are anxious to see what action, if any, will be taken by the Legislature regarding the PST program. Please be assured that the agency will work to implement any changes in the least disruptive and most expeditious fashion possible. In the meantime, we thank you for your continued cooperation. If you need further information, please contact the Petroleum Storage Tank Division at 512/908-2200.

Sincerely,



Jim Haley

Deputy Director

Office of Waste Management and Pollution Cleanup

Enclosure

**PETROLEUM STORAGE TANK DIVISION
LPST CASE REVIEW REQUEST FORM**

This form is to be utilized when requesting a review of your Leaking Product Storage Tank case. Pursuant to 31, TAC, Chapter 334, Subchapter D and 334.310(f) Subchapter H, prior written approval must be received from the Texas Water Commission (TWC), Petroleum Storage Tank Division.

LPST ID No: _____ [Submit one Form for Each LPST Site]

Responsible Party (RP): _____

RP's Address: _____

RP's City, State, Zip: _____

Contact Person: _____

Facility Name: _____

Facility Address: _____

Facility City, County, Zip: _____

Contact Person: _____

Date(s) of Proposed Remedial Action plan's or assessment activities for which you are requesting review:

Please Check One

_____ I do not wish to start (continue) with my cleanup project until such time that reimbursements can be made in a reasonable timeframe (unless otherwise directed by the TWC).

_____ I wish to start (continue) with my cleanup project at this time, further I acknowledge that any reimbursement for this site will be delayed for an undetermined, but potentially long period of time.

Print Name

Responsible Party Signature

Date

Title

John Hall, Chairman
Pam Reed, Commissioner
Peggy Garner, Commissioner



104-199 10/23/92
STOP 5&6

TEXAS WATER COMMISSION

PROTECTING TEXANS' HEALTH AND SAFETY BY PREVENTING AND REDUCING POLLUTION

October 23, 1992

Re: Termination of Corrective Action - Priorities 5 and 6 Only

Dear Responsible Party:

The Texas Water Commission (TWC) is establishing new procedures to more effectively control corrective action expenditures. The TWC will evaluate leaking storage tank sites according to the risk they pose to human health and safety. Those sites which are determined to have the highest risk to public health and safety will be addressed prior to those sites which pose a lesser risk.

Therefore, you are requested at this time to stop corrective action activities at the site referenced on the enclosed list and to submit all collected laboratory analyses and corrective action information to the local district office or to the TWC central office if the case is coordinated out of the central office.

If an excavation remains open which needs to be filled, then use the excavated soil to do so unless the soil contains free product or the site is located over the Edwards aquifer recharge zone or transition zone. If the excavation has already been filled, excavated soils contain free product, or the site is located over the Edwards aquifer recharge or transition zones, then the soils must be disposed at a landfill authorized to accept such waste or treated at a treatment facility registered or permitted by the TWC to treat such waste. Please coordinate disposal or treatment activities in advance with the coordinating TWC office. Additionally, any other necessary corrective action activities must be approved in advance by the coordinating TWC office.

Reimbursement for additional work which has not been approved in advance by the TWC will not be reimbursed until TWC-directed or authorized corrective actions have been reimbursed. The only exceptions are the recovery of free product or the abatement of an emergency situation stemming from the release which threatens public health and safety. However, you are only authorized to take those actions necessary to recover the free product or abate the emergency and you must inform the local District Field Office of the free product and any emergency situation immediately. Any emergency activities which continue beyond 48 hours must have written approval from the TWC. Free product removal does not require written approval to be extended beyond the 48 hours (31 TAC 334.310(f))

We appreciate your cooperation in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Haley".

Jim Haley
Deputy Director
Office of Waste Management and Pollution Cleanup

TEXAS WATER COMMISSION
PST RELEASE INCIDENT REPORT

089202/012

SUBJECT TO REVISION

Fac. ID No. 0019767

(AST) (UST)

LPST No. 104199

TWC Disc: 7/9/92 TWC Notif: 8/6/92 TWC Confir: 8/10/92
INSPECTED: (Y) N Dates 7/7/92 1/1/ 1/1/ IR Date: 8/12/92

Reported by: Mr./Ms. Scott Strain

Phone: (303) 427-4567 Representing: Ryan-Murphy

Reported to: Mike Peterson DB

LOCATION OF RELEASE:

Facility Name: Firestone mstr. Care ctr.

Facility Address: 7203 San Pedro

Facility City: San Antonio Zip: 78216

County: Bexar County Code #: 15 TWC Dist. #: 08

RESPONSIBLE PARTY: Bridgestone/Firestone, INC.

RP Address: 1200 Firestone Pkwy.

RP City: AKRON State: OH Zip: 44317

Contact: Mr. Ms. Kathleen Schentzow Phone: (216) 379-3737

PRIORITY: 1 2 3 4 5 (6) and A B C D E F

STATUS: (1) 2 3 4 5 6 and (A) B C D E F G

PRIMARY COORDINATOR: (Circle) RPR District STL Other:

LEAK CAUSE: (Circle) Tank Line Overfill Unk Other:

Detection Method/Description: ☒ Soil/GW Samples ☐ TWC Inspection
☐ Written Report ☒ RCR ☐ Telephone
☐ FAX ☐ Other:

Substance Released: waste oil Amount: UNK

If Chemical or Other, Describe: CAS #:

Impact: Soil ☒ GW ☐ Sur. Water ☐ Subsurf Utilities ☐ Other ☐

Receiving Waters: unk

Initial and Current Response/TWC DIRECTIVES:

To abate + investigate to verify clean-up,
All results = BAK, no corrective action
required / TWC.

Remarks:

Other Authorities Involved:

Coordinator: Dist. CA. Warren PST Mr. Caution?

Signed: Mat a. Hain Approved: W/n Date: 8/13/92

RECEIVED
SEP 04 1992

TWC/PST/RPR

Texas Water Commission

INTEROFFICE MEMORANDUM

To: Ron Pedde, RPR Section
Petroleum Storage Tank Division

Date: 8-25-98

Thru: Jeffie Barbee, PST Coordinator
Field Operations Division

From: Max A. Guinther, PST Inspector
District 8, San Antonio
DT#/LPST#: 92021012/104199

Subject: PST Action: LPST IR

COMMENTS: Please see attached LPST IR

ATTACHMENTS:

(☒) LUST INCIDENT REPORT

(☐) SAMPLE RESULTS

(☐) LETTER TO OWNER

(☐) SITE DIRECTIVE DOCUMENTATION

(☐) INSPECTION CHECKLIST

(☐) NON-REGISTERED TANK FORM

(☐) CONSTRUCTION NOTIFICATION

(☐) OTHER _____

Signed: Carol Warren

PST Inspector

Approved: WPP