



MARC E. ALTHEN  
VICE PRESIDENT  
ENVIRONMENTAL SERVICES

December 2, 1997

Mr. Chris Smith  
Waste Program Manager  
Texas Natural Resources Conservation Commission  
Region 11  
1921 Cedar Bend, Suite 150  
Austin, TX 78758-5336

RECEIVED

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Re: Penske Logistics Spill IH-35  
Near Buda, Harp County, Texas

TNRCC-Field Operations  
Austin Region 11

Dear Mr. Smith:

This letter shall serve as Penske Logistics' written response to your November 5, 1997 letter.

On October 9, 1997, a Penske Logistics tractor-trailer had an accident in Buda, TX near exit 221 on IH-35 South, Hays County, at approximately 1:00 p.m. In response to the accident, Mr. Brian Acker of the Texas Public Safety Commission, dispatched Automotive Wrecker Service to the accident scene. During Automotive Wrecking Service's attempt to upright the trailer portion of the vehicle, the side of the trailer apparently gave way and some of the contents of the trailer, namely television picture tubes, spilled onto the roadway and the side of the road.

Mr. Acker requested Automotive Wrecking Service pick up and dispose of the boxes and the television picture tubes. M&M Trucking Co. was hired by Automotive Wrecking Services to load and transport the boxes to a local municipal landfill owned by Texas Disposal System.

At approximately 4:50 p.m., the Penske Spill Coordinator was advised of the incident by its branch office.

At approximately 5:05 p.m., the Penske Spill Coordinator contacted TX NRCC's Austin Regional Office and reported the incident to Mr. Art Norman. During this call, Mr. Norman was advised that the trailer contained approximately 1,200 picture tubes which contained lead and phosphorous and, if broken, would be a hazardous waste.

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At approximately 5:35 p.m. Penske's Spill Coordinator contacted Mr. Acker and Texas Disposal System's Vice President, Mr. Jim Gregory, and advised them that the waste was hazardous and could not be disposed of in a non-hazardous landfill. During the call, it was decided that the landfill would stockpile the material until proper disposal arrangements could be made. However, Mr. Gregory informed Penske's representative that the landfill had already disposed of two loads of the tubes.

During the same time frame, Jodi Gonzales of Hays County Emergency Management, provided Penske with the names of two potential emergency response companies. Penske immediately contacted one of these companies, Code 3, and hired them to conduct the cleanup.

Code 3 arrived on the scene at approximately 8:00 p.m. and completed the cleanup at 2:30 a.m. on October 10, 1997. The remaining spilled materials (broken cathode ray tubes, fiberboard cartons, and wrapping) were placed into several roll-on/off containers and transported to the Texas Disposal System to await proper disposal.

On October 10, 1997 Edward Villaltando of the Hays County Texas Department of Transportation confirmed that the waste had been properly cleaned up and that no further action was required.

As of today, Penske is attempting to properly dispose of the remaining stockpiled waste at a permitted hazardous waste disposal site.

If you have any questions, please contact me at the letterhead address.

Sincerely,



Marc E. Althen

MEA:csk  
L1112597.me

cc: R. T. Traub