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TCEQ Public Participation Form  
U.S. Oil Recovery, L.P.  
Public Meeting  
Municipal Solid Waste Permit No. 2336  
Tuesday, November 8, 2005

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

2005 NOV 10 PM 1:33

CHIEF CLERK'S OFFICE

PLEASE PRINT: Gwen

Name: Gwen S. Allen

Address: 15018 So. D.  
Channelview

City/State: Chw. TX Zip: 77530

Phone: (281) 452-4500

Please add me to the mailing list.

Are you here today representing a municipality, legislator, agency, or group?  Yes  No  
If yes, which one? \_\_\_\_\_

IF YOU WANT TO GIVE FORMAL COMMENT PLEASE ✓BELOW

I wish to provide formal oral comments.

I wish to provide formal written comments at tonight's public meeting.  
(Written comments may be submitted any time during the meeting.)

Please give this to the person at the information table. Thank you.

*[Handwritten mark]*

# TCEQ Public Meeting Form

Tuesday, June 6, 2006

U.S. Oil Recovery, L.P.  
Proposed MSW Registration No. 43020  
&  
Proposed MSW Permit No. 2336

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY  
2006 JUN -7 PM 3:41  
CHIEF CLERK'S OFFICE

PLEASE PRINT:

Name: David Foster

Address: 715 W. 23<sup>rd</sup> St Suite R

City/State: Austin TX Zip: 78705

Phone: (512) 474-0605

Please add me to the mailing list.

Are you here today representing a municipality, legislator, agency, or group?  Yes  No

If yes, which one? Clean Water Action

IF YOU WANT TO GIVE FORMAL COMMENT PLEASE ✓ BELOW

- I wish to provide formal oral comments on:
  - MSW Registration No. 43020 *spoke S*
  - MSW Permit No. 2336 *Spoke S*

- I wish to provide formal written comments at tonight's public meeting on:
  - MSW Registration No. 43020
  - MSW Permit No. 2336

Please give this to the person at the information table. Thank you.

48734  
MSW

OPA RECEIVED

JUN 06 2006

AT PUBLIC MEETING

TEXAS ENVIRONMENTAL QUALITY COMMISSION  
JUN 7 PM 3:41  
CHIEF CLERK'S OFFICE

June 6, 2006

To: The Texas Commission on Environmental Quality  
From: Clean Water Action

Re: U.S. Oil Recovery's Application for Municipal Solid Waster Registration NO. 43020 and Permit NO. 2336

Clean Water Action appreciates the opportunity to offer comments on U.S. Oil Recovery's applications for MSW Registration No. 43020 and MWS Permit Application No. 2336, both of which concern the processing of grease and grit trap waste.

For the record, Clean Water Action (CWA) is a non-profit environmental organization with some 70,000 members in Texas, including around 10,000 in the greater Houston area. CWA has over a dozen household memberships who reside within a one-mile radius of U.S. Oil Recovery's facility on North Richey Road in Pasadena Texas.

CWA requests that the TCEQ deny U.S. Oil Recovery's application for a registration to process grease trap waste. U.S Oil Recovery is claiming that its Pasadena facility qualifies for a registration because it intends to recycle more than 10% of received wastes for beneficial use. Yet the great majority of industry professionals maintain that a 10% recovery is not possible (whether combined with girt trap and septic waste or not). Furthermore, U.S. Oil Recovery's registration application does not explain how it intends to recover 10% of more of received wastes, nor does it offer any indication of which facility would receive recycled wastes for beneficial use.

CWA also requests that the TCEQ deny U.S. Oil Recovery's request for a permit. U.S. Oil Recovery's record of non-compliance with previous permits and authorizations renders it unworthy or either a registration or a permit. For example, in July 2003, U.S. Oil Recovery received a Pretreatment Affluent Permit from the Gulf Coast Waste Disposal Authority (GCA) authorizing it to discharge to GCA's Washburn Tunnel POTW in Pasadena under certain guidelines. According to documents received by CWA from GCA following an open records request, U.S. Oil Recovery repeatedly sent GCA water with unacceptably high levels of enterococci bacteria and other pollutants, pushing GCA into violation of its own permit. GCA sent U.S. Oil Recovery no fewer than six (6) Notices of Violation from October 2003 to August 2004. For this and other reasons, GCA severed its relationship with U.S. Oil Recovery and assessed it a fine of \$36,000.

CWA also believes that the applicant's Richey Road facility should not be allowed to process grease and grit trap waste because it is located in a flood plain. U.S. Oil Recovery does not dispute this; page 0030 of its permit application contains a document provided by Gulf Coast Survey and Engineering showing that the facility clearly is in the floodplain. U.S. Oil Recovery has stated that intends to build this facility on some kind of elevated platform and that this will bring it out of the flood plain, but in a post-Katrina world such a claim is not credible.

CWA also believes that both the registration and permit applications should be denied because of threats from noxious odors. More than 1700 single family homes are located within one

AA

mile of U.S. Oil Recovery's facility, and in December 2003 the TCEQ itself cited U.S. Oil Recovery for a 'strong odor near the grease and grit trap waste pits' and called on U.S. Oil Recovery to 'consider all necessary measures to prevent or eliminate nuisance odors.' Many of CWA's members in Pasadena have complained of odors emanating from area industrial facilities, and it would be an additional burden on them to allow U.S. Oil Recovery to process as much as 200,000 gallons of grease trap waste each day.

CWA would also like to raise the question of whether U.S. Oil Recovery's permit application is in compliance with new TCEQ requirements concerning public notice in a language other than English. In November 2005, the TCEQ amended its rules concerning public notice to require notice in an alternative language when either the elementary school or middle school nearest to the facility or proposed facility is required to provide a bilingual education program under the Texas Education Code (TCEQ Rule Project No. 2005-014-039-LS). These amended rules, which went into effect on November 30, 2005, require that an affected applicant "must publish the notice in an alternative language newspaper that is printed in the same language as that taught through the school bilingual education program" (Section 39.405, General Notice Provisions). CWA is certain that both of the elementary schools nearest the applicant's facility on Richey Road meet the Texas Education Code's requirements for bilingual education, as the adjacent neighborhoods are heavily Latino. U.S. Oil Recovery would thus need to post notice of its June 6 2006 public meeting in a Spanish language newspaper. CWA can find no evidence that U.S. Oil Recovery accomplished this. It might be that U.S. Oil Recovery's permit application was administratively complete prior to November 30, 2005, and thus it may not be affected by this rule change. However, CWA respectfully notes that documents necessary to a correct permit application were still coming in as late as mid-November 2005. For example, a letter from the U.S. Army Corps of Engineers' Galveston District stating that the Pasadena facility would not require a permit from the Corps (page 0064 of the permit application under consideration), only came in on November 17 2005. This raises the question of whether U.S. Oil Recovery's permit application was in fact administratively complete before November 30, 2005 and we request the TCEQ to research this question.

Again, CWA thanks the TCEQ for the opportunity to offer comments respectfully urges the TCEQ to reject both U.S. Oil Recovery's registration and permit applications.

Yours,



David Foster  
State Program Director  
Clean Water Action



# CLEAN WATER ACTION

OPA

NOV 04 2005

November 4, 2005

TCEQ Office of Public Assistance  
Attn: Bridgid Bohac

MSO  
48734  
49608

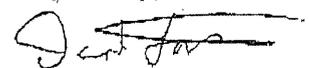
Re: Clean Water Action Comments on USOR Proposed Permit No. 2336 and Proposed Registration No. 43020

**The Commission lacks jurisdiction without re-noticing the applications, making the applications available for public review, and holding another public meeting.**

Pursuant to 30 TAC § 39.405(g)(1), the applicant must make a copy of the administratively complete application available for review and copying beginning on the first day of newspaper publication of Notice of Receipt of Application and Intent to Obtain Permit (NORI) and that application must remain available for the publications' designated comment period. The notices of Public Meeting stated that US Oil Recovery's applications were available for review at the Pasadena Public Library. This is not true. The applications were not available at this location on the date of publication of the NORI, and the applications still were not available to the public even when there was less than five days remaining until the end of the public comment period. This is confirmed in the attached correspondence with staff at that library.

Notice is jurisdictional, and the application availability requirement is an element of the notice requirements applicable to this application. The TCEQ must require the applicant to re-publish the respective Notices of Receipt and Intent, and the applicant must provide these applications for public review throughout that new public comment period, and a new public meeting must be held at the end of that additional public comment period. A new public meeting must be held in order to provide the public an opportunity to comment on the permit after having a chance to meaningfully review the application materials. That opportunity has not been provided yet. If these additional notice steps are not taken, the TCEQ will lack jurisdiction to move forward with consideration of the permit application, and any action taken by the TCEQ to issue the permit will be void.

Respectfully,



David Foster  
State Program Director

CHIEF CLERKS OFFICE

2005 NOV -4 PM 11:56

RECEIVED  
COMMISSIONER  
NOV 04 2005

OPA PM  
NOV 07 2005  
BY *[Signature]*

CLEAN WATER



**ACTION**

*Our Water, Our Health, Our Future*

Texas Offices:

*Central Texas*  
715 W. 23rd St.  
Suite R  
Austin, TX 78705  
512-474-0605  
512-474-7024 fax

*Gulf Coast*  
1641 Westheimer Rd.  
Suite A  
Houston, TX 77006  
713-529-9426  
713-529-1686 fax

txcwa@cleanwater.org  
www.cleanwateraction.org



*[Handwritten mark]*

**David Foster**

---

**From:** "KAREN CORNETT" <kcor56@yahoo.com>  
**To:** "David Foster" <dfoster@cleanwater.org>  
**Sent:** Tuesday, November 01, 2005 5:13 PM  
**Subject:** Re: US Oil Recovery Permit and Registration Applications

Dear Mr. Foster:

As I stated in the previous email I sent to you, I do keep a record of when these applications are received by the library & put on display. It is possible that I was out when these particular applications were given to the library & I was not informed.

I will speak with Mr. Shafer.

Karen Cornett

Dear Ms. Cornett:

You might try speaking with Bill Shafer at US Oil Recovery. His number is 713-473-0013. Does this mean that you do not keep a log of when such applications arrive? I do not know what the standard procedure is for such matters. I do think it is important that such applications be available to the public, especially since the letter I received from TCEQ says they are on file in the library.

Thanks for work,

David Foster

----- Original Message -----

**From:** KAREN CORNETT  
**To:** David Foster  
**Sent:** Tuesday, November 01, 2005 2:03 PM  
**Subject:** Re: US Oil Recovery Permit and Registration Applications

Dear Mr. Foster:

I checked the file that I keep for permit applications on display and was unable to locate these two particular files. Is it possible that they have already been picked up by the company? Occasionally, permit applications have been picked up without my knowledge, especially on the weekend when I'm not working. Would you be able send me a little more information on these permits? The name of a contact person or contact telephone number would be especially helpful.

I'm terribly sorry for this inconvenience.

Sincerely,

Karen Cornett  
Pasadena Public Library  
Adult Services Department

David Foster <dfoster@cleanwater.org> wrote:

| Dear Ms. Cornett:

Thank you for assisting me in this matter. I received a letter from the TCEQ a couple of weeks ago which stated that a copy of US Oil Recovery's permit application (Waste Permit No. 2336) and a copy of US Oil Recovery's Registration Application (Registration No. 43020) were on file with the Pasadena Public Library at 1201 Jeff Ginn. However, when I visited the library yesterday, I could not find them.

Can you please let me know if you have these documents and, if you do, when you received them? May I also ask if it is the library's practice to log in receipt on such documents?

If you have any questions, please do not hesitate to contact me. May thanks,

David Foster  
State Program Director  
Clean Water Action

512-474-0605 (office)  
512-589-1084 (cell)

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**David Foster**

---

**From:** "KAREN CORNETT" <kcor56@yahoo.com>  
**To:** <dfoster@cleanwater.org>  
**Sent:** Wednesday, November 02, 2005 10:33 AM  
**Subject:** permit applications

Dear Mr. Foster:

I spoke with an assistant to Mr. Shafer yesterday afternoon. I was informed that I will be receiving a revision for the application(s) in a few days. As soon as I receive the revision it will be added to my records & put on display. I will email you at that time.

Karen Cornett  
Pasadena Public Library

---

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**David Foster**

---

**From:** "KAREN CORNETT" <kcor56@yahoo.com>  
**To:** <dfoster@cleanwater.org>  
**Sent:** Wednesday, November 02, 2005 4:10 PM  
**Subject:** permit applications #2336 and #43020

The revisions to these permit applications have been received and put on display. They are also listed in the record I keep regarding these matters. By the way, Mr. Foster, as I suspected, the reason you were unable to locate these applications this weekend was because they had already been picked up. When a permit application is taken off display, I make a note of this in my record. After one week, the record of that application is deleted. Which, apparently, is why I couldn't locate it.

You will find these applications located at the end of the display on the far right. The two binders are black, rubber-banded together, and a post-it note with your name is on the binders. I don't think you will have a problem locating them.

Thank you for your time.

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# CLEAN WATER ACTION

AUSTIN OFFICE

## FAX COVER SHEET

PHONE: (512)474-0605 FAX: (512)474-7024

DATE: 11-4-05 #PAGES TO FOLLOW: 5  
TO: Bridget Bokac, TCEQ office at Centre Ass'n  
FROM: David Foster

**TCEQ Public Participation Form**  
**U.S. Oil Recovery, L.P.**  
**Public Meeting**  
**Municipal Solid Waste Permit No. 2336**  
**Tuesday, November 8, 2005**

CHIEF CLERKS OFFICE

2005 NOV 10 PM 1:33

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

PLEASE PRINT:

Name: Denise M. James

Address: 107 N. Munger

City/State: Pasadena, TX Zip: \_\_\_\_\_

Phone: (713) 920-2831

Please add me to the mailing list.

Are you here today representing a municipality, legislator, agency, or group?  Yes  No  
If yes, which one? HCPAES

**IF YOU WANT TO GIVE FORMAL COMMENT PLEASE ✓BELOW**

I wish to provide formal oral comments.

I wish to provide formal written comments at tonight's public meeting.

(Written comments may be submitted any time during the meeting.)

Please give this to the person at the information table. Thank you.

48734  
MSW

Harris County  
**HCPHES**  
Public Health & Environmental Services

Hermilia Palacio, M.D., M.P.H.  
Executive Director  
2223 West Loop South  
Houston, Texas 77027  
Tele: (713) 439-6000  
Fax: (713) 439-6080

Bob Allen  
Interim Division Director  
Pollution Control  
107 N. Munge,  
Pasadena, TX 77506  
tele: (713) 920-2831  
Fax: (713) 477-8967

November 8, 2005

**OPA RECEIVED**

**NOV 08 2005**

Office of the Chief Clerk  
Texas Commission on Environmental Quality  
MC-105  
P.O. Box 13087  
Austin, TX 78711-3087

**AT PUBLIC MEETING**

Re: Permit Application No. MSN 2336  
Type V, Grease/Grit/Septage  
U.S. Oil Recovery, L.P.  
400 N. Richey Street  
Pasadena, TX 77506

Dear Chief Clerk:

We appreciate the opportunity to comment on the referenced permit application to the Texas Commission on Environmental Quality (TCEQ). The Pollution Control Division works closely with the TCEQ's Houston regional office and routinely receives environmental complaints from the TCEQ. Our staff inspects and conducts investigations for compliance in response to citizen reports and nuisance complaints concerning TCEQ-authorized facilities, and unauthorized activities and operations. We hereby submit for your consideration the following comments based on our review of the proposed application and in light of our many years of experience enforcing municipal solid waste rules.

Chief Clerk  
Texas Commission on Environmental Quality  
MC-105  
November 8, 2005  
Page 2

During an 8-½ month period (between mid-July, 2004 and early-March, 2005), our office received on five dates, 14 nuisance-odor complaints in the vicinity of U.S. Oil Recovery. One air emission violation was cited that was not related to alleged nuisance odors. However, four of the investigations strongly suggested the referenced facility as the source of alleged but unconfirmed nuisance odors. One of the above alleged odors, a garlic-like odor, was described by two separate complainants one of whom had to vacate their residence because of coughing, a runny nose, and the fear of being harmed by the malodor. Although not confirmed at the complainant's residences, an ambient air sample of a garlic-like odor was collected in a summa canister downwind of the facility and identified by our laboratory as *diethyl disulfide*, which has a very low odor threshold and can originate from the degradation of organic wastewater. This garlic-like malodor was determined to be emitting from two sources at U.S. Oil Recovery. These included (1) a leaking gasket at the oil dryer used to evaporate water from a product in the recycled steam resulting from the molding of dried material that sits in holding tanks for extended periods and (2) from the receiving pit or unloading area where they had recently received a mixed load of waste. On another occasion, a "very strong burning oil odor" from the facility occurred during a time when about seven of the storage tanks had open portals, several inches in diameter, at the same time to be checked for fullness with a dip-stick allowing for the odor release.

Our major concern is related to the facility being a source for offsite malodors and potential nuisance odors. We feel that the proposed permit application does not adequately

Chief Clerk  
Texas Commission on Environmental Quality  
MC-105  
November 8, 2005  
Page 3

address our concerns with an accurate and detailed description of odor control systems, methods, and equipment to prevent the potential release from the facility of nuisance odors that may impact offsite receptors or the public. Referenced in the permit application is the following: Part III – ADDITIONAL TECHNICAL AND OPERATIONAL STANDARDS FOR SOLID WASTE PROCESSING TYPE V SITES (b) – The Site Development Plan (5) – STORAGE OF SOLID WASTE (A) Storage Requirements. It reads: “All materials, water, solids, grease and oil will be properly stored and covered for odor control, except as necessary for separation, processing and removal. Recycled material is stored in dedicated storage tank (correct to “tanks”), which are enclosed tanks. The four tanks are vented into the Odor Control System.”

In the same part, references to the “Odor Control System” do not describe its design, or which Odor Control System if there are multiple ones, or how it or they operate. There is a reference to buffer zones and enclosed equipment with a carbon odor control system and a statement that “All areas of the process that have the potential to generate odor (corrected to “odors”) shall be controlled by the odor control system,” and that “The facility will be designed and built to prevent nuisance odors from leaving the property boundary.” There is also the statement that “the Odor Control System designed for the waste receiving area will comply with all applicable requirements contained in 30 TAC §330.71(e)(5)(C) and etc.”

The permit application does not clearly describe whether there is a single or multiple Odor Control System or systems and there is no clear reference to or detailed description of their existing carbon filtered vents atop their individual storage tanks as observed at the facility by our

Chief Clerk  
Texas Commission on Environmental Quality  
MC-105  
November 8, 2005  
Page 4

investigators. Also, there is no detailed description to clarify or explain how the facility is designed to prevent odors from leaving the property.

The method and practice of having multiple storage tanks open for periods of time to check their fullness is not an acceptable practice, and a better method should be detailed in the facility's plans. To this end, we request that the applicant be required to describe in the Site Development Plan (SDP) that they will open only a single storage tank for a specified brief period of time in order to periodically determine the level of fullness using a hand held probe or dip-stick. We also request that the application require and clearly describe a vacuum system that would pull air through the carbon filter vents and into the storage tanks through the portals when they are measuring the fullness with dip-sticks. This inclusion would be enforceable and the practice would reduce or completely eliminate the release of nuisance causing offsite odors from the storage tanks several-inch diameter openings or portals.

Continuing, there are a couple of paragraphs further on indicating that odors will be "eliminated by a 50-foot boundary and that the main odor sources are the receiving pit and the shaker that separates out solids. We request that there be a clear and detailed description of how the single, or multiple, Odor Control System(s) with or without a "carbon odor control system" is designed and operates. Additionally, the statement that a 50-foot buffer "eliminates" odors is incorrect as it can only dissipate odors to some degree or another depending on environmental conditions such as a temperature inversion that would allow odors to carry much farther away impacting distant receptors.

Chief Clerk  
Texas Commission on Environmental Quality  
MC-105  
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Page 5

Also referenced in Part III under the Site Development Plan (d) SITES FOR PROCESSING GREASE, GRIT AND SEPTAGE (4) PROCESS DESIGN (C) Odor Control: A), it indicates that the facility has been designed to prevent nuisance odors from leaving the property boundary. It further acknowledges, "The area of the facility with the greatest potential to generate odor (correct to "odors") is the receiving pit, into which the waste is unloaded from the trucks. To control odors, the receiving pit is covered. The roll-off boxes handling the solids materials are also covered." "Maintenance and cleaning of odor control equipment shall be performed on a scheduled basis..."

The reference that "the receiving pit is covered" appears to be a misrepresentation, as we have not observed any kind of existing cover either in use or not in use. As odor-related issues are important in protecting the public, we request that the applicant be required to make an accurate and detailed explanation or description regarding the referenced cover at the pit, how it is used to cover the pit, and when it is used.

Furthermore, we recommend (1) that the applicant be required to describe and install a partial walled enclosure or walls on each side of their two adjacent offloading or receiving pits (2) to be required to install a heavy curtain of synthetic or plastic flaps over the open portion of the receiving pit and around or including the associated oil-water separation tank(s), and (3) to be required to install an associated odor-abatement chemical spray.

Ongoing odors from the facility indicate a need to identify odor sources and improve operational practices and install appropriate odor control equipment.

Chief Clerk  
Texas Commission on Environmental Quality  
MC-105  
November 8, 2005  
Page 6

If you have any questions concerning these comments, I can be reached at 713-920-2831  
or by email at [george\\_kennard@co.harris.tx.us](mailto:george_kennard@co.harris.tx.us).

Sincerely yours,



George L. Kennard  
Solid Waste Supervisor

cc: Gail Miller, Harris County Precinct 2  
Sarah Metzger, City of Pasadena



MSW  
48734

OPA

FEB 26 2007

BY DM

Harris County  
**HCPHES**  
Public Health & Environmental Services

Herminia Palacio, M.D., M.P.H.  
Executive Director  
2223 West Loop South  
Houston, Texas 77027  
Tele: (713) 439-6006  
Fax: (713) 439-6080

B. Z. (Bud) Karachiwala, M.S., M.B.A.  
Division Director  
Environmental Public Health  
107 N. Munger  
Pasadena, TX 77506  
Tele: (713) 740-8703  
Fax: (713) 477-8965

February 23, 2007

Ms. LaDonna Castañuela, Chief Clerk  
Office of the Chief Clerk, MC 105  
Texas Commission on Environmental Quality  
P.O. Box 13087  
Austin, TX 78711-3087

Fax: 512-239-3311

Subject: US Oil Recovery, LP, MSW Permit Application 2336

Dear Ms. Castañuela,

Thank you for the opportunity to submit comments on the US Oil Recovery, LP Type V GG municipal solid waste facility permit application; MSW 2336. Harris County Public Health and Environmental Services (HCPHES) has conducted a detailed review of the technically complete application dated 1/23/07, as found in the Pasadena Public Library, and we submit the following comments for your consideration.

HCPHES recommends that this permit application be denied based on poor environmental compliance history of the currently registered operation; and proximity to flood zones and surface water. In addition, HCPHES has serious concerns with an application containing inconsistencies, at least one misrepresentation, lack of specificity, contradictory statements and exhibits that are poorly reproduced, and unenforceable provisions.

**Compliance History:** In the compliance history, prepared by Bobbie Rogans of the TCEQ from September 1, 2001 to December 1, 2006, are 4 occasions of unauthorized discharges along with numerous reporting violations. The May 31, 2006 unauthorized discharge violation was directly referred by TCEQ Region 12 for enforcement and is progressing toward the drafting of an Administrative Order by the TCEQ (TCEQ Case Number 31643 and Docket Number 2006-1959-WQ-E). Please note that HCPHES has cited the applicant for two additional environmental rule violations at this facility that are not listed in the TCEQ compliance history. The HCPHES violations are summarized in the attached table and details are available on request. Of concern is that the Texas Water Code violation for an unauthorized discharge listed in the attachment is directly related to the operation proposed to be covered by the subject permitting action. This Texas Water Code violation has been referred to the Harris County District Attorney's Office for criminal prosecution. We urge the TCEQ to carefully consider the last five years of

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY  
2007 FEB 26 AM 10:26  
CHIEF CLERKS OFFICE

MSW

compliance history of this facility, including the compliance history compiled by HCPHES. We believe that the past poor compliance record of this applicant raises serious concerns about the applicant's ability to comply and thus a permit should not be issued.

**Proximity to Flood Zones and Surface Water:** As illustrated in several places of this permit application, this facility is within the 100-year flood plain and within 200 feet of the confluence of Vince and Little Vince Bayous, and also within a half mile of the Houston Ship Channel. While the application describes in the Elevation Certificate on page 28 of Part III that the facility is at 17.3 feet MSL at the processing facility floor, it fails to list the fact that the point measured on the lip of the ramp, where wastes are unloaded, is only 13.88 feet MSL (see figure labeled "MSF Off Load Facility", Page 2 of 3, in Part III). The "service ramp" goes from a lip of 13.88 MSL to a depth of 7.75 MSL. This figure also illustrates a containment water surface of 13.78 feet to a depth of 7.75 feet. The application states that the 100 year flood plain in this area is 12 feet MSL. Rules 30 TAC §§ 301.34 (6) and 330.55 (b)(7)(B) require 3 feet of freeboard above the 100 year flood plain, thus this proposed facility does not comply and should not be issued a permit.

A FIRM rated floodway exists in close proximity to the facility, however Figure 29 is poorly reproduced, and the location of the floodway to this facility is not visible due to the poor reproduction (in violation of 30 TAC §§ 301.33 (b) (1) and 330.51 (f) (1)), and thus compliance with 30 TAC §§ 301.34 and 330.55 (b) (7) (C) is not verifiable. The Elevation Certificate shows a 17.3 feet elevation; however, it should state 13.88 or 7.75 feet elevation to be accurate as to the facilities vulnerable to inundation.

Figure 28 shows various flood stages in detail; however, it does not illustrate the location of the floodway and has two distinctly different and conflicting lines illustrating the 12 feet flood stage and does not illustrate where the facilities lie in relation to the 12 feet elevation line. These conditions are in violation of 30 TAC § 301.33 (b) (2) and thus, compliance with 30 TAC §§ 301.34 (2) and (3) and 330.55 (b) (7) (A) and (B) cannot be determined.

Flood zones in the Houston area have recently been reevaluated with better topographic technology. These are available at: <http://www.tsarp.org>.

We urge the TCEQ to carefully review these flooding issues for compliance and/or require the applicant to provide additional, updated and corrected information to verify compliance with 30 TAC § 330.63 (b) (12) (A) and 30 TAC 301, Subchapter C incorporated by reference, and 30 TAC § 330.55(b) (7).

More importantly, due to the close proximity of this proposed facility to major bodies of surface water and the fact that the proposed facility will not meet the freeboard requirements of 30 TAC § 301.34 (6) and 30 TAC § 330.55 (b)(7)(B), HCPHES feels that this proposed facility will neither provide adequate flood protection, nor provide adequate buffer for protection of adjacent surface water.

Assuming arguendo that the Executive Director recommends granting this permit application, HCPHES submits the following comments and proposed changes to the application and the draft permit:

**Permit Application:** In addition to the technical issues raised above, a number of other issues were observed in this application that would render a permit issued (with this application incorporated by reference) as unenforceable. Failure to resolve these issues will lead to confusion on the part of the facility operator regarding compliance with the permit and applicable rules and also creates difficulty for regulatory agencies in determining compliance.

The application indicates confusion on where the treated effluent for this facility will be discharged for further treatment. Figure 16 shows discharge to the Gulf Coast Waste Disposal Authority and does not indicate the discharge to the City of Pasadena. However, other portions of the application (primarily in Part III, Site Development Plan, a specific example being Figure 32) discuss that portions of the treated effluent will be discharged to the City of Pasadena and that some portions of the treated effluent will be reused in the industrial solid waste portion of this facility which then discharges to the Gulf Coast Waste Disposal Authority. Should this permit be issued, the applicant needs to clarify all the locations that the treated effluent from this facility will be discharged to.

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30 TAC § 330.243 (a) requires daily sweeping and twice weekly wash down of Type V facilities. Due to the liquid nature of the wastes processed by this facility, daily sweeping would have limited sanitation effect on vectors and odors. We recommend that this facility be required to conduct daily wash down of the portions of the facility that come in contact with waste, primarily the unloading ramp and receiving pit.

In Part IV, Site Operating Plan (SOP), some of the confusion observed in Part III continues. Under General Operation is a statement that there will be periodic removal of excess solids for final disposal and/or recycling, yet no detail is provided as to what condition will trigger this removal. Also in this section, is a reference to wash down; however, no frequency is listed until much later in the SOP, at page

14a, where it is specified that daily wash down will occur for vector control. Also in this Part IV, is a discussion of truck washing in the off loading area while Figure 31 shows a "Wash Out Enclosed Building" at a location that is not the unloading ramp. This inconsistency and lack of detail will make it difficult for operating personnel to understand what is expected of them relative to the permit and it creates difficulty for regulatory agencies in determining compliance. Changes to the SOP are necessary to ensure that the SOP is enforceable.

As TCEQ is aware, HCPHES also has the statutory authority to ensure compliance with state laws and rules, and as such, a complete application should be required to be submitted to HCPHES for review. The applicant through its representative, Mr. Bill Shafer, was contacted on several dates in January, 2007 for a copy of the application; however, none was provided. In this case, should a permit be issued for this proposed facility, the TCEQ should require the permittee to provide HCPHES with a copy of corrected portions of Part III, Site Development Plan and Part IV, Site Operating Plan for use in verifying compliance of this facility.

In conclusion, the large numbers of deficiencies in the application make it difficult to determine compliance with the TCEQ's rules and a permit issued with these application representations.

**Draft Permit:** Since the effluent discharge goes to both the City of Pasadena and the Gulf Coast Waste Disposal Authority, Special Provision A should be modified to add that the facility will abide with agreements with the Gulf Coast Waste Disposal Authority regarding the effluent from this facility.

Special Provision C requires that the storm water sump, located at the site entrance, be closed at all times. Since this underground facility is to be closed and rendered unusable and any use would probably constitute an unauthorized discharge of contaminated water, we recommend that this underground facility be permanently removed from service either by removal or by permanent plugging. Additionally, the Water Code violation referenced above, that this agency has forwarded to the Harris County District Attorney, resulted from a discharge from this underground facility. During the observation of this discharge, our investigators were informed that the valve was closed; however, it had an apparent failure.

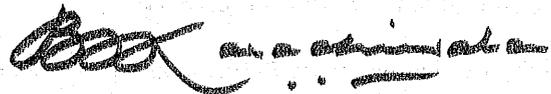
As discussed above, due to the nature of this facility, daily washing of the portions of this facility that come in contact with waste should be performed. Thus, we propose that Special Provision F be added to read: "There shall be daily washing of all surfaces that come in contact with waste to minimize vectors and odors from this facility. This washing shall be at the end of each operational day, after all wastes for the day have been received, and the resulting wash waters shall be treated in the same manner as municipal solid wastes received at this facility."

Due to the proximity of surface waters to this facility and the possibility of spills impacting these areas, we propose that an additional Special Provision G be added to read: "All unloading of waste shall be on impervious surfaces that drain by gravity to the unloading ramp and receiving pit. All hose connections to vehicles transferring waste, or reclaimed oil and grease, shall be made on the unloading ramp or over impervious surfaces that drain by gravity to the unloading ramp and receiving pit."

Harris County Environmental Public Health Comments  
US Oil Recovery, LP, MSW Permit Application 2336  
February 23, 2007  
Page 8

Thank you again for the opportunity to submit these comments. Should you or other TCEQ staff have questions, please contact Steve Hupp, Solid Waste Specialist, Environmental Public Health Division at 713-740-8725 or by email at: [shupp@hcphe.org](mailto:shupp@hcphe.org).

Sincerely,



B.Z. Karachiwala, Director  
Environmental Public Health Division

cc: Bill Shafer – US Oil Recovery, LP  
Snehal Patel – Harris County Attorney’s Office  
Roger Haseman – Harris County District Attorney’s Office  
Gail Miller - Harris County Commissioner Precinct 2 Office  
Jodena N. Henneke – TCEQ – Office of Public Assistance  
Richard Carmichael – TCEQ – Permits Division  
Jeff Holderread - TCEQ- Permits Division  
Eric Beller – TCEQ- Permits Division  
Sarah Metzger - City of Pasadena  
Cheryl Mergo – Houston–Galveston Area Council

ID.No: 10291 Name: US Oil Recovery, LP

Permit No.	Outfall	Storm Water	Offense Date	Offense Time	Notice Date	Reply Date
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Violation

		YES	12/21/2005	11:20 AM	12/21/2005	
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TWC 26.121

		NO	2/9/2005	9:17 AM	3/2/2005	4/19/2005
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30 TAC, Sections 116.110(a)

Violation Notice Information

CLEAR	PREVIEW	PRINT	EXIT
F5	ALT+R	F4	F3



MSW  
48734

X-copy

OPA

FEB 26 2007

BY BM

Harris County  
**HCPHES**  
Public Health & Environmental Services

Herminia Palacio, M.D., M.P.H.  
Executive Director  
2223 West Loop South  
Houston, Texas 77027  
Tele: (713) 439-6000  
Fax: (713) 439-6080

B. Z. (Bud) Karachiwala, M.S., M.B.A.  
Division Director  
Environmental Public Health  
107 N. Munger  
Pasadena, TX 77506  
Tele: (713) 740-8703  
Fax: (713) 477-8963

February 23, 2007

Ms. LaDonna Castañuela, Chief Clerk  
Office of the Chief Clerk, MC 105  
Texas Commission on Environmental Quality  
P.O. Box 13087  
Austin, TX 78711-3087

OPA  
FEB 26 2007

Fax: 512-239-3311

Subject: US Oil Recovery, LP, MSW Permit Application 2336

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY  
2007 FEB 25 AM 11:48  
CHIEF CLERKS OFFICE

Dear Ms. Castañuela,

Thank you for the opportunity to submit comments on the US Oil Recovery, LP Type V GG municipal solid waste facility permit application; MSW 2336. Harris County Public Health and Environmental Services (HCPHES) has conducted a detailed review of the technically complete application dated 1/23/07, as found in the Pasadena Public Library, and we submit the following comments for your consideration.

HCPHES recommends that this permit application be denied based on poor environmental compliance history of the currently registered operation; and proximity to flood zones and surface water. In addition, HCPHES has serious concerns with an application containing inconsistencies, at least one misrepresentation, lack of specificity, contradictory statements and exhibits that are poorly reproduced, and unenforceable provisions.

**Compliance History:** In the compliance history, prepared by Bobbie Rogans of the TCEQ from September 1, 2001 to December 1, 2006, are 4 occasions of unauthorized discharges along with numerous reporting violations. The May 31, 2006 unauthorized discharge violation was directly referred by TCEQ Region 12 for enforcement and is progressing toward the drafting of an Administrative Order by the TCEQ (TCEQ Case Number 31643 and Docket Number 2006-1959-WQ-E). Please note that HCPHES has cited the applicant for two additional environmental rule violations at this facility that are not listed in the TCEQ compliance history. The HCPHES violations are summarized in the attached table and details are available on request. Of concern is that the Texas Water Code violation for an unauthorized discharge listed in the attachment is directly related to the operation proposed to be covered by the subject permitting action. This Texas Water Code violation has been referred to the Harris County District Attorney's Office for criminal prosecution. We urge the TCEQ to carefully consider the last five years of

MSW

compliance history of this facility, including the compliance history compiled by HCPHES. We believe that the past poor compliance record of this applicant raises serious concerns about the applicant's ability to comply and thus a permit should not be issued.

**Proximity to Flood Zones and Surface Water:** As illustrated in several places of this permit application, this facility is within the 100-year flood plain and within 200 feet of the confluence of Vince and Little Vince Bayous, and also within a half mile of the Houston Ship Channel. While the application describes in the Elevation Certificate on page 28 of Part III that the facility is at 17.3 feet MSL at the processing facility floor, it fails to list the fact that the point measured on the lip of the ramp, where wastes are unloaded, is only 13.88 feet MSL (see figure labeled "MSF Off Load Facility", Page 2 of 3, in Part III). The "service ramp" goes from a lip of 13.88 MSL to a depth of 7.75 MSL. This figure also illustrates a containment water surface of 13.78 feet to a depth of 7.75 feet. The application states that the 100 year flood plain in this area is 12 feet MSL. Rules 30 TAC §§ 301.34 (6) and 330.55 (b)(7)(B) require 3 feet of freeboard above the 100 year flood plain, thus this proposed facility does not comply and should not be issued a permit.

A FIRM rated floodway exists in close proximity to the facility, however Figure 29 is poorly reproduced, and the location of the floodway to this facility is not visible due to the poor reproduction (in violation of 30 TAC §§ 301.33 (b) (1) and 330.51 (f) (1)), and thus compliance with 30 TAC §§ 301.34 and 330.55 (b) (7) (C) is not verifiable. The Elevation Certificate shows a 17.3 feet elevation; however, it should state 13.88 or 7.75 feet elevation to be accurate as to the facilities vulnerable to inundation.

Figure 28 shows various flood stages in detail; however, it does not illustrate the location of the floodway and has two distinctly different and conflicting lines illustrating the 12 feet flood stage and does not illustrate where the facilities lie in relation to the 12 feet elevation line. These conditions are in violation of 30 TAC § 301.33 (b) (2) and thus, compliance with 30 TAC §§ 301.34 (2) and (3) and 330.55 (b) (7) (A) and (B) cannot be determined.

Flood zones in the Houston area have recently been reevaluated with better topographic technology. These are available at: <http://www.tsarp.org>.

We urge the TCEQ to carefully review these flooding issues for compliance and/or require the applicant to provide additional, updated and corrected information to verify compliance with 30 TAC § 330.63 (b) (12) (A) and 30 TAC 301, Subchapter C incorporated by reference, and 30 TAC § 330.55(b) (7).

More importantly, due to the close proximity of this proposed facility to major bodies of surface water and the fact that the proposed facility will not meet the freeboard requirements of 30 TAC § 301.34 (6) and 30 TAC § 330.55 (b)(7)(B), HCPHES feels that this proposed facility will neither provide adequate flood protection, nor provide adequate buffer for protection of adjacent surface water.

Assuming arguendo that the Executive Director recommends granting this permit application, HCPHES submits the following comments and proposed changes to the application and the draft permit:

**Permit Application:** In addition to the technical issues raised above, a number of other issues were observed in this application that would render a permit issued (with this application incorporated by reference) as unenforceable. Failure to resolve these issues will lead to confusion on the part of the facility operator regarding compliance with the permit and applicable rules and also creates difficulty for regulatory agencies in determining compliance.

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14a, where it is specified that daily wash down will occur for vector control. Also in this Part IV, is a discussion of truck washing in the off loading area while Figure 31 shows a "Wash Out Enclosed Building" at a location that is not the unloading ramp. This inconsistency and lack of detail will make it difficult for operating personnel to understand what is expected of them relative to the permit and it creates difficulty for regulatory agencies in determining compliance. Changes to the SOP are necessary to ensure that the SOP is enforceable.

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**Draft Permit:** Since the effluent discharge goes to both the City of Pasadena and the Gulf Coast Waste Disposal Authority, Special Provision A should be modified to add that the facility will abide with agreements with the Gulf Coast Waste Disposal Authority regarding the effluent from this facility.

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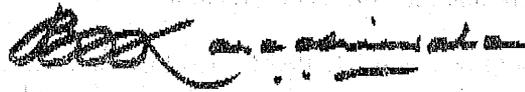
As discussed above, due to the nature of this facility, daily washing of the portions of this facility that come in contact with waste should be performed. Thus, we propose that Special Provision F be added to read: "There shall be daily washing of all surfaces that come in contact with waste to minimize vectors and odors from this facility. This washing shall be at the end of each operational day, after all wastes for the day have been received, and the resulting wash waters shall be treated in the same manner as municipal solid wastes received at this facility."

Due to the proximity of surface waters to this facility and the possibility of spills impacting these areas, we propose that an additional Special Provision G be added to read: "All unloading of waste shall be on impervious surfaces that drain by gravity to the unloading ramp and receiving pit. All hose connections to vehicles transferring waste, or reclaimed oil and grease, shall be made on the unloading ramp or over impervious surfaces that drain by gravity to the unloading ramp and receiving pit."

Harris County Environmental Public Health Comments  
US Oil Recovery, LP, MSW Permit Application 2336  
February 23, 2007  
Page 8

Thank you again for the opportunity to submit these comments. Should you or other TCEQ staff have questions, please contact Steve Hupp, Solid Waste Specialist, Environmental Public Health Division at 713-740-8725 or by email at: [shupp@hcphe.org](mailto:shupp@hcphe.org).

Sincerely,



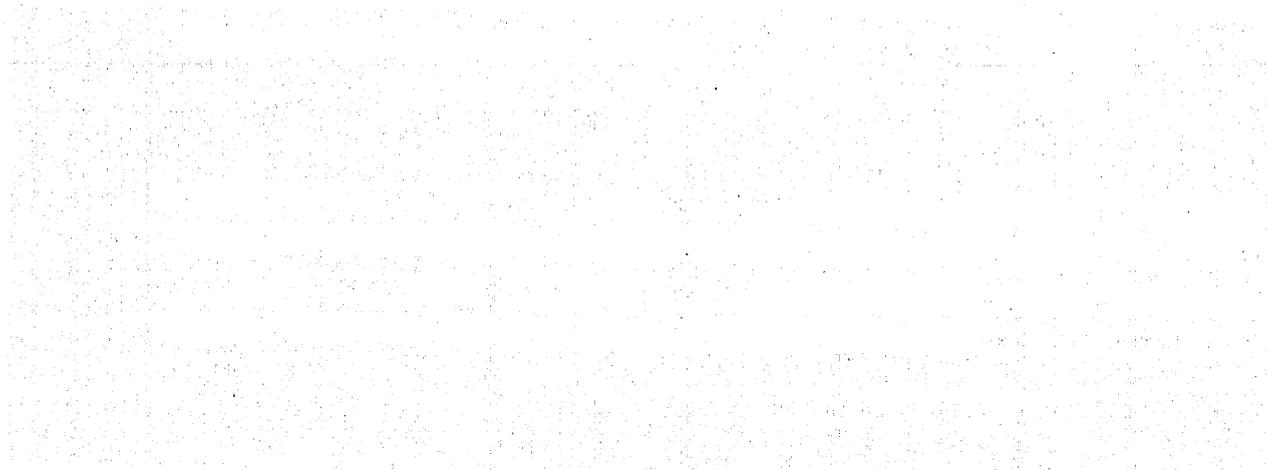
B.Z. Karachiwala, Director  
Environmental Public Health Division

cc: Bill Shafer – US Oil Recovery, LP  
Snehal Patel – Harris County Attorney's Office  
Roger Haseman – Harris County District Attorney's Office  
Gail Miller - Harris County Commissioner Precinct 2 Office  
Jodena N. Henneke – TCEQ – Office of Public Assistance  
Richard Carmichael – TCEQ – Permits Division  
Jeff Holderread - TCEQ- Permits Division  
Eric Beller – TCEQ- Permits Division  
Sarah Metzger - City of Pasadena  
Cheryl Mergo – Houston-Galveston Area Council

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ID No.	10291	Name:	US Oil Recovery, LP			
Permit No.	Outfall	Storm Water	Offense Date	Offense Time	Notice Date	Reply Date
Violation						
		YES	12/21/2005	11:20 AM	12/21/2005	
TWC 26.121						
		NO	2/9/2005	9:17 AM	3/2/2005	2/11/2005
30 TAC, Sections 116.110(a)						
Violation Notice Information			<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> OPEN <input type="checkbox"/> CLOSED <input type="checkbox"/> REPAIR <input type="checkbox"/> PREVENT <input type="checkbox"/> OPEN <input type="checkbox"/> CLOSED <input type="checkbox"/> E5 <input type="checkbox"/> ALTER <input type="checkbox"/> E5 <input type="checkbox"/> E5			



MSW  
48734

Harris County

# HCPHES

Public Health & Environmental Services

OFA

FEB 26 2007

BY JM

Hermanis Pulido, M.D., M.P.H.  
Executive Director  
2223 West Loop South  
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B. Z. (Bud) Karachewski, M.S., M.B.A.  
Division Director  
Environmental Public Health  
107 N. Munger  
Pasadena, TX 77506  
Tele: (713) 740-8703  
Fax: (713) 477-8953

February 23, 2007

Ms. LaDonna Castañuela, Chief Clerk  
Office of the Chief Clerk, MC 105  
Texas Commission on Environmental Quality  
P.O. Box 13087  
Austin, TX 78711-3087

Fax: 512-239-3311

Subject: US Oil Recovery, LP, MSW Permit Application 2336

Dear Ms. Castañuela,

Thank you for the opportunity to submit comments on the US Oil Recovery, LP Type V GG municipal solid waste facility permit application; MSW 2336. Harris County Public Health and Environmental Services (HCPHES) has conducted a detailed review of the technically complete application dated 1/23/07, as found in the Pasadena Public Library, and we submit the following comments for your consideration.

HCPHES recommends that this permit application be denied based on poor environmental compliance history of the currently registered operation; and proximity to flood zones and surface water. In addition, HCPHES has serious concerns with an application containing inconsistencies, at least one misrepresentation, lack of specificity, contradictory statements and exhibits that are poorly reproduced, and unenforceable provisions.

**Compliance History:** In the compliance history, prepared by Bobbie Rogans of the TCEQ from September 1, 2001 to December 1, 2006, are 4 occasions of unauthorized discharges along with numerous reporting violations. The May 31, 2006 unauthorized discharge violation was directly referred by TCEQ Region 12 for enforcement and is progressing toward the drafting of an Administrative Order by the TCEQ (TCEQ Case Number 31643 and Docket Number 2006-1959-WQ-E). Please note that HCPHES has cited the applicant for two additional environmental rule violations at this facility that are not listed in the TCEQ compliance history. The HCPHES violations are summarized in the attached table and details are available on request. Of concern is that the Texas Water Code violation for an unauthorized discharge listed in the attachment is directly related to the operation proposed to be covered by the subject permitting action. This Texas Water Code violation has been referred to the Harris County District Attorney's Office for criminal prosecution. We urge the TCEQ to carefully consider the last five years of

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FEB 23 2007 10:06  
CHIEF CLERK'S OFFICE

compliance history of this facility, including the compliance history compiled by HCPHES. We believe that the past poor compliance record of this applicant raises serious concerns about the applicant's ability to comply and thus a permit should not be issued.

Proximity to Flood Zones and Surface Water: As illustrated in several places of this permit application, this facility is within the 100-year flood plain and within 200 feet of the confluence of Vince and Little Vince Bayous, and also within a half mile of the Houston Ship Channel. While the application describes in the Elevation Certificate on page 28 of Part III that the facility is at 17.3 feet MSL at the processing facility floor, it fails to list the fact that the point measured on the lip of the ramp, where wastes are unloaded, is only 13.88 feet MSL (see figure labeled "MSF Off Load Facility", Page 2 of 3, in Part III). The "service ramp" goes from a lip of 13.88 MSL to a depth of 7.75 MSL. This figure also illustrates a containment water surface of 13.78 feet to a depth of 7.75 feet. The application states that the 100 year flood plain in this area is 12 feet MSL. Rules 30 TAC §§ 301.34 (6) and 330.55 (b)(7)(B) require 3 feet of freeboard above the 100 year flood plain, thus this proposed facility does not comply and should not be issued a permit.

A FIRM rated floodway exists in close proximity to the facility, however Figure 29 is poorly reproduced, and the location of the floodway to this facility is not visible due to the poor reproduction (in violation of 30 TAC §§ 301.33 (b) (1) and 330.51 (f) (1)), and thus compliance with 30 TAC §§ 301.34 and 330.55 (b) (7) (C) is not verifiable. The Elevation Certificate shows a 17.3 feet elevation; however, it should state 13.88 or 7.75 feet elevation to be accurate as to the facilities vulnerable to inundation.

Figure 28 shows various flood stages in detail; however, it does not illustrate the location of the floodway and has two distinctly different and conflicting lines illustrating the 12 feet flood stage and does not illustrate where the facilities lie in relation to the 12 feet elevation line. These conditions are in violation of 30 TAC § 301.33 (b) (2) and thus, compliance with 30 TAC §§ 301.34 (2) and (3) and 330.55 (b) (7) (A) and (B) cannot be determined.

Flood zones in the Houston area have recently been reevaluated with better topographic technology. These are available at: <http://www.tsarp.org>.

We urge the TCEQ to carefully review these flooding issues for compliance and/or require the applicant to provide additional, updated and corrected information to verify compliance with 30 TAC § 330.63 (b) (12) (A) and 30 TAC 301, Subchapter C incorporated by reference, and 30 TAC § 330.55(b) (7).

More importantly, due to the close proximity of this proposed facility to major bodies of surface water and the fact that the proposed facility will not meet the freeboard requirements of 30 TAC § 301.34 (6) and 30 TAC § 330.55 (b)(7)(B), HCPHES feels that this proposed facility will neither provide adequate flood protection, nor provide adequate buffer for protection of adjacent surface water.

Assuming arguendo that the Executive Director recommends granting this permit application, HCPHES submits the following comments and proposed changes to the application and the draft permit:

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**Permit Application:** In addition to the technical issues raised above, a number of other issues were observed in this application that would render a permit issued (with this application incorporated by reference) as unenforceable. Failure to resolve these issues will lead to confusion on the part of the facility operator regarding compliance with the permit and applicable rules and also creates difficulty for regulatory agencies in determining compliance.

The application indicates confusion on where the treated effluent for this facility will be discharged for further treatment. Figure 16 shows discharge to the Gulf Coast Waste Disposal Authority and does not indicate the discharge to the City of Pasadena. However, other portions of the application (primarily in Part III, Site Development Plan, a specific example being Figure 32) discuss that portions of the treated effluent will be discharged to the City of Pasadena and that some portions of the treated effluent will be reused in the industrial solid waste portion of this facility which then discharges to the Gulf Coast Waste Disposal Authority. Should this permit be issued, the applicant needs to clarify all the locations that the treated effluent from this facility will be discharged to.

The Fault Map, on the page following page 17 of Part II, cannot be read in the copy available at the City of Pasadena Library to determine whether faults may, or may not, exist near this location. This illegibility is not in conformance with 30 TAC § 330.51 (f) (1) and makes it difficult to verify compliance with 30 TAC § 330.303 (b).

The Flood Insurance Rate Map, Figure 29, is also illegible to the point that the floodway of Vince Bayou in the vicinity of this proposed facility is not visible in the copy available at the City of Pasadena Library. Other copies of the base map available elsewhere at the City of Pasadena Library (not in this application) indicate that the floodway crosses or is in close proximity to the proposed facility. This illegibility is not in conformance with 30 TAC § 330.51 (f) (1).

The Flood Profiles, Figure 23, is poorly reproduced to the point that the symbols cannot be distinguished from each other. This illegibility is not in conformance with 30 TAC § 330.51 (f) (1).

Figure 31 in Part III, shows an unloading pit and a wash out area in separate locations and separated by many feet. The concern is that once unloaded, a dirty vehicle would have to relocate to the wash out area several feet away. (The distance between these facilities is not ascertainable in this drawing due to a lack of a bar scale. This lack of a bar scale is not in conformance with 30 TAC § 330.51 (f) (4) (B)). Due to this separation, the vehicle would have to traverse portions of the receiving area, which drain to the storm water collection system, before relocating in the clean out area. During this relocation of the unloaded and dirty vehicle, waste remaining on the vehicle could fall off, or be tracked onto the surface that drains to the storm water collection system. Additionally, the wash out area is labeled in other drawings (Figures 38, 39 and 40) as the "Yellow Grease Enclosed Building", and not identified as the wash out area. To prevent loss of waste to the storm water system, we propose that all wash outs either be performed on the unloading ramp and the resulting wash water flow by gravity to the receiving pit, or the facility be modified to collect and treat any runoff falling on the area traversed by an unloaded, dirty vehicle moving from the unloading ramp to the wash out area.

The application mentions that the four process tanks used to process the waste are vented to what is called the "Odor Control System". No details on this facility are given to evaluate the adequacy of such an odor abatement device to address emissions from this facility. The applicant needs to provide details on this "Odor Control System".

One of the steps in this facility's proposed process is to separate grit from the incoming municipal solid waste streams. The location for containing this separated grit is not illustrated, and specifications of the container and storage facilities are not provided to assure that any possible liquids or spills are properly contained.

In the process description, waste solids will be "periodically sampled" for TCLP, total hydrocarbon, Pathogen Reduction Qualification and Vector Attraction Qualification. The frequency of this sampling and analyses is not specified in the application. We urge the TCEQ to require this sampling to be performed at least quarterly to assure the prevention of unauthorized waste receipt at the receiving landfill. Additionally, the specification of these analyses is not stated. Failure to provide these details makes it difficult for the facility to comply and also creates difficulty for regulatory agencies in determining compliance.

A statement handwritten on the Site Plan, Figure 32, is that industrial and municipal solid wastes are segregated and not commingled. This is inconsistent with statements elsewhere (i.e. Page 9 of Part III) that some of the treated water from the proposed municipal solid waste facility will be reused in the industrial solid waste process. This inconsistency needs to be corrected.

On page 9 of Part III is a statement that: "In the event recycling goals cannot be met, the oil and sludge will be taken by box load to the landfill". Receipt of such waste at a landfill would require solidification, either at the proposed site or at the landfill, to the point that the waste would pass the paint filter test. Depending on where the solidification occurred, use of a "box" may be inappropriate to prevent loss in transport. The applicant needs to clarify this statement to correct these issues of solidification and prevent loss during transport.

Another statement on page 9 of Part III is: "Other waste streams handled at the facility will also be recycled material for beneficial use." These other waste streams are not specified and this statement raises concern about the proper handling of all portions of the waste stream(s) received by this facility. The applicant needs to specify all waste streams and the proper management of each.

On pages 10 and 11 of Part III, references are made related to odor control, as to a covered receiving pit and to "enclosed equipment with a carbon odor control system". There is a lack of detail on these odor control facilities that makes it difficult to evaluate the adequacy of such facilities to control odors. The applicant needs to provide more detail on all odor control facilities.

A statement on page 12 of Part III states that trash is: "stored in a conventional 20 cubic yard dumpster style box..." The largest dumpster style container serviced by front-end loader truck in our observation is 10 cubic yards. The applicant needs to verify this and change the application if necessary.

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On page 13 of Part III are representations that there will be annual sampling of solids for total benzene, total lead, and petroleum hydrocarbon. Considering the highly industrial nature of the area served by this facility and together with the greater possibility of a wide range of contaminants, we propose that this sampling be conducted quarterly and the analyses be expanded to total benzene, toluene, ethyl benzene and xylenes (BTEX), all heavy metals – total, and total petroleum hydrocarbon as per the current USEPA accepted methods applicable to solid wastes.

Also on page 13 of Part III are representations that the wastewater discharge will be tested “periodically” for fats, oil and grease, TPH, BOD (5 day) and TSS. Draft permit special provision B proposes that daily oil and grease and TPH analyses be obtained. We propose that BOD (5 day) and TSS also be required as daily tests on every day that a discharge occurs to either the City of Pasadena or the Gulf Coast Waste Disposal Authority. Additionally, analytical method references need to be provided for each parameter. Additionally, considering the highly industrial nature of the area served by this facility and together with the greater possibility of a wide range of contaminants, we propose that the effluent be tested on a monthly basis for speciation of the organics present by means of a GC/MS. The sample should be taken as a daily composite sample on a randomly selected 24-hour period.

On page 16 of Part III is a discussion of analytical requirements for first time transporters. Considering the highly industrial nature of the area served by this facility and together with the greater possibility of a wide range of contaminants, BTEX and total heavy metals should be added to this list and samples of all transporters should be obtained on a random basis at least once per year. Again, the analytical methods should be specified.

On page 17 of Part III is a discussion of daily checks including randomly administered tests. This discussion fails to include frequency of specific test parameters of what portion of the process or incoming wastes will be checked. The application needs to include this information.

Beginning on page 18 of Part III is a discussion of pretreatment sampling procedures. There is discussion about the use of sampling jars; however, specific analytical tests require specific sampling containers and may require preservatives to satisfy USEPA analytical procedures. Adherence to these requirements should be demonstrated in this part of the permit application. Also in this section, is a discussion that the sample will be stored and labeled as described in a previous section. This storage and labeling is not previously discussed in this application. Additionally, there is general discussion of analytical testing to be performed as a part of each truck load acceptance. Specific tests and referenced methods need to be added to guide the proper sampling and on-site analyses of each waste load and assure compliance. A brief discussion adds that samples will be taken every 60 days, yet the discussion fails to specify parameters to be sampled and analyzed for. The applicant needs to correct these deficiencies.

On Page 20 of Part III is a discussion of on-site analytical equipment. It indicates that colorimetric sample tubes will be used to detect solvents. Considering the highly industrial nature of the area served by this facility and together with the greater possibility of a wide range of contaminants, we recommend that either flame ionization detector and/or photo ionization detector technology be employed to screen for the presence of organic solvents in incoming waste loads. Quality control at the waste acceptance stage is very important in preventing environmental problems which can occur after the waste is accepted

into the treatment process and discharged to associated treatment facilities for ultimate release to surface waters. We urge the TCEQ to carefully evaluate the needs of the on-site lab and assure that proper analytical equipment is available and that personnel will be properly trained to adequately screen incoming waste loads.

On page 24 of Part III are instructions on decontamination of sampling equipment. The sequence fails to list a rinse cycle following the use of detergent solution and needs to be included.

Figure 31 is confusing. It identifies numerous facilities by letter and number, yet does not show identification for numerous facilities represented in other drawings as associated with the municipal solid waste facility. This figure also does not identify the discharge to the City of Pasadena but it does identify the sample point and pipeline to the Gulf Coast Waste Disposal Authority. A corrected Figure 31 needs to be submitted.

In the Site Plan, Figure 32, is a representation about the off loading location that is inconsistent with other figures. Figures 38, 39 and 40, and the figure labeled "MSF Offloading Facility; page 1 of 3" show a different arrangement of off loading facilities than Figure 32. The applicant needs to correct these figures to properly represent the location planned for the off loading facility.

Figure 34 does not show waste water discharge, or the industrial process reuse, and needs to be included.

Figure 37 shows a flow not otherwise discussed in this application: it is described as Class I and II. This needs to be corrected.

On the figure titled: "Facility Site Plan Details" in Attachment 1 to Part III, are handwritten labels that are illegible. This is not in conformance with 30 TAC § 330.51 (f) (1). Additionally, this drawing is inconsistent with the design illustrated in Figures 38, 39 and 40.

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Harris County Environmental Public Health Comments  
US Oil Recovery, LP, MSW Permit Application 2336  
February 23, 2007  
Page 8

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Sincerely,



B.Z. Karachiwala, Director  
Environmental Public Health Division

cc: Bill Shafer – US Oil Recovery, LP  
Snehal Patel – Harris County Attorney's Office  
Roger Haseman – Harris County District Attorney's Office  
Gail Miller - Harris County Commissioner Precinct 2 Office  
Jodena N. Henneke – TCEQ – Office of Public Assistance  
Richard Carmichael – TCEQ – Permits Division  
Jeff Holderread - TCEQ- Permits Division  
Eric Beller – TCEQ- Permits Division  
Sarah Metzger - City of Pasadena  
Cheryl Mergo – Houston-Galveston Area Council

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10291	US Oil Recovery, LP				
Permit No.	01741				
Violation	TWC 25.121				
	YES	12/21/2005	11:20 AM	12/21/2005	
	NO	2/9/2005	9:17 AM	3/2/2005	4/19/2005
30 TAC, Sections 116.110(a)					
Violation Notice Information			<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> YES <input type="checkbox"/> NO		





# TCEQ Public Meeting Form

Tuesday, June 6, 2006

U.S. Oil Recovery, L.P.  
Proposed MSW Registration No. 43020  
&  
Proposed MSW Permit No. 2336

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY  
2006 JUN -7 PM 3:41  
CHIEF CLERKS OFFICE

PLEASE PRINT:

Name: DAN NOYES  
Address: 1709 Crestdale  
City/State: Houston Zip: 77080  
Phone: 713 1827 8678

Please add me to the mailing list.

Are you here today representing a municipality, legislator, agency, or group?  Yes  No

If yes, which one? \_\_\_\_\_

IF YOU WANT TO GIVE FORMAL COMMENT PLEASE ✓ BELOW

- I wish to provide formal oral comments on:
  - MSW Registration No. 43020 *Spoke 3*
  - MSW Permit No. 2336 *Spoke 3*

- I wish to provide formal written comments at tonight's public meeting on:
  - MSW Registration No. 43020 *Spoke 3*
  - MSW Permit No. 2336

*did not submit*

Please give this to the person at the information table. Thank you.

*dl*

5

TCEQ Public Participation Form  
U.S. Oil Recovery, L.P.  
Public Meeting  
Municipal Solid Waste Permit No. 2336  
Tuesday, November 8, 2005

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

2005 NOV 10 PM 1:33

CHIEF CLERKS OFFICE

PLEASE PRINT:

Name: DAN Noyes  
Address: 3737 Walnut Bend  
City/State: Houston Zip: 77044  
Phone: (713) 784 2005

Please add me to the mailing list.

Are you here today representing a municipality, legislator, agency, or group?  Yes  No

If yes, which one? \_\_\_\_\_

IF YOU WANT TO GIVE FORMAL COMMENT PLEASE ✓BELOW

I wish to provide formal oral comments.

I wish to provide formal written comments at tonight's public meeting.

(Written comments may be submitted any time during the meeting.)

Please give this to the person at the information table. Thank you.

Handwritten mark

Dan Noyes

48734  
msw

In review of the USOR application, I would like to make the following comments:

- 1) The application states that the site is not in the 100 year flood plain when, in fact, The FIRM Map as well as the TSARP map (upon which the 2006 FIRM Update will be based) shows the site is within the 100 flood plain.
- 2) Why don't Runoff, Drainage, or Flooding calculations apply to this application?
- 3) The application has supplied the City of Pasadena POTW with false data, stating a daily throughput of 200,000 gallons per day with less than 2,500 mg/l BOD equating to a total BOD loading of 4,170 lbs /day.
  - a. The historical discharge concentrations from USOR have been 12-25,000 mg/l, and COD concentrations up to 200,000 mg/l. These levels would adversely impact operation of the City of Pasadena's Vince Bayou WWTP which is rated at a maximum daily average flow of 14.0 MGD.
  - b. Vince Bayou at 80% Capacity, which would automatically require an upgrade of the facilities, is 11.2 MGD or, can treat a total organic loading of 19,150 # BOD/Day.
  - c. The USOR facility, as proposed, would consume 22% of the TOTAL CAPACITY.
  - d. The City of Pasadena has not, as required by their Permit, notified the TCEQ of potential significant changes which would be caused by the USOR facility.
  - e. The Facility, based upon average historical data, would 30,024 # BOD/Day, exceeding the TOTAL CAPACITY of the Vince Bayou Facility by 56%!
- 4) There is no agreement with the local flood district or any provision to correct the existing runoff from the site in which waters contaminated with listed contaminants presently discharge directly into Vince Bayou.

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AT PUBLIC MEETING

20

- 5) How will USOR recycle 10% of the total inlet waste stream in the form of oil when these flows historically exhibit a concentration less than 10% and has never been done before?
- 6) Who is Diethelm Rehn? And, where does it show how that the USOR or the owner of the property will be responsible any hazardous waste and its cleanup?
- 7) Who are USOR's lobbyists? And, how do they exert undue influence on the TCEQ?
- 8) Has USOR you paid taxes / tipping fees to the State for waste already illegally disposed of?
- 9) USOR has discharged waters containing Lead, Chrome, and other listed hazardous waste.
  - a. There is no waste stream listed in any of their documents that should possess these wastes.
  - b. The sources of these pollutants need to be screened and identified.
  - c. Other wastes are being taken and mixed with non-hazardous waste stream. There is no assurance of separation of waste streams.
  - d. There is an inadequate screening process which USOR has not, to date followed or, is wholly inadequate for their operations.
- 10) Agents of USOR have signed and notarized affidavits stating that all the facts in USOR's application are true and complete. Historical evidence shows this site, permit, and its illegal operation to be anything but.

Vince Bayou WWTP, Pasadena TX		
SOLIDS BALANCE SHEET		100% FLOW
<b>I.</b>	<b>DATA</b>	
1)	WASTEWATER FLOWRATES	
	AVERAGE FLOW	11.20000 MGD
	PROCESS PEAK FACTOR	1
2)	INFLUENT CHARACTERISTICS	
	BOD	205.00 MG/L
	TSS	205.00 MG/L
3)	SOLIDS CHARACTERISTICS	
	- CONCENTRATION	
	WASTED ACTIVATED SLUDGE	1%
	STABILIZED SLUDGE	3%
	- TOTAL SOLIDS	
	STABILIZED SLUDGE	%
4)	EFFLUENT CHARACTERISTICS	
	BOD	5 MG/L
	TSS	5 MG/L
<b>II.</b>	<b>DAILY MASS VALUES</b>	
	BOD	19148.64 LB/DAY
	TSS	19148.64 LB/DAY
<b>III.</b>	<b>PRELIMINARY TREATMENT</b>	
	- OPERATING PARAMETERS	
	BOD REMOVED	0%
	SS REMOVED	0%
	BOD TO SECONDARY	19148.64 LB/DAY
	SS TO SECONDARY	19148.64 LB/DAY
<b>IV.</b>	<b>SECONDARY PROCESS</b>	
	- OPERATING PARAMETERS	
	MLSS	4500 MG/L
	MLVSS	3375 MG/L
	OBSERVED YIELD $Y_{obs}$	0.19
	- EFFLUENT MASS QUANTITIES	
	BOD	467.04 LB/DAY
	TSS	467.04 LB/DAY
	- EXCESS VOLATILE SOLIDS	
	$P_x(vss)$	3638.2416 LB/DAY
	- NON VOLATILE SS	
	TSS	4787.16 LB/DAY
	- WASTE TO STABILIZATION	
	WAST	7958.3616 LB/DAY
	FLOWRATE	127,232 GAL
	- EFFLUENT	11.072768 MGD

<b>AERATION SYSTEM DESIGN</b>		
<b>Aeration Design / Tank</b>		
<b>Vince Bayou WWTP, Pasadena TX</b>		
DESIGN FLOW	11.200000	MGD
BOD RAW WASTE	205.00 19148.64	mg/l lbs./day
PRELIMINARY TREATMENT (% BOD REMOVAL)	0.00	%
% BOD REMAINING	100.00	%
COEFFICIENTS: ALPHA: RATIO OF OXYGEN TRANSFER IN WASTE TO TRANSFER IN TAP WATER	0.75	Alpha
BETA: RATIO OF SOLUBILITY OF OXYGEN IN May	0.95	Beta
ALTITUDE CORRECTION FACTOR	1.00	
DISSOLVED OXYGEN LEVEL TO BE MAINTAINED IN THE AERATION BASIN	2.00	mg/l
TEMPERATURE OF WASTE IN AERATION BASIN:		
WINTER TEMPERATURE (DEGREES C)	20.00	C
SUMMER TEMPERATURE (DEGREES C)	35.00	C
DESIGN BOD REMOVAL	92.68	%
CARBONACEOUS BOD(5) TO THE AERATION BASIN	19148.64	lbs/day
OXYGEN REQUIRED PER LB. OF CARBONACEOUS BOD REMOVED	2.20	###
CARBONACEOUS OXYGEN REQUIREMENTS FOR THE AERATION BASIN AT FIELD CONDITIONS	39044.54 1626.86	#O2/day #O2/hr
AMMONIA TO AERATION BASIN	20.00 1868.16	mg/l #/day
OXYGEN REQUIRED PER LB. OF AMMONIA	4.60	###
OXYGEN REQUIREMENTS FOR AMMONIA	8593.54 358.06	#O2/day #O2/hr
AOR	47638.08	#O2/day
SUBMERGENCE	9.00	FEET
SUPER SATURATION VALUES		
AT 35 DEGREE	8.21	
AT 20 DEGREE	10.46	
AOR/SOR RATIO		
AT 35 DEGREE	0.68	
AT 20 DEGREE	0.65	
SOR		
AT 35 DEGREE	69796.23	LB O2/DAY
AT 20 DEGREE	72772.30	LBO2/DAY
SOR	2908.18	LB O2/H
EQUIPMENT EFFICIENCY	16.00	%
AERATION REQUIREMENT		
SCFM	17310.57	SCFM

**AERATION BASIN**

Vince Bayou WWTP, Pasadena, TX

<b>DESIGN CRITERIA</b>		
LOADING	35.00	LB BOD/DAY/ 1000 CU.FT.
PROCESS AVG. DESIGN FLOW	1.00	Qavg
TANK HEIGHT	12.00	FT
AVERAGE FLOW	11.200000	MGD
BOD	205.00	mg/l
BOD TO AERATION BASIN	19150.94	LB/DAY
AERATION VOLUME	547169.60	CU. FT
WATER HEIGHT	10.50	FT.
DETENTION TIME	0.37	DAYS
	8.77	HRS



**SOLID/SPECIAL WASTE MANIFEST**  
 CITY OF HOUSTON HEALTH AND HUMAN SERVICES  
 7411 PARK PLACE, RM 109, HOUSTON, TEXAS 77087-6208  
 (713) 640-4399

MANIFEST NO. **53078E**

TRANSPORTERS:  
 Mail The Generator Return (yellow)  
 Copy to the generator within 15 days

**GENERATOR INFORMATION** (To be completed by the GENERATOR)

Company SWING Owner/Manager (Print) ELIZABETH D. CH... Phone 77036  
 Address from which shipment originates \_\_\_\_\_ Zip Code 77036  
 City/TCEQ Registration No. \_\_\_\_\_

**TYPES OF WASTE GENERATED:**

Class B: Sewage sludge  Grease trap \_\_\_\_\_ Other \_\_\_\_\_  
 Class C: Industrial/Nonhazardous \_\_\_\_\_ Grit Trap \_\_\_\_\_ Lint Trap \_\_\_\_\_

CAPACITY of waste facility 735 GAL.

I certify that the information on this manifest is true and accurate. Secure the GENERATOR RETURN (yellow) copy from the Transporter within 15 days of the waste being transported off-site. Retain both the GENERATOR (white) copy and the GENERATOR RETURN (yellow) copy on-site for minimum of five (5) years from the date on the manifest. Falsification of this document is punishable by a fine up to \$20,000.

Owner/Manager Signature \_\_\_\_\_ Date 11/15/03

**TRANSPORTER INFORMATION** (To be completed by the TRANSPORTER) TNRCC # \_\_\_\_\_

Name of Transporter COA Phone # 287-327  
 COH Permit # C 03 COH Truck # 2,500 License # \_\_\_\_\_ GAL  
 Decal letter \_\_\_\_\_ Truck Capacity \_\_\_\_\_ Quantity of waste removed ELZIE HOLMES

Mailing Address US OIL RECOVERY L LC Driver's Name (PRINT) 400 N. RICHEY PASADENA TX. 77506-1061  
 Name of Disposal Site \_\_\_\_\_ Address \_\_\_\_\_

I certify that the above manifest is complete, accurate, and the waste will be delivered to the Secondary Transporter or facility named for proper disposal and treatment. Failure to dispose of the waste properly will result in a fine of \$2,000.00. Failure to submit a complete and accurate TRANSPORTERS (pink) copy of the manifest to the HEALTH DEPT. within 15 days after the end of the preceding month will result in a fine not more than \$2,000.00. Falsification of this document is punishable by a fine up to \$20,000.00. Failure to submit Generator Return Copy within fifteen (15) days of the date on this manifest will result in a fine not more than \$2,000.00.

Driver's Signature \_\_\_\_\_ Date 11/15/03

**SECONDARY TRANSPORTER INFORMATION** (To be completed by the SECONDARY TRANSPORTER)

Company \_\_\_\_\_ COH Permit # \_\_\_\_\_ COH Truck # \_\_\_\_\_  
 Mailing Address \_\_\_\_\_ Driver's Name (PRINT) \_\_\_\_\_

I, SECONDARY TRANSPORTER, certify that the above information is complete and accurate. The waste will be delivered to the named facility for proper treatment and disposal. A complete and accurate TRANSPORTER/SECONDARY TRANSPORTER (pink) copy of the manifest must be submitted to the HEALTH DEPT. within 15 days after the end of the preceding month. Failure to comply with these requirements will result in a fine not to exceed \$2,000.00. Repeat violations will result in the revocation of my SECONDARY TRANSPORTER'S permit.

Driver's Signature \_\_\_\_\_

**DISPOSER INFORMATION** (To be completed by the DISPOSAL SITE OPERATOR)

Company U.S. OIL RECOVERY LLC Owner/Manager (Print) 400 N. RICHEY STREET  
 Disposal Site Location 735 Mailing Address PASADENA, TX 77506-1061  
 QUANTITY of waste received \_\_\_\_\_ 713-473-0013  
MANAGER: LEROY ARCE  
MSW-40202

(I certify that the waste manifested above was transported to this site by the above named transporter/secondary transporter and was accepted by this facility for disposal.)

Owner/Manager Signature \_\_\_\_\_ Date 10/15/03



SOLID/SPECIAL WASTE MANIFEST
CITY OF HOUSTON HEALTH AND HUMAN SERVICES
7411 PARK PLACE, RM 109, HOUSTON, TEXAS 77087-6208
(713) 640-4399

MANIFEST NO. 627229

TRANSPORTERS:
Mail The Generator Return (yellow)
Copy to the generator within 15 days

GENERATOR INFORMATION (To be completed by the GENERATOR)

Company: Ching Doll Rest. Owner/Manager (Print): MVS... Phone: ...
Address from which shipment originates: 5630 Antoine Zip Code: 77091
City/TCEQ Registration No.: 78160
TYPES OF WASTE GENERATED:

Class B: Sewage sludge, Grease trap, Other
Class C: Industrial/Nonhazardous, Grit Trap, Lint Trap

CAPACITY of waste facility: 840 gal

I certify that the information on this manifest is true and accurate. Secure the GENERATOR RETURN (yellow) copy from the transporter within 15 days of the waste being transported off-site.

Owner/Manager Signature: [Signature] Date: 10/17/05

TRANSPORTER INFORMATION (To be completed by the TRANSPORTER) TNRCC # 20453

Name of Transporter Co.: UNIQUE SANITATION INC. Phone #: 261-448-0193
COH Permit #: 206 COH Truck #: 3 License #: 39V-2-V-1
Dacal letter: 5 Truck Capacity: 2,500 Quantity of waste removed: 840 GAL

Mailing Address: 3707 LEMON TREE LN Driver's Name: ELZIE HOLMES

Name of Disposal Site: U.S. OIL Address: 400 N. Richey

I certify that the above manifest is complete, accurate, and the waste will be delivered to the Secondary Transporter or facility named for proper disposal and treatment. Failure to dispose of the waste properly will result in a fine of \$2,000.00.

Driver's Signature: [Signature] Date: 10/17/05

SECONDARY TRANSPORTER INFORMATION (To be completed by the SECONDARY TRANSPORTER)

Company: COH Permit #: COH Truck #:
Mailing Address: Driver's Name:

I, SECONDARY TRANSPORTER, certify that the above information is complete and accurate. The waste will be delivered to the named facility for proper treatment and disposal. A complete and accurate TRANSPORTER/SECONDARY TRANSPORTER (pink) copy of the manifest must be submitted to the HEALTH DEPT. within 15 days after the end of the preceding month.

Driver's Signature: [Signature]

DISPOSER INFORMATION (To be completed by the DISPOSAL SITE OPERATOR)

Company: Owner/Manager (Print):
Disposal Site Location: Mail:
QUANTITY of waste received: 840 gal

I certify that the waste manifested above was transported to this site by the above named transport/secondary transporter and was accepted by this facility for disposal.

Owner/Manager Signature: [Signature] Date: 10/17/05

48734  
MSW

In review of the USOR application, I would like to make the following comments:

2005 NOV 10 PM 3:32

CHIEF CLERKS OFFICE

- 1) The application states that the site is not in the 100 year flood plain when, in fact, The FIRM Map shows that the site is within the 100 flood plain.
- 2) Applicant states that runoff, drainage, or flooding calculations do not apply to this application? Why not?
- 3) The application is inconsistent, stating a daily throughput of 200,000 gallons per day with less than 2,500 mg/l BOD equating to a total BOD loading of 4,170 lbs /day; The historical discharge concentrations from USOR have been 30-40,000 mg/l, BOD, not 2,500 mg/l BOD.
- 4) There is no provision to correct the existing runoff from the site. Contaminated waters presently runoff directly into Vince Bayou.
- 5) How will USOR recycle 10% of the total inlet waste stream in the form of oil when grease trap waste is only 5% fats, oils or grease?
- 6) Who is Diethelm Rehn?
- 7) Who are USOR's lobbyists?
- 8) Has USOR paid taxes / tipping fees to the State for grease and grit waste already disposed at your site without a permit?
- 9) Mr. Genssler, a signed and notarized affidavit states that all the facts in USOR's application are true and complete. You misled the agency about the 100 year flood plain and failed to disclose a terrible compliance history with Gulf Coast Waste Disposal Authority and the City of Pasadena.

DAN NOYES  
Box 800244  
Houston 77280

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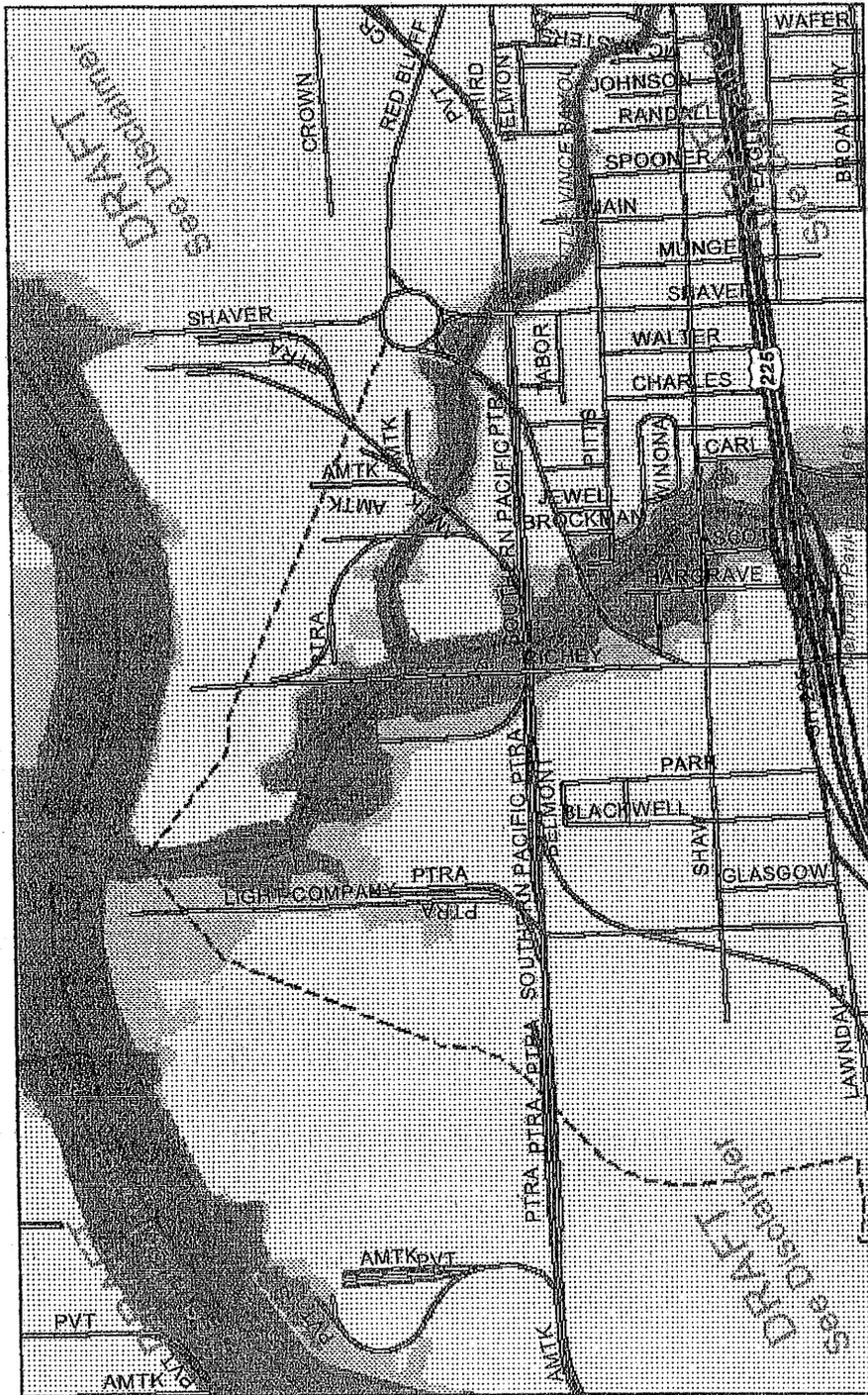
AT PUBLIC MEETING  
to be placed on file  
w/MSW 2336

*[Handwritten signature]*

*[Handwritten mark]*



# Preliminary FEMA Floodplain Map (Custom)



All Elevation Data Based on NAVD 1988 2001 Adjustment.

**Legend**

- Flood Hazard Recovery Data Base Flood Elevation
- ▨ Flood Hazard Recovery Data Floodway
- ▨ Flood Hazard Recovery Data 500 YR
- ▨ Flood Hazard Recovery Data 0.2% Floodplains
- ▨ Flood Hazard Recovery Data 1% Floodplains
- ▨ Coastal Floodplains (100 YR / Zone VE)
- ▬ Streets/Railroads
- ▬ Zip Code Boundaries
- ▬ Current Floodway Floodplains
- ▬ Current 4% Floodplains (100 YR)
- ▬ Current 0.2% Floodplains (500 YR)
- ▬ Basemap: Highways
- ▬ 10' contours
- ▬ 2' contours
- ▬ City Boundaries
- ▬ Watershed Boundaries
- ▬ FIRM Panel
- ▬ Parks
- ▬ Appeal/Protest Locations

**Disclaimer:**  
 This is not an official FEMA Preliminary Flood Insurance Rate Map (FIRM). To view and download the official FEMA Preliminary FIRM you must go to the FEMA Preliminary FIRM Locator. Preliminary FIRMs must go through a public review and appeals period before they become effective. They will not affect insurance costs or requirements until they become effective, expected to be in mid 2006. This information is being made available to the public to assist in making informed decisions about flooding risks. The Harris County Flood Control District has supplied this data. No express warranties are made by HCFCDD concerning the accuracy, completeness, fitness, reliability, usability, or suitability of the data for any purpose. HCFCDD shall not be liable for incorrect results or damages resulting directly or indirectly from the use of the data. HCFCDD shall have no duty to update the data, even if it should become aware of inaccuracies in the data. The user assumes all risks associated with the use of the data.

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AT PUBLIC MEETING

NAAI 11/15/05





TCEQ Public Meeting Form  
Tuesday, June 6, 2006

U.S. Oil Recovery, L.P.  
Proposed MSW Registration No. 43020  
&  
Proposed MSW Permit No. 2336

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY  
7:01 JUN -7 PM 3:41  
CHIEF CLERKS OFFICE

PLEASE PRINT:

Name: GWEN SCARBOROUGH  
Address: 15018 SOUTH DRIVE  
City/State: CHANNING, TX Zip: 77530  
Phone: (281) 452-4500

Please add me to the mailing list.

Are you here today representing a municipality, legislator, agency, or group?  Yes  No

If yes, which one? \_\_\_\_\_

IF YOU WANT TO GIVE FORMAL COMMENT PLEASE ✓ BELOW

— I wish to provide formal oral comments on:

- MSW Registration No. 43020 *spoke 4*  
 MSW Permit No. 2336 *spoke 4*

— I wish to provide formal written comments at tonight's public meeting on:

- MSW Registration No. 43020  
 MSW Permit No. 2336

Please give this to the person at the information table. Thank you.





**Aqua-Zyme Services, Inc.**

P. O. Box 800  
Van Vleck, Texas 77482

Eric Bellar  
P. O. Box 13087  
Austin, TX 78711-3087

124

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78711-3087-27 B012



TCEQ Public Participation Form  
U.S. Oil Recovery, L.P.  
Public Meeting  
Municipal Solid Waste Permit No. 2336  
Tuesday, November 8, 2005

(4)  
(7)

PLEASE PRINT:

Name: William Verr  
Address: 5330 Beverlyhill #32  
City/State: Houston Tx Zip: 77056  
Phone: (832) 646-5833

CHIEF CLERKS OFFICE  
2005 NOV 10 PM 1:33  
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Please add me to the mailing list.

Are you here today representing a municipality, legislator, agency, or group?  Yes  No  
If yes, which one? \_\_\_\_\_

IF YOU WANT TO GIVE FORMAL COMMENT PLEASE ✓BELOW

- I wish to provide formal oral comments.
- I wish to provide formal written comments at tonight's public meeting.  
(Written comments may be submitted any time during the meeting.)

Please give this to the person at the information table. Thank you.

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# TCEQ Public Meeting Form

Tuesday, June 6, 2006

U.S. Oil Recovery, L.P.  
Proposed MSW Registration No. 43020  
&  
Proposed MSW Permit No. 2336

TEXAS  
COMMISSION ON  
ENVIRONMENTAL  
QUALITY  
2006 JUN -7 PM 3:41  
CHIEF CLERKS OFFICE

PLEASE PRINT:

Name: JACK S. WOLFS TRON  
Address: 1002 N. Richey  
City/State: PASADENA, TX Zip: 77506  
Phone: (713) 472-5507

Please add me to the mailing list.

Are you here today representing a municipality, legislator, agency, or group?  Yes  No

If yes, which one? Gulf Coast Waste Disposal Authority

IF YOU WANT TO GIVE FORMAL COMMENT PLEASE ✓ BELOW

- I wish to provide formal oral comments on:

- MSW Registration No. 43020
- MSW Permit No. 2336 *Spoke Let's*

- I wish to provide formal written comments at tonight's public meeting on:

- MSW Registration No. 43020
- MSW Permit No. 2336

Please give this to the person at the information table. Thank you.

1/