Texas Natural Resource Conservation Commission

INTEROFFICE MEMORANDUM

To: LaDonna Castanuela, Chief Clerk Date: January 30, 2009

From: Carlotta Vann
Waste Permits Division

Subject: Darling International, Inc., Permit No. 2353

Submitted are one original and seven copies of the agenda backup material for the above referenced matter scheduled for the February 25, 2009, Commission Agenda. Included are copies of the Agenda Caption, Executive Summary, Technical Summary, Compliance History Report and Permit. The agenda caption has been submitted through the AIR System.

Carlotta Vann

Carlotta Vann

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2009 JAN 30 PM 12: 22
CHIEF CLERKS OFFICE

DARLING INTERNATIONAL, INC. CAPTION

Item X. Docket No. 2008-1446-MSW. Consideration of an application by Darling International, Inc. for a new Type V-GG Municipal Solid Waste permit to authorize a grease trap waste processing facility (Proposed Permit No. 2353). The Applicant proposes to locate the facility at 3701 Schalker Street, 850 feet south of Cavalcade Street, in Houston, Harris County, Texas. This permit, if approved, would authorize the proposed facility to accept, store, and process grease trap waste resulting from, or incidental to, municipal, community, commercial, institutional, recreational and industrial activities. The Commission will also consider requests for hearing or reconsideration and related responses and replies and public comment and the Executive Director's Response to Comments. (Jeff Holderread, Shana Horton)

TECHNICAL SUMMARY

DARLING INTERNATIONAL, INC.
SCHALKER STREET GREASE TRAP WASTE PROCESSING FACILITY
Municipal Solid Waste (MSW)
Permit Application Number 2353
Harris County, Texas

March 2007

Prepared and Issued by the
Texas Commission on Environmental Quality (TCEQ)
Office of Permitting, Remediation and Registration
Waste Permits Division
Municipal Solid Waste (MSW) Permits Section

1.0 General Information

Applicant: Darling International Inc
251 O'Conner Ridge Blvd, Suite 300
Irving, Texas 75038-6535

Facility: Schalker St. Grease Trap Processing Facility
Type V Grease Trap Processing Facility

1.1 Purpose of Permit Application

The applicant has applied to the Texas Commission on Environmental Quality (TCEQ) for the operation of a grease trap processing facility which is a Type V municipal solid waste facility in Harris County, Texas. This application was submitted on March 9, 2007, in accordance with Title 30 of the Texas Administrative Code (30 TAC) Section (§) 305.62. The total permitted facility boundary is 0.7735 acres.

1.2 Wastes

Wastes Authorized to be accepted:

The facility will accept grease trap waste resulting from or incidental to municipal, community, commercial, institutional, and recreational activities under the proposed permit.

Wastes Not Authorized to be accepted:

Any waste which is prohibited in the application, expressly prohibited by 30 TAC Chapter 330, or not authorized may not be accepted. Other wastes which may not be accepted at the site include hazardous wastes; wastes regulated by the Toxic Substances Control Act (TSCA); radioactive wastes; hydrophoric and polyphoric wastes; explosive and shock sensitive materials; infectious, biological, etiological, or pathogenic wastes; pressurized gases, gas cylinders, or aerosol cans.

1.3 Site Life

The projected operating life of the facility is indefinite.

2.0 Application Review

This application has been reviewed for compliance with the applicable requirements of 30 TAC Chapters 281, 305, and 330. On April 30, 2007, the application was determined to be administratively complete. Chapter 330 contains the minimum regulatory criteria for municipal solid waste facilities. It has been determined that the information in this permit application demonstrates compliance with these regulatory requirements.

3.0 Location and Size

3.1 Location

The Darling International, Inc., facility is located in Harris County, Texas at 3701 Schalker Street, 850 feet south of Cavalcade Street, in Houston, Texas. Refer to the General Location Map, Attachment 1 to this Technical Summary.
Elevation and Coordinates of Permanent Benchmark:

Latitude:	N 29° 48' 4.75"
Longitude:	W 95° 20' 47.24"
Elevation:	49 feet above mean sea level (msl)

3.2 Size

The total area within the permit boundary under the proposed permit is approximately 0.7735 acres. The site layout is illustrated in Attachment 2 (Site Layout Plan) of this Technical Summary.

4.0 Facility and Operations Authorized

The facility will be permitted as a Type V municipal liquid waste processing plant authorized to process grease trap waste. The facility will be operated by the permittee and subject to the limitations contained in the permit. The permit will authorize the permittee to process grease trap waste using approved chemical and thermal/physical treatment methods to reduce the waste characteristics including oil and grease, total suspended solids, as well as biochemical and chemical oxygen demands to levels compliant with federal, state, and local regulations and pretreatment standards. The processing operation results in the waste being separated into components including recyclable oils/grease, water suitable for discharge into sanitary sewer systems and solids for off-site disposal. The solid phase materials will be sent to an approved municipal solid waste landfill facilities for disposal, while the separated water will be discharged in the City of Houston's sanitary sewer system. All waste processing operations will be limited to the units and other features identified in the Site Development Plan and the Site Operating Plan.

5.0 Facility Design and Construction

The facility will consist of a site entrance gate, security fencing, paved all-weather access to the site, concrete-paved yard and parking area, office/lab building, grease processing building, waste receiving, treatment, and discharge units consisting of concrete sumps and pits, steel tanks roll-off containers and curbed concrete slab foundations, and surface drainage and storm water run-on/runoff control structures. The facility's process areas will be constructed on curbed concrete pads to contain impacted storm water. The facility will be capable of processing up to 42,000 gallons per day.

6.0 Land Use

Land use in the vicinity of the site was evaluated in accordance with 30 TAC§330.61(h).

6.1 Zoning

The Darling International Inc., facility is located within the City Limits of the City of Houston in Harris County, Texas. The City of Houston has no zoning regulations; however the facility is predominately located in an industrial area.

6.2 Surrounding Area Land Use

Land use within a one-mile radius of the site includes a mix of industrial, commercial, and residential properties. The site is located in an industrial area and is adjacent to other industrial land uses and vacant land. Mixed industrial and residential land use is located between ¼ and ½ mile north of the site, with residential land use lying beyond the ½ mile. The land south of the property is vacant land with some industrial warehouses. Land east and west of the property are predominately industrial for about the first ¼ mile, beyond the ¼ mile from the property line, the land use is primarily residential.

6.3 Growth Trends

Most of the area within one mile of the facility is either developed, owned by railroads or is vacant land that is impacted by industrial use. Growth near the facility on the vacant lands is anticipated to be industrial with the possibility of newer trucking facilities and warehouses. The residential housing in the one mile radius of the facility was built predominately in the 1940's and 1960's.

6.4 Residences and Businesses

The area to the northwest and southwest of the facility is a neighborhood named "Northside Village," which includes about 9,564 housing units. To the east is a neighborhood named "Kashmere Gardens" with about 1/3 of the 4,784 housing units lying within the 1 mile radius of the facility. To the north of the site there are about 1,000 housing units.

6.5 Schools and Churches

There are three schools within one mile of the site; the closest school is Ross Elementary which is about 1/3 miles east of the facility. There are 24 churches within one mile of the site; the closest is about 1/3 miles southeast of the facility.

6.6 Cemeteries

There are no known cemeteries within one mile of the site.

6.7 Historical Sites

No historical properties will be affected by the site.

6.8 Water Wells

No water wells were located within a 500 foot radius of the property.

7.0 Transportation and Access

Public access into the facility will be through Schalker Street, an all weather 30-foot wide asphalt surface road that is connected to Cavalcade Street, a 4-lane asphalt paved roadway maintained by the

City of Houston. Major thoroughfares that may be used to reach Schalker Street include US Highway 59, Loop 610, and Cavalcade Street. The facility will initially generate approximately 20 vehicles per day and is expected to generate a future daily traffic of approximately 50 vehicles per day. Traffic related to this facility will consist principally of trucks.

8.0 Surface Water Protection

8.1 Floodplains

A Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) for Harris County that includes the site area was included in the application. The map shows that the site is not within the 500-year floodplain. The facility is not located within the 100-year floodplain.

8.2 Wetlands

The application indicates that no jurisdictional wetland was identified at the site.

8.3 Storm Water

Surface water at the site generally sheet flows to the east to a roadside ditch along Schalker Street, or sheetflows to the west to a shallow ditch adjacent to the railroad spur. There is no off-site stormwater which flows onto the site. The Hunting Bayou drainage way begins about ¾ mile east of the site.

8.4 Contaminated Water

All loading and unloading in the processing and storage tank areas will consist of concrete surfaces with the capacity to contain any spills and contaminated storm water. Drains, collection sumps, pumps and/or vacuum trucks will be provided to recover contaminated water for proper disposal. All process and washdown waters will be recovered and treated prior to discharge to the City of Houston sanitary sewer system.

9.0 Site Development and Operation

The Site Development Plan (SDP), Part III, and Site Operating Plan (SOP), Part IV, are intended to provide site-specific specifications from the design engineer to the proposed facility, site management and operating personnel to facilitate implementation, development, and operation of the solid waste management facility. The SOP is to include provisions for site management and site operating personnel to maintain the facility in compliance with the engineering design and applicable regulatory requirements of the TCEQ. These documents were prepared using 30 TAC Chapter 330 regulations and will become part of the facility permit if the permit application is approved by the TCEQ.

10.0 Protection of Endangered Species

It is indicated in the application that Cook Joyce, Inc., contacted the U.S. Fish and Wildlife Services about the project and received a list of the species of concern for Harris County, Texas. A biological assessment was conducted in accordance with standard procedures of the U.S. Fish and Wildlife Services and the Texas Parks and Wildlife Department which indicated that, concerning the species identified in the above-referenced list, either suitable habitat to support the species do not exist on or near the site, or that such habitats have been altered and the presence of such species severely limited

by human activities associated with agricultural practices, airport operations, and general roadway traffic. No significant impacts to endangered or threatened species are expected from the development of the facility. Therefore, the facility is considered in compliance with 30 TAC§330.551 and §330.61(n) which states, in part, that the facility shall not result in the destruction or adverse modification of critical habitat of endangered or threatened species, or cause or contribute to the taking of any endangered or threatened species.

11.0 Financial Assurance

Authorization to operate this facility is contingent upon the maintenance of financial assurance in accordance with 30 TAC Chapters 330 and 37, Financial Assurance, and the provisions contained in the permit.

12.0 Attachments

Two attachments from the permit application are included with this application summary. These attachments are as follows:

Attachment 1 - General Location Map
Attachment 2 - Site Layout Plan

13.0 Public Participation Process

The process through which the public is allowed to participate in the final decision on the issuance of a municipal solid waste permit is outlined as follows.

a. The TCEQ will hold a public meeting if the Executive Director determines that there is substantial public interest in the application or if requested by a local legislator. During this meeting the Commission accepts formal comments on the application. There is also an informal question and answer period.

b. After technical review of the application is completed, the application is declared technically complete and a draft permit is prepared. The draft permit, the public notice language, and the technical summary are sent to the Chief Clerk's office for processing.

c. The "Notice of Application and Preliminary Decision" is sent to the applicant and published in the newspaper. This notice provides a 30-day period from the date of publication for the public to make comments about the application or draft permit. The notice also allows the public to request a public meeting for the proposed facility.

d. After the 30-day comment period has ended, a "Response to Comments" (RTC) is prepared for all comments received through the mail and at a public meeting. The RTC is sent to all persons who commented on the application. Persons who receive the comments have a 30-day period after the RTC is mailed in which to request a public hearing.

e. After the 30-day period to request a hearing is complete, the matter is placed on an agenda meeting for the TCEQ Commissioners to make a determination to grant any of the hearing

requests and refer the matter to the State Office of Administrative Hearings for a public hearing.

f. A public hearing is a formal process in front of an Administrative Law Judge (ALJ) who conducts the hearing. The applicant and protestant(s) present witnesses and testimony to support or dispute information contained in the application. When the evidentiary portion of the hearing is completed, the ALJ will issue a Proposal for Decision (PFD). The PFD is placed on an agenda meeting of the TCEQ Commissioners for consideration of issuance or denial of a permit.

g. After the approval or denial of an application has been made, a request to overturn the decision may be made by a party that does not agree with the decision. The request to overturn must be made within a 20-day period after the decision is sent to the applicant. These requests are considered within a 25-day period after the end of the 20-day request period. The matter could be set on another agenda meeting for reconsideration, or allowed to remain in effect without any action after the 25-day period is complete.

h. Applications for which no comments are received or no one requests a public hearing are considered uncontested matters after the initial 30-day comment period. The matter is placed on the Executive Director'S signature docket and a permit is issued. The motion to overturn or reconsider is also applicable in this situation.

14.0 Additional Information

For information regarding this application, contact the Municipal Solid Waste Permits Section:

Ms. Alayna M. Goetsch, M.S., Environmental Project Manager
MSW Permits Section (MC-124)
Waste Permits Division
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, TX 78711
(512) 239-2383

To request a copy of the Site Development Plan, contact the consulting engineer:

Mr. Brian Dudley, P.E., Senior Engineer
Cook Joyce, Inc
812 West 11th Street
Austin, TX 78701
512-474-9097

Information concerning public participation in the public hearing process, contact the TCEQ's Office of the Public Interest Counsel:

Office of Public Interest Counsel (MC-103)
Texas Commission on Environmental Quality
P. O. Box 13087
Austin, Texas 78711-3087
(512) 239-6363

For information concerning public hearing procedures for municipal solid waste permits may be obtained by contacting Mr. Bill Newchurch, Director, at:

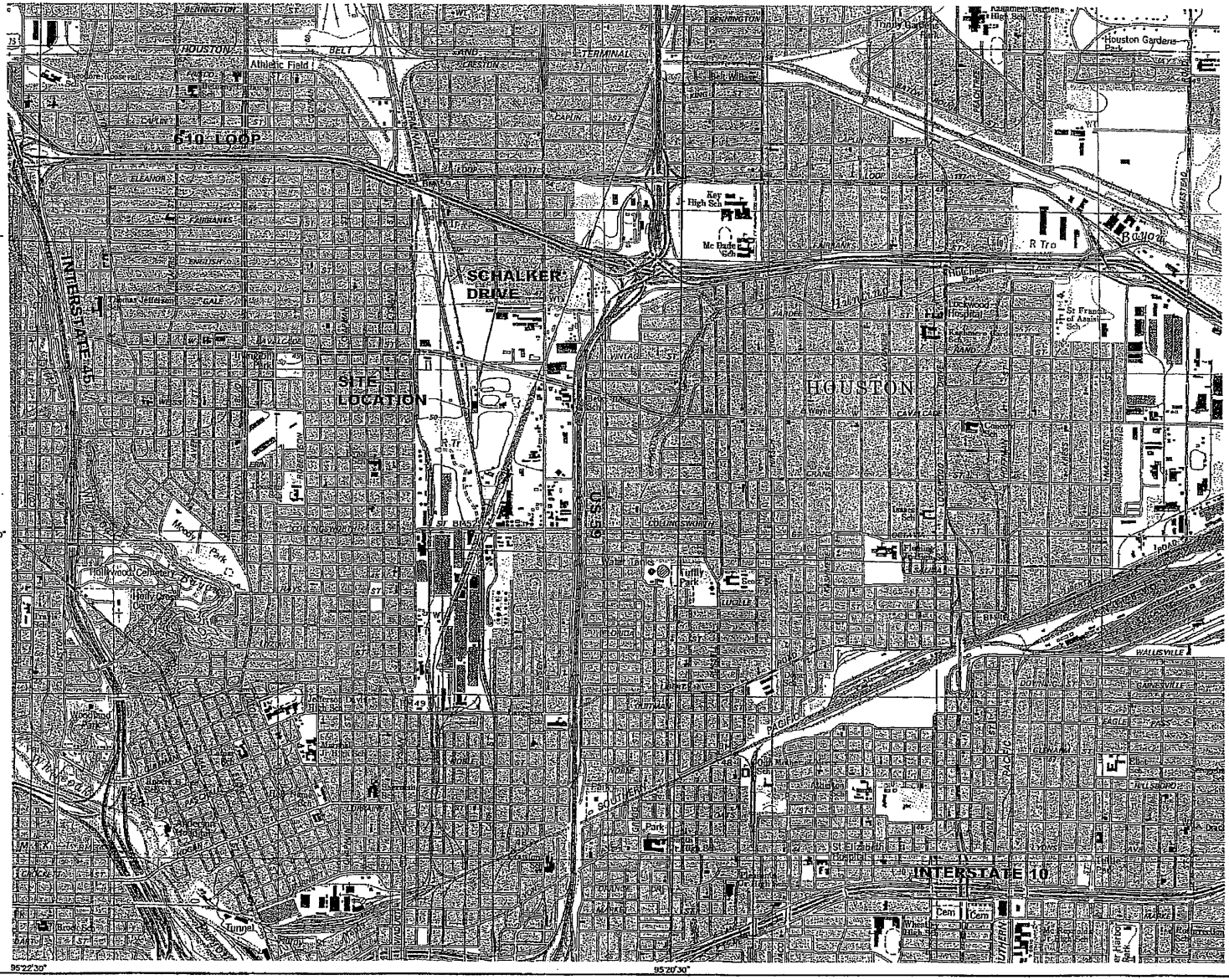
State Office of Administrative Hearings
Natural Resource Division
300 W. 15th Street, Room 504
Austin, TX 78701
(512) 475-3445

Technical Summary

Schalker St Grease Trap Processing Facility - MSW Permit No. 2353

Attachment 1

General Location Map



2000 1000 0 2000

(SCALE IN FEET)

LEGEND

SITE BOUNDARY

STATE OF TEXAS
J. BRIAN DUDLEY
59831
REGISTERED PROFESSIONAL ENGINEER

2/28/07

ROAD CLASSIFICATION

Primary highway, hard surface — Light-duty road, hard or improved surface

Secondary highway, hard surface — Unimproved road

Interstate Route — U. S. Route — State Route

BASE MAP SOURCE:
U.S.G.S. 7.5 MIN. TOPOGRAPHIC
SETTEGAST QUADRANGLE; 1982

REV.	DATE	DESCRIPTION	DR BY	APP BY

COOK-JOYCE INC.
ENGINEERING AND CONSULTING
812 WEST ELEVENTH 512-474-9097
AUSTIN, TEXAS 78701

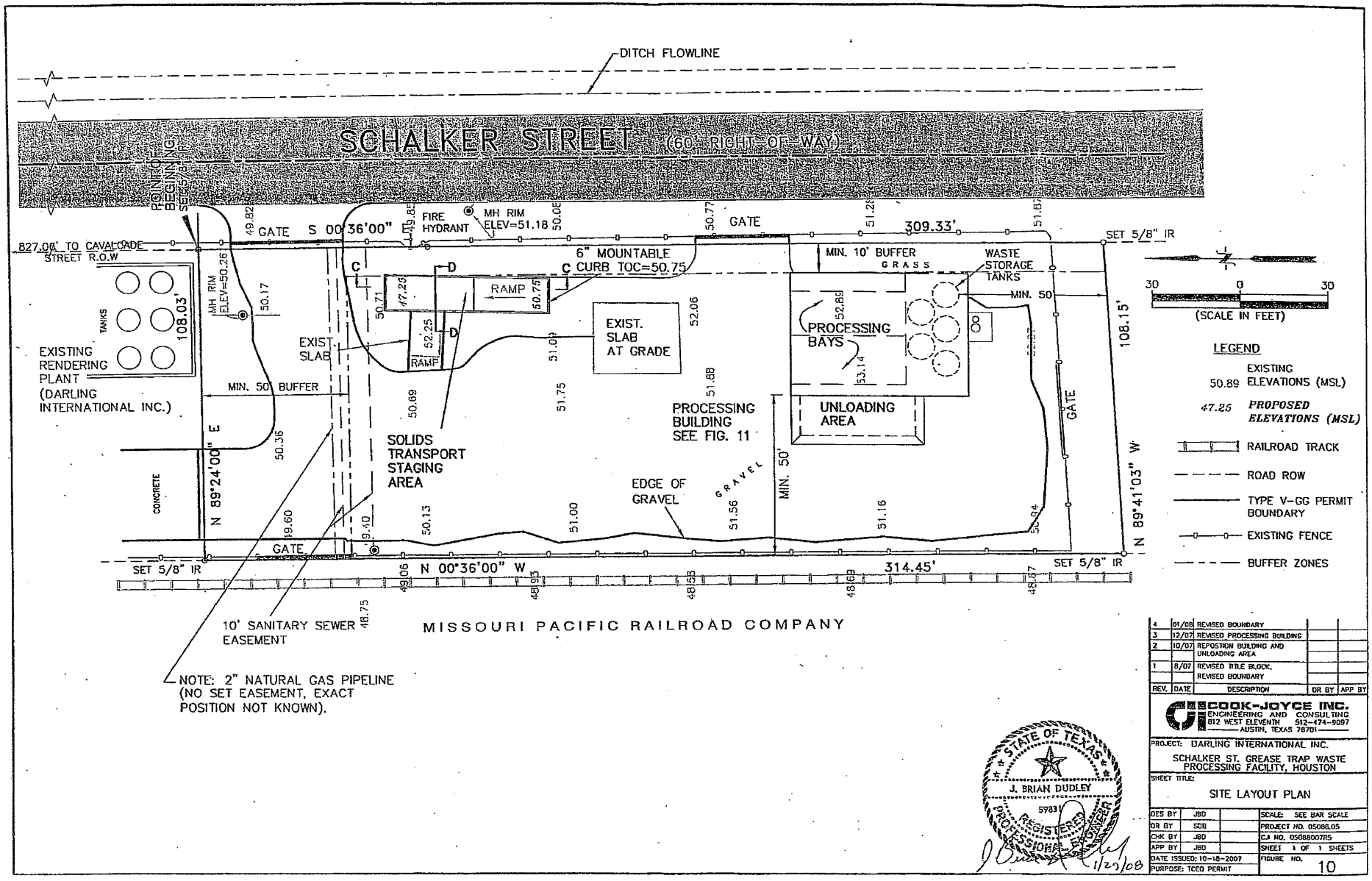
PROJECT:
DARLING INTERNATIONAL INC.
SCHALKER ST. HOUSTON, TYPE V-GG

SHEET TITLE:
GENERAL LOCATION MAP

DES BY			SCALE: SEE BAR SCALE
DR BY	SDB		PROJECT NO. 05088.01
CHK BY	GA		C/I NO. 05088001
APP BY	JBD		SHEET 1 OF 1 SHEETS
DATE ISSUED: 02-28-2007			FIGURE NO. 1
PURPOSE: TCEQ PERMIT			

Attachment 2

Site Layout Plan



REV.	DATE	DESCRIPTION	DR BY	APP BY
4	01/08	REVISED BOUNDARY		
3	12/07	REVISED PROCESSING BUILDING		
2	10/07	REPOSITION BUILDING AND UNLOADING AREA		
1	8/07	REVISED TITLE BLOCK, REVISED BOUNDARY		

COOK-JOYCE INC.
ENGINEERING AND CONSULTING
812 WEST ELEVENTH 512-474-9097
AUSTIN, TEXAS 78701

PROJECT: DARLING INTERNATIONAL INC.
SCHALKER ST. GREASE TRAP WASTE PROCESSING FACILITY, HOUSTON

SHEET TITLE: SITE LAYOUT PLAN

STATE OF TEXAS
J. BRIAN DUDLEY
59831
REGISTERED PROFESSIONAL ENGINEER
1/29/08

DES BY	JBD		SCALE: SEE BAR SCALE
DR BY	SDB		PROJECT NO. 0508805
CHK BY	JBD		C.J NO. 0508800725
APP BY	JBD		SHEET 1 OF 1 SHEETS
DATE ISSUED: 10-18-2007			FIGURE NO. 10
PURPOSE: TCEQ PERMIT			

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TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

EXECUTIVE SUMMARY

March 31, 2008

DESCRIPTION OF APPLICATION

Applicant: Darling International Inc.

Municipal Solid Waste (MSW) Permit Application No. 2353

Type: Type V Facility – Grease Trap Processing Facility

Request: To issue a permit, MSW Permit No. 2353, to authorize Darling International Inc. to operate a Municipal Solid Waste Grease Trap Processing Facility.

Authority: Texas Commission on Environmental Quality rules, 30 TAC Chapters 305 and 330.

STAFF RECOMMENDATION

Issue permit as requested.

TECHNICAL INFORMATION

General: The Schalker Street Grease Trap Processing Facility is located in Harris County at 3701 Schalker Street in the city of Houston, Texas. The facility will be authorized to accept and process up to 42,000 gallons per day of grease trap waste only.

The permit application meets the requirements of the Commission's rules and provides the proper safeguards to protect the public health and safety, and the environment.

Conditions: Conditions of the permit are set forth in the permit document.

CONTACT Ms. Alayna M. Goetsch at 239-2353
Municipal Solid Waste Permits Section

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

PERMIT FOR MUNICIPAL
SOLID WASTE (MSW) MANAGEMENT SITE
Issued under provisions of Texas
Health & Safety Code
Chapter 361

MSW Permit No.:	2353
Name of Permittee:	Darling International Inc 251 O'Conner Ridge Blvd., Suite 300 Irving, Texas 75038-6535
Operator:	Darling International Inc. 251 O'Conner Ridge Blvd., Suite 300 Irving, Texas 75038-6535
Facility Name:	Schalker St Grease Trap Waste Processing Facility
Classification of Site:	Type V Grease Trap Processing Facility
Wastes to be Accepted:	Grease Trap Waste Only

The permittee is authorized to store and process wastes and to recycle recovered materials in accordance with the limitations, requirements, and other conditions set forth herein. This permit is granted subject to the rules and Orders of the Commission and laws of the State of Texas. Nothing in this permit exempts the permittee from compliance with other applicable rules and regulations of the Texas Commission on Environmental Quality. This permit will be valid until canceled, amended, or revoked by the Commission.

APPROVED, ISSUED AND EFFECTIVE in accordance with the Texas Health & Safety Code Chapter 361 and Title 30 Texas Administrative Code (30 TAC) Chapter 330.

ISSUED DATE:

_____
For the Commission

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Schalker St. Grease Trap Waste Processing Facility
MSW Permit No. 2353

Signature Sheet 1

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I. Size and Location of Facility

A. This Type V Grease Processing site is located at 3701 Schalker St, in Houston, Harris County, Texas. The facility contains 0.7735 acres.

B. The legal description is contained in Appendix 1-2 of the application.

C. Coordinates and Elevation of Site Permanent Benchmark:

Latitude: 29° 48′ 4.75″] N
Longitude: 95° 20' 47.24"W
Benchmark Elevation: 43.059 feet above Mean Sea Level

II. Facilities and Operations Authorized

A. Days and Hours of Operation

The operating hours of this municipal solid waste facility will be 24 hours per day, 7 days a week. The business hours correspond to the hours that the facility is open to the public for the receipt of waste. The operator shall post the actual operating hours on the site sign.

B. Wastes Authorized at this Facility

The permittee is authorized to store and process grease trap waste resulting from or incidental to municipal, community, commercial, institutional, and recreational activities under the proposed permit.

C. Wastes Prohibited at This Facility

Any other liquid waste or solid waste from another municipal or industrial source. Other wastes which may not be accepted at the site include hazardous wastes; wastes regulated by the Toxic Substances Control Act (TSCA); radioactive wastes; hydrophoric and polyphoric wastes; explosive and shock sensitive materials; infectious, biological, etiological, or pathogenic wastes; pressurized gases, gas cylinders, or aerosol cans.

D. Waste Acceptance Rate

Liquid waste may be accepted for processing at this facility at a rate of up to 42,000 gallons-per-day of grease trap waste.

E. Maximum Volume Available for Storage

Total available liquid waste storage capacity of this facility is 80,000 gallons for untreated waste with a maximum storage limit of 72 hours for unprocessed waste materials and processed waste materials.

F. Facilities Authorized

The permittee is authorized to operate the facilities related to the processing and storage of the wastes authorized, and related to the recycling of the recovered materials, which shall include units, structures, appurtenances, or improvements as described in the permit application.

G. Changes, Additions, or Expansions

Any proposed facility changes must be authorized in accordance with TCEQ rules in 30 TAC Chapter 330 (Municipal Solid Waste) and 30 TAC Chapter 305 (Consolidated Permits).

III. Facility Design, Construction, and Operation

A. Facility design, construction, and operation must comply with this permit, Commission Rules, including 30 TAC §§330.53-330.73, and 330.201-249, and Special Provisions contained in this permit, and the permit application.

B. The entire waste management facility shall be designed, constructed, operated, and maintained to prevent the release and migration of any waste, contaminant, or pollutant, and to prevent inundation or discharge from the areas surrounding the facility components. This site must be designed, constructed and maintained to collect spills and incidental precipitation in such a manner as to:

1. preclude the release of any contaminated runoff or spills; and

2. prevent washout of any waste by a 100-year storm.

C. The site shall be designed and operated so as not to cause a violation of:

1. the requirements of the Texas Water Code, §26.121;

2. any requirements of the Federal Clean Water Act, including, but not limited to, the National Pollutant Discharge Elimination System (NPDES) requirements, §402 as amended;

3. the requirements under the Federal Clean Water Act, §404, as amended; and

4. any requirement of an area wide or statewide water quality management plan that has been approved under the Federal Clean Water Act, §208 or §319, as amended.

D. All facility employees and other persons involved in facility operations shall be qualified, trained, and experienced to perform their duties so as to achieve compliance with this permit. The permittee shall further ensure that personnel are familiar with safety procedures, contingency plans, the requirements of the Commission's rules, and this permit, commensurate with their levels and positions of authority.

IV. Financial Assurance

A. General. Authorization to operate the facility is contingent upon compliance with provisions contained in this permit and maintenance of financial assurance in accordance with 30 TAC Chapter 330 Subchapter K and 30 TAC Chapter 37.

B. Closure Financial Assurance. The amount of financial assurance posted for closure shall be provided annually in current dollars in an amount equal to closing the entire facility pursuant to 30 TAC §330.282(a). The owner and/or operator shall annually adjust the closure cost estimate and the dollar amount of the financial assurance for inflation within 60 days prior to the anniversary date of the permit pursuant to 30 TAC §330.282.

C. Closure Financial Assurance Amount. Within 60 days after the date of permit issuance or prior to the initial receipt of waste, the permittee shall provide financial assurance instrument(s) for demonstration of closure in an amount equal to but not less than $33,194.00 for closure in 2007 dollars. The amount of financial assurance to be posted annually shall be determined as described in Section IV.B. of this permit.

D. Closure Plan Modifications. If the facility's closure plan is modified, the permittee shall provide new cost estimates in current dollars, which meet the requirements 30 TAC Chapter 37 and 30 TAC §§330.282. Modifications shall be made pursuant to 30 TAC §305.70. The amount of the financial assurance mechanism shall be adjusted within 20 days after the modification is approved. Adjustments to the cost estimates and/or financial assurance instrument to comply with any financial assurance regulation that is adopted by the TCEQ subsequent to the issuance of this permit, shall be initiated as a modification within 30 days after the effective date of the new regulation.

V. Facility Closure

Closure shall commence:

A. Upon direction by the Executive Director of the TCEQ for failure to comply with the terms and conditions of this permit or violation of state or federal regulations.

The Executive Director is authorized to issue emergency orders to the permittee in accordance with §§5.501 and 5.512 of the Texas Water Code regarding this matter after considering whether an emergency requiring immediate action to protect the public health and safety exists;

B. Upon abandonment of the site;

C. Upon direction of the Executive Director for failure to secure and maintain adequate financial assurance as required; or

D. Upon permittee's notification to the TCEQ that the facility will no longer operate.

VI. Standard Permit Conditions

A. This permit is based on and the site owner/operator shall follow the permit application submittals dated March 9, 2007, and revised March 30, 2007, August 23, 2007, October 25, 2007, January 4, 2008, and January 30, 2008. These application submittals are hereby approved subject to the terms of this permit, the rules and regulations, and any orders of the TCEQ. These application materials are incorporated into this permit by reference in Attachment A as if fully set out herein. Any and all revisions to these elements shall become conditions of this permit upon the date of approval by the Commission. The permittee shall maintain the application and all supporting documentation at the facility and make them available for inspection by TCEQ personnel.

B. Attachment B, consisting of minor amendments, modifications, and corrections to this permit, is hereby made a part of this permit.

C. The permittee shall comply with all conditions of this permit. Failure to comply with any condition may constitute a violation of the permit, the rules of the Commission, and the Texas Solid Waste Disposal Act and is grounds for an enforcement action, revocation, or suspension.

D. Inspection and entry onto the site by authorized personnel shall be allowed during the site operating life.

E. The provisions of this permit are severable. If any permit provision or the application of any permit provision to any circumstance is held invalid, the remainder of this permit shall not be affected.

F. Regardless of the specific designs contained in the permit application, the permittee shall be required to meet all performance standards in the permit, the application, or as required by local, state, and federal laws.

G. If differences arise between the rules, regulations, and permit provisions and the incorporated application materials, then the rules, regulations, and permit provisions shall prevail.

H. The permittee shall comply with the requirements of the air permit exemption in 30 TAC §106.534, if applicable, and the applicable requirements of 30 TAC chapters 106 and 116.

VII. Incorporated Regulatory Requirements

A. The permittee shall comply with all applicable federal, state, and local regulations and shall obtain any and all other required permits prior to the beginning of any operation authorized by this permit.

B. To the extent applicable to the activities authorized by this permit, the requirements of 30 TAC Chapters 37, 281, 305, and 330, and future revisions are adopted by reference and are hereby made provisions and conditions of this permit.

VIII. Special Permit Provisions

A. As required by Texas Department of Transportation (TxDOT), the permittee required to remove all litter from the highway rights of way attributable to operation of the facility, the standards, and at the frequencies to be determined by TxDOT, and that provisions be taken to prevent the tracking of mud onto the highway.

B. The facility will not be within 1,000 feet of any highway that is subject to control under the Highway Beautification provisions of the Texas Litter Abatement Act.

IX. ATTACHMENT A

The Permit Application.

X. ATTACHMENT B

Minor Amendments, Modifications, and Corrections to MSW Permit No. 2353.

Compliance History Report

Customer/Respondent/Owner-Operator:	CN600480826	Darling International Inc.	Classification: AVERAGE	Rating: 2.92
Regulated Entity:	RN100871995	DARLING INTERNATIONAL SCHALKER STREET GREASE TRAP WASTE PROCESSING FACILITY	Classification: AVERAGE	Site Rating: 9.60

ID Number(s):

AIR NEW SOURCE PERMITS	PERMIT	15090
AIR NEW SOURCE PERMITS	ACCOUNT NUMBER	HG0693W
AIR NEW SOURCE PERMITS	PERMIT	18687
AIR NEW SOURCE PERMITS	AFS NUM	4820100119
PETROLEUM STORAGE TANK REGISTRATION	REGISTRATION	4624
STORMWATER	PERMIT	TXR05O646
MUNICIPAL SOLID WASTE PROCESSING	PERMIT	2353

Location: 3701 SCHALKER DR, HOUSTON, TX, 77026

TCEQ Region: REGION 12 - HOUSTON

Date Compliance History Prepared: January 28, 2009

Agency Decision Requiring Compliance History: Permit - Issuance, renewal, amendment, modification, denial, suspension, or revocation of a permit.

Compliance Period: January 28, 2004 to January 28, 2009

TCEQ Staff Member to Contact for Additional Information Regarding this Compliance History

Name: SAIDAT ILO Phone: 239 - 6605

Site Compliance History Components

1. Has the site been in existence and/or operation for the full five year compliance period? Yes
2. Has there been a (known) change in ownership of the site during the compliance period? No
3. If Yes, who is the current owner? N/A
4. if Yes, who was/were the prior owner(s)?
5. When did the change(s) in ownership occur? N/A
6. Rating Date: 9/1/2008 Repeat Violator: NO

Components (Multimedia) for the Site :

A. Final Enforcement Orders, court judgements, and consent decrees of the state of Texas and the federal government.

Effective Date: 10/25/2007 ADMINORDER 2007-0239-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.4
5C THC Chapter 382, SubChapter D 382.085(a)
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failed to take necessary measures to prevent the release of odors which are in such concentration and of such duration as are or may be injurious to or to adversely affect human health or welfare, animal life, vegetation, or property, or as to interfere with the normal use and enjoyment of animal life, vegetation, or property

See addendum for information regarding federal actions.

B. Any criminal convictions of the state of Texas and the federal government.

N/A

C. Chronic excessive emissions events.

N/A

D. The approval dates of investigations. (CCEDS Inv. Track. No.)

1 11/07/2004 (336072)
2 10/05/2007 (595735)
3 12/11/2007 (611517)

E. Written notices of violations (NOV). (CCEDS Inv. Track. No.)

Date: 08/10/2004 (278297)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter A 101.4

Description: On June 16, 2004, Darling International was in violation of General Rule 101.4 for Nuisance.

F. Environmental audits.

N/A

G. Type of environmental management systems (EMSs).

N/A

H. Voluntary on-site compliance assessment dates.

N/A

I. Participation in a voluntary pollution reduction program.

N/A

J. Early compliance.

N/A

Sites Outside of Texas

N/A