

Texas Commission on Environmental Quality

INTEROFFICE MEMORANDUM

To: Office of Chief Clerk

DATE: 06/13/16

From: Ashley McDonald
Staff Attorney
Environmental Law Division

Subject: Backup Documents Filed for Consideration of Hearing Requests at
Agenda

Applicant:	Clean Harbors San Leon, Inc.
Proposed Permit No.:	WQ0004086000
Program:	Water
Docket No.:	TCEQ Docket No. 2016-0666-IWD

Enclosed please find a copy of the following documents for inclusion in the backup material for this permit application:

- Draft permit
- Fact sheet and ED's preliminary decision
- Compliance history report

**STATEMENT OF BASIS/TECHNICAL SUMMARY AND
EXECUTIVE DIRECTOR'S PRELIMINARY DECISION**

DESCRIPTION OF APPLICATION

Applicant: Clean Harbors San Leon, Inc.; Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0004086000 (TX0117757)

Regulated Activity: Industrial Wastewater Permit

Type of Application: Major Amendment

Request: Major Amendment without Renewal to authorize the discharge of treated process wastewater and treated contaminated stormwater at a daily average flow not to exceed 105,000 gallons per day via proposed internal Outfall 101.

Authority: Federal Clean Water Act §402; Texas Water Code §26.027; 30 Texas Administrative Code (TAC) Chapter 305, Subchapters C-F, Chapters 307 and 319; Commission policies; and Environmental Protection Agency (EPA) guidelines

EXECUTIVE DIRECTOR RECOMMENDATION

The draft permit retains the current expiration date of September 1, 2018.

REASON FOR PROJECT PROPOSED

The applicant has applied to the Texas Commission on Environmental Quality (TCEQ) for an amendment of its existing permit. The proposed amendment would authorize the discharge of treated process wastewater and treated contaminated stormwater at a daily average flow not to exceed 105,000 gallons per day via proposed internal Outfall 101.

PROJECT DESCRIPTION AND LOCATION

The applicant currently operates the Clean Harbors Recycling Facility, a recycling and storage facility that handles oily waste from the petroleum refining and petrochemical industries.

The facility is a RCRA-permitted recycling and storage facility that manages catalyst and oily waste from petroleum and petrochemical industries. The facility accepts centralized waste treatment (CWT) subcategory B wastewater from offsite for treatment prior to discharge. Thermal desorption and/or dewatering are used to recover catalyst and oil for recycling.

Wastewater is composed of stormwater, contaminated stormwater, and process wastewater generated from separation and treatment of oily waste and catalyst recycling. Process wastewaters and contaminated stormwater from inside the containment area will be commingled prior to treatment, routed through an oil/water separator to remove bulk solids, and then through bag housing with oil grabber bags to further remove fine suspended oils and suspended solids. Organoclay is used to remove remaining emulsified oils, some organics, and dissolved metals, and activated carbon to remove dissolved organics. Wastewater will be routed through a silt screen and oil boom prior to discharge via Outfall 001. Uncontaminated stormwater from outside the containment area received no treatment prior to discharge via Outfall 001. Domestic wastewater is disposed of by an onsite septic tank and drainfield system and is not authorized for discharge by this permit.

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The plant site is located at 2700 Avenue S, near the intersection of 27th Street and Avenue S, approximately 3/4 mile east of State Highway 146 at Dickinson Bayou, in San Leon, Galveston County, Texas.

Discharge Route(s)

The effluent is discharged to a drainage ditch; thence to an unnamed tidal tributary of Dickinson Bayou Tidal; thence to Dickinson Bayou Tidal in Segment No. 1103 of the San Jacinto-Brazos Coastal Basin. The unclassified receiving waters have minimal aquatic life use for the unnamed ditch and high aquatic life use for the unnamed tidal tributary. The designated uses for Segment No. 1103 are high aquatic life use and primary contact recreation. The effluent limits in the draft permit will maintain and protect the existing instream uses. All determinations are preliminary and subject to additional review and revisions.

Antidegradation Review

In accordance with 30 TAC §307.5 and the TCEQ implementation procedures (June 2010) for the Texas Surface Water Quality Standards, an antidegradation review of the receiving waters was performed. A Tier 1 antidegradation review has preliminarily determined that existing water quality uses will not be impaired by this permit action. Numerical and narrative criteria to protect existing uses will be maintained. A Tier 2 review has preliminarily determined that no significant degradation of water quality is expected in the unnamed tidal tributary or Dickinson Bayou, which have been identified as having high aquatic life use. Existing uses will be maintained and protected. The preliminary determination can be reexamined and may be modified if new information is received.

Endangered Species Review

The discharge from this permit action is not expected to have an effect on any federal endangered or threatened aquatic or aquatic-dependent species or proposed species or their critical habitat. This determination is based on the United States Fish and Wildlife Service's (USFWS) biological opinion on the State of Texas authorization of the Texas Pollutant Discharge Elimination System (TPDES; September 14, 1998; October 21, 1998 update). To make this determination for TPDES permits, TCEQ and EPA only considered aquatic or aquatic-dependent species occurring in watersheds of critical concern or high priority as listed in Appendix A of the USFWS biological opinion. Though the piping plover, *Charadrius melodus* Ord, can occur in Galveston County, the county is north of Copano Bay and not a watershed of high priority per Appendix A of the biological opinion. The determination is subject to reevaluation due to subsequent updates or amendments to the biological opinion. The permit does not require EPA review with respect to the presence of endangered or threatened species.

Dissolved Oxygen Analysis

The technology-based effluent limitations do not include biochemical oxygen demand, 5-day, or ammonia nitrogen. Therefore, it is expected that these oxygen-demanding constituents are not anticipated to be present in the wastewater of this character in significant concentrations. The level of these constituents will be scrutinized after discharge commences using pollutant screening data to be provided by the applicant to assess the need to set limits on these constituents.

Impaired Water Bodies

Segment No. 1103 is currently listed on the State's inventory of impaired and threatened waters (the 2012 Clean Water Act Section 303(d) list). The listing is specifically for dioxin and polychlorinated biphenyls (PCBs) in edible tissue, depressed dissolved oxygen, and elevated bacteria levels. The dioxin and PCB listing applies to the entire Segment (AUs 1103_01, 1103_02, 1103_03, 1103_04). The dissolved oxygen impairment is restricted to a reach extending from the upstream boundary of the Segment to the confluence with Gum Bayou (AUs 1103_02, 1103_03, 1103_04). The bacteria listing is

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confined to a reach extending from Dickinson Bay to the confluence with Gum Bayou (AU 1103_01). This discharge occurs approximately 3.7 miles from the boundary of the dissolved oxygen impaired reach.

This permit action is not expected to contribute to any of the listed impairments for the following reasons: the facility neither manufactures nor uses dioxin; PCBs are not typically associated with petroleum refineries and are not expected to be present in the wastestream from this facility in concentrations above the minimum analytical level (MALs); oxygen-demanding constituents are not anticipated to be present in wastewater of this character in significant concentrations; and this facility is not authorized to discharge domestic wastewater and has no other known sources of bacteria.

A bacteria TMDL (*Eight Total Maximum Daily Loads for Indicator Bacteria in Dickinson Bayou and Three Tidal Tributaries Segments 1103, 1103A, 1103B, 1103C, 1104*) is available for this Segment (project #80).

SUMMARY OF EFFLUENT DATA

The following is a quantitative description of the discharge described in the Monthly Effluent Report data for the period May 2010 through May 2015. The "Average of Daily Avg" values presented in the following table are the average of all daily average values for the reporting period for each parameter. The "Maximum of Daily Max" values presented in the following table are the individual maximum values for the reporting period for each parameter. Flows are expressed in million gallons per day (MGD). pH values are expressed in standard units (SU).

Flow

Outfall	Frequency	Average of Daily Avg, MGD	Maximum of Daily Max, MGD
001	Intermittent	0.377	3.916

Effluent Characteristics

Outfall	Parameter	Average of Daily Avg mg/L	Maximum of Daily Max mg/L
001	Total Organic Carbon	N/A	62.8
	Oil and Grease	N/A	5.0
	BTEX	N/A	1.00
	Total Zinc	N/A	1.43
	pH	6.11 SU, min	8.40 SU

Based on the data obtained from EPA's Integrated Compliance Information System (ICIS) summarized above, the permittee reported the following exceedances in May 2010 thru May 2015:

Outfall	Parameter	Date	Daily Average		Daily Maximum	
			Reported	Limit	Reported	Limit
001	Total Organic Carbon	September-2010	N/A	N/A	62.8	55
	BTEX	April-2014	N/A	N/A	0.611	0.5
		May-2014	N/A	N/A	1.00	0.5

The exceedances listed above are intermittent and isolated; therefore, no changes have been made to the draft permit based on exceedances.

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DRAFT PERMIT CONDITIONS

The draft permit authorizes the discharge of stormwater associated with industrial activity previously monitored effluent (treated process wastewater and treated contaminated stormwater at a daily average flow not to exceed 0.105 million gallons per day via internal Outfall 101) on an intermittent and flow-variable basis via Outfall 001.

Effluent limitations are established in the draft permit as follows:

Outfall	Pollutant	Daily Average		Daily Maximum	
		mg/L	lbs/day	mg/L	lbs/day
001	Flow	Report, MGD		Report, MGD	
	Total Organic Carbon	N/A	N/A	55	N/A
	Oil and Grease	N/A	N/A	15	N/A
	BTEX	N/A	N/A	0.5	N/A
	Total Zinc	N/A	N/A	6.0	N/A
	pH	6.0 SU, min		9.0 SU	
101	Flow	0.105 MGD		0.165 MGD	
	Oil & Grease	38.0	33.2	127	111
	Total Suspended Solids	30.6	26.8	74.1	64.9
	Total Arsenic	1.33	1.16	2.95	2.58
	Total Cadmium	0.0102	0.00893	0.0172	0.0150
	Total Chromium	0.323	0.283	0.746	0.653
	Total Cobalt	18.8	16.4	56.4	49.4
	Total Copper	0.242	0.212	0.500	0.438
	Total Lead	0.160	0.140	0.350	0.306
	Total Mercury	0.00647	0.00566	0.0172	0.0150
	Total Tin	0.165	0.144	0.335	0.293
	Total Zinc	4.50	3.94	8.26	7.23
	Bis(2-ethylhexyl) phthalate	0.101	0.0884	0.215	0.188
	Butylbenzyl phthalate	0.0887	0.0777	0.188	0.164
	Carbazole	0.276	0.241	0.598	0.523
	n-Decane	0.437	0.382	0.948	0.830
	Fluoranthene	0.0268	0.0234	0.0537	0.0470
n-Octadecane	0.302	0.264	0.589	0.516	
Total Petroleum Hydrocarbons	Report	Report	Report	Report	
pH	6.0 SU, min		9.0 SU		

Technology-Based Effluent Limitations

Regulations promulgated in Title 40 of the Code of Federal Regulations (40 CFR) require technology-based limitations to be placed in wastewater discharge permits based on effluent limitations guidelines, where applicable, or on best professional judgment (BPJ) in the absence of guidelines.

The discharge of process wastewater via internal Outfall 101 is subject to EPA effluent limitations guidelines in 40 CFR Part 437 – Centralized Waste Treatment Point Source Category, Subpart B – Oils Treatment and Recovery Subcategory. The discharge of treated contaminated stormwater via internal Outfall 101 is not subject to any federal effluent limitation guidelines. Development of technology-based effluent limitations are presented in Appendix A.

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A new source determination was performed, and the discharge of treated process wastewater via internal Outfall 101 from this facility is a new source as defined at 40 CFR §122.2. Therefore, new source performance standards (NSPS) are required for the discharge of treated process wastewater via internal Outfall 101.

Based on the requirements of 40 CFR §437.24 (NSPS), daily average and daily maximum effluent limitations for oil and grease, total suspended solids, total arsenic, total cadmium, total chromium, total cobalt, total copper, total lead, total mercury, total tin, total zinc, butylbenzyl phthalate, carbazole, n-decane, bis(2-ethylhexyl) phthalate, flouranthene, and n-octadecane and daily minimum and daily maximum effluent limitations for pH have been included in the draft permit at internal Outfall 101.

In addition, daily average and daily maximum monitoring and reporting requirements for total petroleum hydrocarbons have been included in the draft permit at internal Outfall 101, based upon BPJ due to the potential for this constituent to be present in the effluent discharged from this facility.

The existing effluent limitations for total organic carbon, oil and grease, and pH at Outfall 001 were originally based on 30 TAC Chapter 319, TCEQ practice, EPA requirements, and BPJ for the discharge of stormwater associated with industrial activities. The existing effluent limitation for BTEX at Outfall 001 was originally based upon BPJ and is consistent with limitations for facilities with similar discharges. The existing effluent limitation for total zinc at Outfall 001 was originally based upon 30 TAC Chapter 319 and BPJ for hazardous metals in tidal waters. These limitations are still protective and have been carried forward in the draft permit based on EPA's antibacksliding regulations in 40 CFR §122.44(l).

Water Quality-Based Effluent Limitations

Calculations of water quality-based effluent limitations for the protection of aquatic life and human health are presented in Appendix B. Aquatic life criteria established in Table 1 and human health criteria established in Table 2 of 30 TAC Chapter 307 are incorporated into the calculations, as are recommendations in the Water Quality Assessment Team memorandum dated July 2, 2015. TCEQ practice for determining significant potential is to compare the reported analytical data from the facility against percentages of the calculated daily average water quality-based effluent limitation. Permit limitations are required when analytical data reported in the application exceeds 85 percent of the calculated daily average water quality-based effluent limitation. Monitoring and reporting is required when analytical data reported in the application exceeds 70 percent of the calculated daily average water quality-based effluent limitation. No data was submitted with the application as the facility has not yet discharged treated process wastewater; therefore, Other Requirement No. 7 has been added to the draft permit to require effluent sampling and analysis upon commencement of discharge.

Total Dissolved Solids (TDS), Chloride, and Sulfate Screening

Segment No. 1103, which receives the discharge from this facility, does not have criteria established for TDS, chloride, or sulfate in 30 TAC Chapter 307; therefore, no screening was performed for TDS, chloride, or sulfate in the effluent.

pH Screening

The existing permit includes limits on pH of 6.0 – 9.0 SU at Outfall 001 which discharges into an unclassified water body. Consistent with the procedures for pH screening that were submitted to EPA with a letter dated May 28, 2014, and approved by EPA in a letter dated June 2, 2014, requiring this

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discharge to an unclassified water body to meet pH limits of 6.0 – 9.0 standard units reasonably ensures instream compliance with Texas Surface Water Quality Standards pH criteria.

Whole Effluent Toxicity Testing (Biomonitoring)

Biomonitoring requirements are not included in the draft permit.

SUMMARY OF CHANGES FROM APPLICATION

The following changes have been made from the application, which make the draft permit more stringent.

1. Daily average and daily maximum effluent limitations for the oil and grease, total suspended solids, total arsenic, total cadmium, total chromium, total cobalt, total copper, total lead, total mercury, total tin, total zinc, butylbenzyl phthalate, carbazole, n-decane, bis(2-ethylhexyl) phthalate, flouranthene, and n-octadecane and daily minimum and daily maximum effluent limitations for pH have been included in the draft permit at internal Outfall 101 based on the requirements of 40 CFR §437.24 (NSPS).
2. Daily average and daily maximum monitoring and reporting requirements for total petroleum hydrocarbons have been included in the draft permit at internal Outfall 101, based upon BPJ due to the potential for this constituent to be present in the effluent discharged from this facility.
3. Other Requirement No. 2 has been updated with the 2010 minimum analytical levels (MALs).
4. Other Requirement No. 4 has been updated with the 2010 MALs.

SUMMARY OF CHANGES FROM EXISTING PERMIT

The permittee requested the following changes in their amendment request that the Executive Director has recommended granting.

1. Major amendment request to authorize the discharge of treated process wastewater and treated contaminated stormwater as an additional source of effluent to be discharged via internal Outfall 101.

The following additional changes have been made to the draft permit.

1. The company name has been updated on Page 1 based on information provided in the current application.
2. The facility name has been added to the description of facility activities on Page 1 based on information provided in the current application.
3. Other Requirement No. 2 has been updated based on the addition of treated process wastewater to the effluent discharged from the facility.
4. Other Requirement No. 3 has been updated based on current language regarding the discharge of domestic wastewater.
5. Other Requirement No 7 has been updated with current language regarding effluent testing and to include testing requirements for new internal Outfall 101.
6. Other Requirement No. 8 has been updated with current language regarding best management practices for stormwater.
7. New Other Requirement No. 9 has been added regarding reporting requirements at new internal Outfall 101.

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BASIS FOR DRAFT PERMIT

The following items were considered in developing the draft permit:

1. Application received on May 21, 2015 and additional information received on July 17, 2015 and August 5, 2015.
2. Existing permits: TPDES Permit No. WQ0004086000 issued December 19, 2013.
3. TCEQ Rules.
4. Texas Surface Water Quality Standards – 30 TAC §§307.1-307.10, effective March 6, 2014, as approved by EPA Region 6.
5. Texas Surface Water Quality Standards – 30 TAC §§307.1-307.10, effective July 22, 2010, as approved by EPA Region 6, for portions of the 2014 Standards not approved by EPA Region 6.
6. Texas Surface Water Quality Standards - 30 TAC §§307.1-307.10, effective August 17, 2000, and Appendix E, effective February 27, 2002, for portions of the 2010 Standards not approved by EPA Region 6.
7. *Procedures to Implement the Texas Surface Water Quality Standards (IP)*, Texas Commission on Environmental Quality, June 2010, as approved by EPA Region 6.
8. *Procedures to Implement the Texas Surface Water Quality Standards*, Texas Commission on Environmental Quality, January 2003, for portions of the 2010 IP not approved by EPA Region 6.
9. Memos from the Water Quality Standards Implementation Team and the Water Quality Assessment Team of the Water Quality Assessment Section of the TCEQ.
10. "Guidance Document for Establishing Monitoring Frequencies for Domestic and Industrial Wastewater Discharge Permits," TCEQ Document No. 98-001.000-OWR-WQ, May 1998.
11. EPA Effluent Guidelines: 40 CFR Part 437, Subpart B (NSPS). A new source determination was performed and the discharge of treated process wastewater is a new source as defined at 40 CFR § 122.2.
12. Consistency with the Coastal Management Plan: The Executive Director has reviewed this action for consistency with the goals and policies of the Texas Coastal Management Program (CMP) in accordance with the regulations of the General Land Office and has determined that the action is consistent with the applicable CMP goals and policies.
13. Letter dated May 28, 2014, from L'Oreal W. Stepney, P.E., Deputy Director, Office of Water, TCEQ, to Bill Honker, Director, Water Quality Protection Division, EPA (TCEQ proposed development strategy for pH evaluation procedures)
14. Letter dated June 2, 2014, from William K. Honker, P.E., Director, Water Quality Protection Division, EPA, to L'Oreal W. Stepney, P.E., Deputy Director, Office of Water, TCEQ (Approval of TCEQ proposed development strategy for pH evaluation procedures)
15. *Eight Total Maximum Daily Loads for Indicator Bacteria in Dickinson Bayou and Three Tidal Tributaries Segments 1103, 1103A, 1103B, 1103C, 1104*, TCEQ, project #80.

PROCEDURES FOR FINAL DECISION

When an application is declared administratively complete, the Chief Clerk sends a letter to the applicant advising the applicant to publish the Notice of Receipt of Application and Intent to Obtain Permit in the newspaper. In addition, the Chief Clerk instructs the applicant to place a copy of the application in a public place for reviewing and copying in the county where the facility is or will be located. This application will be in a public place throughout the comment period. The Chief Clerk also mails this notice to any interested persons and, if required, to landowners identified in the permit application. This notice informs the public about the application, and provides that an interested person may file comments on the application or request a contested case hearing or a public meeting.

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Once a draft permit is completed, it is sent, along with the Executive Director's preliminary decision, as contained in the technical summary or fact sheet, to the Chief Clerk. At that time, the Notice of Application and Preliminary Decision will be mailed to the same people and published in the same newspaper as the prior notice. This notice sets a deadline for making public comments. The applicant must place a copy of the Executive Director's preliminary decision and draft permit in the public place with the application. This notice sets a deadline for public comment.

Any interested person may request a public meeting on the application until the deadline for filing public comments. A public meeting is intended for the taking of public comment and is not a contested case proceeding.

After the public comment deadline, the Executive Director prepares a response to all significant public comments on the application or the draft permit raised during the public comment period. The Chief Clerk then mails the Executive Director's response to comments and final decision to people who have filed comments, requested a contested case hearing, or requested to be on the mailing list. This notice provides that if a person is not satisfied with the Executive Director's response and decision, they can request a contested case hearing or file a request to reconsider the Executive Director's decision within 30 days after the notice is mailed.

The Executive Director will issue the permit unless a written hearing request or request for reconsideration is filed within 30 days after the Executive Director's response to comments and final decision is mailed. If a hearing request or request for reconsideration is filed, the Executive Director will not issue the permit and will forward the application and request to the TCEQ Commissioners for their consideration at a scheduled Commission meeting. If a contested case hearing is held, it will be a legal proceeding similar to a civil trial in state district court.

If the Executive Director calls a public meeting or the Commission grants a contested case hearing as described above, the Commission will give notice of the date, time, and place of the meeting or hearing. If a hearing request or request for reconsideration is made, the Commission will consider all public comments in making its decision and shall either adopt the Executive Director's response to public comments or prepare its own response.

For additional information about this application, contact Shannon Gibson at (512) 239-4284.

Shannon Gibson
Shannon Gibson

August 6, 2015
Date

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Appendix A
Calculated Technology-Based Effluent Limits

The discharge of treated process wastewater via internal Outfall 101 is subject to EPA effluent limitations guidelines in 40 CFR Part 437 – Centralized Waste Treatment Point Source Category, Subpart B – Oils Treatment and Recovery Subcategory. The discharge of treated contaminated stormwater via internal Outfall 101 is not subject to any federal effluent limitation guidelines.

A new source determination was performed, and the discharge of treated process wastewater via internal Outfall 101 from this facility is a new source as defined at 40 CFR §122.2. Therefore, new source performance standards (NSPS) are required for the discharge of treated process wastewater via internal Outfall 101.

Internal Outfall 101: 40 CFR §437.24 – NSPS Effluent Limitations

Discharges subject to this subpart must meet the following effluent limitations:

$$\text{Mass Limitation (lbs/day)} = \text{ELG (mg/L)} \times \text{Q (MGD)} \times 8.345$$

where Q = 0.105 MGD (permitted daily average flow)

Regulated Parameter	Daily Avg (mg/L)	Daily Max (mg/L)	Daily Avg (lbs/day)	Daily Max (lbs/day)
CONVENTIONAL PARAMETERS				
Oil & Grease	38.0	127	33.2	111
Total Suspended Solids	30.6	74.1	26.8	64.9
pH	Between 6.0 and 9.0 standard units			
METAL PARAMETERS				
Arsenic	1.33	2.95	1.16	2.58
Cadmium	0.0102	0.0172	0.00893	0.0150
Chromium	0.323	0.746	0.283	0.653
Cobalt	18.8	56.4	16.4	49.4
Copper	0.242	0.500	0.212	0.438
Lead	0.160	0.350	0.140	0.306
Mercury	0.00647	0.0172	0.00566	0.0150
Tin	0.165	0.335	0.144	0.293
Zinc	4.50	8.26	3.94	7.23
ORGANIC PARAMETERS				
Bis(2-ethylhexyl) phthalate	0.101	0.215	0.0884	0.188
Butylbenzyl phthalate	0.0887	0.188	0.0777	0.164
Carbazole	0.276	0.598	0.241	0.523
n-Decane	0.437	0.948	0.382	0.830
Fluoranthene	0.0268	0.0537	0.0234	0.0470
n-Octadecane	0.302	0.589	0.264	0.516

Daily average and daily maximum effluent limitations for oil and grease, total suspended solids, total arsenic, total cadmium, total chromium, total cobalt, total copper, total lead, total mercury, total tin, total zinc, butylbenzyl phthalate, carbazole, n-decane, bis(2-ethylhexyl) phthalate, fluoranthene, and n-octadecane and daily minimum and daily maximum effluent limitations for pH have been included in the draft permit at internal Outfall 101 based on the requirements of 40 CFR §437.24 (NSPS).

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In addition, daily average and daily maximum monitoring and reporting requirements for total petroleum hydrocarbons have been included in the draft permit at internal Outfall 101, based upon BPJ due to the potential for this constituent to be present in the effluent discharged from this facility.

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Appendix B
Calculated Water Quality-Based Effluent Limits

TEXTOX MENU #10 - INTERMITTENT FRESHWATER STREAM WITHIN 3 MILES OF A BAY OR WIDE TIDAL RIVER

The water quality-based effluent limitations developed below are calculated using:

Table 1, 2014 Texas Surface Water Quality Standards (30 TAC 307) for Freshwater and Saltwater Aquatic Life
Table 2, 2014 Texas Surface Water Quality Standards for Human Health
"Procedures to Implement the Texas Surface Water Quality Standards," TCEQ, June 2010

PERMIT INFORMATION

Permittee Name:	Clean Harbors San Leon, Inc.
TPDES Permit No:	WQ0004086000
Outfall No:	001
Prepared by:	Shannon Gibson
Date:	July 9, 2015

DISCHARGE INFORMATION

<i>Intermittent Receiving Waterbody:</i>	a drainage ditch
Segment No. for Freshwater Ambient Data:	1103 Segment No. 1104 values used in the below calculations
TSS (mg/L) (Intermittent):	12
pH (Standard Units) (Intermittent):	7.3
Hardness (mg/L as CaCO ₃) (Intermittent):	116
Chloride (mg/L) (Intermittent):	99
Effluent Flow for Aquatic Life (MGD):	1.63
% Effluent for Acute Aquatic Life (Intermittent):	100
<i>Saltwater Receiving Waterbody:</i>	an unnamed tidal tributary
Segment No.:	1103 Segment No. 1104 values used in the below calculations
TSS (mg/L) (Bay/Tidal River):	12
% Effluent for Chronic Aquatic Life (Bay/Tidal River):	100
% Effluent for Acute Aquatic Life (Bay/Tidal River):	100
Oyster Waters?	No
Effluent Flow for Human Health (MGD):	0.235
% Effluent for Human Health (Bay/Tidal River):	99

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CALCULATE DISSOLVED FRACTION (AND ENTER WATER EFFECT RATIO IF APPLICABLE):

<i>Stream/River Metal</i>	<i>Intercept (b)</i>	<i>Slope (m)</i>	<i>Partition Coefficient (Kp)</i>	<i>Dissolved Fraction (Cd/Ct)</i>		<i>Water Effect Ratio (WER)</i>	
Aluminum	N/A	N/A	N/A	1.00	Assumed	1.00	Assumed
Arsenic	5.68	-0.73	78018.52	0.52		1.00	Assumed
Cadmium	6.60	-1.13	240173.56	0.26		1.00	Assumed
Chromium (Total)	6.52	-0.93	328368.46	0.20		1.00	Assumed
Chromium (+3)	6.52	-0.93	328368.46	0.20		1.00	Assumed
Chromium (+6)	N/A	N/A	N/A	1.00	Assumed	1.00	Assumed
Copper	6.02	-0.74	166496.80	0.33		1.00	Assumed
Lead	6.45	-0.80	386060.17	0.18		1.00	Assumed
Mercury	N/A	N/A	N/A	1.00	Assumed	1.00	Assumed
Nickel	5.69	-0.57	118813.75	0.41		1.00	Assumed
Selenium	N/A	N/A	N/A	1.00	Assumed	1.00	Assumed
Silver	6.38	-1.03	185542.46	0.31		1.00	Assumed
Zinc	6.10	-0.70	221092.05	0.27		1.00	Assumed

<i>Estuarine Metal</i>	<i>Intercept (b)</i>	<i>Slope (m)</i>	<i>Partition Coefficient (Kp)</i>	<i>Dissolved Fraction (Cd/Ct)</i>		<i>Water Effect Ratio (WER)</i>	
Aluminum	N/A	N/A	N/A	1.00	Assumed	1.00	Assumed
Arsenic	N/A	N/A	N/A	1.00	Assumed	1.00	Assumed
Cadmium	N/A	N/A	N/A	1.00	Assumed	1.00	Assumed
Chromium (Total)	N/A	N/A	N/A	1.00	Assumed	1.00	Assumed
Chromium (+3)	N/A	N/A	N/A	1.00	Assumed	1.00	Assumed
Chromium (+6)	N/A	N/A	N/A	1.00	Assumed	1.00	Assumed
Copper	4.85	-0.72	11830.13	0.88		1.00	Assumed
Lead	6.06	-0.85	138897.98	0.37		1.00	Assumed
Mercury	N/A	N/A	N/A	1.00	Assumed	1.00	Assumed
Nickel	N/A	N/A	N/A	1.00	Assumed	1.00	Assumed
Selenium	N/A	N/A	N/A	1.00	Assumed	1.00	Assumed
Silver	5.86	-0.74	115187.64	0.42		1.00	Assumed
Zinc	5.36	-0.52	62925.37	0.57		1.00	Assumed

**STATEMENT OF BASIS / TECHNICAL SUMMARY AND
EXECUTIVE DIRECTOR'S PRELIMINARY DECISION
TPDES Permit No. WQ0004086000**

AQUATIC LIFE

CALCULATE DAILY AVERAGE AND DAILY MAXIMUM EFFLUENT LIMITATIONS:

<i>Parameter</i>	<i>SW</i>			<i>SW</i>						<i>Daily Avg. (ug/L)</i>	<i>Daily Max. (ug/L)</i>
	<i>FW Acute Criterion (ug/L)</i>	<i>Acute Criterion (ug/L)</i>	<i>Chronic Criterion (ug/L)</i>	<i>FW WLAa</i>	<i>SW WLAa</i>	<i>SW WLAc</i>	<i>FW LTAa</i>	<i>SW LTAa</i>	<i>SW LTAc</i>		
Aldrin	3.0	1.3	N/A	3.00	1.30	N/A	1.72	0.416	N/A	0.612	1.29
Aluminum	991	N/A	N/A	991	N/A	N/A	568	N/A	N/A	835	1766
Arsenic	340	149	78	658	149	78.0	377	47.7	47.6	69.9	148
Cadmium	9.91	40.0	8.75	38.5	40.0	8.75	22.1	12.8	5.34	7.85	16.6
Carbaryl	2.0	613	N/A	2.00	613	N/A	1.15	196	N/A	1.68	3.56
Chlordane	2.4	0.09	0.004	2.40	0.090	0.0040	1.38	0.029	0.0024	0.0036	0.0076
Chlorpyrifos	0.083	0.011	0.006	0.083	0.011	0.0060	0.048	0.0035	0.0037	0.0052	0.011
Chromium (+3)	643	N/A	N/A	3179	N/A	N/A	1821	N/A	N/A	2677	5665
Chromium (+6)	15.7	1,090	49.6	15.7	1090	49.6	9.00	349	30.3	13.2	28.0
Copper	16.3	13.5	3.6	49.0	15.4	4.11	28.1	4.93	2.51	3.69	7.80
Copper (oyster waters)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Cyanide (free)	45.8	5.6	5.6	45.8	5.60	5.60	26.2	1.79	3.42	2.63	5.57
4,4'-DDT	1.1	0.13	0.001	1.10	0.130	0.0010	0.630	0.042	0.00061	0.00090	0.0019
Demeton	N/A	N/A	0.1	N/A	N/A	0.100	N/A	N/A	0.061	0.090	0.190
Diazinon	0.17	0.819	0.819	0.170	0.819	0.819	0.097	0.262	0.500	0.143	0.303
Dicofol	59.3	N/A	N/A	59.3	N/A	N/A	34.0	N/A	N/A	49.9	106
Dieldrin	0.24	0.71	0.002	0.240	0.710	0.0020	0.138	0.227	0.0012	0.0018	0.0038
Diuron	210	N/A	N/A	210	N/A	N/A	120	N/A	N/A	177	374
Endosulfan I (alpha)	0.22	0.034	0.009	0.220	0.034	0.0090	0.126	0.011	0.0055	0.0081	0.017
Endosulfan II (beta)	0.22	0.034	0.009	0.220	0.034	0.0090	0.126	0.011	0.0055	0.0081	0.017
Endosulfan sulfate	0.22	0.034	0.009	0.220	0.034	0.0090	0.126	0.011	0.0055	0.0081	0.017
Endrin	0.086	0.037	0.002	0.086	0.037	0.0020	0.049	0.012	0.0012	0.0018	0.0038
Guthion	N/A	N/A	0.01	N/A	N/A	0.010	N/A	N/A	0.0061	0.0090	0.019
Heptachlor	0.52	0.053	0.004	0.520	0.053	0.004	0.298	0.017	0.0024	0.0036	0.0076
Hexachlorocyclohexane (Lindane)	1.13	0.16	N/A	1.13	0.160	N/A	0.645	0.051	N/A	0.075	0.159
Lead	75.9	133	5.3	427	355	14.1	245	113	8.62	12.7	26.8
Malathion	N/A	N/A	0.01	N/A	N/A	0.010	N/A	N/A	0.0061	0.0090	0.019
Mercury	2.4	2.1	1.1	2.40	2.10	1.10	1.38	0.672	0.671	0.986	2.09
Methoxychlor	N/A	N/A	0.03	N/A	N/A	0.030	N/A	N/A	0.018	0.027	0.057
Mirex	N/A	N/A	0.001	N/A	N/A	0.0010	N/A	N/A	0.00061	0.00090	0.0019
Nickel	531	118	13.1	1288	118	13.1	738	37.8	7.99	11.7	24.9
Nonylphenol	28	7	1.7	28.0	7.00	1.70	16.0	2.24	1.04	1.52	3.23
Parathion (ethyl)	0.065	N/A	N/A	0.065	N/A	N/A	0.037	N/A	N/A	0.055	0.116
Pentachlorophenol	11.8	15.1	9.6	11.8	15.1	9.60	6.76	4.83	5.86	7.10	15.0
Phenanthrene	30	7.7	4.6	30.0	7.70	4.60	17.2	2.46	2.81	3.62	7.66
Polychlorinated Biphenyls (PCBs)	2.0	10	0.03	2.00	10.0	0.030	1.15	3.20	0.018	0.027	0.057
Selenium	20	564	136	20.0	564	136	11.5	180	83.0	16.8	35.6
Silver	0.8	2	N/A	21.2	4.76	N/A	12.1	1.52	N/A	2.24	4.74
Toxaphene	0.78	0.21	0.0002	0.780	0.210	0.00020	0.447	0.067	0.00012	0.00018	0.00038
Tributyltin (TBT)	0.13	0.24	0.0074	0.130	0.240	0.0074	0.074	0.077	0.0045	0.0066	0.014
2,4,5 Trichlorophenol	136	259	12	136	259	12.0	77.9	82.9	7.320	10.8	22.8
Zinc	133	92.7	84.2	485	163	148	278	52.1	90.1	76.5	162

HUMAN HEALTH

CALCULATE DAILY AVERAGE AND DAILY MAXIMUM EFFLUENT LIMITATIONS:

<i>Parameter</i>	<i>Fish Only Criterion (ug/L)</i>	<i>WLAh</i>	<i>LTAh</i>	<i>Daily Avg. (ug/L)</i>	<i>Daily Max. (ug/L)</i>	
Acrylonitrile		3.8	3.84	3.57	5.25	11.1

STATEMENT OF BASIS / TECHNICAL SUMMARY AND
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TPDES Permit No. WQ0004086000

HUMAN HEALTH

CALCULATE DAILY AVERAGE AND DAILY MAXIMUM EFFLUENT LIMITATIONS:

<i>Parameter</i>	<i>Fish Only Criterion (ug/L)</i>	<i>WLAh</i>	<i>LTAh</i>	<i>Daily Avg. (ug/L)</i>	<i>Daily Max. (ug/L)</i>
Aldrin	0.0010	0.0010	0.00094	0.0014	0.0029
Anthracene	N/A	N/A	N/A	N/A	N/A
Antimony	1,071	1082	1006	1479	3129
Arsenic	N/A	N/A	N/A	N/A	N/A
Barium	N/A	N/A	N/A	N/A	N/A
Benzene	513	518	482	708	1499
Benzidine	0.0020	0.0020	0.0019	0.0028	0.01
Benzo(a)anthracene	3.28	3.31	3.08	4.53	9.58
Benzo(a)pyrene	0.33	0.333	0.310	0.456	0.964
Bis(chloromethyl)ether	0.44	0.444	0.413	0.608	1.29
Bis(2-chloroethyl)ether	10.06	10.2	9.45	13.9	29.4
Bis(2-ethylhexyl)phthalate	41	41.4	38.5	56.6	120
Bromodichloromethane (Dichlorobromomethane)	322	325	302	445	941
Bromoform	2,175	2197	2043	3003	6354
Cadmium	N/A	N/A	N/A	N/A	N/A
Carbon Tetrachloride	30.5	30.8	28.7	42.1	89.1
Chlordane	0.0081	0.0082	0.0076	0.011	0.024
Chlorobenzene	5,201	5254	4886	7182	15195
Chlorodibromomethane (Dibromochloromethane)	239	241	225	330	698
Chloroform	7,143	7215	6710	9864	20868
Chromium (+6)	502	507	472	693	1467
Chrysene	327	330	307	452	955
Cresols (Methylphenols)	9,301	9395	8737	12844	27173
Cyanide (free)	N/A	N/A	N/A	N/A	N/A
4,4'-DDD	0.0059	0.0060	0.0055	0.0081	0.017
4,4'-DDE	0.0040	0.0040	0.0038	0.0055	0.012
4,4'-DDT	0.0040	0.0040	0.0038	0.0055	0.012
2,4'-D	N/A	N/A	N/A	N/A	N/A
Danitol	473	478	444	653	1382
1,2-Dibromoethane	4.24	4.28	3.98	5.86	12.4
m-Dichlorobenzene (1,3-Dichlorobenzene)	1,445	1460	1357	1995	4222
o-Dichlorobenzene (1,2-Dichlorobenzene)	4,336	4380	4073	5988	12668
p-Dichlorobenzene (1,4-Dichlorobenzene)	N/A	N/A	N/A	N/A	N/A
3,3'-Dichlorobenzidine	0.44	0.444	0.413	0.608	1.29
1,2-Dichloroethane	553	559	519	764	1616
1,1-Dichloroethylene	23,916	24158	22467	33026	69871
Dichloromethane (Methylene Chloride)	22,222	22446	20875	30687	64922
1,2-Dichloropropane	226	228	212	312	660
1,3-Dichloropropene (1,3- Dichloropropylene)	211	213	198	291	616
Dicofol	0.30	0.303	0.282	0.414	0.876
Dieldrin	0.001	0.0010	0.00094	0.0014	0.0029
2,4-Dimethylphenol	571	577	536	788	1668
Di-n-Butyl Phthalate	3,010	3040	2828	4157	8794
Dioxins/Furans (TCDD Equivalents)	7.97E-08	8.05E-08	7.49E-08	1.10E-07	2.33E-07
Endrin	0.20	0.202	0.188	0.276	0.584
Ethylbenzene	7,143	7215	6710	9864	20868
Fluoride	N/A	N/A	N/A	N/A	N/A
Heptachlor	0.0015	0.0015	0.0014	0.0021	0.0044
Heptachlor Epoxide	0.00075	0.00076	0.00070	0.0010	0.0022
Hexachlorobenzene	0.0045	0.0045	0.0042	0.0062	0.013
Hexachlorobutadiene	274	277	257	378	800

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HUMAN HEALTH

CALCULATE DAILY AVERAGE AND DAILY MAXIMUM EFFLUENT LIMITATIONS:

<i>Parameter</i>	<i>Fish Only Criterion (ug/L)</i>	<i>WLAh</i>	<i>LTAh</i>	<i>Daily Avg. (ug/L)</i>	<i>Daily Max. (ug/L)</i>
Hexachlorocyclohexane (alpha)	0.093	0.094	0.087	0.128	0.272
Hexachlorocyclohexane (beta)	0.33	0.333	0.310	0.456	0.96
Hexachlorocyclohexane (gamma) (Lindane)	6.2	6.26	5.82	8.56	18.1
Hexachlorocyclopentadiene	N/A	N/A	N/A	N/A	N/A
Hexachloroethane	11.51	11.6	10.8	15.9	33.6
Hexachlorophene	2.90	2.93	2.72	4.00	8.47
Lead	3.83	10.3	9.59	14.1	29.8
Mercury	0.0250	0.025	0.023	0.035	0.073
Methoxychlor	1.61	1.63	1.51	2.22	4.70
Methyl Ethyl Ketone	992,000	1002020	931879	1369862	2898143
Nickel	1,140	1152	1071	1574	3331
Nitrate-Nitrogen (as Total Nitrogen)	N/A	N/A	N/A	N/A	N/A
Nitrobenzene	1,853	1872	1741	2559	5414
N-Nitrosodiethylamine	2.1	2.12	1.97	2.90	6.14
N-Nitroso-di-n-Butylamine	4.2	4.24	3.95	5.80	12.3
Pentachlorobenzene	1.0	1.01	0.939	1.38	2.92
Pentachlorophenol	9.1	9.19	8.55	12.6	26.6
Polychlorinated Biphenyls (PCBs)	6.4E-04	0.00065	0.00060	0.00088	0.0019
Pyridine	947	957	890	1308	2767
Selenium	N/A	N/A	N/A	N/A	N/A
1,2,4,5-Tetrachlorobenzene	0.71	0.717	0.667	0.980	2.07
1,1,2,2-Tetrachloroethane	40	40.4	37.6	55.2	117
Tetrachloroethylene	525	530	493	725	1534
Thallium	0.23	0.232	0.216	0.318	0.672
Toluene	N/A	N/A	N/A	N/A	N/A
Toxaphene	0.0053	0.0054	0.0050	0.0073	0.015
2,4,5-TP (Silvex)	21	21.2	19.7	29.0	61.4
1,1,1-Trichloroethane	956,663	966326	898683	1321065	2794905
1,1,2-Trichloroethane	295	298	277	407	862
Trichloroethylene	82	82.8	77.0	113	240
2,4,5-Trichlorophenol	2,435	2460	2287	3363	7114
TTHM (Sum of Total Trihalomethanes)	N/A	N/A	N/A	N/A	N/A
Vinyl Chloride	24	24.2	22.5	33.1	70.1

CALCULATE 70% AND 85% OF DAILY AVERAGE EFFLUENT LIMITATIONS:

Aquatic Life

<i>Parameter</i>	<i>70%</i>	<i>85%</i>
Aldrin	0.428	0.520
Aluminum	584	710
Arsenic	49.0	59.5
Cadmium	5.49	6.67
Carbaryl	1.18	1.43
Chlordane	0.0025	0.0030
Chlorpyrifos	0.0036	0.0044
Chromium (+3)	1874	2275
Chromium (+6)	9.26	11.2
Copper	2.58	3.13
Copper (oyster waters)	N/A	N/A
Cyanide (free)	1.84	2.24
4,4'-DDT	0.00063	0.00076

STATEMENT OF BASIS / TECHNICAL SUMMARY AND
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Demeton	0.063	0.076
Diazinon	0.100	0.122
Dicofol	35.0	42.5
Dieldrin	0.0013	0.0015
Diuron	124	150
Endosulfan (alpha)	0.0056	0.0069
Endosulfan (beta)	0.0056	0.0069
Endosulfan sulfate	0.0056	0.0069
Endrin	0.0013	0.0015
Guthion	0.0063	0.0076
Heptachlor	0.0025	0.0030
Hexachlorocyclohexane (Lindane)	0.053	0.064
Lead	8.87	10.8
Malathion	0.0063	0.0076
Mercury	0.690	0.838
Methoxychlor	0.019	0.023
Mirex	0.00063	0.00076
Nickel	8.22	9.98
Nonylphenol	1.07	1.30
Parathion (ethyl)	0.038	0.047
Pentachlorophenol	4.97	6.04
Phenanthrene	2.54	3.08
Polychlorinated Biphenyls (PCBs)	0.019	0.023
Selenium	11.8	14.3
Silver	1.57	1.91
Toxaphene	0.00013	0.00015
Tributyltin (TBT)	0.0046	0.0056
2,4,5 Trichlorophenol	7.53	9.15
Zinc	53.6	65.1

Human Health

Parameter	70%	85%
Acrylonitrile	3.67	4.46
Aldrin	0.0010	0.0012
Anthracene	N/A	N/A
Antimony	1035	1257
Arsenic	N/A	N/A
Barium	N/A	N/A
Benzene	496	602
Benzidine	0.0019	0.0023
Benzo(a)anthracene	3.17	3.85
Benzo(a)pyrene	0.319	0.387
Bis(chloromethyl)ether	0.425	0.516
Bis(2-chloroethyl)ether	9.72	11.8
Bis(2-ethylhexyl)phthalate	39.6	48.1
Bromodichloromethane (Dichlorobromomethane)	311	378
Bromoform	2102	2553
Cadmium	N/A	N/A
Carbon Tetrachloride	29.5	35.8
Chlordane	0.0078	0.010
Chlorobenzene	5027	6105
Chlorodibromomethane (Dibromochloromethane)	231	281
Chloroform	6905	8384
Chromium (+6)	485	589
Chrysene	316	384

STATEMENT OF BASIS / TECHNICAL SUMMARY AND
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Human Health		
Parameter	70%	85%
Cresols (Methylphenols)	8991	10917
Cyanide (free)	N/A	N/A
4,4'-DDD	0.0057	0.0069
4,4'-DDE	0.0039	0.0047
4,4'-DDT	0.0039	0.0047
2,4'-D	N/A	N/A
Danitol	457	555
1,2-Dibromoethane	4.10	4.98
m-Dichlorobenzene (1,3-Dichlorobenzene)	1397	1696
o-Dichlorobenzene (1,2-Dichlorobenzene)	4191	5089
p-Dichlorobenzene (1,4-Dichlorobenzene)	N/A	N/A
3,3'-Dichlorobenzidine	0.425	0.516
1,2-Dichloroethane	535	649
1,1-Dichloroethylene	23118	28072
Dichloromethane (Methylene Chloride)	21481	26084
1,2-Dichloropropane	218	265
1,3-Dichloropropene (1,3- Dichloropropylene)	204	248
Dicofol	0.290	0.352
Dieldrin	0.0010	0.0012
2,4-Dimethylphenol	552	670
Di-n-Butyl Phthalate	2910	3533
Dioxins/Furans (TCDD Equivalents)	7.70E-08	9.35E-08
Endrin	0.193	0.235
Ethylbenzene	6905	8384
Fluoride	N/A	N/A
Heptachlor	0.0014	0.0018
Heptachlor Epoxide	0.00072	0.00088
Hexachlorobenzene	0.0043	0.0053
Hexachlorobutadiene	265	322
Hexachlorocyclohexane (alpha)	0.090	0.109
Hexachlorocyclohexane (beta)	0.319	0.387
Hexachlorocyclohexane (gamma) (Lindane)	5.99	7.28
Hexachlorocyclopentadiene	N/A	N/A
Hexachloroethane	11.1	13.5
Hexachlorophene	2.80	3.40
Lead	9.87	12.0
Mercury	0.024	0.029
Methoxychlor	1.56	1.89
Methyl Ethyl Ketone	958903	1164383
Nickel	1102	1338
Nitrate-Nitrogen (as Total Nitrogen)	N/A	N/A
Nitrobenzene	1791	2175
N-Nitrosodiethylamine	2.03	2.46
N-Nitroso-di-n-Butylamine	4.06	4.93
Pentachlorobenzene	0.967	1.17
Pentachlorophenol	8.80	10.7
Polychlorinated Biphenyls (PCBs)	0.00062	0.00075
Pyridine	915	1112
Selenium	N/A	N/A
1,2,4,5-Tetrachlorobenzene	0.686	0.833
1,1,2,2-Tetrachloroethane	38.7	47.0
Tetrachloroethylene	507	616
Thallium	0.222	0.270

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Human Health		
Parameter	70%	85%
Toluene	N/A	N/A
Toxaphene	0.0051	0.0062
2,4,5-TP (Silvex)	20.3	24.6
1,1,1-Trichloroethane	924745	1122905
1,1,2-Trichloroethane	285	346
Trichloroethylene	79.3	96.2
2,4,5-Trichlorophenol	2354	2858
TTHM (Sum of Total Trihalomethanes)	N/A	N/A
Vinyl Chloride	23.2	28.2



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

P.O Box 13087
Austin, Texas 78711-3087

PERMIT TO DISCHARGE WASTES
under provisions of
Section 402 of the Clean Water Act
and Chapter 26 of the Texas Water Code

TPDES PERMIT NO.
WQ0004086000
*[For TCEQ office use only -
EPA I.D. No. TX0117757]*

This major amendment replaces
TPDES Permit No. WQ0004086000,
issued on December 19, 2013.

Clean Harbors San Leon, Inc.

whose mailing address is

2700 Avenue S
San Leon, Texas 77539

is authorized to treat and discharge wastes from Clean Harbors Recycling Facility, a recycling and storage facility that manages catalyst and oily wastes from the petroleum refining and petrochemical industries (SIC 4954, 1311)

located at 2700 Avenue S, near the intersection of 27th Street and Avenue S, approximately 3/4 mile east of State Highway 146 at Dickinson Bayou, in San Leon, Galveston County, Texas 77539

to a drainage ditch; thence to an unnamed tidal tributary of Dickinson Bayou Tidal; thence to Dickinson Bayou Tidal in Segment No. 1103 of the San Jacinto-Brazos Coastal Basin

only according to effluent limitations, monitoring requirements, and other conditions set forth in this permit, as well as the rules of the Texas Commission on Environmental Quality (TCEQ), the laws of the State of Texas, and other orders of the TCEQ. The issuance of this permit does not grant to the permittee the right to use private or public property for conveyance of wastewater along the discharge route described in this permit. This includes, but is not limited to, property belonging to any individual, partnership, corporation, or other entity. Neither does this permit authorize any invasion of personal rights nor any violation of federal, state, or local laws or regulations. It is the responsibility of the permittee to acquire property rights as may be necessary to use the discharge route.

This permit shall expire at midnight on September 1, 2018.

ISSUED DATE:

For the Commission

EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

Outfall Number 001

1. During the period beginning upon the date of permit issuance and lasting through the date of permit expiration, the permittee is authorized to discharge stormwater associated with industrial activity and previously monitored effluent (treated process wastewater and treated contaminated stormwater from internal Outfall 101) subject to the following effluent limitations:

Volume: Intermittent and Flow-Variable.

Effluent Characteristics	Discharge Limitations			Minimum Self-Monitoring Requirements	
	Daily Average mg/L	Daily Maximum mg/L	Single Grab mg/L	Report Daily Average and Daily Maximum Measurement Frequency	Sample Type
Flow	Report, MGD	Report, MGD	N/A	1/day (*1)	Instantaneous
Total Organic Carbon	N/A	55	55	1/day (*1)	Grab
Oil and Grease	N/A	15	15	1/day (*1)	Grab
BTEX (*2)	N/A	0.5	0.5	1/month (*1)	Grab
Total Zinc	N/A	6.0	6.0	1/month (*1)	Grab

(*1) When discharging. Samples shall be collected within 30 minutes of the beginning of discharge.

(*2) BTEX means benzene, toluene, ethylbenzene, and total xylenes.

2. The pH must not be less than 6.0 standard units nor greater than 9.0 standard units and must be monitored 1/day (*1) by grab sample.
3. There must be no discharge of floating solids or visible foam in other than trace amounts and no discharge of visible oil.
4. Effluent monitoring samples must be taken at the following location: At Outfall 001, at the gated stormwater outfall in the northwest corner of the facility property.

EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

Outfall Number 101

1. During the period beginning upon the date of permit issuance and lasting through the date of permit expiration, the permittee is authorized to discharge treated process wastewater and treated contaminated stormwater subject to the following effluent limitations:

The daily average flow of effluent shall not exceed 0.105 million gallons per day (MGD). The daily maximum flow shall not exceed 0.165 MGD.

Effluent Characteristics	Discharge Limitations				Minimum Self-Monitoring Requirements		
	Daily Average		Daily Maximum		Single Grab	Report Daily Average and Daily Maximum	
	lbs/day	mg/L	lbs/day	mg/L	mg/L	Measurement Frequency	Sample Type
Flow	0.105 MGD		0.165 MGD		N/A	1/day (*1)	Record
Oil & Grease	33.2	38.0	111	127	254	1/day (*1)	Grab
Total Suspended Solids	26.8	30.6	64.9	74.1	148	1/day (*1)	Grab
Total Arsenic	1.16	1.33	2.58	2.95	5.9	1/day (*1)	Grab
Total Cadmium	0.00893	0.0102	0.0150	0.0172	0.034	1/day (*1)	Grab
Total Chromium	0.283	0.323	0.653	0.746	1.49	1/day (*1)	Grab
Total Cobalt	16.4	18.8	49.4	56.4	112	1/day (*1)	Grab
Total Copper	0.212	0.242	0.438	0.500	1.0	1/day (*1)	Grab
Total Lead	0.140	0.160	0.306	0.350	0.7	1/day (*1)	Grab
Total Mercury	0.00566	0.00647	0.0150	0.0172	0.034	1/day (*1)	Grab
Total Tin	0.144	0.165	0.293	0.335	0.67	1/day (*1)	Grab
Total Zinc	3.94	4.50	7.23	8.26	16.5	1/day (*1)	Grab
Bis(2-ethylhexyl) phthalate	0.0884	0.101	0.188	0.215	0.43	1/day (*1)	Grab
Butylbenzyl phthalate	0.0777	0.0887	0.164	0.188	0.37	2/week (*1)	Grab
Carbazole	0.241	0.276	0.523	0.598	1.19	2/week (*1)	Grab
n-Decane	0.382	0.437	0.830	0.948	1.89	2/week (*1)	Grab
Fluoranthene	0.0234	0.0268	0.0470	0.0537	0.10	2/week (*1)	Grab
n-Octadecane	0.264	0.302	0.516	0.589	1.17	2/week (*1)	Grab
Total Petroleum Hydrocarbons	Report	Report	Report	Report	N/A	1/week (*1)	Grab

(*1) When discharging.

2. The pH must not be less than 6.0 standard units nor greater than 9.0 standard units and must be monitored 1/day (*1) by grab sample.
3. There must be no discharge of floating solids or visible foam in other than trace amounts and no discharge of visible oil.
4. Effluent monitoring samples must be taken at the following location: At internal Outfall 101, prior to commingling with any other wastewaters.

DEFINITIONS AND STANDARD PERMIT CONDITIONS

As required by Title 30 Texas Administrative Code (TAC) Chapter 305, certain regulations appear as standard conditions in waste discharge permits. 30 TAC §§305.121 - 305.129 (relating to Permit Characteristics and Conditions) as promulgated under the Texas Water Code (TWC) §§5.103 and 5.105, and the Texas Health and Safety Code (THSC) §§361.017 and 361.024(a), establish the characteristics and standards for waste discharge permits, including sewage sludge, and those sections of 40 Code of Federal Regulations (CFR) Part 122 adopted by reference by the Commission. The following text includes these conditions and incorporates them into this permit. All definitions in Texas Water Code §26.001 and 30 TAC Chapter 305 shall apply to this permit and are incorporated by reference. Some specific definitions of words or phrases used in this permit are as follows:

1. Flow Measurements

- a. Annual average flow - the arithmetic average of all daily flow determinations taken within the preceding 12 consecutive calendar months. The annual average flow determination shall consist of daily flow volume determinations made by a totalizing meter, charted on a chart recorder, and limited to major domestic wastewater discharge facilities with a one million gallons per day or greater permitted flow.
- b. Daily average flow - the arithmetic average of all determinations of the daily flow within a period of one calendar month. The daily average flow determination shall consist of determinations made on at least four separate days. If instantaneous measurements are used to determine the daily flow, the determination shall be the arithmetic average of all instantaneous measurements taken during that month. Daily average flow determination for intermittent discharges shall consist of a minimum of three flow determinations on days of discharge.
- c. Daily maximum flow - the highest total flow for any 24-hour period in a calendar month.
- d. Instantaneous flow - the measured flow during the minimum time required to interpret the flow measuring device.
- e. 2-hour peak flow (domestic wastewater treatment plants) - the maximum flow sustained for a two-hour period during the period of daily discharge. The average of multiple measurements of instantaneous maximum flow within a two-hour period may be used to calculate the 2-hour peak flow.
- f. Maximum 2-hour peak flow (domestic wastewater treatment plants) - the highest 2-hour peak flow for any 24-hour period in a calendar month.

2. Concentration Measurements

- a. Daily average concentration - the arithmetic average of all effluent samples, composite or grab as required by this permit, within a period of one calendar month, consisting of at least four separate representative measurements.
 - i. For domestic wastewater treatment plants - When four samples are not available in a calendar month, the arithmetic average (weighted by flow) of all values in the previous four consecutive month period consisting of at least four measurements shall be utilized as the daily average concentration.
 - ii. For all other wastewater treatment plants - When four samples are not available in a calendar month, the arithmetic average (weighted by flow) of all values taken during the month shall be utilized as the daily average concentration.
- b. 7-day average concentration - the arithmetic average of all effluent samples, composite or grab as required by this permit, within a period of one calendar week, Sunday through Saturday.
- c. Daily maximum concentration - the maximum concentration measured on a single day, by the sample type specified in the permit, within a period of one calendar month.

- d. Daily discharge - the discharge of a pollutant measured during a calendar day or any 24-hour period that reasonably represents the calendar day for purposes of sampling. For pollutants with limitations expressed in terms of mass, the "daily discharge" is calculated as the total mass of the pollutant discharged over the sampling day. For pollutants with limitations expressed in other units of measurement, the "daily discharge" is calculated as the average measurement of the pollutant over the sampling day.

The "daily discharge" determination of concentration made using a composite sample shall be the concentration of the composite sample. When grab samples are used, the "daily discharge" determination of concentration shall be the arithmetic average (weighted by flow value) of all samples collected during that day.

- e. Bacteria concentration (Fecal coliform, *E. coli*, or Enterococci) – the number of colonies of bacteria per 100 milliliters effluent. The daily average bacteria concentration is a geometric mean of the values for the effluent samples collected in a calendar month. The geometric mean shall be determined by calculating the *n*th root of the product of all measurements made in a calendar month, where *n* equals the number of measurements made; or computed as the antilogarithm of the arithmetic mean of the logarithms of all measurements made in a calendar month. For any measurement of bacteria equaling zero, a substitute value of one shall be made for input into either computation method. If specified, the 7-day average for bacteria is the geometric mean of the values for all effluent samples collected during a calendar week.
- f. Daily average loading (lbs/day) - the arithmetic average of all daily discharge loading calculations during a period of one calendar month. These calculations must be made for each day of the month that a parameter is analyzed. The daily discharge, in terms of mass (lbs/day), is calculated as (Flow, MGD × Concentration, mg/L × 8.34).
- g. Daily maximum loading (lbs/day) - the highest daily discharge, in terms of mass (lbs/day), within a period of one calendar month.

3. Sample Type

- a. Composite sample - For domestic wastewater, a composite sample is a sample made up of a minimum of three effluent portions collected in a continuous 24-hour period or during the period of daily discharge if less than 24 hours, and combined in volumes proportional to flow, and collected at the intervals required by 30 TAC §319.9(a). For industrial wastewater, a composite sample is a sample made up of a minimum of three effluent portions collected in a continuous 24-hour period or during the period of daily discharge if less than 24 hours, and combined in volumes proportional to flow, and collected at the intervals required by 30 TAC §319.9(c).
- b. Grab sample - an individual sample collected in less than 15 minutes.

4. Treatment Facility (facility) - wastewater facilities used in the conveyance, storage, treatment, recycling, reclamation and/or disposal of domestic sewage, industrial wastes, agricultural wastes, recreational wastes, or other wastes including sludge handling or disposal facilities under the jurisdiction of the Commission.
5. The term "sewage sludge" is defined as solid, semi-solid, or liquid residue generated during the treatment of domestic sewage in 30 TAC Chapter 312. This includes the solids that have not been classified as hazardous waste separated from wastewater by unit processes.
6. Bypass - the intentional diversion of a waste stream from any portion of a treatment facility.

MONITORING AND REPORTING REQUIREMENTS

1. Self-Reporting

Monitoring results shall be provided at the intervals specified in the permit. Unless otherwise specified in this permit or otherwise ordered by the Commission, the permittee shall conduct effluent sampling and reporting in accordance with 30 TAC §§319.4 - 319.12. Unless otherwise specified, a monthly effluent report shall be submitted each month, to the Enforcement Division

(MC 224), by the 20th day of the following month for each discharge that is described by this permit whether or not a discharge is made for that month. Monitoring results must be reported on an approved self-report form that is signed and certified as required by Monitoring and Reporting Requirements No. 10.

As provided by state law, the permittee is subject to administrative, civil and criminal penalties, as applicable, for negligently or knowingly violating the Clean Water Act; TWC Chapters 26, 27, and 28; and THSC Chapter 361, including but not limited to knowingly making any false statement, representation, or certification on any report, record, or other document submitted or required to be maintained under this permit, including monitoring reports or reports of compliance or noncompliance, or falsifying, tampering with or knowingly rendering inaccurate any monitoring device or method required by this permit or violating any other requirement imposed by state or federal regulations.

2. Test Procedures

- a. Unless otherwise specified in this permit, test procedures for the analysis of pollutants shall comply with procedures specified in 30 TAC §§319.11 - 319.12. Measurements, tests, and calculations shall be accurately accomplished in a representative manner.
- b. All laboratory tests submitted to demonstrate compliance with this permit must meet the requirements of 30 TAC Chapter 25, Environmental Testing Laboratory Accreditation and Certification.

3. Records of Results

- a. Monitoring samples and measurements shall be taken at times and in a manner so as to be representative of the monitored activity.
- b. Except for records of monitoring information required by this permit related to the permittee's sewage sludge use and disposal activities, which shall be retained for a period of at least five years (or longer as required by 40 CFR Part 503), monitoring and reporting records, including strip charts and records of calibration and maintenance, copies of all records required by this permit, records of all data used to complete the application for this permit, and the certification required by 40 CFR §264.73(b)(9) shall be retained at the facility site, or shall be readily available for review by a TCEQ representative for a period of three years from the date of the record or sample, measurement, report, application or certification. This period shall be extended at the request of the Executive Director.
- c. Records of monitoring activities shall include the following:
 - i. date, time, and place of sample or measurement;
 - ii. identity of individual who collected the sample or made the measurement;
 - iii. date and time of analysis;
 - iv. identity of the individual and laboratory who performed the analysis;
 - v. the technique or method of analysis; and
 - vi. the results of the analysis or measurement and quality assurance/quality control records.

The period during which records are required to be kept shall be automatically extended to the date of the final disposition of any administrative or judicial enforcement action that may be instituted against the permittee.

4. Additional Monitoring by Permittee

If the permittee monitors any pollutant at the location(s) designated herein more frequently than required by this permit using approved analytical methods as specified above, all results of such monitoring shall be included in the calculation and reporting of the values submitted on the approved self-report form. Increased frequency of sampling shall be indicated on the self-report form.

5. Calibration of Instruments

All automatic flow measuring or recording devices and all totalizing meters for measuring flows shall be accurately calibrated by a trained person at plant start-up and as often thereafter as necessary to ensure accuracy, but not less often than annually unless authorized by the Executive Director for a longer period. Such person shall verify in writing that the device is operating properly and giving accurate results. Copies of the verification shall be retained at the facility site or shall be readily available for review by a TCEQ representative for a period of three years.

6. Compliance Schedule Reports

Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of the permit shall be submitted no later than 14 days following each schedule date to the Regional Office and the Enforcement Division (MC 224).

7. Noncompliance Notification

- a. In accordance with 30 TAC §305.125(9) any noncompliance that may endanger human health or safety, or the environment shall be reported by the permittee to the TCEQ. Report of such information shall be provided orally or by facsimile transmission (FAX) to the Regional Office within 24 hours of becoming aware of the noncompliance. A written submission of such information shall also be provided by the permittee to the Regional Office and the Enforcement Division (MC 224) within five working days of becoming aware of the noncompliance. The written submission shall contain a description of the noncompliance and its cause; the potential danger to human health or safety, or the environment; the period of noncompliance, including exact dates and times; if the noncompliance has not been corrected, the time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance, and to mitigate its adverse effects.
 - b. The following violations shall be reported under Monitoring and Reporting Requirement 7.a.:
 - i. unauthorized discharges as defined in Permit Condition 2(g).
 - ii. any unanticipated bypass that exceeds any effluent limitation in the permit.
 - iii. violation of a permitted maximum daily discharge limitation for pollutants listed specifically in the Other Requirements section of an Industrial TPDES permit.
 - c. In addition to the above, any effluent violation that deviates from the permitted effluent limitation by more than 40% shall be reported by the permittee in writing to the Regional Office and the Enforcement Division (MC 224) within 5 working days of becoming aware of the noncompliance.
 - d. Any noncompliance other than that specified in this section, or any required information not submitted or submitted incorrectly, shall be reported to the Enforcement Division (MC 224) as promptly as possible. For effluent limitation violations, noncompliances shall be reported on the approved self-report form.
8. In accordance with the procedures described in 30 TAC §§35.301 - 35.303 (relating to Water Quality Emergency and Temporary Orders) if the permittee knows in advance of the need for a bypass, it shall submit prior notice by applying for such authorization.

9. Changes in Discharges of Toxic Substances

All existing manufacturing, commercial, mining, and silvicultural permittees shall notify the Regional Office, orally or by facsimile transmission within 24 hours, and both the Regional Office and the Enforcement Division (MC 224) in writing within five (5) working days, after becoming aware of or having reason to believe:

- a. That any activity has occurred or will occur that would result in the discharge, on a routine or frequent basis, of any toxic pollutant listed at 40 CFR Part 122, Appendix D, Tables II and III (excluding Total Phenols) that is not limited in the permit, if that discharge will exceed the highest of the following "notification levels":

- i. one hundred micrograms per liter (100 µg/L);
 - ii. two hundred micrograms per liter (200 µg/L) for acrolein and acrylonitrile; five hundred micrograms per liter (500 µg/L) for 2,4-dinitrophenol and for 2-methyl-4,6-dinitrophenol; and one milligram per liter (1 mg/L) for antimony;
 - iii. five (5) times the maximum concentration value reported for that pollutant in the permit application; or
 - iv. the level established by the TCEQ.
- b. That any activity has occurred or will occur that would result in any discharge, on a nonroutine or infrequent basis, of a toxic pollutant that is not limited in the permit, if that discharge will exceed the highest of the following “notification levels”:
- i. five hundred micrograms per liter (500 µg/L);
 - ii. one milligram per liter (1 mg/L) for antimony;
 - iii. ten (10) times the maximum concentration value reported for that pollutant in the permit application; or
 - iv. the level established by the TCEQ.

10. Signatories to Reports

All reports and other information requested by the Executive Director shall be signed by the person and in the manner required by 30 TAC §305.128 (relating to Signatories to Reports).

11. All Publicly Owned Treatment Works (POTWs) must provide adequate notice to the Executive Director of the following:
- a. any new introduction of pollutants into the POTW from an indirect discharger that would be subject to CWA §301 or §306 if it were directly discharging those pollutants;
 - b. any substantial change in the volume or character of pollutants being introduced into that POTW by a source introducing pollutants into the POTW at the time of issuance of the permit; and
 - c. for the purpose of this paragraph, adequate notice shall include information on:
 - i. the quality and quantity of effluent introduced into the POTW; and
 - ii. any anticipated impact of the change on the quantity or quality of effluent to be discharged from the POTW.

PERMIT CONDITIONS

1. General

- a. When the permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in an application or in any report to the Executive Director, it shall promptly submit such facts or information.
- b. This permit is granted on the basis of the information supplied and representations made by the permittee during action on an application, and relying upon the accuracy and completeness of that information and those representations. After notice and opportunity for a hearing, this permit may be modified, suspended, or revoked, in whole or in part, in accordance with 30 TAC Chapter 305, Subchapter D, during its term for good cause including, but not limited to, the following:
 - i. violation of any terms or conditions of this permit;
 - ii. obtaining this permit by misrepresentation or failure to disclose fully all relevant facts; or
 - iii. a change in any condition that requires either a temporary or permanent reduction or elimination of the authorized discharge.

- c. The permittee shall furnish to the Executive Director, upon request and within a reasonable time, any information to determine whether cause exists for amending, revoking, suspending, or terminating the permit. The permittee shall also furnish to the Executive Director, upon request, copies of records required to be kept by the permit.

2. Compliance

- a. Acceptance of the permit by the person to whom it is issued constitutes acknowledgment and agreement that such person will comply with all the terms and conditions embodied in the permit, and the rules and other orders of the Commission.
- b. The permittee has a duty to comply with all conditions of the permit. Failure to comply with any permit condition constitutes a violation of the permit and the Texas Water Code or the Texas Health and Safety Code, and is grounds for enforcement action, for permit amendment, revocation, or suspension, or for denial of a permit renewal application or an application for a permit for another facility.
- c. It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of the permit.
- d. The permittee shall take all reasonable steps to minimize or prevent any discharge or sludge use or disposal or other permit violation that has a reasonable likelihood of adversely affecting human health or the environment.
- e. Authorization from the Commission is required before beginning any change in the permitted facility or activity that may result in noncompliance with any permit requirements.
- f. A permit may be amended, suspended and reissued, or revoked for cause in accordance with 30 TAC §§305.62 and 305.66 and TWC §7.302. The filing of a request by the permittee for a permit amendment, suspension and reissuance, or termination, or a notification of planned changes or anticipated noncompliance, does not stay any permit condition.
- g. There shall be no unauthorized discharge of wastewater or any other waste. For the purpose of this permit, an unauthorized discharge is considered to be any discharge of wastewater into or adjacent to water in the state at any location not permitted as an outfall or otherwise defined in the Other Requirements section of this permit.
- h. In accordance with 30 TAC §305.535(a), the permittee may allow any bypass to occur from a TPDES permitted facility that does not cause permitted effluent limitations to be exceeded or an unauthorized discharge to occur, but only if the bypass is also for essential maintenance to assure efficient operation.
- i. The permittee is subject to administrative, civil, and criminal penalties, as applicable, under Texas Water Code §§7.051 - 7.075 (relating to Administrative Penalties), 7.101 - 7.111 (relating to Civil Penalties), and 7.141 - 7.202 (relating to Criminal Offenses and Penalties) for violations including, but not limited to, negligently or knowingly violating the federal CWA §§301, 302, 306, 307, 308, 318, or 405, or any condition or limitation implementing any sections in a permit issued under the CWA §402, or any requirement imposed in a pretreatment program approved under the CWA §§402(a)(3) or 402(b)(8).

3. Inspections and Entry

- a. Inspection and entry shall be allowed as prescribed in the TWC Chapters 26, 27, and 28, and THSC Chapter 361.
- b. The members of the Commission and employees and agents of the Commission are entitled to enter any public or private property at any reasonable time for the purpose of inspecting and investigating conditions relating to the quality of water in the state or the compliance with any rule, regulation, permit, or other order of the Commission. Members, employees, or agents of the Commission and Commission contractors are entitled to enter public or private property at any reasonable time to investigate or monitor or, if the responsible party is not responsive or

there is an immediate danger to public health or the environment, to remove or remediate a condition related to the quality of water in the state. Members, employees, Commission contractors, or agents acting under this authority who enter private property shall observe the establishment's rules and regulations concerning safety, internal security, and fire protection, and if the property has management in residence, shall notify management or the person then in charge of his presence and shall exhibit proper credentials. If any member, employee, Commission contractor, or agent is refused the right to enter in or on public or private property under this authority, the Executive Director may invoke the remedies authorized in TWC §7.002. The statement above, that Commission entry shall occur in accordance with an establishment's rules and regulations concerning safety, internal security, and fire protection, is not grounds for denial or restriction of entry to any part of the facility, but merely describes the Commission's duty to observe appropriate rules and regulations during an inspection.

4. Permit Amendment or Renewal

- a. The permittee shall give notice to the Executive Director as soon as possible of any planned physical alterations or additions to the permitted facility if such alterations or additions would require a permit amendment or result in a violation of permit requirements. Notice shall also be required under this paragraph when:
 - i. the alteration or addition to a permitted facility may meet one of the criteria for determining whether a facility is a new source in accordance with 30 TAC §305.534 (relating to New Sources and New Dischargers); or
 - ii. the alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants that are subject neither to effluent limitations in the permit, nor to notification requirements in Monitoring and Reporting Requirements No. 9; or
 - iii. the alteration or addition results in a significant change in the permittee's sludge use or disposal practices, and such alteration, addition, or change may justify the application of permit conditions that are different from or absent in the existing permit, including notification of additional use or disposal sites not reported during the permit application process or not reported pursuant to an approved land application plan.
- b. Prior to any facility modifications, additions, or expansions that will increase the plant capacity beyond the permitted flow, the permittee must apply for and obtain proper authorization from the Commission before commencing construction.
- c. The permittee must apply for an amendment or renewal at least 180 days prior to expiration of the existing permit in order to continue a permitted activity after the expiration date of the permit. If an application is submitted prior to the expiration date of the permit, the existing permit shall remain in effect until the application is approved, denied, or returned. If the application is returned or denied, authorization to continue such activity shall terminate upon the effective date of the action. If an application is not submitted prior to the expiration date of the permit, the permit shall expire and authorization to continue such activity shall terminate.
- d. Prior to accepting or generating wastes that are not described in the permit application or that would result in a significant change in the quantity or quality of the existing discharge, the permittee must report the proposed changes to the Commission. The permittee must apply for a permit amendment reflecting any necessary changes in permit conditions, including effluent limitations for pollutants not identified and limited by this permit.
- e. In accordance with the TWC §26.029(b), after a public hearing, notice of which shall be given to the permittee, the Commission may require the permittee, from time to time, for good cause, in accordance with applicable laws, to conform to new or additional conditions.
- f. If any toxic effluent standard or prohibition (including any schedule of compliance specified in such effluent standard or prohibition) is promulgated under CWA §307(a) for a toxic pollutant that is present in the discharge and that standard or prohibition is more stringent than any limitation on the pollutant in this permit, this permit shall be modified or revoked and reissued to conform to the toxic effluent standard or prohibition. The permittee shall comply with effluent standards or prohibitions established under CWA §307(a) for toxic pollutants

within the time provided in the regulations that established those standards or prohibitions, even if the permit has not yet been modified to incorporate the requirement.

5. Permit Transfer

- a. Prior to any transfer of this permit, Commission approval must be obtained. The Commission shall be notified in writing of any change in control or ownership of facilities authorized by this permit. Such notification should be sent to the Applications Review and Processing Team (MC 148) of the Water Quality Division.
- b. A permit may be transferred only according to the provisions of 30 TAC §305.64 (relating to Transfer of Permits) and 30 TAC §50.133 (relating to Executive Director Action on Application or WQMP update).

6. Relationship to Hazardous Waste Activities

This permit does not authorize any activity of hazardous waste storage, processing, or disposal that requires a permit or other authorization pursuant to the Texas Health and Safety Code.

7. Relationship to Water Rights

Disposal of treated effluent by any means other than discharge directly to water in the state must be specifically authorized in this permit and may require a permit pursuant to Texas Water Code Chapter 11.

8. Property Rights

A permit does not convey any property rights of any sort, or any exclusive privilege.

9. Permit Enforceability

The conditions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstances, is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.

10. Relationship to Permit Application

The application pursuant to which the permit has been issued is incorporated herein; provided, however, that in the event of a conflict between the provisions of this permit and the application, the provisions of the permit shall control.

11. Notice of Bankruptcy.

- a. Each permittee shall notify the executive director, in writing, immediately following the filing of a voluntary or involuntary petition for bankruptcy under any chapter of Title 11 (Bankruptcy) of the United States Code (11 USC) by or against:
 - i. the permittee;
 - ii. an entity (as that term is defined in 11 USC, §101(15)) controlling the permittee or listing the permit or permittee as property of the estate; or
 - iii. an affiliate (as that term is defined in 11 USC, §101(2)) of the permittee.
- b. This notification must indicate:
 - i. the name of the permittee;
 - ii. the permit number(s);
 - iii. the bankruptcy court in which the petition for bankruptcy was filed; and
 - iv. the date of filing of the petition.

OPERATIONAL REQUIREMENTS

1. The permittee shall at all times ensure that the facility and all of its systems of collection, treatment, and disposal are properly operated and maintained. This includes, but is not limited to, the regular, periodic examination of wastewater solids within the treatment plant by the operator in order to maintain an appropriate quantity and quality of solids inventory as described in the various operator training manuals and according to accepted industry standards for process control. Process control, maintenance, and operations records shall be retained at the facility site, or shall be readily available for review by a TCEQ representative, for a period of three years.
2. Upon request by the Executive Director, the permittee shall take appropriate samples and provide proper analysis in order to demonstrate compliance with Commission rules. Unless otherwise specified in this permit or otherwise ordered by the Commission, the permittee shall comply with all applicable provisions of 30 TAC Chapter 312 concerning sewage sludge use and disposal and 30 TAC §§319.21 - 319.29 concerning the discharge of certain hazardous metals.
3. Domestic wastewater treatment facilities shall comply with the following provisions:
 - a. The permittee shall notify the Municipal Permits Team, Wastewater Permitting Section (MC 148) of the Water Quality Division, in writing, of any facility expansion at least 90 days prior to conducting such activity.
 - b. The permittee shall submit a closure plan for review and approval to the Municipal Permits Team, Wastewater Permitting Section (MC 148) of the Water Quality Division, for any closure activity at least 90 days prior to conducting such activity. Closure is the act of permanently taking a waste management unit or treatment facility out of service and includes the permanent removal from service of any pit, tank, pond, lagoon, surface impoundment and/or other treatment unit regulated by this permit.
4. The permittee is responsible for installing prior to plant start-up, and subsequently maintaining, adequate safeguards to prevent the discharge of untreated or inadequately treated wastes during electrical power failures by means of alternate power sources, standby generators, and/or retention of inadequately treated wastewater.
5. Unless otherwise specified, the permittee shall provide a readily accessible sampling point and, where applicable, an effluent flow measuring device or other acceptable means by which effluent flow may be determined.
6. The permittee shall remit an annual water quality fee to the Commission as required by 30 TAC Chapter 21. Failure to pay the fee may result in revocation of this permit under TWC §7.302(b)(6).
7. Documentation

For all written notifications to the Commission required of the permittee by this permit, the permittee shall keep and make available a copy of each such notification under the same conditions as self-monitoring data are required to be kept and made available. Except for information required for TPDES permit applications, effluent data, including effluent data in permits, draft permits and permit applications, and other information specified as not confidential in 30 TAC §1.5(d), any information submitted pursuant to this permit may be claimed as confidential by the submitter. Any such claim must be asserted in the manner prescribed in the application form or by stamping the words "confidential business information" on each page containing such information. If no claim is made at the time of submission, information may be made available to the public without further notice. If the Commission or Executive Director agrees with the designation of confidentiality, the TCEQ will not provide the information for public inspection unless required by the Texas Attorney General or a court pursuant to an open records request. If the Executive Director does not agree with the designation of confidentiality, the person submitting the information will be notified.

8. Facilities that generate domestic wastewater shall comply with the following provisions; domestic wastewater treatment facilities at permitted industrial sites are excluded.
 - a. Whenever flow measurements for any domestic sewage treatment facility reach 75% of the permitted daily average or annual average flow for three consecutive months, the permittee must initiate engineering and financial planning for expansion and/or upgrading of the domestic wastewater treatment and/or collection facilities. Whenever the flow reaches 90% of the permitted daily average or annual average flow for three consecutive months, the permittee shall obtain necessary authorization from the Commission to commence construction of the necessary additional treatment and/or collection facilities. In the case of a domestic wastewater treatment facility that reaches 75% of the permitted daily average or annual average flow for three consecutive months, and the planned population to be served or the quantity of waste produced is not expected to exceed the design limitations of the treatment facility, the permittee shall submit an engineering report supporting this claim to the Executive Director of the Commission.

If in the judgment of the Executive Director the population to be served will not cause permit noncompliance, then the requirement of this section may be waived. To be effective, any waiver must be in writing and signed by the Director of the Enforcement Division (MC 149) of the Commission, and such waiver of these requirements will be reviewed upon expiration of the existing permit; however, any such waiver shall not be interpreted as condoning or excusing any violation of any permit parameter.
 - b. The plans and specifications for domestic sewage collection and treatment works associated with any domestic permit must be approved by the Commission, and failure to secure approval before commencing construction of such works or making a discharge is a violation of this permit and each day is an additional violation until approval has been secured.
 - c. Permits for domestic wastewater treatment plants are granted subject to the policy of the Commission to encourage the development of area-wide waste collection, treatment, and disposal systems. The Commission reserves the right to amend any domestic wastewater permit in accordance with applicable procedural requirements to require the system covered by this permit to be integrated into an area-wide system, should such be developed; to require the delivery of the wastes authorized to be collected in, treated by or discharged from said system, to such area-wide system; or to amend this permit in any other particular to effectuate the Commission's policy. Such amendments may be made when the changes required are advisable for water quality control purposes and are feasible on the basis of waste treatment technology, engineering, financial, and related considerations existing at the time the changes are required, exclusive of the loss of investment in or revenues from any then existing or proposed waste collection, treatment or disposal system.
9. Domestic wastewater treatment plants shall be operated and maintained by sewage plant operators holding a valid certificate of competency at the required level as defined in 30 TAC Chapter 30.
10. For Publicly Owned Treatment Works (POTWs), the 30-day average (or monthly average) percent removal for BOD and TSS shall not be less than 85%, unless otherwise authorized by this permit.
11. Facilities that generate industrial solid waste as defined in 30 TAC §335.1 shall comply with these provisions:
 - a. Any solid waste, as defined in 30 TAC §335.1 (including but not limited to such wastes as garbage, refuse, sludge from a waste treatment, water supply treatment plant or air pollution control facility, discarded materials, discarded materials to be recycled, whether the waste is solid, liquid, or semisolid), generated by the permittee during the management and treatment of wastewater, must be managed in accordance with all applicable provisions of 30 TAC Chapter 335, relating to Industrial Solid Waste Management.
 - b. Industrial wastewater that is being collected, accumulated, stored, or processed before discharge through any final discharge outfall, specified by this permit, is considered to be industrial solid waste until the wastewater passes through the actual point source discharge and must be managed in accordance with all applicable provisions of 30 TAC Chapter 335.

- c. The permittee shall provide written notification, pursuant to the requirements of 30 TAC §335.8(b)(1), to the Corrective Action Section (MC 127) of the Remediation Division informing the Commission of any closure activity involving an Industrial Solid Waste Management Unit, at least 90 days prior to conducting such an activity.
- d. Construction of any industrial solid waste management unit requires the prior written notification of the proposed activity to the Registration and Reporting Section (MC 129) of the Permitting and Remediation Support Division. No person shall dispose of industrial solid waste, including sludge or other solids from wastewater treatment processes, prior to fulfilling the deed recordation requirements of 30 TAC §335.5.
- e. The term “industrial solid waste management unit” means a landfill, surface impoundment, waste-pile, industrial furnace, incinerator, cement kiln, injection well, container, drum, salt dome waste containment cavern, or any other structure vessel, appurtenance, or other improvement on land used to manage industrial solid waste.
- f. The permittee shall keep management records for all sludge (or other waste) removed from any wastewater treatment process. These records shall fulfill all applicable requirements of 30 TAC Chapter 335 and must include the following, as it pertains to wastewater treatment and discharge:
 - i. volume of waste and date(s) generated from treatment process;
 - ii. volume of waste disposed of on-site or shipped off-site;
 - iii. date(s) of disposal;
 - iv. identity of hauler or transporter;
 - v. location of disposal site; and
 - vi. method of final disposal.

The above records shall be maintained on a monthly basis. The records shall be retained at the facility site, or shall be readily available for review by authorized representatives of the TCEQ for at least five years.

12. For industrial facilities to which the requirements of 30 TAC Chapter 335 do not apply, sludge and solid wastes, including tank cleaning and contaminated solids for disposal, shall be disposed of in accordance with THSC Code Chapter 361.

OTHER REQUIREMENTS

1. The Executive Director has reviewed this action for consistency with the goals and policies of the Texas Coastal Management Program (CMP) in accordance with the regulations of the General Land Office and has determined that the action is consistent with the applicable CMP goals and policies.
2. Violations of daily maximum limitations for the following pollutants shall be reported orally or by facsimile to TCEQ Region 12 within 24 hours from the time the permittee becomes aware of the violation, followed by a written report within five working days to TCEQ Region 12 and the Enforcement Division (MC 224):

Pollutant	MAL* (mg/L)
Arsenic (Total)	0.0005
Benzene	0.01
Bis(2-Ethylhexyl) phthalate	0.01
Butylbenzyl phthalate	0.01
Cadmium (Total)	0.001
Carbazole	0.02
Chromium (Total)	0.003
Cobalt (Total)	0.0003
Copper (Total)	0.002
Ethylbenzene	0.01
Fluoranthene	0.01
Lead (Total)	0.0005
Mercury (Total)	5E-06
n-Decane	0.03
n-Octadecane	0.03
Tin (Total)	0.005
Toluene	0.01
Xylenes (total)	0.01
Zinc (Total)	0.005

* Minimum analytical level

Test methods utilized shall be sensitive enough to demonstrate compliance with the permit effluent limitations. Permit compliance/noncompliance determinations will be based on the effluent limitations contained in this permit, with consideration given to the MAL for the parameters specified above.

When an analysis of an effluent sample for any of the parameters listed above indicates no detectable levels above the MAL and the test method detection level is as sensitive as the specified MAL, a value of zero (0) shall be used for that measurement when making calculations for the self-reporting form. This applies to determinations of daily maximum concentration, calculations of loading and daily averages, and other reportable results.

When a reported value is zero (0) based on this MAL provision, the permittee shall submit the following statement with the self-reporting form either as a separate attachment to the form or as a statement in the comments section of the form:

“The reported value(s) of zero (0) for [list parameter(s)] on the self-reporting form for [monitoring period date range] is based on the following conditions: 1) the analytical

method used had a method detection level as sensitive as the MAL specified in the permit, and 2) the analytical results contained no detectable levels above the specified MAL.”

When an analysis of an effluent sample for a parameter indicates no detectable levels and the test method detection level is not as sensitive as the MAL specified in the permit, or an MAL is not specified in the permit for that parameter, the level of detection achieved shall be used for that measurement when making calculations for the self-reporting form. A zero (0) may not be used.

3. This permit does not authorize the discharge of domestic wastewater. All domestic wastewater must be disposed of in an approved manner, such as routing to an approved on-site septic tank and drainfield system or to an authorized third party for treatment and disposal.
4. The permittee shall collect and analyze one grab sample per year from Outfall 001 for the following toxic pollutants (from 40 CFR Part 122, Appendix D, Tables II and III). Testing shall be conducted utilizing the methods and procedures specified in 30 TAC §§319.11-319.12 and shall be sensitive enough to detect the following parameters at the minimum analytical level (MAL).

Results shall be included on the monthly effluent report form in September of each year. In addition, a copy of these results shall be submitted to the following address:

TCEQ
Stormwater & Pretreatment Team
MC-148
P.O. Box 13087
Austin, TX 78711-3087

METALS AND CYANIDE

Pollutant	MAL* (mg/L)
Aluminum (Total)	0.0025
Arsenic (Total)	0.0005
Beryllium (Total)	0.0005
Cadmium (Total)	0.001
Chromium (Total)	0.003
Copper (Total)	0.002
Cyanide (Total)	0.010
Lead (Total)	0.0005
Mercury (Total)	0.000005
Nickel (Total)	0.002
Phenols (Total)	0.010
Selenium (Total)	0.005
Silver (Total)	0.0005
Thallium (Total)	0.0005
Zinc (Total)	0.005

* Minimum analytical level

VOLATILE COMPOUNDS

Pollutant	MAL (mg/L)
Acrolein	0.050
Acrylonitrile	0.050
Benzene	0.010
Bromoform	0.010
Carbon Tetrachloride	0.002

VOLATILE COMPOUNDS

Pollutant	MAL (mg/L)
Chlorobenzene	0.010
Chlorodibromomethane	0.010
Chloroethane	0.050
2-Chloroethylvinyl ether	0.010
1,1-Dichloroethane	0.010
1,2-Dichloroethane	0.010
1,1-Dichloroethylene	0.010
1,2-Dichloropropane	0.010
1,3-Dichloropropylene	0.010
Ethylbenzene	0.010
Methyl Bromide	0.050
Methyl Chloride	0.050
Methylene Chloride	0.020
1,1,2,2-Tetrachloroethane	0.010
Tetrachloroethylene	0.010
Toluene	0.010
1,2-trans-Dichloroethylene	0.010
1,1,1-Trichloroethane	0.010
1,1,2-Trichloroethane	0.010
Trichloroethylene	0.010
Vinyl Chloride	0.010

ACID COMPOUNDS

Pollutant	MAL (mg/L)
2-Chlorophenol	0.010
2,4-Dichlorophenol	0.010
2,4-Dimethylphenol	0.010
4,6-Dinitro-o-Cresol	0.050
2,4-Dinitrophenol	0.050
2-Nitrophenol	0.020
4-Nitrophenol	0.050
Para-chloro-meta-cresol	--*
Pentachlorophenol	0.005
Phenol	0.010
2,4,6-Trichlorophenol	0.010

* No minimum analytical level available.

BASE/NEUTRAL COMPOUNDS

Pollutant	MAL (mg/L)
Acenaphthene	0.010
Acenaphthylene	0.010
Anthracene	0.010
Benzidine	0.050
Benzo(a)anthracene	0.005
Benzo(a)pyrene	0.005
3,4-Benzofluoranthene (Benzo(b)fluoranthene)	0.010

BASE/NEUTRAL COMPOUNDS

Pollutant	MAL (mg/L)
Benzo(<i>g,h,i</i>)perylene	0.020
Benzo(<i>k</i>)fluoranthene	0.005
Bis(2-chloroethoxy)methane	0.010
Bis(2-chloroethyl)ether	0.010
Bis(2-chloroisopropyl)ether	0.010
Bis(2-Ethylhexyl)Phthalate	0.010
4-Bromophenyl phenyl ether	0.010
Butylbenzyl Phthalate	0.010
2-Chloronaphthalene	0.010
4-Chlorophenyl phenyl ether	0.010
Chrysene	0.005
Dibenzo(<i>a,h</i>)anthracene	0.005
1,2-Dichlorobenzene	0.010
1,3-Dichlorobenzene	0.010
1,4-Dichlorobenzene	0.010
3,3'-Dichlorobenzidine	0.005
Diethyl Phthalate	0.010
Dimethyl Phthalate	0.010
Di-n-Butyl Phthalate	0.010
2,4-Dinitrotoluene	0.010
2,6-Dinitrotoluene	0.010
Di-n-Octyl phthalate	0.010
1,2-Diphenylhydrazine	0.010
Fluoranthene	0.010
Fluorene	0.010
Hexachlorobenzene	0.005
Hexachlorobutadiene	0.010
Hexachlorocyclopentadiene	0.010
Hexachloroethane	0.020
Indeno(1,2,3-cd)pyrene	0.005
Isophorone	0.010
Naphthalene	0.010
Nitrobenzene	0.010
N-Nitrosodimethylamine	0.050
N-Nitrosodi-n-propylamine	0.020
N-Nitrosodiphenylamine	0.020
Phenanthrene	0.010
Pyrene	0.010
1,2,4-Trichlorobenzene	0.010

PESTICIDES

Pollutant	MAL (µg/L)
Aldrin	0.00001
Chlordane	0.00015
4,4'-DDD	0.0001
4,4'-DDE	0.0001
4,4'-DDT	0.00002
Dieldrin	0.00002

PESTICIDES

Pollutant	MAL (µg/L)
Endosulfan I (<i>alpha</i>)	0.00001
Endosulfan II (<i>beta</i>)	0.00002
Endosulfan sulfate	0.0001
Endrin	0.00002
Endrin aldehyde	0.0001
Heptachlor	0.00001
Heptachlor epoxide	0.00001
<i>Alpha</i> -Hexachlorocyclohexane	0.00005
<i>Beta</i> -Hexachlorocyclohexane	0.00005
<i>Gamma</i> -Hexachlorocyclohexane (Lindane)	0.00005
<i>Delta</i> -Hexachlorocyclohexane	0.00005
PCB-1242	0.0002
PCB-1254	0.0002
PCB-1221	0.0002
PCB-1232	0.0002
PCB-1248	0.0002
PCB-1260	0.0002
PCB-1016	0.0002
Toxaphene	0.0003

5. This permit does not authorize the discharge of stormwater from inside containment areas that has contacted waste material from visible leaks or spills. This wastewater must be collected and managed as industrial or hazardous waste, as applicable.
6. The permittee must continue to implement and update as needed the operation and good housekeeping practices previously developed for areas where rolloff boxes are handled and stored. Rolloff boxes must be managed in such a manner as to reduce the amount of waste material that comes into contact with stormwater. All operation and housekeeping procedures must be documented and maintained with this permit.
7. Wastewater discharged via Outfalls 001 and 101 must be sampled and analyzed as directed below for those parameters listed in Tables 1, 2, 3, and 1-SW of Attachment A of this permit. Analytical testing for Outfalls 001 and 101 must be completed within 60 days of initial discharge. Results of the analytical testing must be submitted within 90 days of initial discharge to the TCEQ Industrial Permits Team (MC-148). Based on a technical review of the submitted analytical results, an amendment may be initiated by TCEQ staff to include additional effluent limitations, monitoring requirements, or both.

Table 1: Analysis is required at Outfall 101 for all pollutants in Table 1. Wastewater must be sampled and analyzed for those parameters listed in Table 1 for a minimum of four sampling events at least one week apart.

Table 2: Analysis is required for those pollutants in Table 2 that are used at the facility that could in any way contribute to contamination in the Outfall 101 discharge. Sampling and analysis must be conducted for a minimum of four sampling events at least one week apart.

Table 3: For all pollutants listed in Table 3, the permittee shall indicate whether each pollutant is believed to be present or absent in the discharge via Outfall 101. Sampling and analysis must be conducted for each pollutant believed present for a minimum of one sampling event.

Table 1-SW: Analysis is required at Outfall 001 for all pollutants in Table 1-SW. Wastewater must be sampled and analyzed for those parameters listed in Table 1-SW for a minimum of one sampling event by either 1) grab sample during the first 30 minutes or 2) flow-weighted composite sample if equipment is available for compositing by flow.

The permittee shall report the flow at Outfall 101 in MGD in the attachment. The permittee shall indicate on each table whether the samples are composite (C) or grab (G) by checking the appropriate box.

8. The permittee must develop and implement a stormwater pollution prevention plan (SWP3) that includes a set of best management practices (BMPs) to eliminate or lessen the exposure of stormwater to industrial activities and pollutants. The SWP3 must be maintained on site and be made readily available for review by authorized TCEQ personnel. The SWP3 must contain elements, or sections, to require implementation of the following activities:
 - A. *Pollution Prevention Committee*
 - B. *Facility Description*
 - C. *Material Management Practices*
 - D. *Maintenance Operations*
 - E. *Employee Training*
 - F. *Monitoring and Reporting Requirements*
 - G. *Comprehensive Site Compliance Evaluation*
 - H. *Good Housekeeping Measures* - Activities must be defined and implemented to ensure areas of the facility that either contribute or potentially contribute pollutants to stormwater discharges are maintained and operated in a clean and orderly manner. The frequency for conducting each of the good housekeeping measures must be defined in the SWP3.
 - I. *Spill Prevention and Response Measures* - Areas must be identified where spills would likely contribute pollutants to stormwater discharges. Procedures must be identified and implemented to minimize or prevent contamination of stormwater from spills. Spill cleanup techniques must be identified and the necessary materials and equipment for cleanup made available to facility personnel. Facility personnel that work in the identified areas must be trained in spill prevention and response measures at a minimum frequency of once per year. A record of employee training must be maintained on a minimum frequency of once per year, maintained on site, and be made readily available for inspection by authorized TCEQ personnel upon request.

The SWP3 may be modified at any time in order to implement either additional or more effective pollution control measures. A summary of revisions, including the dates of the revisions, must be maintained on a quarterly basis, maintained as a part of the SWP3 document, and made readily available for inspection by authorized TCEQ personnel upon request.

9. Reporting requirements pursuant to 30 TAC Sections 319.1-319.11 and any additional effluent reporting requirements contained at internal Outfall 101 are suspended from the effective date of the permit until discharge commences via internal Outfall 101 as described by this permit. The permittee shall provide written notice to the TCEQ Region 12 Office and the Applications Review and Processing Team (MC-148) of the Water Quality Division at least forty-five (45) days prior to anticipated discharge via internal Outfall 101 on Notification of Completion Form 20007.

Attachment A

Table 1

Outfall No.:	<input type="checkbox"/> C <input type="checkbox"/> G	Effluent Concentration (mg/L)				
		Samp.	Samp.	Samp.	Samp.	Average
Pollutants						
Flow (MGD)						
BOD (5-day)						
CBOD (5-day)						
Chemical Oxygen Demand						
Total Organic Carbon						
Dissolved Oxygen						
Ammonia Nitrogen						
Total Suspended Solids						
Nitrate Nitrogen						
Total Organic Nitrogen						
Total Phosphorus						
Oil and Grease						
Total Residual Chlorine						
Total Dissolved Solids						
Sulfate						
Chloride						
Fluoride						
Temperature (°F)						
Total Alkalinity (mg/L as CaCO3)						
pH (Standard Units; min/max)						

	Effluent Concentration (µg/L)					MAL ¹ (µg/L)
Total Aluminum						2.5
Total Antimony						5
Total Arsenic						0.5
Total Barium						3
Total Beryllium						0.5
Total Cadmium						1
Total Chromium						3
Trivalent Chromium						N/A
Hexavalent Chromium						3
Total Copper						2
Cyanide						10
Total Lead						0.5
Total Mercury						0.005
Total Nickel						2
Total Selenium						5
Total Silver						0.5
Total Thallium						0.5
Total Zinc						5.0

¹ Minimum Analytical Level

Table 2

Outfall No.:	<input type="checkbox"/> C <input type="checkbox"/> G	Samp. 1 (µg/L)*	Samp. 2 (µg/L)*	Samp. 3 (µg/L)*	Samp. 4 (µg/L)*	Avg. (µg/L)*	MAL (µg/L)
Pollutant							
Acrylonitrile							50
Anthracene							10
Benzene							10
Benzidine							50
Benzo(a)anthracene							5
Benzo(a)pyrene							5
Bis(2-chloroethyl)ether							10
Bis(2-ethylhexyl)phthalate							10
Bromodichloromethane							10
Bromoform							10
Carbon Tetrachloride							2
Chlorobenzene							10
Chlorodibromomethane							10
Chloroform							10
Chrysene							5
Cresols							10
1,2-Dibromoethane							10
<i>m</i> -Dichlorobenzene							10
<i>o</i> -Dichlorobenzene							10
<i>p</i> -Dichlorobenzene							10
3,3'-Dichlorobenzidine							5
1,2-Dichloroethane							10
1,1-Dichloroethylene							10
Dichloromethane							20
1,2-Dichloropropane							10
2,4-Dimethylphenol							10
Di- <i>n</i> -Butyl Phthalate							10
Ethylbenzene							10
Fluoride							500
Hexachlorobenzene							5
Hexachlorobutadiene							10
Hexachlorocyclopentadiene							10
Hexachloroethane							20
Methyl Ethyl Ketone							50
Nitrobenzene							10
<i>N</i> -Nitrosodiethylamine							20
<i>N</i> -Nitroso-di- <i>n</i> -Butylamine							20
Nonylphenol							333
Pentachlorobenzene							20
Pentachlorophenol							5
Phenanthrene							10
Polychlorinated Biphenyls (PCBs) (**)							0.2

Outfall No.:	<input type="checkbox"/> C <input type="checkbox"/> G	Samp. 1 (µg/L)*	Samp. 2 (µg/L)*	Samp. 3 (µg/L)*	Samp. 4 (µg/L)*	Avg. (µg/L)*	MAL (µg/L)
Pollutant							
Pyridine							20
1,2,4,5-Tetrachlorobenzene							20
1,1,2,2-Tetrachloroethane							10
Tetrachloroethylene							10
Toluene							10
1,1,1-Trichloroethane							10
1,1,2-Trichloroethane							10
Trichloroethylene							10
2,4,5-Trichlorophenol							50
TTHM (Total Trihalomethanes)							10
Vinyl Chloride							10

(*) Indicate units if different from µg/L.

(**) Total PCB-1242, PCB-1254, PCB-1221, PCB-1232, PCB-1248, PCB-1260, PCB-1016

Table 3

Outfall No.:	<input type="checkbox"/> C <input type="checkbox"/> G	Believed Present	Believed Absent	Effluent Concentration (mg/L)		No. of Samples
				Average	Maximum	
Pollutant						
Bromide						
Color (PCU)						
Nitrate-Nitrite (as N)						
Sulfide (as S)						
Sulfite (as SO ₃)						
Surfactants						
Total Boron						
Total Cobalt						
Total Iron						
Total Magnesium						
Total Molybdenum						
Total Manganese						
Total Tin						
Total Titanium						

TABLE 1-SW

Outfall No.:	Maximum Values (mg/L)		Average Values (mg/L)		Number of Storm Events Samples	MAL (mg/L)
	Grab Sample Taken During First 30 minutes	Flow Weighted Composite Sample	Grab Sample Taken During First 30 minutes	Flow Weighted Composite Sample		
pH (Standard Units)	(min)	(max)	(min)	(max)		-----
Total Suspended Solids						-----
Chemical Oxygen Demand						-----
Total Organic Carbon						-----
Oil and Grease						-----
Total Arsenic						0.0005
Total Barium						0.003
Total Cadmium						0.001
Total Chromium						0.003
Trivalent Chromium						N/A
Hexavalent Chromium						0.003
Total Copper						0.002
Total Lead						0.0005
Total Mercury						0.00005
Total Nickel						0.002
Total Selenium						0.005
Total Silver						0.0005
Total Zinc						0.005



Compliance History Report

PUBLISHED Compliance History Report for CN603349820, RN100890235, Rating Year 2014 which includes Compliance History (CH) components from September 1, 2009, through August 31, 2014.

Customer, Respondent, or Owner/Operator: CN603349820, Clean Harbors San Leon, Inc. **Classification:** SATISFACTORY **Rating:** 16.00

Regulated Entity: RN100890235, CLEAN HARBORS SAN LEON **Classification:** SATISFACTORY **Rating:** 16.00

Complexity Points: 22 **Repeat Violator:** NO

CH Group: 11 - Waste Management (Excluding Landfills)

Location: 2700 AVENUE S SAN LEON, TX 77539-7285, GALVESTON COUNTY

TCEQ Region: REGION 12 - HOUSTON

ID Number(s):

AIR NEW SOURCE PERMITS REGISTRATION 14291

AIR NEW SOURCE PERMITS AFS NUM 4816700042

AIR NEW SOURCE PERMITS REGISTRATION 85676

INDUSTRIAL AND HAZARDOUS WASTE SOLID WASTE REGISTRATION # (SWR) 34814

PUBLIC WATER SYSTEM/SUPPLY REGISTRATION 0840217

STORMWATER EPA ID TX0117757

POLLUTION PREVENTION PLANNING ID NUMBER P03840

USED OIL EPA ID TXD981053770

AIR NEW SOURCE PERMITS ACCOUNT NUMBER GB0101M

AIR NEW SOURCE PERMITS REGISTRATION 87443

INDUSTRIAL AND HAZARDOUS WASTE EPA ID TXD981053770

INDUSTRIAL AND HAZARDOUS WASTE PERMIT 50355

STORMWATER PERMIT WQ0004086000

AIR EMISSIONS INVENTORY ACCOUNT NUMBER GB0101M

USED OIL REGISTRATION A86130

Compliance History Period: September 01, 2009 to August 31, 2014 **Rating Year:** 2014 **Rating Date:** 09/01/2014

Date Compliance History Report Prepared: July 09, 2015

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

Component Period Selected: May 01, 2010 to May 30, 2015

TCEQ Staff Member to Contact for Additional Information Regarding This Compliance History.

Name: TCEQ Staff Member

Phone: (512) 239-1000

Site and Owner/Operator History:

- 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/operator of the site during the compliance period? NO
- 3) If **YES** for #2, who is the current owner/operator? N/A
- 4) If **YES** for #2, who was/were the prior owner(s)/operator(s)? N/A
- 5) If **YES**, when did the change(s) in owner or operator occur? N/A

Components (Multimedia) for the Site Are Listed in Sections A - J

A. Final Orders, court judgments, and consent decrees:

1 Effective Date: 09/29/2012 ADMINORDER 2012-0236-MLM-E (1660 Order-Agreed Order With Denial)
Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter A 335.2(b)

Rqmt Prov IV-A and IV-B PERMIT

Description: Failed to prevent the acceptance of a shipment of unauthorized hazardous waste at the Facility, in violation of 30 TEX. ADMIN. CODE § 335.2(b) and IHW Permit No. 50355, Provision Nos. IV-A and IV-B, as documented during an investigation conducted on September 29, 2011. Specifically, the Respondent accepted and processed a shipment of

corrosive hazardous waste (hazardous waste code D002) that the Facility was not authorized to accept and process.
Classification: Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125
30 TAC Chapter 335, SubChapter F 335.152(a)(8)
40 CFR Chapter 264, SubChapter I, PT 264, SubPT J 264.193(e)(1)(iii)

Rqmt Prov II-C-2-h PERMIT
V-B-3 PERMIT

Description: Failed to maintain secondary containment free of gaps and cracks, Specifically, secondary containment A for tanks PV-18 through PV-21 had a concrete coating crack about four feet long near PV-20. Secondary containment A-1 for tanks FPV-31, the containment wall indicated some erosion and the wall edge joining the concrete base had a gap of approximately two inches. Also, the secondary containment for container storage area ("CSA")-2 Roll-off area, NOR Unit 044, Permitted unit 01,

Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter E 335.112(a)(21)
30 TAC Chapter 335, SubChapter F 335.152(a)(19)
40 CFR Chapter 264, SubChapter I, PT 264, SubPT CC 264.1089(b)
40 CFR Chapter 265, SubChapter I, PT 265, SubPT CC 265.1090(b)

Description: Failed to record inspections of the air emission control equipment, in violation of 30 TEX. ADMIN. CODE §§ 335.112(a)(21) and 335.152(a)(19) and 40 CFR §§ 264.1089(b) and 265.1090(b), as documented during an investigation conducted on September 29, 2011. Specifically, the Respondent did not maintain a record of the Subpart CC tank inspections for olfactory odors and visual observations.

Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter F 335.152(a)(4)
40 CFR Chapter 262, SubChapter I, PT 262, SubPT B 262.20

Rqmt Prov II-C-1-h PERMIT

Description: Failed to use a new manifest for rejected wastes, in violation of 30 TEX. ADMIN. CODE § 335.152(a)(4) and 40 CFR § 262.20 and IHW Permit No. 50355, Provision No. II-C-1-h, as documented during an investigation conducted on September 29, 2011. Specifically, waste manifests 005440020 JJK, 005373755 JJK, and 006442062 JJK were received and partially rejected, then sent back to generator without a new manifest

Classification: Moderate

Citation: 30 TAC Chapter 324, SubChapter A 324.12(2)
40 CFR Chapter 279, SubChapter I, PT 279, SubPT E 279.51
40 CFR Chapter 279, SubChapter I, PT 279, SubPT E 279.73

Description: Failed to obtain a used oil registration and EPA ID. No. prior to conducting used oil activities, in violation of 30 TEX. ADMIN. CODE § 324.12(2) and 40 CFR §§ 279.51 and 279.73, as documented during an investigation conducted on September 29, 2011.

2 Effective Date: 02/22/2014 ADMINORDER 2013-0848-IHW-E (1660 Order-Agreed Order With Denial)

Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter A 335.6(c)

Rqmt Prov Provision II.C.1.h. PERMIT

Description: Failed to update the Facility's NOR. Specifically, waste code 0004206H should be removed as a waste managed in WMU no. 067, the incorrect WMUs were indicated for waste codes 0042003H and 0917114H, and waste streams that are no longer generated were not inactivated.

Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter A 335.10(c)

Rqmt Prov Provision II.C.1.h. PERMIT

Description: Failed to designate the correct waste code on a hazardous waste manifest. Specifically, waste code 00863191, a Class 1 waste, was designated on hazardous waste manifest tracking no. 005228040; however, analytical results of a sample of this waste indicate it is a hazardous waste with a TCLP concentration of 6.74 mg/l for arsenic (EPA hazardous waste no. D004).

Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter F 335.152(a)(1)
40 CFR Chapter 264, SubChapter I, PT 264, SubPT C 264.15

Rqmt Prov Provision III.D. PERMIT

Description: Failed to follow the inspection schedule contained in the Facility's IHW permit. Specifically, the daily permitted miscellaneous units (the two thermal desorbers) inspection was not conducted on November 14, 2011, and October 27, 2011; the daily permitted tanks inspection was not conducted on November 24, 2011; the daily permitted container storage area no. 2 inspection was not conducted on October 26, 2011; and the daily security inspection was not conducted on October 26, 2011.

Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter A 335.2(a)
40 CFR Chapter 270, SubChapter I, PT 270, SubPT A 270.1(c)

Rqmt Prov Provision IV.B.1. PERMIT

Provision V.B.1. PERMIT

Provision V.C.1. PERMIT

Provision V.K. PERMIT

Description: Failed to prevent the acceptance and management of unauthorized waste at the Facility. Specifically, wastes with Texas Form Codes 119, 203, 207, 209, 305, 307, 316, 319, 389, 403, 404, 409, 491, 493, 503, 504, 512, 513, 519, 597, 602, 606, 609, and 695, which are not authorized by the Facility's permit, were received and managed at the Facility between January 1, 2010 and December 31, 2012.

Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter A 335.2(b)

Rqmt Prov Provision II.C.1.h. PERMIT

Description: Failed to prevent the disposal of hazardous waste at an unauthorized facility. Specifically, twelve cubic yards of hazardous waste with a Toxicity Characteristic Leaching Procedure concentration of 6.74 milligrams per liter ("mg/l") for arsenic (EPA hazardous waste no. D004) was manifested by the Respondent as a Class 1 waste and disposed on October 19, 2012 at an unauthorized facility.

Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter A 335.12(a)

40 CFR Chapter 264, SubChapter I, PT 264, SubPT E 264.71(a)(1)

Rqmt Prov Provision II.C.1.h. PERMIT

Description: Failed to indicate a weight discrepancy on a hazardous waste manifest. Specifically, manifests with tracking nos. 005523979JJK, 007841125JJK, 007841126JJK, and 002517155FLE had weight discrepancies; however, the discrepancy information was not marked in the discrepancy information space (box 18.a) on these manifests.

3 Effective Date: 04/09/2015 ADMINORDER 2014-1366-PWS-E (Findings Order-Agreed Order Without Denial)

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.106(f)(3)

5A THSC Chapter 341, SubChapter A 341.0315(c)

Description: ARS MCL 2Q2014 - The system violated the maximum contaminant level for arsenic during the 2nd quarter of 2014 with a RAA of 0.012 mg/L.

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.106(f)(3)

5A THSC Chapter 341, SubChapter A 341.0315(c)

Description: ARS MCL 1Q2014 - The system violated the maximum contaminant level for arsenic during the 1st quarter of 2014 with a RAA of 0.011 mg/L.

Classification: Moderate

Citation: 30 TAC Chapter 290, SubChapter F 290.106(f)(3)

5A THSC Chapter 341, SubChapter A 341.0315(c)

Description: ARS MCL 3Q2014 - The system violated the maximum contaminant level for arsenic during the 3rd quarter of 2014 with a RAA of 0.012 mg/L.

B. Criminal convictions:

N/A

C. Chronic excessive emissions events:

N/A

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

Item 1	May 24, 2010	(835924)
Item 2	June 18, 2010	(847824)
Item 3	June 30, 2010	(862229)
Item 4	August 23, 2010	(868832)
Item 5	September 24, 2010	(875702)
Item 6	October 30, 2010	(889668)
Item 7	December 22, 2010	(898037)
Item 8	January 24, 2011	(903936)
Item 9	February 23, 2011	(910826)
Item 10	March 21, 2011	(918090)
Item 11	May 23, 2011	(939793)
Item 12	June 06, 2011	(920873)
Item 13	June 22, 2011	(947209)
Item 14	July 22, 2011	(954460)
Item 15	August 22, 2011	(961047)
Item 16	October 25, 2011	(973104)
Item 17	December 20, 2011	(986073)
Item 18	January 23, 2012	(992430)

Item 19	February 24, 2012	(999740)
Item 20	March 19, 2012	(1005284)
Item 21	April 24, 2012	(1011857)
Item 22	May 14, 2012	(1018224)
Item 23	June 08, 2012	(1025954)
Item 24	July 13, 2012	(1033312)
Item 25	August 22, 2012	(1039832)
Item 26	September 18, 2012	(1048779)
Item 27	October 22, 2012	(1069574)
Item 28	November 26, 2012	(1069575)
Item 29	December 12, 2012	(1051186)
Item 30	December 21, 2012	(1069576)
Item 31	January 23, 2013	(1082849)
Item 32	February 22, 2013	(1082848)
Item 33	March 25, 2013	(1091171)
Item 34	April 19, 2013	(1097508)
Item 35	May 21, 2013	(1108534)
Item 36	June 20, 2013	(1112106)
Item 37	August 27, 2013	(1126810)
Item 38	September 20, 2013	(1131345)
Item 39	October 21, 2013	(1137096)
Item 40	November 22, 2013	(1142508)
Item 41	December 18, 2013	(1134608)
Item 42	January 21, 2014	(1155028)
Item 43	February 21, 2014	(1162338)
Item 44	March 19, 2014	(1168963)
Item 45	April 16, 2014	(1176143)
Item 46	May 12, 2014	(1166501)
Item 47	July 18, 2014	(1201206)
Item 48	August 26, 2014	(1201207)
Item 49	September 25, 2014	(1207579)
Item 50	October 07, 2014	(1213976)
Item 51	November 12, 2014	(1220222)
Item 52	December 22, 2014	(1226039)
Item 53	January 13, 2015	(1233040)
Item 54	February 17, 2015	(1244033)
Item 55	March 23, 2015	(1227567)
Item 56	April 16, 2015	(1250405)
Item 57	May 20, 2015	(1264080)

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

A notice of violation represents a written allegation of a violation of a specific regulatory requirement from the commission to a regulated entity. A notice of violation is not a final enforcement action, nor proof that a violation has actually occurred.

- 1 Date: 05/31/2014 (1189266) CN603349820
Self Report? YES Classification: Moderate
Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
Description: Failure to meet the limit for one or more permit parameter

- 2 Date: 07/30/2014 (1186285) CN603349820
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 290, SubChapter F 290.106(f)(3)
5A THSC Chapter 341, SubChapter A 341.0315(c)
Description: ARS MCL 2Q2014 - The system violated the maximum contaminant level for arsenic during the 2nd quarter of 2014 with a RAA of 0.012 mg/L.

- 3 Date: 04/14/2015 (1211889) CN603349820
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 335, SubChapter A 335.6(c)
Provision Section II.C.1.h. PERMIT
Description: Failure to update the Notice of Registration as required.
Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 335, SubChapter A 335.10(c)(1)
 Provision Section II.C.1.h. PERMIT

Description: Failure to appropriately complete Class 1 waste manifests.
 Self Report? NO Classification: Moderate

Citation: 40 CFR Chapter 264, SubChapter I, PT 264, SubPT I 264.171
 Provision Section V.B.2. PERMIT

Description: Failure to manage hazardous waste in containers in good condition.
 Self Report? NO Classification: Moderate

Citation: 40 CFR Chapter 264, SubChapter I, PT 264, SubPT I 264.172
 Provision Section V.B.2. PERMIT

Description: Failure to manage waste in compatible containers.
 Self Report? NO Classification: Moderate

Citation: 40 CFR Chapter 264, SubChapter I, PT 264, SubPT I 264.173(a)
 Provision Section V.B.2. PERMIT

Description: Failure to close containers holding hazardous waste during storage.

F. Environmental audits:

Notice of Intent Date: 08/30/2011 (952260)

Disclosure Date: 09/22/2011

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter J 115.930
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.112b(a)(1)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT Kb 60.113b(a)(1)

Description: Documentation of submission of initial notifications of applicability of emission sources, report describing the control equipment and certifies that the control equipment meets the specification of 40 CFR 60.112b(a)(1) and 60.113(a)(1) and operational plans for those sources could not be located, including: 1) Subpart Kb certification, 2) Air emission control operating plan for sources subject to Subpart Kb.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)

Description: Documentation of PBR modification or a Permit to Construct prior to installation of new waste management units, including: 1) Mix Pit, 2) Shaker Screen, 3) DAF unit could not be located.

Viol. Classification: Major

Citation: 30 TAC Chapter 115, SubChapter B 115.112(a)(1)
 30 TAC Chapter 115, SubChapter B 115.112(d)(1)
 30 TAC Chapter 116, SubChapter B 116.110(a)

Description: The facility did not install emission controls on sources of VOC's that were installed following implementation of the PBR. These include: 1) Mix Pit, 2) Shaker Screen, 3) DAF unit, 4) TDU Feed Hoppers, 5) roll-off unit, 6) CSA2 Tank. Failure to obtain air quality authorization for roll-off unit.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 106, SubChapter E 106.144
 30 TAC Chapter 106, SubChapter K 106.261
 30 TAC Chapter 106, SubChapter K 106.262
 30 TAC Chapter 106, SubChapter U 106.472
 30 TAC Chapter 106, SubChapter U 106.476
 30 TAC Chapter 111, SubChapter A 111.143
 30 TAC Chapter 111, SubChapter A 111.147
 30 TAC Chapter 115, SubChapter B 115.112
 30 TAC Chapter 115, SubChapter C 115.212
 30 TAC Chapter 115, SubChapter C 115.214

Description: The calculations that form the basis of the Permit by rule determination are incomplete. The calculations do not include emissions produced by the shaker screen, roll-off used to collect debris, mix pit, CSA2 Tank, and feed hopper fugitive emissions. The centrifuge scrubber efficiency value used in the calculations is overstated.

Viol. Classification: Minor

Citation: 30 TAC Chapter 106, SubChapter U 106.472

Description: Loading, unloading and transfer of catalyst and solids material resulted in visible emissions.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 305, SubChapter C 305.42(a)
 30 TAC Chapter 305, SubChapter C 305.45(a)
 30 TAC Chapter 305, SubChapter C 305.50(12)(A)(ii)
 30 TAC Chapter 335, SubChapter F 335.151(b)
 30 TAC Chapter 335, SubChapter A 335.2(a)
 30 TAC Chapter 335, SubChapter A 335.2(i)
 30 TAC Chapter 335, SubChapter A 335.6(c)

30 TAC Chapter 335, SubChapter C 335.69(a)

Description: The following units were not listed in the permit application, included in the closure plan, the closure cost estimate or Attachment D" of the permit: 1) mix pit in CS-2 Container Storage Area; 2) Skid Shaker Screen and Frac Tank, 3) Screen under Tank T-200, 4) Filter Press, 5) DAF unit, 6) Roll-off unit, 7)CSA2 Tank. These units were not included in the Notice of Registration (NOR) and did not display the proper NOR number.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 264, SubChapter I, PT 264, SubPT B 264.14(c)
30 TAC Chapter 335, SubChapter F 335.152(a)(1)

Description: Perimeter security and warning signs insufficient: Perimeter fence needs repairs, missing warning signs along fence, need signs in Spanish.

Viol. Classification: Minor

Citation: 40 CFR Chapter 264, SubChapter I, PT 264, SubPT BB 264.1054
30 TAC Chapter 335, SubChapter F 335.152(a)(1)
30 TAC Chapter 335, SubChapter F 335.152(a)(18)

Description: Inspection documentation for miscellaneous units, process heaters, container storage unit CS-2, conservation vents on tanks ST□-17 and ST-5 thru ST-11, the Closed Vent System, the Thermal Oxidizer and perimeter fence could not be located. Inspection records for odors detected on tanks ST□-17 and ST-5 through 11 do not document repairs within required timeframes.

Viol. Classification: Minor

Citation: 40 CFR Chapter 264, SubChapter I, PT 264, SubPT C 264.31
30 TAC Chapter 335, SubChapter F 335.152(a)(1)

Description: Tank PV-12 is not constructed to minimize the possibility of an unplanned sudden or nonsudden release of hazardous waste or hazardous waste constituents into the soil, or surface water. There is no valve on the bottom of the tank or on the drain line before it leaves secondary containment.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 264, SubChapter I, PT 264, SubPT J 264.192(g)
30 TAC Chapter 335, SubChapter F 335.152(a)(8)

Description: Initial certifications required in §270.11(d) for tank system design and installation could not be located.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 264, SubChapter I, PT 264, SubPT J 264.193(e)(1)
40 CFR Chapter 264, SubChapter I, PT 264, SubPT J 264.193(f)
30 TAC Chapter 335, SubChapter F 335.152(a)(8)

Description: The following tank systems and ancillary equipment are not equipped with adequate secondary containment: 1) Mix Tank, 2)Valves, bolted flanges, and screwed connections.

Viol. Classification: Minor

Citation: 40 CFR Chapter 264, SubChapter I, PT 264, SubPT J 264.194(b)
30 TAC Chapter 335, SubChapter F 335.152(a)(8)

Description: High level alarms on existing tanks are not functioning properly and need repair and/or calibration.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 264, SubChapter I, PT 264, SubPT CC 264.1084(b)
40 CFR Chapter 264, SubChapter I, PT 264, SubPT CC 264.1084(c)
40 CFR Chapter 264, SubChapter I, PT 264, SubPT CC 264.1086(d)
30 TAC Chapter 335, SubChapter F 335.152(a)(19)

Description: The following units managing waste having a VOC content >500 ppm are not equipped with appropriate covers and are not vented through a closed vent system to a control device with >95% volatile organic emission control: 1) Feed Hoppers on TDU #1 and #2, 2) Mix Tank, 3) Shaker screens, 4) DAF unit. Transfers of solid hazardous waste in or out of a container to the TDU Feed Hoppers is not conducted in such a manner as to minimize exposure of the hazardous waste to the atmosphere.

Viol. Classification: Moderate

Citation: 40 CFR Chapter 264, SubChapter I, PT 264, SubPT BB 264.1065
40 CFR Chapter 264, SubChapter I, PT 264, SubPT CC 264.1087
40 CFR Chapter 264, SubChapter I, PT 264, SubPT CC 264.1089
30 TAC Chapter 335, SubChapter F 335.152(a)(18)
30 TAC Chapter 335, SubChapter F 335.152(a)(19)

Description: Historic documentation of inspections and maintenance could not be found. Specific items missing include: 1) semi□]annual reports to the Regional Administrator of any leaking equipment that did not receive the first attempt at repair in 5 days or was not repaired within 15 days, 2) the certification stating that the control device is designed to operate at the performance level documented by a design analysis or a performance test, and 3) documentation of the time when the control device does...

Viol. Classification: Moderate

Citation: 30 TAC Chapter 112, SubChapter A 112.8

Description: The secondary containment for the Frac Tanks used to store oil located outside the main dike is insufficient to contain the entire volume of the Frac Tank.

Viol. Classification: Minor

Citation: 30 TAC Chapter 335, SubChapter A 335.18(a)

30 TAC Chapter 335, SubChapter A 335.19(c)

30 TAC Chapter 335, SubChapter A 335.21

Description: The facility has a state variance for processed catalyst that proclaims that it is no longer considered solid waste. The variance does not reflect all catalysts currently being processed.

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