

Bryan W. Shaw, Ph.D., P.E., *Chairman*  
Toby Baker, *Commissioner*  
Jon Niermann, *Commissioner*  
Richard A. Hyde, P.E., *Executive Director*

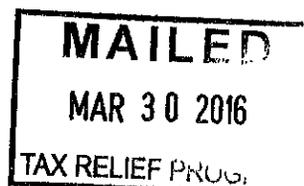


## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

March 30, 2016

Mr. Andrej Fedor  
Agent  
Associated Tax Appraisers  
PO Box 91119  
Austin, Texas 78709



Re: Notice of Use Determinations  
ELG Metals, Inc.  
ELG Metals, Inc. Scrap Metal Reclaiming Facility  
15135 Jacintoport Boulevard  
Houston (Harris County)  
Regulated Entity Number: RN102185733  
Customer Reference Number: CN601181027  
Application Number: 19451  
Tracking Number: 15-TCEQ-ELG Metals-003

Dear Mr. Fedor:

This letter responds to ELG Metals, Inc.'s Application for Use Determination, received September 8, 2015, pursuant to the Texas Commission on Environmental Quality's (TCEQ) Tax Relief for Pollution Control Property Program for the ELG Metals, Inc. Scrap Metal Reclaiming Facility.

The TCEQ has completed the review for application #19451 and has determined that certain property included in the application is not eligible for a Positive Use Determination. The TCEQ has issued a Positive Use Determination for the eligible property in the application in accordance with Title 30 Texas Administrative Code (TAC) §17.4 and a Negative Use Determination for the ineligible property in accordance with §17.4 and §17.6. The justification for the Negative Use Determination is provided below.

A negative use determination is issued for the roofs, walls, foundations and floors of the Turnings Facility. The Turnings Facility is used as part of the production process at this facility and is not a pollution control device. The eligible portions of the facility are those items that are installed and used to control, monitor, or prevent air, water, or land pollution. Additionally, buildings are not included under Item S-20 of the Tier I Table.

A negative use determination is issued for the qualifying land included on the application as pollution control property because it is not eligible for a positive use determination because it was acquired before January 1, 1994, according to information provided on the application. Per Texas Tax Code §11.31(b), the applicant is not eligible for a property tax exemption for the land included in the application because the land was acquired before January 1, 1994.

P.O. Box 13087 • Austin, Texas 78711-3087 • 512-239-1000 • [tceq.texas.gov](http://tceq.texas.gov)

How is our customer service? [tceq.texas.gov/customersurvey](http://tceq.texas.gov/customersurvey)

Mr. Andrej Fedor  
Page 2  
March 30, 2016

In order to request an exemption for the eligible property, the attached Use Determination Certificate and a completed Application for Pollution Control Property Tax Exemption, Form #50-248 (please see [www.cpa.state.tx.us](http://www.cpa.state.tx.us)), must be provided to the chief appraiser of the appropriate appraisal district no later than April 30th of the applicable tax year.

Please be advised that a Use Determination may be appealed by the applicant or the chief appraiser of the applicable appraisal district. The appeal must be filed with the TCEQ Chief Clerk within 20 days after the receipt of this letter in accordance with 30 TAC §17.25.

If you have questions regarding this letter or need further assistance, please contact Elizabeth Sartain of the Tax Relief for Pollution Control Property Program by telephone at (512) 239-3933, by e-mail at [Elizabeth.Sartain@tceq.texas.gov](mailto:Elizabeth.Sartain@tceq.texas.gov), or write to the Texas Commission on Environmental Quality, Tax Relief for Pollution Control Property Program, MC-110, P.O. Box 13087, Austin, Texas 78711-3087.

Sincerely,



Shelley Naik, Team Leader  
Stationary Source Programs  
Air Quality Division

SN/ES

Enclosure

cc: Chief Appraiser, Harris County Appraisal District, PO Box 922004, Houston, Texas  
77292

**The State of Texas**  
**TEXAS COMMISSION ON ENVIRONMENTAL QUALITY**



Application Number: 19451

County: Harris

**USE DETERMINATION CERTIFICATE**

This certifies that  
ELG Metals, Inc.  
ELG Metals, Inc. Scrap Metal Reclaiming Facility  
15135 Jacintoport Boulevard  
Houston, Texas

installed the following property that is used 100% for pollution control to meet or exceed federal or state regulations:  
Tanks, piping, and pumps used contain cutting fluids from metal turnings.

March 30, 2016

Date

A handwritten signature in black ink, appearing to read "David Brymer".

David Brymer  
Division Director

# Texas Commission on Environmental Quality

## Use Determination for Pollution Control Property Application

A person seeking a use determination must complete this application form. For assistance in completing the application form please refer to the *Instructions for Use Determination for Pollution Control Property Application Form TCEQ-00611*, as well as the rules governing the Tax Relief Program in Title 30 Texas Administrative Code Chapter 17 (30 TAC 17). Information relating to completing this application form is also available in the TCEQ regulatory guidance document, *Property-Tax Exemptions for Pollution Control Property, RG-461*. For additional assistance, please call the Tax Relief Program at 512-239-4900.

**You must supply information for each field of this application form unless otherwise noted.**

### Section 1. Property Owner Information

1. Company Name of Owner: ELG Metals Inc.
2. Mailing Address: 15135 JACINTOPOINT BLVD
3. City, State, Zip: HOUSTON TX 77015
4. Customer Number (CN): CN601181027
5. Regulated Entity Number (RN): RN102185733
6. Is this property/equipment owned by the CN listed in Question 4? Yes  No

*If the answer is 'No,' please explain:*

To be eligible for a positive use determination the property must be owned and operated by the same entity.

7. Is this property subject to any lease or lease-to-own agreement? Yes  No

*If the answer is 'Yes,' please explain:*

8. Is this property operated by the RN listed in Question 5? Yes  No

*If the answer is 'No,' please explain:*

To be eligible for a positive use determination the property must be owned and operated by the same entity.

### Section 2. Physical Location of Property

1. Name of Facility or Unit where the property is physically located: Scrap Metal Reclaiming Facility
2. Type of Mfg. Process or Service: Scrap and Waste Materials
3. Street Address: 15135 JACINTOPOINT BLVD
4. City, State, Zip: HOUSTON TX 77015
5. County: Harris
6. Appraisal District Account Number(s): 0452730 and 041-032-001-0103

### Section 3. Contact Name

1. Company Name: Associated Tax Appraisers
2. First Name of Contact: Andrej
3. Middle Initial:
4. Last Name of Contact: Fedor
5. Salutation: Mr.  Mrs.  Ms.  Dr.  Other:
6. Title:
7. Suffix:
8. Mailing Address: P.O. Box 91119
9. City, State, Zip: Austin, Texas 78709
10. Phone Number/Fax Number: 281-497-2200 / 713-627-8454
11. Email Address: afedor@nationalrealty.com
12. Self-Assigned Tracking Number (optional): 15-TCEQ-ELG Metals-003

### Section 4. General Information

1. What is the type of ownership of this facility?  
Corporation  Limited Partner  Other:  
Sole Proprietor  Limited Liability Corporation   
Partnership  Utility
2. Size of Company: Number of Employees  
1 to 99  500 to 999  2,000 to 4,999   
100 to 499  1,000 to 1,999  5,000 or more
3. Business Description: (Briefly describe the type of business or activity at the facility)  
Scrap and Waste Materials
4. Provide the North American Industry Classification System (NAICS) six-digit code for this facility. NAICS 423930 / SIC 5093

### Section 5. Property Description, Applicable Rule, and Environmental Benefit

For each piece, or each category, of pollution control property for which a use determination is being sought, answer the following questions.

*Attach additional response sheets to the application for each piece of integrated pollution control property if a use determination is being sought for more than one (1) piece.*

#### General Information

1. Name the property: Turnings Facility
2. Is the property used 100% as pollution control equipment? Yes  No   
*Explain your answer:* This property is in standard use and identified on the TCEQ's Tier I Table. In addition, the property was installed solely for the abatement of pollution as required by law.
3. Does the property generate a Marketable Product? Yes  No

*Marketable Product: Anything produced or recovered using pollution control property that is sold as a product, is accumulated for later use, or is used as a raw material in a manufacturing process. Marketable product includes, but is not limited to, anything recovered or produced using the pollution control property and sold, traded, accumulated for later use, or used in a manufacturing process (including at a different facility).*

*If the answer is 'Yes,' describe the marketable product:*

4. What is the appropriate Tier I Table or Expedited Review List number? S-20
5. Is the property integrated pollution control equipment? Yes  No

*If the answer is 'No,' separate applications must be filed for each piece of property.*

6. List applicable permit number(s) for the pollution control property: WQ0005018000, TX0106861 and TX0134619

### **Incremental Cost Difference**

7. Is the Tier I Table item number A-86, A-112, A-114, A-182, or S-22? Yes  No

*If the answer is 'Yes,' the use determination percentage is based on the incremental cost difference and you must answer the following questions:*

8. What is the cost of the new piece of property?
9. What is the cost of the comparable property without controls?
10. How was the value of the comparable property calculated?

### **Property Description**

11. Describe the property. (What is it? Where is it located within the production process? How is it used to control, prevent, or monitor pollution?)

Building, containment walls, tanks, piping and pumps used to contain cutting fluids from incoming loads of metal turnings. The facility was constructed to keep oils and greases from discharging into storm water runoff as required by ELG's Spill Prevention, Control and Countermeasure Plan. The cutting fluids/oils are captured in a pit, which is cleaned out either annually/bi-annually and hauled away and disposed of in a registered landfill. The qualifying land was acquired in 1989, but installation of the pollution control property and change in use of the land occurred in 2001.

### **Applicable Rule**

12. What adopted environmental rule or regulation is being met by the construction or installation of the property? The citation must be to the specific section, subsection, paragraph, subparagraph, or clause level. Describe how the property meets or exceeds the requirements.

40 CFR Part 112; a copy of ELG's Industrial Wastewater Permit Compliance Evaluation and Spill Prevention, Control and Countermeasure Plan is attached. The Turnings facility roof, walls and foundation are secondary structures required under the SPCC Plan.

### **Environmental Benefit**

13. What is the anticipated environmental benefit related to the construction or installation of the property? The facility provides containment of cutting fluids as required by permit.

### **Section 6. Process Flow Diagram (Optional)**

Attach documentation to the application showing a Process Flow Diagram for the property.

### **Section 7. Partial-Use Percentage Calculation**

This section must be completed for all Tier III applications. Attach documentation to the application showing the calculations used to determine the partial-use percentage for the property.

## Section 8. Property Categories and Costs

List each piece of integrated pollution control property for which a use determination is being sought.

Property Name	Tier 1 Table No. or Expedited Review List No.	Use Percent	Estimated Dollar Value
Land:			
Property: <b>SEE ATTACHED</b>	<b>S-20</b>	<b>100%</b>	<b>SEE ATTACHED</b>
Property: <b>All qualifying land</b>			
Property:			
Property:			
Total:			

*Attach additional response sheets to the application if more than five (5) pieces of property need to be listed.*

**NOTE: Separate applications must be filed for each piece of nonintegrated pollution control property.**

## Section 9. Type of Application and Fee

1. Type of Application being filed: *Select only one.*

Tier I – Fee: \$150

Tier II – Fee: \$1,000

Tier III – Fee: \$2,500

2. Fee Payment Type:

Check

Money Order

Electronic Payment

3. Payment Receipt Number: SEE ATTACHED

4. Payment Amount: \$150

5. Payer Name on Payment: SEE ATTACHED

6. Total Amount of Payment: \$150

**NOTE: Enclose a check, money order to the TCEQ, or a copy of the ePay receipt along with the application to cover the required fee.**

***In accordance with the TCEQ's Delinquent Fee Protocol, the Tax Relief Program will not consider applications administratively complete until all delinquent fees the company owes to the TCEQ are paid.***

Information regarding the TCEQ's Delinquent Fee Protocol is available at:

<http://www.tceq.state.tx.us/agency/delin/index.html>.

## Section 10. Certification Statement

***Must be signed by owner or designated representative.***

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I further certify that the property listed in this application is eligible for a tax exemption under Texas Tax Code, §11.31 given that:

- the property is not solely used, constructed, acquired, or installed to manufacture or produce a good or provide a service, including a good or service that prevents, monitors, controls, or reduces air, water, or land pollution,
- the environmental benefit associated with the property is not wholly derived from the use or characteristics of the goods or services produced by the property,
- the property is wholly or partly used, constructed, acquired, or installed to meet or exceed law, rule, regulation adopted by an environmental protection agency of the United States, Texas, or a political subdivision of Texas for the prevention, monitoring, control, or reduction of air, water, or land pollution,
- the property is not used for residential purposes, or for recreational, park, or scenic uses as defined by Texas Tax Code, §23.81,
- the property is not a motor vehicle, except for a dedicated service motor vehicle used solely for pollution control, and
- the property was not acquired, constructed, or installed before January 1, 1994.

I am aware there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Printed Name: Andrej Fedor

Date: 03/04/16

Signature: \_\_\_\_\_



Title:

Company Name: Associated Tax Appraisers

Under Texas Penal Code 37.10, if you make a false statement on this application, you could receive a jail term of up to one year and a fine up to \$2,000, or a prison term of two to 10 years and a fine of up to \$5,000.

## **Application Submission**

Send the completed application and the appropriate fee, along with a complete copy of the completed application for the appraisal district, to:

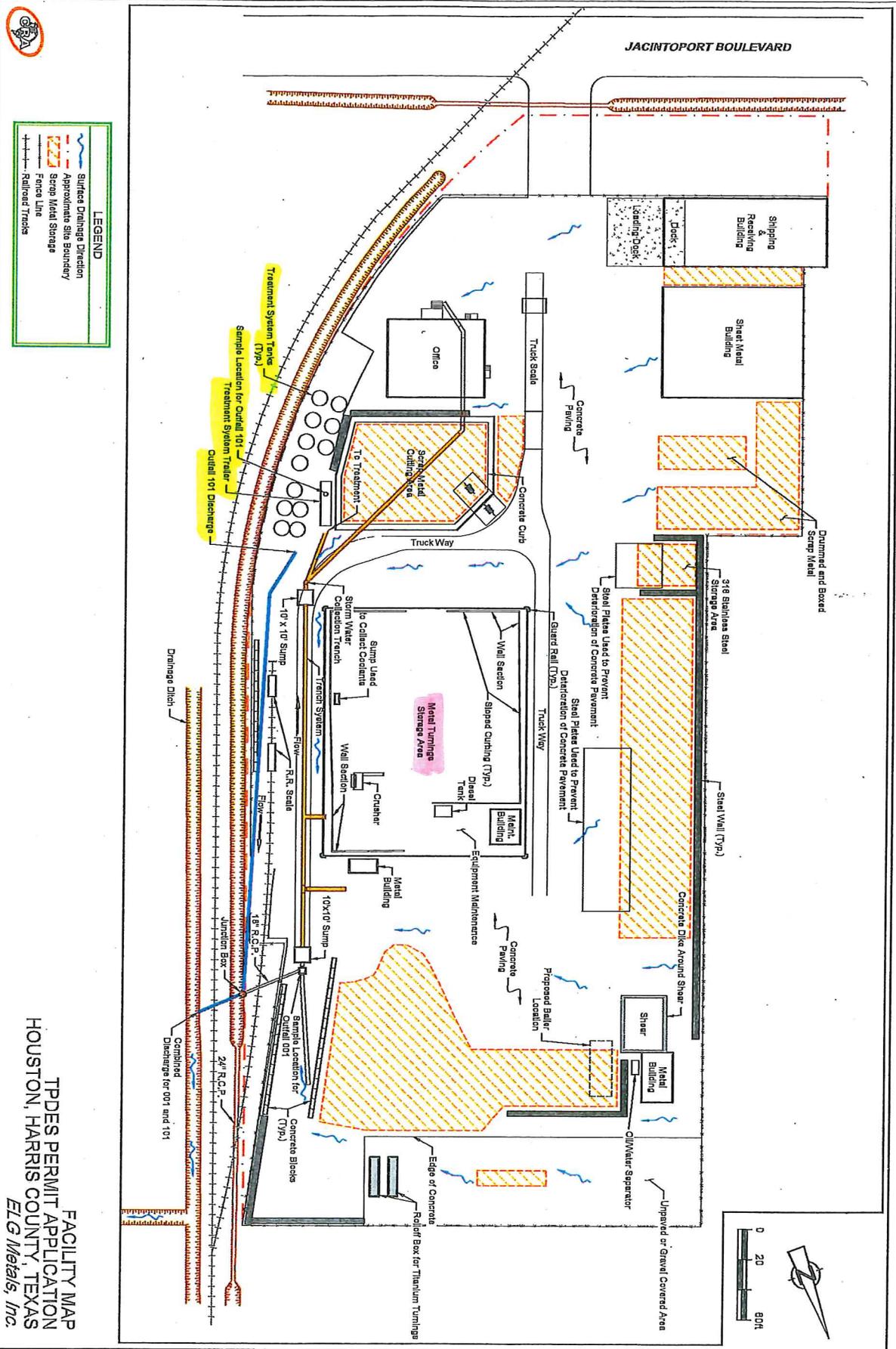
*U.S. Mail*

Cashiers Office, MC 214  
Tax Relief Program  
TCEQ  
PO Box 13088  
Austin TX 78711-3088

*Physical Address*

Cashier's Office, MC 214  
Building A  
TCEQ  
12100 Park 35 Circle  
Austin TX 78753

<b>ELG Metals Inc.</b>		
<b>15135 Jacintoport Blvd.</b>		
<b>HCAD Account No(s). 0452730 &amp; 0410320010103</b>		
<b>Tax Year 2015</b>		
<b>Pollution Control Equipment</b>	<b>Date Acq.</b>	<b>Cost</b>
New Turnings Facility	3/1/2001	\$748,452



**LEGEND**

	Surface Drainage Direction
	Approximate Site Boundary
	Scrap Metal Storage
	Fence Line
	Railroad Tracks

FACILITY MAP  
 TPDES PERMIT APPLICATION  
 HOUSTON, HARRIS COUNTY, TEXAS  
 ELG Metals, Inc.

0827188-00(00)GN-CL-001 MAY 31/2013





[Questions or Comments >>](#)[Shopping Cart](#)[Select Fee](#)[Search Transactions](#)[Sign Out](#)

Print this voucher for your records. If you are sending the TCEQ hardcopy documents related to this payment, include a copy of this voucher.

**Transaction Information**

**Voucher Number:** 251296  
**Trace Number:** 582EA000198278  
**Date:** 09/04/2015 06:52 PM  
**Payment Method:** CC - Authorization 000007774D  
**Amount:** \$150.00  
**Fee Type:** TIER I, II, & III POLLUTION CONTROL EQUIPMENT EXEMPTION FEES  
**ePay Actor:** Andrej Fedor  
**Actor Email:** afedor@nationalrealty.com  
**IP:** 173.11.244.9

**Payment Contact Information**

**Name:** Ronald P Little  
**Company:** Associated Tax Appraisers  
**Address:** 4543 Post Oak Place Ste 232, Houston, TX 77027  
**Phone:** 281-497-2200

**Site Information**

**RN:** RN102185733  
**Site Name:** SCRAP METAL RECLAIMING FACILITY  
**Site Address:** 15135 JACINTOPOINT BLVD, HOUSTON, TX 77015  
**Site Location:** 15135 JACINTOPOINT BLVD HOUSTON TX 77015

**Customer Information**

**Customer Name:** ELG METALS INC  
**Customer Address:** 15135 JACINTOPOINT BLVD, HOUSTON, TX 77015

**Other Information**

**Comments:** 15-TCEQ-ELG Metals-003

[Close](#)

[Site Help](#) | [Disclaimer](#) | [Web Policies](#) | [Accessibility](#) | [Our Compact with Texans](#) | [TCEQ Homeland Security](#) | [Contact Us](#)  
[Statewide Links: Texas.gov](#) | [Texas Homeland Security](#) | [TRAIL Statewide Archive](#) | [Texas Veterans Portal](#)

© 2002-2013 Texas Commission on Environmental Quality

**From:** Elizabeth Sartain  
**To:** ["Andrej Fedor"](mailto:afedor@nationalrealty.com)  
**Subject:** RE: TCEQ Use Determination Application No. 19451 - ELG Metals  
**Date:** Thursday, March 17, 2016 11:56:00 AM

---

Thank you,

I will process the application with these amendments.

---

**From:** Andrej Fedor [mailto:afedor@nationalrealty.com]  
**Sent:** Thursday, March 17, 2016 11:01 AM  
**To:** Elizabeth Sartain <Elizabeth.Sartain@Tceq.Texas.Gov>  
**Subject:** RE: TCEQ Use Determination Application No. 19451 - ELG Metals

Please allow this email to modify our Application for Use Determination (19451) for ELG Metals as follows:

1. Replace the applicable rule requested under Section 5 of the Application with 40 CFR Part 112.7 Subpart C, which requires that the owner or operator of a facility subject to this part must “provide appropriate containment and/or diversionary **structures** or equipment to prevent a discharge as described in §112.1(b). The **entire containment system**, including walls and floor, must be capable of containing oil and must be constructed so that any discharge from a primary containment system, such as a tank, will not escape the containment system before cleanup occurs.” As a used oil generator, ELG Metals is required to provide appropriate containment and/or diversionary structures to prevent a discharge. The purpose of the Turnings building is to collect and contain cutting fluids that drain from turnings and divert storm water from contacting residual cutting fluids. No other process takes place with the Turnings building, except the handling of turnings brought to the facility.
2. In addition to the requirements of applicable rule cited above, Section 3.4.1.3 of ELG Metal’s Spill Prevention, Control and Countermeasure Plan requires containment and diversionary (or secondary) structures that are identified in Table 1 of SPCCP as “Steel Structures” as related to the oil tanks.
3. The walls of the Turnings building are constructed of corrugated steel and are 45 feet tall. The purpose of the height is to allow trucks to deposit turning directly into the facility in order to avoid contact of turnings fluid with the outside. The entire building is design to be self-contained and leak proof in order to control contamination.

Thank you,

Andrej Fedor  
National Realty Consultants  
4543 Post Oak Place, Suite 232  
Houston, Texas 77027  
Telephone: (281) 497-2200  
Facsimile: (713) 627-8454  
Email: [afedor@nationalrealty.com](mailto:afedor@nationalrealty.com)

---

**From:** Elizabeth Sartain [mailto:[Elizabeth.Sartain@Tceq.Texas.Gov](mailto:Elizabeth.Sartain@Tceq.Texas.Gov)]  
**Sent:** Wednesday, March 16, 2016 9:49 AM  
**To:** Andrej Fedor

**Cc:** Shelley Naik

**Subject:** RE: TCEQ Use Determination Application No. 19451 - ELG Metals

Good Morning Mr. Fedor,

I have not received a response from you regarding my concerns on Application 19451. Since you have received and responded to two Technical Notices of Deficiencies, I will go ahead and process the application using the information you have submitted.

Thank you

---

**From:** Elizabeth Sartain

**Sent:** Wednesday, March 09, 2016 10:48 AM

**To:** 'Andrej Fedor' <[afedor@nationalrealty.com](mailto:afedor@nationalrealty.com)>

**Subject:** RE: TCEQ Use Determination Application No. 19451 - ELG Metals

Good Morning Mr. Fedor,

I have reviewed the materials you sent via email on Friday and have the following concerns.

1. The regulation cited (40 CFR §112) is not cited to an appropriate subsection level and therefore is not a specific requirement cited for the pollution control property in the Spill Prevention, Control and Countermeasure Plan for the facility. Please provide an appropriate applicable rule cited to the subsection level and identify the specific requirement(s) for the all of the pollution control property including the turnings facility in the Spill Prevention, Control and Countermeasure Plan for the facility.
2. Please provide additional descriptive information about the containment walls listed in the property description including wall height used for containment purposes and the material they are constructed of.
3. The land acquired before January 1, 1994, is not eligible for a positive use determination.
4. We will need an original, wet ink signature for the revised application. Will you or you have sent a revised application with an original , wet ink, signature as well as a copy for the County Appraisal District?

Please let me know if you have any questions on these issues and if you plan to address them.

Thank you

**Elizabeth Sartain**

**Tax Relief for Pollution Control Property Program**

(512) 239-3933

---

**From:** Andrej Fedor [<mailto:afedor@nationalrealty.com>]

**Sent:** Friday, March 04, 2016 3:52 PM

**To:** Elizabeth Sartain <[Elizabeth.Sartain@Tceq.Texas.Gov](mailto:Elizabeth.Sartain@Tceq.Texas.Gov)>

**Subject:** TCEQ Use Determination Application No. 19451 - ELG Metals

Attached is the revised App and SPCC Plan.

Andrej Fedor  
Associated Tax Appraisers  
4543 Post Oak Place, Suite 232  
Houston, Texas 77027  
Telephone: (281) 497-2200  
Facsimile: (713) 627-8454  
Email: [afedor@nationalrealty.com](mailto:afedor@nationalrealty.com)



**SPILL PREVENTION, CONTROL, AND  
COUNTERMEASURE (SPCC) PLAN**

**Prepared for:**

**ELG METALS, INC.  
HOUSTON, TEXAS**

**Prepared by:**

**CIVIL & ENVIRONMENTAL CONSULTANTS, INC.**

**CEC Project 110-759.0002**

**November 2011**



## TABLE OF CONTENTS

	<u>Page</u>
1.0	SPCC Plan Implementation .....1
1.1	Scope and Objective .....1
2.0	Facility Description.....2
2.1	Oil Storage, Handling, and Usage Equipment.....2
3.0	Spill Prevention, Control, and Countermeasure Plan .....3
3.1	Implementation and Plan Maintenance – 40 CFR 112.3 .....3
3.2	Agency Required Amendment of the SPCC Plan – 40 CFR 112.4.....4
3.3	General Review and Plan Amendment – 40 CFR 112.5 .....5
3.4	General Requirements for SPCC Plans – 40 CFR 112.7.....6
3.4.1	Physical Layout of Facility – 40 CFR 112.7(a)(3) .....6
3.4.2	Spill Prediction – 40 CFR 112.7(b) .....8
3.4.3	Containment and Diversionary Structures – 40 CFR 112.7(c) .....9
3.4.4	Statement of Impractical Structures – 40 CFR 112.7(d) .....9
3.4.5	Inspections, Tests and Records – 40 CFR 112.7 (e).....10
3.4.6	Personnel, Training, and Discharge Prevention Procedures – 40 CFR 112.7(f) .....10
3.4.7	Security – 40 CFR 112.7(g) .....11
3.4.8	Facility Tank Car and Tank Truck Loading/Unloading Rack – 40 CFR 112.7(h) .....12
3.4.9	Field Constructed Aboveground Containers – 40 CFR 112.7(i) .....12
3.4.10	Additional Discharge Prevention Procedures – 40 CFR 112.7(j).....12
3.5	SPCC Plan Requirements for Onshore Facilities – 40 CFR 112.8 .....13
3.5.1	Facility Drainage – 40 CFR 112.8 (b) .....13
3.5.2	Bulk Storage Containers – 40 CFR 112.8(c) .....15
3.5.3	Transfer Operations – 40 CFR 112.8(d) .....17
3.6	SPCC Plan Requirements for Onshore Oil Production Facilities – 40 CFR 112.9 .....18
3.7	SPCC Plan Requirements for Onshore Oil Drilling and Workover Facilities – 40 CFR 112.10 .....19
3.8	SPCC Plan Requirements for Offshore Oil Drilling and Workover Facilities – 40 CFR 112.11 .....19
3.9	Subpart C – 40 CFR 112.12 through 112.15 .....19
3.10	Facility Response Plan – 40 CFR 112.20 .....19
4.0	Notification Procedures .....20
4.1	Internal Reporting .....20
4.2	External Reporting .....20
4.2.1	Agency Contact Numbers .....21
4.3	External Agreements .....21
4.3.1	Agreements with Local Authorities .....21
4.3.2	Agreements with Emergency Response Contractors .....21



Table of Contents (continued)

Page ii

	<u>Page</u>
5.0 Spill Response Procedures.....	22
5.1 Potential Spill Sources .....	22
5.2 Employee Responsibilities.....	22
5.3 Spill, Fire, and Safety Equipment.....	23
5.4 Disposal of Recovered Materials.....	23

FIGURES

Figure 1 – Site Location Map

Figure 2 – Site Aerial Photograph

Figure 3 – Site Layout Plan

TABLES

Table 1 – Oil Storage Containers

APPENDICES

Appendix A – SPCC Plan Review Log

Appendix B – SPCC Plan Amendment Log

Appendix C – Inspection Forms

Appendix D – Training Materials



### CERTIFICATION INFORMATION

- A. Name of Facility: ELG Metals, Inc.
- B. Type of Facility: Non-ferrous scrap handling and processing facility
- C. Location of Facility: 15135 Jacintoport Boulevard  
Houston, Texas 77213-6166
- D. Name and Address of Owner: ELG Metals, Inc.  
369 River Rd.  
McKeesport, Pennsylvania 15132
- E. Designated Emergency Coordinator: Rich Koschik, Operations Manager
- F. Facility Size: Approximately 6.5 acres
- G. Maximum Aboveground Oil Capacity: Approximately 3,600 gallons
- H. Management Approval - 40 CFR 112.7: I hereby certify that this Spill Prevention, Control, and Countermeasures (SPCC) Plan has the full approval of management personnel with the authority to commit the necessary manpower, equipment, and materials to expeditiously control and remove any harmful quantity of oil discharged to navigable waters and to implement the provisions of the SPCC Plan. Appropriate procedures for required inspections and testing have been established and this Plan is adequate for this facility.

11/30/11

Signature

Date

Andres Montes

Printed Name

General Manager

Title

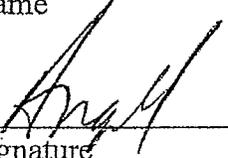


Professional Engineer Certification - 40 CFR 112.3(d)

- I am familiar with the requirements of 40 CFR Part 112 and have verified that this Plan has been prepared in accordance with the requirements of this Part.
- I or my agent have visited and examined the facility.
- I have verified that this Plan has been prepared in accordance with good engineering practice, including consideration of applicable industry standards.
- I have verified that the required inspection and testing procedures have been established as described in this Plan.
- I have verified that the Plan is adequate for the facility.

Angelo L. Masullo, Jr.  
Name

83004  
Registration Number

  
Signature

11/28/14  
Date





**Certification of Substantial Harm Determination [40 CFR 112 Attachment CII]**

**Facility Name:** ELG Metals, Inc.  
**Facility Address:** 15135 Jacintoport Boulevard, Houston, Texas 77213-6166

1. Does the facility have a maximum storage capacity of oil greater than or equal to 42,000 gallons and do the operations include over water transfers of oil to or from vessels?

YES NO X

2. Does the facility have a maximum storage of oil greater than or equal to one million (1,000,000) gallons and is the facility without secondary containment for each aboveground storage area sufficiently large to contain the capacity of the largest aboveground storage tank within the storage area?

YES NO X

3. Does the facility have a maximum storage capacity of oil greater than or equal to one million (1,000,000) gallons and is the facility located at a distance such that a discharge from the facility could cause injury to an environmentally sensitive area?

YES NO X

4. Does the facility have a maximum storage capacity of oil greater than or equal to one million (1,000,000) gallon and is the facility located at a distance such that a discharge from the facility would shut down a public drinking water intake?

YES NO X

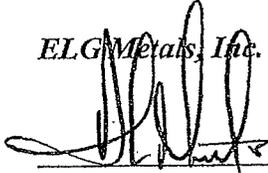
5. Does the facility have a maximum storage capacity of oil greater than or equal to one million (1,000,000) gallons and within the past 5 years has the facility experienced a reportable spill in an amount greater than or equal to 10,000 gallons?

YES NO X

**CERTIFICATION OF SUBSTANTIAL HARM DETERMINATION**

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document, and that based on my inquiry of those individuals responsible for obtaining this information, I believe that the submitted information is true, accurate, and complete.

*ELG Metals, Inc.*



Signature  
Andres Montes, General Manager  
Printed Name

11/30/11  
Date



## 1.0 SPCC PLAN IMPLEMENTATION

### 1.1 SCOPE AND OBJECTIVE

This Spill Prevention Control and Countermeasure (SPCC) plan has been prepared for the ELG Metals, Inc. Houston (ELG Houston) facility to comply with the SPCC Plan requirements found in Chapter 40, Part 112 of the Code of Federal Regulations (CFR).

40 CFR Part 112 establishes requirements to prevent the discharge of oil from non-transportation related facilities into the navigable waters of the United States. The regulations apply to “any owner or operator of a non-transportation-related onshore or offshore facility engaged in drilling, producing, gathering, storing, processing, refining, transferring, distributing, using, or consuming oil and oil products” that could discharge into navigable waters. In general, a facility that has 1) underground oil storage capacity above 42,000 gallons or 2) aboveground oil storage capacity above 1,320 gallons in containers greater than or equal to 55 gallons each is subject to the regulations put forth in 40 CFR 112. ELG Houston must comply with these regulations because in the operations of the facility, oil and oil-derived products are stored, transferred, and consumed in quantities exceeding the regulatory threshold.

A release is defined by the U. S. Environmental Protection Agency (EPA) as any spilling, leaking, pumping, pouring, emitting, discharging, injecting, escaping, leaching, dumping, or disposing into the environment. The storage and handling methods and procedures outlined in this document are intended to reduce the potential for releases of oil to the environment.

In the event of a release, the contingency plan and emergency procedures discussed in this document will be implemented to mitigate the release. ELG Houston employees are responsible for responding to spills by implementing the procedures found in Sections 4.0 and 5.0 of this document.



## 2.0 FACILITY DESCRIPTION

ELG Houston is located in Harris County, Texas (Figure 1). The facility occupies approximately 6.5 acres and is bordered on the north by Enigma Corporation, on the west by Houston Rail, on the east by Mega Lubricants, and on the south by Jacintoport Boulevard.

ELG Houston processes steel scrap for sale to steel mills, foundries, other metals manufacturers, processors, and scrap brokers. The facility primarily handles stainless steel scrap and nickel-based alloys.

Operations at the facility include cutting, burning, sorting, shearing, baling, packaging and shipping of steel scrap. Ancillary operations also include maintenance of forklifts, cranes, and other material handling equipment. An aerial photograph of the facility and surrounding areas is included as Figure 2. A site drawing illustrating the locations of oil-containing storage tanks and equipment is provided as Figure 3.

### 2.1 OIL STORAGE, HANDLING, AND USAGE EQUIPMENT

The SPCC regulations address the storage, handling, and usage of oil, which is defined as all liquid products that are insoluble in water and includes products such as gasoline, diesel fuel, kerosene, hydraulic fluid, gear oil, motor oil, and transformer oil. Oil storage, handling, and usage areas at the facility include:

- Diesel fuel storage and dispensing
- Drum storage areas
- Hydraulic systems, storage and dispensing
- Used oil storage

Major areas of oil storage and usage are listed in Table 1 and are shown in Figure 3.



### **3.0 SPILL PREVENTION, CONTROL, AND COUNTERMEASURE PLAN**

The rules in 40 CFR 112.1 require preparation of an SPCC Plan by facilities that store oil in quantities greater than 1,320 gallons in containers with a capacity of 55 gallons or greater. The following section provides specific information to fulfill these requirements.

#### **3.1 IMPLEMENTATION AND PLAN MAINTENANCE - 40 CFR 112.3**

In accordance with 40 CFR Part 112.3, the SPCC Plan will be maintained and amended as necessary. A copy of the SPCC Plan will be maintained in the Operations Manager's Office. This Plan has been prepared under the supervision and oversight of a Registered Professional Engineer (P.E.). The certification, as presented in the previous certification page of this Plan, certifies that the facility has been examined by a qualified individual, and that the Plan has been prepared in accordance with good engineering practices, including consideration of industry standards, and complies with the requirements of 40 CFR Part 112.3 (d).

Copies of the plan will be available to a duly authorized EPA representative for onsite review during normal working hours. ELG Houston will submit copies of this plan to the EPA and to the Texas Commission on Environmental Quality (TCEQ) upon request. Additionally, TCEQ and/or other public safety agencies will be notified during release scenarios in accordance with this Plan. The reportable quantity of spilled oil, if released to the environment, is any quantity of oil that would produce a visible sheen on navigable waters of the State. Additional Texas requirements set the Reportable Quantity (RQ) for a petroleum product and used oil spill or discharge at 25 gallons or more onto land. ELG Houston is required to notify EPA and TCEQ and may be required to revise the plan if the facility experiences a single discharge of more than 1,000 gallons of oil or a discharge of more than 42 gallons of oil in each of two discharges occurring within any twelve-month period.

Personnel who may be involved in responding to an oil release will be trained in the provisions of the SPCC Plan. The SPCC Plan will be maintained by the Operations Manager.



### 3.2 AGENCY REQUIRED AMENDMENT OF THE SPCC PLAN - 40 CFR 112.4

The EPA Regional Administrator may require a facility to review its SPCC Plan in response to a spill event. This type of action could be initiated by a spill that meets either of the following conditions:

- Discharge from a single spill event exceeding 1,000 gallons.
- Discharge of more than 42 gallons in each of two spill events within any 12-month period that are of harmful quantities, as defined in 40 CFR Part 110.

In the event of a release of oil to the waters of the State such that it forms a film, sheen, or discoloration, the following information required by 40 CFR 112.4 must be provided to EPA Region VI and TCEQ:

1. Name of the facility.
2. Name of the owner or operator of the facility.
3. Location of the facility.
4. Maximum storage or handling capacity of the facility and normal daily throughput.
5. Corrective action and countermeasures taken, including a description of equipment repairs and/or replacements.
6. An adequate description of the facility, including layout maps, flow diagrams, and topographical maps, as necessary.
7. The cause(s) of the spill, including a failure analysis of system or subsystem in which the failure occurred.
8. Additional preventive measures taken or contemplated to minimize the possibility of recurrence.
9. Other information pertinent to the plan or spill event that the Regional Administrator may reasonably require that is pertinent to the Plan or discharge.



Agency contact numbers are:

**USEPA (National Response Center) 1-800-424-8802**

**Texas Commission on Environmental Quality (TCEQ) 1-800-832-8224**

These numbers answer 24 hours a day.

Upon review, the EPA, with possible input from TCEQ, may require ELG Houston to amend the SPCC Plan. Amendments would be necessary if the plan does not meet the requirements necessary to prevent and contain discharges of products from the facility. If the EPA requires an amendment, the EPA will notify ELG Houston by certified mail.

Within 30 days from receipt of such notice, ELG Houston may submit written information, views, or arguments regarding the proposed amendments. If ELG Houston accepts the amendment, the SPCC Plan will be revised within 30 days after receiving notice or at another specified date. EPA may request additional information and will render a decision within 60 days of receiving the appeal, and EPA is required to notify ELG Houston of the decision so that necessary actions may be taken.

### **3.3 GENERAL REVIEW AND PLAN AMENDMENT - 40 CFR 112.5**

ELG Houston will amend the SPCC Plan whenever there is a change in the facility design, construction, operation, or maintenance that materially affects the potential for a release to the environment. Such amendment will be completed as soon as possible, but no later than six (6) months after a change occurs. All related amendments will be certified by a Professional Engineer (P.E.). Changes to names of emergency contacts and other minor changes that do not affect the potential for a spill, secondary containment, or drainage do not require the certification of a P.E.

ELG Houston will review and evaluate this SPCC Plan at least once every five years. If, during this review, ELG Houston identifies alternative spill prevention and control technology that will significantly reduce the likelihood of a spill event from the facility and that has been field-proven



at the time of review, ELG Houston will implement such technology and include it in the revised SPCC Plan.

The SPCC Plan Review Log and the SPCC Plan Amendment Log will be used to keep a record of changes to the facility as well as SPCC Plan reviews and modifications. These logs are included as Appendices A and B respectively.

### **3.4 GENERAL REQUIREMENTS FOR SPCC PLANS - 40 CFR 112.7**

The SPCC Plan has been prepared in accordance with good engineering practices. This Plan has the approval of ELG Houston management who will commit the necessary level of resources for the implementation of the Plan. In addition, this SPCC Plan presents required information in a concise format and includes specific regulatory citations for each section of the SPCC regulations.

#### **3.4.1 Physical Layout of Facility - 40 CFR 112.7 (a)(3)**

The ELG Houston facility is comprised of a 6.5-acre facility located in Harris County, Texas (Figures 1 and 2). The facility includes areas for receiving, storing, cutting, sorting, shearing, baling, and shipping scrap. It also includes an equipment maintenance area and administrative offices. Figure 3 provides a site layout plan which shows the location of the major oil storage areas at the facility. Oil storage areas at the facility are the Maintenance Area near the center of the site, and the Shear Building near the northernmost corner.

##### **3.4.1.1 Container Capacity and Contents - 40 CFR 112.7 (3)(a)(i)**

ELG Houston stores oil in bulk quantities at a number of locations throughout the facility. A list of regulated storage containers is presented in Table 1. This list includes the type of material stored, container capacity, and any containment or diversionary structures.



It must also be noted that containers of oil may be in use at various work stations at the facility. In these instances, oil is used in single-drum quantities or less and is observed by plant personnel as part of their normal work routines.

Written procedures for spill control and reporting are presented in Sections 4.0 and 5.0 of this Plan.

#### *3.4.1.2 Tank Truck Unloading and Fluid Transfer - 40 CFR 112.7(3)(a)(ii)*

Fuels are delivered to and removed from aboveground storage tanks (AST's) in bulk quantities by licensed commercial haulers. Tank truck loading and unloading activities are monitored, and delivery personnel are required to adhere to the following requirements:

- Setting the hand brake on the delivery truck prior to loading and unloading.
- Verifying that transfer connections are properly secured prior to beginning loading or unloading of materials.
- Attendance at the delivery point during the entire fueling operation.
- Monitoring for spills, leaks, or other problems.
- Verifying that transfer connections are disconnected before moving the delivery truck.

ELG Houston personnel and contractors dispense fuel and oils from containers at the site on an as-needed basis. The nozzles and fueling equipment are designed so that when they are placed in the holder when not in use, a lever device automatically shuts off the fuel transfer pump. During transfers, personnel are observant for signs of spills or leakage, and spills are cleaned up immediately to prevent runoff. Spill kits are located in the Turnings Building and are inspected quarterly to ensure that they are adequately stocked.

#### *3.4.1.3 Secondary Containment Structures - 40 CFR 112.7(a)(3)(iii)*

Secondary containment systems for oil storage and handling equipment are identified for each storage location presented in Table 1. An evaluation of each containment structure is also



provided. Containment methods utilized at the facility include containment dikes, curbing, barriers, and absorbent materials.

#### *3.4.1.4 Discharge Response and Cleanup - 40 CFR 112.7 (a)(3)(iv)*

ELG Houston personnel are trained to respond to an initial release of oil at the facility. Sections 4.0 and 5.0 of this Plan describe specific response, cleanup, and reporting procedures in the event that a reportable release occurs at the facility.

#### *3.4.1.5 Disposal Of Spilled Materials - 40 CFR 112.7 (a)(3)(v)*

Refer to section 5.0 of this Plan for specific disposal requirements of spilled materials.

#### *3.4.1.6 Contact List and Phone Numbers - 40 CFR 112.7 (a)(3)(vi)*

The main contact for emergencies at the facility is the Operations Manager (Phone: 281-457-2100). Agency contacts and phone numbers are listed in Sections 3.2 and 4.2.1 of this SPCC Plan.

#### *3.4.1.7 Reporting Procedures - 40 CFR 112.7 (a)(4)*

Spill reporting procedures are found in Section 4.0 of this Plan.

#### *3.4.1.8 Response Procedures - 40 CFR 112.7 (a)(5)*

Spill response procedures are found in Section 5.0 of this Plan.

### **3.4.2 Spill Prediction - 40 CFR 112.7(b)**

Spill prediction scenarios for each oil storage container have been evaluated as part of the preparation of this document and are included in Table 1. Spills of oil inside any containment



area would accumulate within the containment structure and would be removed by a vacuum truck or other similar means for offsite disposal.

### 3.4.3 Containment and Diversionary Structures - 40 CFR 112.7 (c)

Containment and diversionary structures are addressed in Section 3.4.1.3 of this Plan.

### 3.4.4 Statement of Impractical Structures - 40 CFR 112.7 (d)

Regulations found in 40 CFR 112 require the installation of containment or diversionary structures around oil storage locations. There are currently no locations at the facility where installation of some kind of containment or diversionary structure is impractical.

ELG Houston has a general duty to prevent oil spills and leaks from equipment from reaching surface water; however, oil-filled operating equipment is not required to be contained as described above. Oil discharges from operating equipment at ELG Houston would be expected to be minor and could be easily cleaned up with absorbent pads, booms, or clay. Additionally, oil-containing equipment is located where the chance of an oil release to surface water is remote.

Equipment which holds oil in quantities over 55 gallons is listed below.

<u>Equipment Identification</u>	<u>Oil Storage Capacity</u>
Shear	1,500 gallons

This unit is considered operating equipment which has gauges to monitor the liquid levels or system operating pressure. Additionally, operators are in the vicinity of this equipment and can monitor the condition daily.



### 3.4.5 Inspections, Tests and Records - 40 CFR 112.7(e)

ELG Houston personnel perform quarterly inspections of oil storage containers, virgin and waste petroleum storage areas, and spill kits. A more detailed inspection is conducted annually and is documented with a written checklist. Tanks, pumps, valves, and piping connected to each SPCC Plan unit are included in the visual inspection. The tanks and containers will be inspected for evidence of leaks, spills, signs, lighting, security issues or structural problems.

Problems identified during inspections will be corrected promptly and corrective actions documented. Inspection reports and records of repairs and engineering changes to oil storage facilities are maintained onsite for a minimum of three years.

Sample inspection forms are included as Appendix C.

### 3.4.6 Personnel, Training, and Discharge Prevention Procedures - 40 CFR 112.7 (f)

#### 3.4.6.1 *Content of Training – 40 CFR 112.7 (f)(1)*

At a minimum, employee training will consist of the following:

- Appropriate employees review spill prevention techniques, location of spill kits, and other spill containment and cleanup equipment, procedures, and methods.
- Appropriate employees receive instruction on proper handling of hazardous substances such as petroleum products.
- Supervisory personnel receive annual waste management and spill response training. This includes a review of the contents and requirements of the SPCC Plan, measures to prevent the discharge of oil, known spill events or failures, reporting requirements, and applicable water pollution rules and regulations.
- Emergency coordinator responsibilities are reviewed and updated annually.
- Sample training materials are included as Appendix D.



### *3.4.6.2 Responsibility for Discharge Prevention – 40 CFR 112.7 (f)(2)*

ELG Houston has designated the Operations Manager at the Houston facility as the individual who is accountable for discharge prevention at the facility and who reports to facility management.

### *3.4.6.3 Schedule and Content of Training – 40 CFR 112.7 (f)(3)*

At a minimum, ELG Houston will conduct employee training at the introduction of this updated Plan, in the event of a significant spill at the facility, and/or on a periodic basis at the discretion of the General Manager, but no less than annually. Records of the subject and contents of employee training related to this Plan will be retained for a period of at least three years.

Training will include discussions of any known discharges, failures, malfunctioning components, and recently developed precautionary measures, if any.

### *3.4.7 Security - 40 CFR 112.7 (g)*

#### *3.4.7.1 Fencing - 40 CFR 112.7 (g)(1)*

The ELG Houston facility is fully fenced and guarded by Plant security.

#### *3.4.7.2 Drain Valves - 40 CFR 112.7 (g)(2)*

Containment structures currently in use are equipped with drain plugs or drain valves. They are routinely left in the "closed" position.



#### *3.4.7.3 Starter Controls - 40 CFR 112.7 (g)(3)*

Starter controls at fueling stations automatically shut off when the nozzle is returned to its holder. All fueling stations at the facility are located within the fenced boundaries of the plant and are accessible only by authorized personnel.

#### *3.4.7.4 Loading/Unloading Connections and Out-of-Service Piping - 40 CFR 112.7 (g)(4)*

Loading/unloading connections are capped or blank-flanged when oil pipelines or facility piping are not in service or when in standby service for an extended time. This security practice also applies to piping that is emptied of liquid content either by draining or by inert gas pressure.

#### *3.4.7.5 Lighting - 40 CFR 112.7 (g)(5)*

The facility generally does not operate at night. However, both the exterior and interior of the facility are sufficiently lighted to detect oil releases during hours of darkness and to deter vandalism.

#### *3.4.8 Facility Tank Car and Tank Truck Loading/Unloading Rack - 40 CFR 112.7 (h)*

There are no tank car or tank truck loading or unloading racks at the ELG Houston facility.

#### *3.4.9 Field-Constructed Aboveground Containers - 40 CFR 112.7 (i)*

There are no field-constructed aboveground storage tanks at the facility. There is, therefore, no need to evaluate the potential for brittle fracture failure.

#### *3.4.10 Additional Discharge Prevention Procedures - 40 CFR 112.7 (j)*

The applicable requirements that this Plan must meet are those in 40 CFR Part 112. There are no additional, more stringent state requirements with which the facility must comply.



This Plan has been established to prevent a release of oil from the ELG Houston facility. The Plan has identified the potential sources of petroleum and discussed proper storage and handling of petroleum products. Aboveground tanks, drums, totes, and other storage containers are inspected regularly. Preventive maintenance is performed on equipment and, where practicable, secondary containment is provided. Employees involved in oil-handling activities are trained in the contents of this Plan, as well as proper procedures to take in the event there are any releases.

In addition, ELG Houston will provide a copy of this Plan, where appropriate, to its resident contractors and vendors that are located at the facility. A copy of this Plan will also be kept with security personnel located at the main entrance to the facility.

### **3.5 SPCC PLAN REQUIREMENTS FOR ONSHORE FACILITIES - 40 CFR 112.8**

The SPCC Plan is designed specifically to meet the requirements of 40 CFR Part 112.7. The following presents additional requirements for onshore facilities as required in Part 112.8.

#### **3.5.1 Facility Drainage - 40 CFR 112.8 (b)**

There are a number of catch basins located throughout the ELG Houston facility which convey storm water to the storm sewers. ELG Houston has recently installed a drainage system and storm water treatment system. This storm water treatment system will reportedly collect and prevent any oily discharges from being released from the site.

Any spills or releases from the facility would be captured by their secondary containment structures. In the event that an oil discharge was able to get outside the secondary containment (e.g. a hydraulic line failed on some piece of equipment) then the spill would be addressed through the use of spill control equipment readily available onsite. However, if the spill did enter the storm drain system at the site, it would be collected in one of two large sumps that would not allow for the material to be discharged offsite. The oils would be removed from the sump in the event of a spill.



When rainfall occurs at the ELG Metals facility, the first flush of storm water (approximately 120,000 gallons) is captured and treated in a system designed by WATERTECHTONICS. There are two collection sumps (both approximately 15,000 gallons each), plus the storm water collection trench (holds about 10,000 gallons). There are two pumps in each sump, with controls set to operate at different heights to handle variable flow rates. The storm water system involves pumping of storm water from the collection sumps to a number of onsite storage tanks that contain the storm water for treatment prior to discharge. If a large rainfall event occurs, the flow exceeding 120,000 gallons is allowed to bypass the collection system. However, for all practical purposes, a spill should normally be retained in the sump and treatment tanks, and most storm water discharges will undergo treatment.

This Plan is written to reflect the installation of the storm water treatment at the facility.

#### *3.5.1.1 Control Of Drainage From Diked Storage Areas - 40 CFR 112.8 (b)(1) and (b)(2)*

Diked storage areas at the ELG Houston facility are equipped with drain plugs that are typically closed. Oil from diked areas are pumped out by a contractor and the materials are taken offsite for processing.

#### *3.5.1.2 Drainage from Undiked Areas - 40 CFR 112.8 (b)(3)*

ELG Houston typically avoids using or storing oil in outdoor areas where spills could occur. The likelihood of spills reaching the storm water system from indoor oil tank systems or indoor oil handling areas is remote because the indoor areas are curbed and contained.

In instances where containers are located in undiked areas, they drain to the facility storm drainage system which will collect and prevent the oil from being released.



### *3.5.1.3 Treatment of Drainage Waters - 40 CFR 112.8 (b)(5)*

Drainage waters are conveyed to the storm sewer system by gravity. The storm water treatment system provides for proper treatment and removal of any oils that may be present in the water. The storm water treatment system is discussed within Section 3.5.2.9.

### *3.5.2 Bulk Storage Containers - 40 CFR 112.8 (c)*

#### *3.5.2.1 Materials of Construction - 40 CFR 112.8 (c)(1)*

No bulk storage containers will be used unless the container materials and construction are compatible with the materials stored.

#### *3.5.2.2 Secondary Containment - 40 CFR 112.8 (c)(2)*

Oil storage areas identified in this plan have sufficient secondary containment to contain potential spills. Secondary containment structures are constructed from impervious materials (i.e. concrete or steel) which are sufficient to contain discharged oil.

Secondary containment structures are described in Table 1.

#### *3.5.2.3 Drainage from Diked Areas - 40 CFR 112.8 (c)(3)*

Water that has collected in containment structures is removed by vacuum truck or other appropriate means.

#### *3.5.2.4 Buried Metallic Storage Tanks - 40 CFR 112.8 (c)(4)*

There are no buried metallic storage tanks at the facility.



#### *3.5.2.5 Partially Buried Metallic Storage Tanks – 40 CFR 112.8 (c)(5)*

There are no partially buried metallic storage tanks at the facility.

#### *3.5.2.6 Testing of Aboveground Containers - 40 CFR 112.8 (c)(6)*

Integrity testing is required only on field-constructed tanks with capacities exceeding 30,000 gallons. There are no tanks on site that meet these criteria.

#### *3.5.2.7 Internal Heating Coils - 40 CFR 112.8 (c)(7)*

There are no internal heating coils at the facility.

#### *3.5.2.8 Alarm Systems - 40 CFR 112.8 (c)(8)*

Tanks at the ELG Houston facility are not equipped with overfill alarms. The ELG Houston facility provides equivalent environmental protection against overfills by verifying the capacity remaining in the tank prior to the delivery of fluids. All fluid transfers are attended, and, in the event of an overfill, the transfer is stopped promptly and the spilled material is properly contained and removed.

The ELG employee providing the attended monitoring of the filling of the tank first measures the liquid level in the tank to be filled and determines the capacity available for filling. The employee communicates this volume to the driver prior to beginning the transfer. The driver and ELG employee remain at the loading station until the transfer is complete. The ELG employee carries a radio or cellular phone and can summon assistance for spill response if needed.

#### *3.5.2.9 Effluent Treatment Facilities - 40 CFR 112.8 (c)(9)*

Effluent treatment facilities consist of a storm water treatment system that treats the first flush of any stormwater discharges from the site. This collection system will also serve to collect any



spills that may occur during periods when rainfall is not occurring. The storm water treatment system is shown on the southeast corner of the ELG facility (see Figure 3). The treatment system was designed by WATERTECHTONICS. The water treatment system is proprietary and ELG metals personnel were not permitted to share detailed information about the treatment system. In general, the storm water is treated using electrocoagulation and sand filters. Salt and caustic soda are used as components of the treatment system. After treating the stormwater, the system reportedly tests the water to verify it is acceptable for discharge. If acceptable, the treated storm water is discharged out a new outfall (101) for treated storm water. If the water requires further treatment, it is returned to the front end of the treatment system.

The water treatment system is inspected in accordance with the manufacturer's recommendations, and waste materials collected by the treatment system are periodically removed to prevent excessive accumulation of the waste materials.

#### *3.5.2.10 Removal of Discharged Oil - 40 CFR 112.8 (c)(10)*

Visible discharges from containers are promptly corrected as part of normal work practice. Oil that has collected in containment structures is removed by a contractor and managed off-site.

#### *3.5.2.11 Portable Oil Storage Containers - 40 CFR 112.8 (c)(11)*

Portable oil storage containers currently in use at the ELG Houston facility are stored under roof and provided with secondary containment.

### *3.5.3 Transfer Operations - 40 CFR 112.8(d)*

#### *3.5.3.1 Buried Piping - 40 CFR 112.8 (d)(1)*

Buried piping does not exist at this facility.



### *3.5.3.2 Out-of-Service Piping - 40 CFR 112.8 (d)(2)*

There is no out-of-service piping at this facility. Loading/unloading connections are capped or blank-flanged when oil pipelines or facility piping are not in service or when in standby service for an extended time. This security practice also applies to piping that is emptied of liquid content either by draining or by inert gas pressure.

### *3.5.3.3 Abrasion, Corrosion, and Damage - 40 CFR 112.8 (d)(3)*

Aboveground lines are examined during quarterly inspections. Any corrosion or damage identified would result in additional examination and corrective action.

### *3.5.3.4 Pipeline Inspections and Integrity Testing - 40 CFR 112.8 (d)(4)*

Aboveground lines are examined during quarterly inspections for leaks, pressure, and temperature malfunctions.

### *3.5.3.5 Vehicular Traffic- 40 CFR 112.8 (d)(5)*

Containers and pipelines are protected from damage by barriers or proper location.

## **3.6 SPCC PLAN REQUIREMENTS FOR ONSHORE OIL PRODUCTION FACILITIES - 40 CFR 112.9**

The ELG Houston facility is not an onshore oil production facility and therefore is exempt from this portion of the regulation.



**3.7 SPCC Plan Requirements for Onshore Oil Drilling and Workover Facilities - 40 CFR 112.10**

The ELG Houston Facility is not an onshore oil drilling or workover facility and therefore is exempt from this portion of the regulation.

**3.8 SPCC Plan Requirements for Offshore Oil Drilling and Workover Facilities - 40 CFR 112.11**

The ELG Houston facility is not an offshore oil drilling or workover facility and therefore is exempt from this portion of the regulation.

**3.9 SUBPART C - 40 CFR 112.12 THROUGH 112.15**

ELG Houston does not have, use, or produce animal fats, oils and grease; fish and marine mammal oils; and vegetable oils and therefore is exempt for this portion of the regulation.

**3.10 FACILITY RESPONSE PLAN - 40 CFR 112.20**

In determining the need for a Facility Response Plan, the criteria for establishing the applicability for substantial harm, found in 40 CFR Part 112, were reviewed. Based on the findings from the review of the criteria, it is demonstrated that the facility does not meet the applicability for substantial harm, therefore no facility response plan is included herein. A certification of the non-applicability of the substantial criteria is included at the front of this plan.



## 4.0 NOTIFICATION PROCEDURES

### 4.1 INTERNAL REPORTING

In the event of an actual spill, the ELG Houston employee discovering the release will notify his or her supervisor immediately after the spill is discovered. The supervisor will notify the Emergency Coordinator of the event.

The Operations Manager serves as the primary Emergency Coordinator at the ELG Houston facility. The Maintenance Foreman, Mechanic and Maintenance personnel may also be involved in the emergency response procedures.

### 4.2 EXTERNAL REPORTING

The Emergency Coordinator reports releases to outside agencies, if necessary. Releases of oil that cause a film, sheen, or discoloration to surface water must be reported to federal and state agencies.

The Emergency Coordinator must provide the following information to outside agencies when reporting a spill:

- Name, title, telephone number, and address of reporter;
- Name, telephone number, and address of the site/spill;
- Time, type, and amount of material involved;
- Extent of injuries/illnesses, if known;
- Possible hazards to human health and the environment;
- Any body of water involved;
- The cause of the accident/spill; and
- The action taken or proposed by the site personnel.



#### 4.2.1 Agency Contact Numbers

Spills must be reported to the United States Environmental Protection Agency's National Response Center at **800-424-8802**.

Spills must be reported to the Texas Commission on Environmental Quality at **800-832-8224**.

Only the Emergency Coordinator is authorized to make notifications to regulatory agencies.

### 4.3 EXTERNAL AGREEMENTS

#### 4.3.1 Agreements with Local Authorities

Copies of this Plan may be submitted to the local fire department, police department, and local hospital as requested or as deemed necessary. It is important that the personnel responding to an emergency are familiar with the chemicals used, the possibilities for release of hazardous materials and the location of fire equipment such as hydrants, stand pipes, etc.

#### 4.3.2 Agreements with Emergency Response Contractors

ELG Houston maintains agreements with the following response contractor who can assist plant personnel in the event of an emergency:

**Conestoga-Rovers (713) 734-3090**



## 5.0 SPILL RESPONSE PROCEDURES

### 5.1 POTENTIAL SPILL SOURCES

The following have been identified as the most likely potential spill sources at the ELG Houston facility:

- Delivery of fuel.
- Use of facility fueling equipment.
- Releases from motorized vehicles.
- Hydraulic systems leakage/failure.
- Releases of petroleum products from drums and tanks.

### 5.2 EMPLOYEE RESPONSIBILITIES

Employees at the ELG Houston facility will likely be first responders in the event of a spill at the facility. The responsibilities of responding personnel are:

- Extinguish ignition sources and remove people from the immediate area.
- Notify Supervisor.
- Obtain proper personal protective equipment, as necessary.
- Cover storm and sewer drains if located in immediate spill area.
- Stop the source of the release.
- Contain the spill by use of proper materials (absorbents).
- Clean up the release immediately and place waste in appropriate containers for recycling or disposal.

If the release cannot be handled by employees and becomes an emergency situation requiring additional assistance, contact the Emergency Coordinator **IMMEDIATELY**.



### **Supervisor Responsibilities:**

- Inform Emergency Coordinator of situation.
- Assist employees in spill response activities.
- Call Spill Response Contractor, if necessary.
- Inform Emergency Coordinator of actions taken as situation progresses.

### **Emergency Coordinator Responsibilities:**

- Monitor cleanup activities.
- Report spills to environmental agencies, if required.
- Maintain contact with facility management.

## **5.3 SPILL, FIRE, AND SAFETY EQUIPMENT**

Portable fire extinguishers located throughout the facility are well marked and are easily accessible. Records are kept on all fire equipment in service, and regular testing is performed in accordance with established procedures.

Spill response kits are located throughout the facility and are inspected to ensure that they are adequately stocked.

## **5.4 DISPOSAL OF RECOVERED MATERIALS**

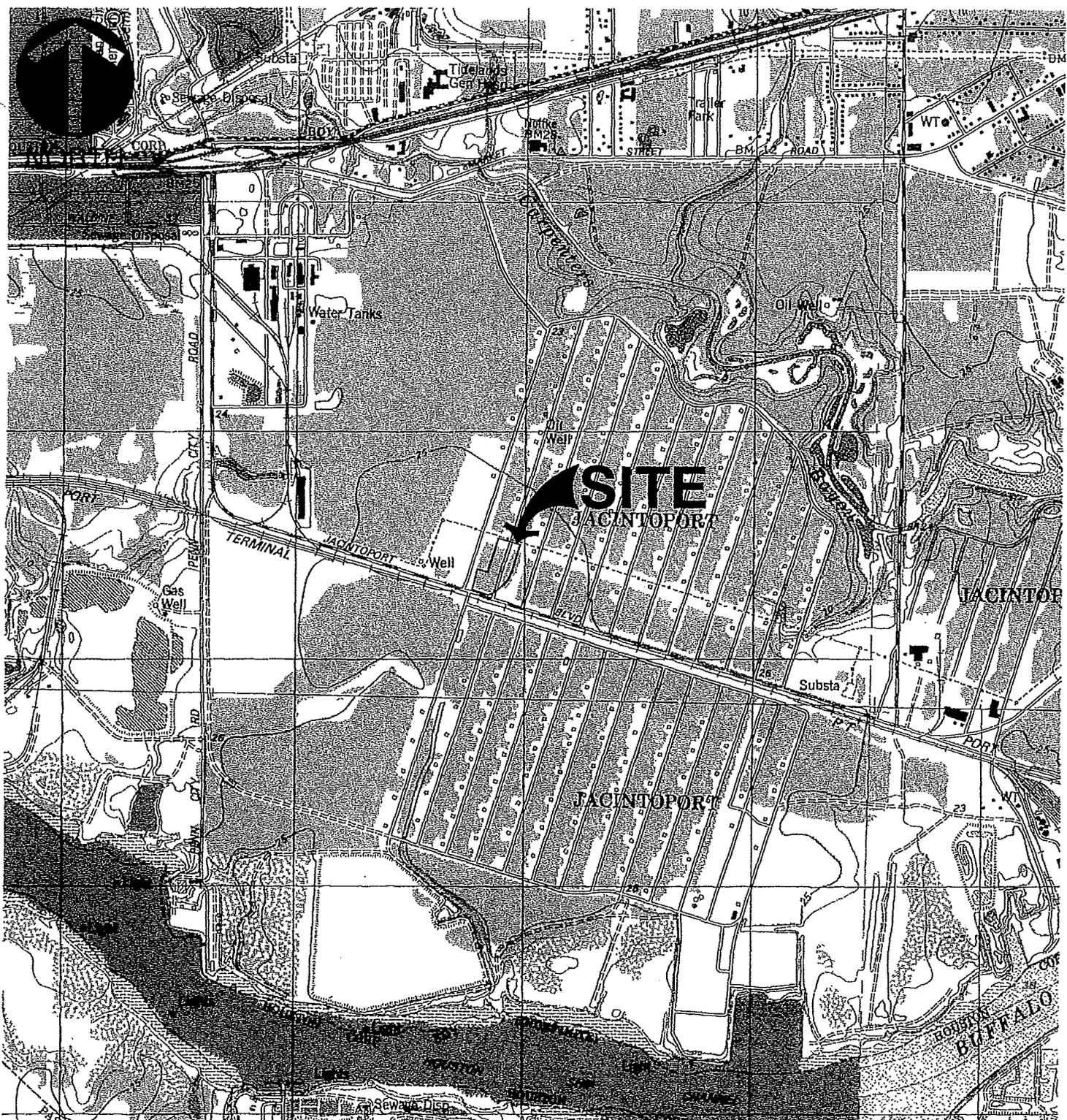
Materials recovered from the ELG Houston facility generally consist of oil-water mixtures. These materials are collected and hauled offsite for further processing by a contractor. Oily materials are processed and resold as oil or are blended with other petroleum products and resold as fuel.

---

**FIGURES**

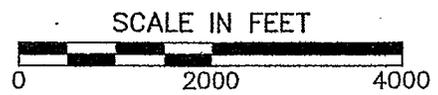
---

P:\2011\110-759\110759-SITE LOCATION MAP.DWG FIGURE NO.1 LS(SCOLL - 11/17/2011 11:47 PM) - LP: 11/17/2011 12:53:34 PM



**REFERENCE**

USGS 7.5 MIN. TOPOGRAPHIC QUADRANGLES  
JACINTO CITY, HIGHLANDS, PASADENA, AND LA  
PORTE, TEXAS



**Civil & Environmental Consultants, Inc.**

333 Baldwin Road - Pittsburgh, PA 15205  
412-429-2324 · 800-365-2324  
www.cecinc.com

ELG METALS, INC.  
HOUSTON, TEXAS

**SITE LOCATION MAP**

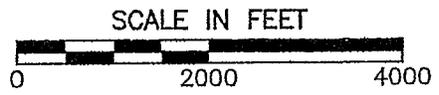
DRAWN BY:	DWD	CHECKED BY:	PWT	APPROVED BY:	PWT	FIGURE NO.:
DATE:	8/24/2011	DWG SCALE:	1"=2000'	PROJECT NO:	110-759.0002	<b>1</b>



P: 2011\110-759\2\DWG\110759-SITE AERIAL.DWG\LOCATION MAP.LS(SCOLL - 9/13/2011 7:10:32 AM LP: 9/13/2011 7:12:08 AM



REFERENCE: DOQQ JACINTO CITY, TX. DATED: 01/15/95



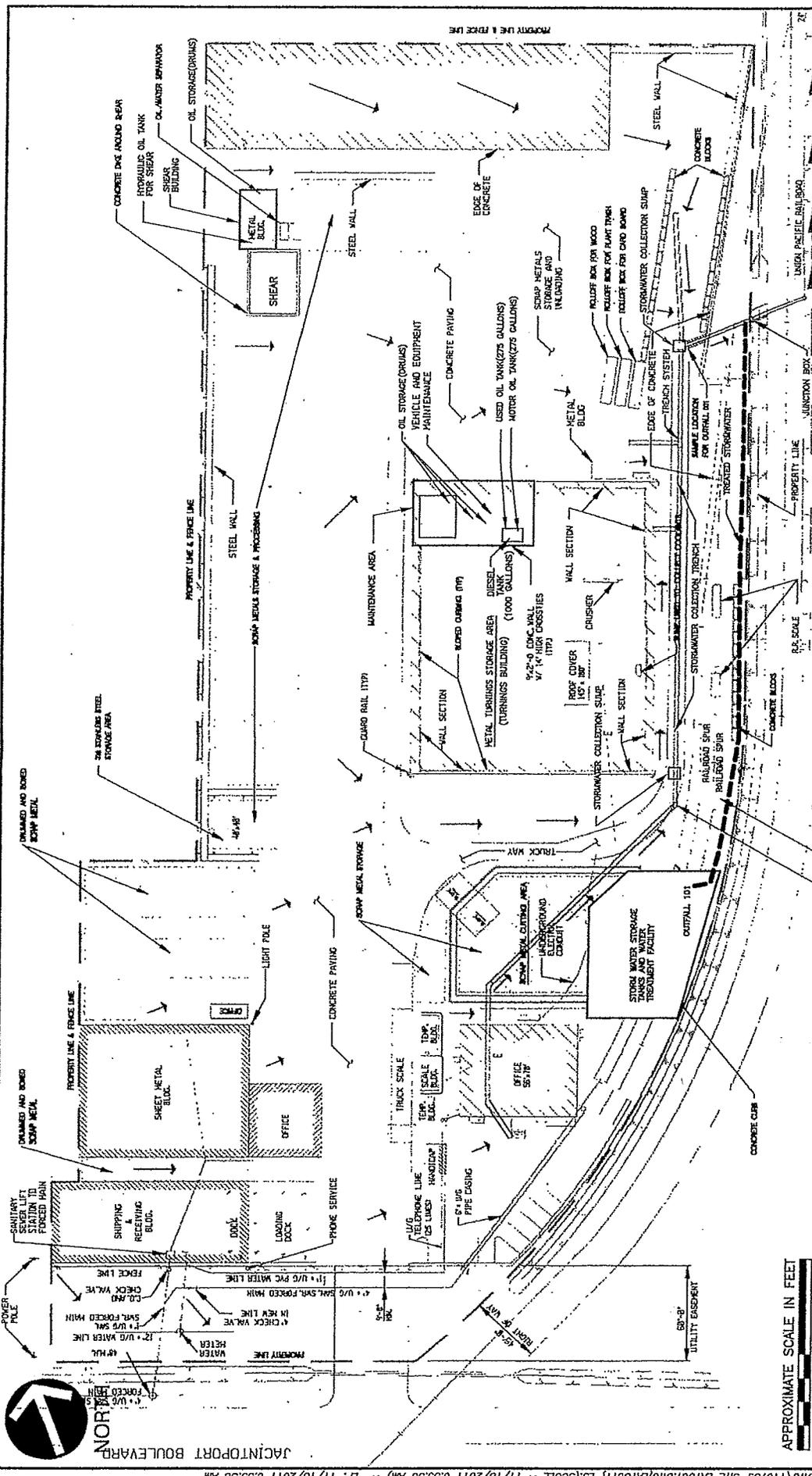
**Civil & Environmental Consultants, Inc.**

333 Baldwin Road - Pittsburg, PA 15205  
412-429-2324 · 800-365-2324  
www.cecinc.com

ELG METALS, INC.  
HOUSTON, TEXAS

SITE AERIAL PHOTOGRAPH

DRAWN BY: DWD	CHECKED BY: PWT	APPROVED BY: PWT	FIGURE NO.:
DATE: 8/24/2011	DWG SCALE: 1"=2000'	PROJECT NO: 110-759.0002	<b>2</b>



**ELG METALS, INC.**  
HOUSTON, TEXAS

**Civil & Environmental Consultants, Inc.**  
533 Baldwin Road - Pittsburgh, PA 15205  
412-429-2324 • 800-365-2324  
www.cecfinc.com

**SITE LAYOUT PLAN**

DATE: 8/24/2011 DWG SCALE: AS SHOWN PROJECT NO: 110-759.0002

PWT APPROVED BY: PWT FIGURE NO.: 3

DRAWN BY: DWD CHECKED BY: DWG SCALE: AS SHOWN PROJECT NO: 110-759.0002

DATE: 8/24/2011 DWG SCALE: AS SHOWN PROJECT NO: 110-759.0002

APPROXIMATE SCALE IN FEET  
0 60± 120±

LEGEND:  
 - ROUTES DIRECTION OF FLOW WITH BLOCK  
 - FACILITY DRAINAGE AREA  
 - TREATED STORMWATER

REFERENCE: "STORMWATER POLLUTION PREVENTION PLAN SITE MAP" (UNNUMBERED DRAWING DATED 9/21/04) BY OTHERS.



JACINTO PORT BOULEVARD

---

**TABLES**

---

TABLE 1  
OIL STORAGE CONTAINERS AT ELG HOUSTON

Container Identification	Storage Capacity	Secondary Containment	Container Material	Location	Prediction of Flow	Potential Release Events	Rate of Flow (gpm)
Diesel Fuel Tank	1,000 gal.	Steel containment structure	Steel	Maintenance Area	All material would be contained within the area. Any material potentially escaping to a storm sewer would be contained by storm water treatment system.	1. Complete Failure of Full Tank 2. Partial Failure of Full Tank 3. Tank Truck Leak or Failure 4. Hose Leak During Loading 5. Tank Overfill	1 to 1,000
Motor Oil Tank	275 gal.	Steel containment structure	Steel	Maintenance Area	All material would be contained within the area. Any material potentially escaping to a storm sewer would be contained by storm water treatment system.	1. Complete Failure of Full Tank 2. Partial Failure of Full Tank 3. Tank Truck Leak or Failure 4. Hose Leak During Loading 5. Tank Overfill	1 to 275
Drums of Oil	Approximately ten 55-gallon drums	Drum containment ~1,500 gal. capacity	Steel	Maintenance Area and Shear Building	All material would be contained within the areas. Any material potentially escaping to a storm sewer would be contained by storm water treatment system.	1. Complete Failure of Full Drum 2. Partial Failure of Full Drum 3. Leak During Unloading	1 to 55
Used Oil Tank	275 gal.	Steel containment structure	Steel	Maintenance Area	All material would be contained within the area. Any material potentially escaping to a storm sewer would be contained by storm water treatment system.	1. Complete Failure of Full Tank 2. Partial Failure of Full Tank 3. Tank Truck Leak or Failure 4. Hose Leak During Loading 5. Tank Overfill	1 to 275
Shear Hydraulic Oil	1,500 gal.	None	Steel	Shear Building	Material would be contained within curbing. Any material potentially escaping to a storm sewer would be contained by storm water treatment system.	1. Complete Failure of Full Tank 2. Partial Failure of Full Tank 3. Tank Truck Leak or Failure 4. Hose Leak During Unloading 5. Tank Overfill	1 to 1,500

---

**APPENDIX A**

**SPCC PLAN REVIEW LOG**

---



---

**APPENDIX B**

**SPCC PLAN AMENDMENT LOG**

---

APPENDIX B

SPCC PLAN AMENDMENT LOG  
[40 CFR 112.5 (b) & (c)]

Date of Amendment	General Description of Change Made	Page Numbers of Changes Made	Name/Stamp of Recertifying PE

---

**APPENDIX C**

**INSPECTION FORMS**

---

# STI SP001 AST Record

OWNER INFORMATION	FACILITY INFORMATION	INSTALLER INFORMATION
Name	Name	Name
Number and Street	Number and Street	Number and Street
City, State, Zip Code	City, State, Zip Code	City, State, Zip Code

TANK ID \_\_\_\_\_

**SPECIFICATION:**

Design:  UL \_\_\_\_\_  SWRI \_\_\_\_\_  Horizontal  Vertical  Rectangular

API \_\_\_\_\_  Other \_\_\_\_\_

Unknown

Manufacturer: \_\_\_\_\_ Contents: \_\_\_\_\_ Construction Date: \_\_\_\_\_ Last Repair/Reconstruction Date: \_\_\_\_\_

Dimensions: \_\_\_\_\_ Capacity: \_\_\_\_\_ Last Change of Service Date: \_\_\_\_\_

Construction:  Bare Steel  Cathodically Protected (Check one: A.  Galvanic or B.  Impressed Current) Date Installed: \_\_\_\_\_

Coated Steel  Concrete  Plastic/Fiberglass

Double Bottom  Double Wall  Lined Date Installed: \_\_\_\_\_

Containment:  Earthen Dike  Steel Dike  Concrete  Synthetic Liner  Other \_\_\_\_\_

CRDM:  Date Installed: \_\_\_\_\_ Type: \_\_\_\_\_

Release Prevention Barrier:  Date Installed: \_\_\_\_\_ Type: \_\_\_\_\_

TANK ID \_\_\_\_\_

**SPECIFICATION:**

Design:  UL \_\_\_\_\_  SWRI \_\_\_\_\_  Horizontal \_\_\_\_\_  Vertical \_\_\_\_\_  Rectangular \_\_\_\_\_  
 API \_\_\_\_\_  Other \_\_\_\_\_  
 Unknown \_\_\_\_\_

Manufacturer: \_\_\_\_\_ Contents: \_\_\_\_\_ Construction Date: \_\_\_\_\_ Last Repair/Reconstruction Date: \_\_\_\_\_

Dimensions: \_\_\_\_\_ Capacity: \_\_\_\_\_ Last Change of Service Date: \_\_\_\_\_

Construction:  Bare Steel  Cathodically Protected (Check one: A.  Galvanic or B.  Impressed Current) Date Installed: \_\_\_\_\_  
 Coated Steel  Concrete  Plastic/Fiberglass \_\_\_\_\_  
 Double Bottom  Double Wall  Lined Date Installed: \_\_\_\_\_

Containment:  Earthen Dike  Steel Dike  Concrete  Synthetic Liner  Other \_\_\_\_\_

CRDM:  Date Installed: \_\_\_\_\_ Type: \_\_\_\_\_

Release Prevention Barrier:  Date Installed: \_\_\_\_\_ Type: \_\_\_\_\_

TANK ID \_\_\_\_\_

**SPECIFICATION:**

Design:  UL \_\_\_\_\_  SWRI \_\_\_\_\_  Horizontal \_\_\_\_\_  Vertical \_\_\_\_\_  Rectangular \_\_\_\_\_  
 API \_\_\_\_\_  
 Unknown \_\_\_\_\_

Manufacturer: \_\_\_\_\_ Contents: \_\_\_\_\_ Construction Date: \_\_\_\_\_ Last Repair/Reconstruction Date: \_\_\_\_\_

Dimensions: \_\_\_\_\_ Capacity: \_\_\_\_\_ Last Change of Service Date: \_\_\_\_\_

Construction:  Bare Steel  Cathodically Protected (Check one: A.  Galvanic or B.  Impressed Current) Date Installed: \_\_\_\_\_  
 Coated Steel  Concrete  Plastic/Fiberglass \_\_\_\_\_  
 Double Bottom  Double Wall  Lined Date Installed: \_\_\_\_\_

Containment:  Earthen Dike  Steel Dike  Concrete  Synthetic Liner  Other \_\_\_\_\_

CRDM:  Date Installed: \_\_\_\_\_ Type: \_\_\_\_\_

Release Prevention Barrier:  Date Installed: \_\_\_\_\_ Type: \_\_\_\_\_

## STI SP001 Monthly Inspection Checklist

**General Inspection Information:**

Inspection Date: \_\_\_\_\_ Retain Until Date: \_\_\_\_\_ (36 months from inspection date)

Prior Inspection Date: \_\_\_\_\_ Inspector Name: \_\_\_\_\_

Tanks Inspected (ID #s): \_\_\_\_\_

**Inspection Guidance:**

- For equipment not included in this standard, follow the manufacturer recommended inspection/testing schedules and procedures.
- The periodic AST inspection is intended for monitoring the external AST condition and its containment structure. This visual inspection does not require a certified inspector. It shall be performed by an owner's inspector who is familiar with the site and can identify changes and developing problems.
- Upon discovery of water in the primary tank, secondary containment area, interstice, or spill container, remove promptly or take other corrective action. Before discharge to the environment, inspect the liquid for regulated products or other contaminants and disposed of it properly.
- (\*) designates an item in a non-conformance status. This indicates that action is required to address a problem.
- Non-conforming items important to tank or containment integrity require evaluation by an engineer experienced in AST design, a certified inspector, or a tank manufacturer who will determine the corrective action. Note the non-conformance and corresponding corrective action in the comment section.
- Retain the completed checklists for 36 months.
- In the event of severe weather (snow, ice, wind storms) or maintenance (such as painting) that could affect the operation of critical components (normal and emergency vents, valves), an inspection of these components is required immediately following the event.

Item	Status	Comments
<b>1.0 Tank Containment</b>		
1.1 Water in primary tank, secondary containment, interstice, or spill container?	<input type="checkbox"/> Yes* <input type="checkbox"/> No	
1.2 Debris or fire hazard in containment?	<input type="checkbox"/> Yes* <input type="checkbox"/> No	
1.3 Drain valves operable and in a closed position?	<input type="checkbox"/> Yes <input type="checkbox"/> No*	
1.4 Containment egress pathways clear and gates/doors operable?	<input type="checkbox"/> Yes <input type="checkbox"/> No*	



# STI SP001 Annual Inspection Checklist

**General Inspection Information:**

Inspection Date: _____	Retain Until Date: _____	(36 months from inspection date)
Prior Inspection Date: _____	Inspector Name: _____	
Tanks Inspected (ID #'s): _____		

**Inspection Guidance:**

- For equipment not included in this standard, follow the manufacturer recommended inspection/testing schedules and procedures.
- The periodic AST inspection is intended for monitoring the external AST condition and its containment structure. This visual inspection does not require a certified inspector. It shall be performed by an owner's inspector who is familiar with the site and can identify changes and developing problems.
- Inspect the AST shell and associated piping, valves, and pumps including inspection of the coating for Paint Failure.
- Inspect:
  1. Earthen containment structures including examination for holes, washout, and cracking in addition to liner degradation and tank settling.
  2. Concrete containment structures and tank foundations/supports including examination for holes, washout, settling, paint failure, in addition to examination for corrosion and leakage.
  3. Steel containment structures and tank foundations/supports including examination for washout, settling, cracking, and for paint failure, in addition to examination for corrosion and leakage.
- Inspection of cathodic protection system, if applicable; includes the wire connections for galvanic systems and visual inspection of the operational components (power switch, meters, and alarms) of impressed current systems.
- Remove promptly upon discovery standing water or liquid in the primary tank, secondary containment area, interstice, or spill container. Before discharge to the environment, inspect the liquid for regulated products or other contaminants and disposed of it properly.
- In order to comply with EPA SPCC (Spill Prevention, Control and Countermeasure) rules, a facility must regularly test liquid level sensing devices to ensure proper operation (40 CFR 112.8(g)(v)).
- (\*) designates an item in a non-conformance status. This indicates that action is required to address a problem.
- Non-conforming items important to tank or containment integrity require evaluation by an engineer experienced in AST design, a certified inspector, or a tank manufacturer who will determine the corrective action. Note the non-conformance and corresponding corrective action in the comment section.
- Retain the completed checklists for 36 months.
- Complete this checklist on an annual basis supplemental to the owner monthly-performed inspection checklists.
- **Note: If a change has occurred to the tank system or containment that may affect the SPCC plan, the condition should be evaluated against the current plan requirement by a Professional Engineer knowledgeable in SPCC development and implementation.**

Item	Status	Comments
<b>1.0 Tank Containment</b>		
1.1 Containment structure in satisfactory condition?	<input type="checkbox"/> Yes* <input type="checkbox"/> No	
1.2 Drainage pipes/valves fit for continued service	<input type="checkbox"/> Yes* <input type="checkbox"/> N/A <input type="checkbox"/> No	
<b>2.0 Tank Foundation and Supports</b>		
2.1 Evidence of tank settlement or foundation washout?	<input type="checkbox"/> Yes* <input type="checkbox"/> No	
2.2 Cracking or spalling of concrete pad or ring wall?	<input type="checkbox"/> Yes* <input type="checkbox"/> No	
2.3 Tank supports in satisfactory condition?	<input type="checkbox"/> Yes <input type="checkbox"/> No*	
2.4 Water able to drain away from tank?	<input type="checkbox"/> Yes <input type="checkbox"/> No*	
2.5 Grounding strap secured and in good condition?	<input type="checkbox"/> Yes <input type="checkbox"/> No*	
<b>3.0 Cathodic Protection</b>		
3.1 CP system functional?	<input type="checkbox"/> Yes <input type="checkbox"/> No* <input type="checkbox"/> n/a	
3.2 Rectifier Reading:		
<b>4.0 Tank External Coating</b>		
4.1 Evidence of paint failure?	<input type="checkbox"/> Yes* <input type="checkbox"/> No	
<b>5.0 Tank Shell/Heads</b>		
5.1 Noticeable shell/head distortions, buckling, denting or bulging?	<input type="checkbox"/> Yes* <input type="checkbox"/> No	
5.2 Evidence of shell/head corrosion or cracking?	<input type="checkbox"/> Yes* <input type="checkbox"/> No	
<b>6.0 Tank Manways, Piping and Equipment within Secondary Containment</b>		
6.1 Flanged connection bolts tight and fully engaged with no sign of wear or corrosion?	<input type="checkbox"/> Yes <input type="checkbox"/> No*	
<b>7.0 Tank Roof</b>		
7.1 Standing water on roof?	<input type="checkbox"/> Yes* <input type="checkbox"/> No	
7.2 Evidence of coating cracking, crazing, peeling, blistering?	<input type="checkbox"/> Yes* <input type="checkbox"/> No	
7.3 Holes in roof?	<input type="checkbox"/> Yes* <input type="checkbox"/> No	

Item	Status	Comments
8.0 Venting		
8.1 Vents free of obstructions?	<input type="checkbox"/> Yes <input type="checkbox"/> No*	
8.2 Emergency vent operable? Lift as required?	<input type="checkbox"/> Yes <input type="checkbox"/> No*	
<b>9.0 Insulated Tanks</b>		
9.1 Insulation missing?	<input type="checkbox"/> Yes* <input type="checkbox"/> No	
9.2 Are there noticeable areas of moisture on the insulation?	<input type="checkbox"/> Yes* <input type="checkbox"/> No	
9.3 Mold on insulation?	<input type="checkbox"/> Yes* <input type="checkbox"/> No	
9.4 Insulation exhibiting damage?	<input type="checkbox"/> Yes* <input type="checkbox"/> No	
9.5 Is the insulation sufficiently protected from water intrusion?	<input type="checkbox"/> Yes <input type="checkbox"/> No*	
<b>10.0 Level and Overfill Prevention Instrumentation of Shop-Fabricated Tanks</b>		
10.1 Has the tank liquid level sensing device been tested to ensure proper operation?	<input type="checkbox"/> Yes <input type="checkbox"/> No*	
10.2 Does the tank liquid level sensing device operate as required?	<input type="checkbox"/> Yes <input type="checkbox"/> No*	
10.3 Are overfill prevention devices in proper working condition?	<input type="checkbox"/> Yes <input type="checkbox"/> No* <input type="checkbox"/> N/A	
<b>11.0 Electrical Equipment</b>		
11.1 Are tank grounding lines in good condition?	<input type="checkbox"/> Yes <input type="checkbox"/> No* <input type="checkbox"/> N/A	
11.2 Is electrical wiring for control boxes/flights in good condition?	<input type="checkbox"/> Yes <input type="checkbox"/> No* <input type="checkbox"/> N/A	
<b>Additional Comments:</b>		

# STI SP001 Portable Container Monthly Inspection Checklist

**General Inspection Information:**

Inspection Date: _____	Retain Until Date: _____ (36 months from inspection date)
Prior Inspection Date: _____	Inspector Name: _____
Containers Inspected (ID #'s): _____	

**Inspection Guidance:**

- For equipment not included in this standard, follow the manufacturer recommended inspection/testing schedules and procedures.
- The periodic AST inspection is intended for monitoring the external AST condition and its containment structure. This visual inspection does not require a certified inspector. It shall be performed by an owner's inspector who is familiar with the site and can identify changes and developing problems.
- (\*) designates an item in a non-conformance status. This indicates that action is required to address a problem.
- Non-conforming items important to tank or containment integrity require evaluation by an engineer experienced in AST design, a certified inspector, or a tank manufacturer who will determine the corrective action. Note the non-performance and corresponding corrective action in the comment section.
- Retain the completed checklists for 36 months.

Item	Area: _____	Area: _____	Area: _____
<b>1.0 AST Containment/Storage Area</b>			
1.1 ASTs within designated storage area?	<input type="checkbox"/> Yes <input type="checkbox"/> No*	<input type="checkbox"/> Yes <input type="checkbox"/> No*	<input type="checkbox"/> Yes <input type="checkbox"/> No*
1.2 Debris, spills, or other fire hazards in containment or storage area?	<input type="checkbox"/> Yes* <input type="checkbox"/> No	<input type="checkbox"/> Yes* <input type="checkbox"/> No	<input type="checkbox"/> Yes* <input type="checkbox"/> No
1.3 Water in outdoor secondary containment?	<input type="checkbox"/> Yes* <input type="checkbox"/> No	<input type="checkbox"/> Yes* <input type="checkbox"/> No	<input type="checkbox"/> Yes* <input type="checkbox"/> No
1.4 Drain valves operable and in a closed position?	<input type="checkbox"/> Yes <input type="checkbox"/> No*	<input type="checkbox"/> Yes* <input type="checkbox"/> No	<input type="checkbox"/> Yes* <input type="checkbox"/> No
1.5 Egress pathways clear and gates/doors operable?	<input type="checkbox"/> Yes <input type="checkbox"/> No*	<input type="checkbox"/> Yes* <input type="checkbox"/> No	<input type="checkbox"/> Yes* <input type="checkbox"/> No



---

**APPENDIX D**  
**TRAINING MATERIALS**

---

**SPILL PREVENTION CONTROL  
& COUNTERMEASURE (SPCC)  
PLAN  
ELG METALS, INC.**

**ANNUAL DISCHARGE PREVENTION BRIEFINGS  
AND SPCC PLAN TRAINING**

**PURPOSE OF THE SPCC REGULATIONS**

- Federal program designed requiring plans be developed minimizing the potential for discharges of oil into surface waters.
- ELG Metals, Inc. is subject to these regulations.

## HISTORY OF SPCC REGULATIONS

- March 1976 – regulations requiring SPCC plans
- August 1990 – Oil Pollution Act (response to the Ashland oil spill of 1988 and Exxon Valdez spill of 1989)
- July 2002 – Major revisions to SPCC Plan regulations

## SPCC PLAN REQUIREMENTS

- SPCC plans required for facilities/operators storing more than 1,320 gallons of oil/oil products
- Oil storage containers include:
  - Tanks
  - 55-gallon drums
  - Transformers
  - Operating Equipment (hydraulic systems)
  - Mobile equipment

### **SPCC PLAN – OIL STORAGE CONTAINERS**

- Oil storage at ELG Metals, Inc. could include:
  - Diesel fuel tanks
  - Gasoline
  - Motor Oil
  - Used oil
  - Hydraulic system reservoirs

### **SPCC PLAN REGULATIONS**

- Plans must be prepared and updated every 5 years by registered professional engineer
- Plans are signed by the plant manager, in most cases.

## SPCC PLAN REGULATIONS

- Training is required for employees involved in oil-handling activities
- Discharge prevention briefings must be conducted at least once a year (this is the program)
- Inspections of tanks/containers and documentation, must be maintained by departments

## AMENDMENT OF THE SPCC PLAN

- Amend the SPCC Plan anytime there is a change in facility design, construction, operation or maintenance
- Amendments must be prepared within six months of the change and implemented no later than six months following the amendment
- Examples:
  - New tank
  - Repairs to tank shell, piping
  - Repairs/damage to secondary containment
  - Oil spill to surface water
  - Personnel

### **SPCC PLANS INCLUDE**

- Description of the physical layout of the facility and facility diagram of oil storage and handling locations
- Certifications
- Facility Information
- Reporting Procedures
- Potential for Oil Discharges
- Oil Spill Prevention
- Inspections, Tests, Records
- Personnel Training
- Facility Security

### **TYPICAL CONTAINMENT/DIVERSIONARY STRUCTURES**

- Dikes, Berms, or Retaining Walls
- Curbing
- Culverting, Gutters, or Other Drainage Systems
- Weirs, Booms, or Other Barriers
- Spill Diversion Ponds
- Retention Ponds
- Sorbent Materials

## **TYPICAL TANK CAR AND TANK TRUCK LOADING/UNLOADING**

- Containment systems must hold at least the maximum capacity of any single compartment of a tank car or truck loaded/unloaded at the facility
- Provide an interlocked warning light or physical barrier system to prevent vehicles from departing before complete disconnection of transfer lines
- When tanks are not equipped with overfill alarms, an ELG representative should verify remaining tank capacity prior to delivery and communicate with the delivery driver.
- Closely inspect for discharges prior to filling and departure of any tank car or truck.

## **INSPECTIONS, TESTS AND RECORDS**

- Inspections and tests of tanks and containment structures
- Inspections and tests signed by the appropriate supervisor or inspector
- Routine maintenance records are acceptable
- Non-destructive testing for tanks >50,000 gallons

## **PERSONNEL, TRAINING & DISCHARGE PREVENTION PROCEDURES**

- Operation and maintenance of equipment to prevent discharges
- Discharge procedures
- Applicable Pollution control laws, rules, and regulations
- Contents of the SPCC Plan
- Also applies to contractors onsite with oil storage >1,320 gallons

## **COUNTERMEASURES FOR DISCHARGE, DISCOVERY, RESPONSE AND CLEANUP**

- Take immediate action to prevent further spillage and to contain any spilled material
- Small quantity oil spills should be cleaned up
- If secondary containment is present, ensure the system is not plugged, overwhelmed or malfunctioning
- Management will determine the need to report a spill to the appropriate agencies

## SECURITY

- Fence and locked or guarded entrance gates
- Master flow valves, drain valves, and any other valves permitting outward flow of container contents remain in a closed position when not in use
- Lock the starter control on each oil pump in the “off” position when not in use
- Only authorized and trained personnel to load/unload and handle oil

## SECURITY (continued)

- Cap or blank-flange loading/unloading connections or oil pipelines or facility piping when not in service or in standby service for an extended time
- Specific procedures for tanks not in-service

**OIL SPILL INCIDENTS  
PRIOR 12 MONTHS**

**From:** Elizabeth Sartain  
**To:** ["Andrej Fedor"](#)  
**Subject:** RE: TCEQ Use Determination Application No. 19451 - ELG Metals  
**Date:** Wednesday, March 09, 2016 10:48:00 AM

---

Good Morning Mr. Fedor,

I have reviewed the materials you sent via email on Friday and have the following concerns.

1. The regulation cited (40 CFR §112) is not cited to an appropriate subsection level and there is not a specific requirement cited for the pollution control property in the Spill Prevention, Control and Countermeasure Plan for the facility. Please provide an appropriate applicable rule cited to the subsection level and identify the specific requirement(s) for the all of the pollution control property including the turnings facility in the Spill Prevention, Control and Countermeasure Plan for the facility.
2. Please provide additional descriptive information about the containment walls listed in the property description including wall height used for containment purposes and the material they are constructed of.
3. The land acquired before January 1, 1994, is not eligible for a positive use determination.
4. We will need an original, wet ink signature for the revised application. Will you or you have sent a revised application with an original , wet ink, signature as well as a copy for the County Appraisal District?

Please let me know if you have any questions on these issues and if you plan to address them.  
Thank you

Elizabeth Sartain  
Tax Relief for Pollution Control Property Program  
(512) 239-3933

---

**From:** Andrej Fedor [mailto:[afedor@nationalrealty.com](mailto:afedor@nationalrealty.com)]  
**Sent:** Friday, March 04, 2016 3:52 PM  
**To:** Elizabeth Sartain <[Elizabeth.Sartain@Tceq.Texas.Gov](mailto:Elizabeth.Sartain@Tceq.Texas.Gov)>  
**Subject:** TCEQ Use Determination Application No. 19451 - ELG Metals

Attached is the revised App and SPCC Plan.

Andrej Fedor  
Associated Tax Appraisers  
4543 Post Oak Place, Suite 232  
Houston, Texas 77027  
Telephone: (281) 497-2200  
Facsimile: (713) 627-8454  
Email: [afedor@nationalrealty.com](mailto:afedor@nationalrealty.com)

**From:** Elizabeth Sartain  
**To:** ["Andrej Fedor"](#)  
**Cc:** [Shelley Naik](#)  
**Subject:** RE: TCEQ Use Determination Application No. 19451 - ELG Metals  
**Date:** Thursday, March 17, 2016 7:35:00 AM

---

Good Morning,

Thanks for letting me know. I will look for it.

---

**From:** Andrej Fedor [mailto:[afedor@nationalrealty.com](mailto:afedor@nationalrealty.com)]  
**Sent:** Wednesday, March 16, 2016 6:10 PM  
**To:** Elizabeth Sartain <[Elizabeth.Sartain@Tceq.Texas.Gov](mailto:Elizabeth.Sartain@Tceq.Texas.Gov)>  
**Subject:** RE: TCEQ Use Determination Application No. 19451 - ELG Metals

I have the information from ELG Metals and will send you our response tomorrow. I wanted expand a little bit on the applicable rule as it relates to the secondary structures as a countermeasure to any discharge of the oil from the turnings.

Thank you,

Andrej Fedor  
National Realty Consultants  
4543 Post Oak Place, Suite 232  
Houston, Texas 77027  
Telephone: (281) 497-2200  
Facsimile: (713) 627-8454  
Email: [afedor@nationalrealty.com](mailto:afedor@nationalrealty.com)

---

**From:** Elizabeth Sartain [mailto:[Elizabeth.Sartain@Tceq.Texas.Gov](mailto:Elizabeth.Sartain@Tceq.Texas.Gov)]  
**Sent:** Wednesday, March 16, 2016 9:49 AM  
**To:** Andrej Fedor  
**Cc:** Shelley Naik  
**Subject:** RE: TCEQ Use Determination Application No. 19451 - ELG Metals

Good Morning Mr. Fedor,

I have not received a response from you regarding my concerns on Application 19451. Since you have received and responded to two Technical Notices of Deficiencies, I will go ahead and process the application using the information you have submitted.

Thank you

---

**From:** Elizabeth Sartain  
**Sent:** Wednesday, March 09, 2016 10:48 AM  
**To:** 'Andrej Fedor' <[afedor@nationalrealty.com](mailto:afedor@nationalrealty.com)>  
**Subject:** RE: TCEQ Use Determination Application No. 19451 - ELG Metals

Good Morning Mr. Fedor,

I have reviewed the materials you sent via email on Friday and have the following concerns.

1. The regulation cited (40 CFR §112) is not cited to an appropriate subsection level and therefore is not a specific requirement cited for the pollution control property in the Spill Prevention, Control and Countermeasure Plan for the facility. Please provide an appropriate applicable rule cited to the subsection level and identify the specific requirement(s) for the all of the pollution control property including the turnings facility in the Spill Prevention, Control and Countermeasure Plan for the facility.
2. Please provide additional descriptive information about the containment walls listed in the property description including wall height used for containment purposes and the material they are constructed of.
3. The land acquired before January 1, 1994, is not eligible for a positive use determination.
4. We will need an original, wet ink signature for the revised application. Will you or you have sent a revised application with an original , wet ink, signature as well as a copy for the County Appraisal District?

Please let me know if you have any questions on these issues and if you plan to address them.

Thank you

Elizabeth Sartain  
Tax Relief for Pollution Control Property Program  
(512) 239-3933

---

**From:** Andrej Fedor [<mailto:afedor@nationalrealty.com>]  
**Sent:** Friday, March 04, 2016 3:52 PM  
**To:** Elizabeth Sartain <[Elizabeth.Sartain@Tceq.Texas.Gov](mailto:Elizabeth.Sartain@Tceq.Texas.Gov)>  
**Subject:** TCEQ Use Determination Application No. 19451 - ELG Metals

Attached is the revised App and SPCC Plan.

Andrej Fedor  
Associated Tax Appraisers  
4543 Post Oak Place, Suite 232  
Houston, Texas 77027  
Telephone: (281) 497-2200  
Facsimile: (713) 627-8454  
Email: [afedor@nationalrealty.com](mailto:afedor@nationalrealty.com)

**From:** Elizabeth Sartain  
**To:** ["Andrej Fedor"](#)  
**Cc:** [Shelley Naik](#)  
**Subject:** RE: TCEQ Use Determination Application No. 19451 - ELG Metals  
**Date:** Thursday, March 17, 2016 7:35:00 AM

---

Good Morning,

Thanks for letting me know. I will look for it.

---

**From:** Andrej Fedor [mailto:[afedor@nationalrealty.com](mailto:afedor@nationalrealty.com)]  
**Sent:** Wednesday, March 16, 2016 6:10 PM  
**To:** Elizabeth Sartain <[Elizabeth.Sartain@Tceq.Texas.Gov](mailto:Elizabeth.Sartain@Tceq.Texas.Gov)>  
**Subject:** RE: TCEQ Use Determination Application No. 19451 - ELG Metals

I have the information from ELG Metals and will send you our response tomorrow. I wanted expand a little bit on the applicable rule as it relates to the secondary structures as a countermeasure to any discharge of the oil from the turnings.

Thank you,

Andrej Fedor  
National Realty Consultants  
4543 Post Oak Place, Suite 232  
Houston, Texas 77027  
Telephone: (281) 497-2200  
Facsimile: (713) 627-8454  
Email: [afedor@nationalrealty.com](mailto:afedor@nationalrealty.com)

---

**From:** Elizabeth Sartain [mailto:[Elizabeth.Sartain@Tceq.Texas.Gov](mailto:Elizabeth.Sartain@Tceq.Texas.Gov)]  
**Sent:** Wednesday, March 16, 2016 9:49 AM  
**To:** Andrej Fedor  
**Cc:** Shelley Naik  
**Subject:** RE: TCEQ Use Determination Application No. 19451 - ELG Metals

Good Morning Mr. Fedor,

I have not received a response from you regarding my concerns on Application 19451. Since you have received and responded to two Technical Notices of Deficiencies, I will go ahead and process the application using the information you have submitted.

Thank you

---

**From:** Elizabeth Sartain  
**Sent:** Wednesday, March 09, 2016 10:48 AM  
**To:** 'Andrej Fedor' <[afedor@nationalrealty.com](mailto:afedor@nationalrealty.com)>  
**Subject:** RE: TCEQ Use Determination Application No. 19451 - ELG Metals

Good Morning Mr. Fedor,

I have reviewed the materials you sent via email on Friday and have the following concerns.

1. The regulation cited (40 CFR §112) is not cited to an appropriate subsection level and therefore is not a specific requirement cited for the pollution control property in the Spill Prevention, Control and Countermeasure Plan for the facility. Please provide an appropriate applicable rule cited to the subsection level and identify the specific requirement(s) for the all of the pollution control property including the turnings facility in the Spill Prevention, Control and Countermeasure Plan for the facility.
2. Please provide additional descriptive information about the containment walls listed in the property description including wall height used for containment purposes and the material they are constructed of.
3. The land acquired before January 1, 1994, is not eligible for a positive use determination.
4. We will need an original, wet ink signature for the revised application. Will you or you have sent a revised application with an original , wet ink, signature as well as a copy for the County Appraisal District?

Please let me know if you have any questions on these issues and if you plan to address them.

Thank you

Elizabeth Sartain  
Tax Relief for Pollution Control Property Program  
(512) 239-3933

---

**From:** Andrej Fedor [<mailto:afedor@nationalrealty.com>]  
**Sent:** Friday, March 04, 2016 3:52 PM  
**To:** Elizabeth Sartain <[Elizabeth.Sartain@Tceq.Texas.Gov](mailto:Elizabeth.Sartain@Tceq.Texas.Gov)>  
**Subject:** TCEQ Use Determination Application No. 19451 - ELG Metals

Attached is the revised App and SPCC Plan.

Andrej Fedor  
Associated Tax Appraisers  
4543 Post Oak Place, Suite 232  
Houston, Texas 77027  
Telephone: (281) 497-2200  
Facsimile: (713) 627-8454  
Email: [afedor@nationalrealty.com](mailto:afedor@nationalrealty.com)