Texas Commission on Environmental Quality
Permit Application for
Industrial and Hazardous Waste
Storage/Processing/Disposal Facility
with Compliance Plan

Part B

Form Availability:

This form, as well as other Industrial and Hazardous Waste documents and pertinent rules, is available on the Internet. The TCEQ Home Page is at: http://www.tceq.texas.gov. Once you have accessed the home page, select "Forms and Publications" and follow the system prompts. The number for this form is 00376. Questions may be e-mailed to ihwper@tceq.texas.gov.

Introduction:

This permit application is generally a reorganized summary of the Part B information requirements of 40 CFR Part 270 and 30 Texas Administrative Code (TAC) Chapter 305 Subchapters C and D and Chapter 335. The TCEQ may request additional information before a permit is issued, if regulatory requirements change.

The original application plus all copies for New, Renewals, Major Amendments and Class 3 Modifications should be submitted to:

Texas Commission on Environmental Quality
Attention: Waste Permits Division, MC 126
P. O. Box 13087
Austin, Texas 78711-3087

The original application plus all copies for Class 1, Class 11, Class 2 Modifications and Minor Amendments should be submitted to:

Texas Commission on Environmental Quality
Attention: Industrial and Hazardous Waste Permits Section, MC 130
Waste Permits Division
P. O. Box 13087
Austin, Texas 78711-3087

Telephone Inquiries:

(512) 239 - 2334 - Technical - Industrial & Hazardous Waste Permits Section, Waste Permits Division

(512) 239 - 6413 - Waste Identification - Registration and Reporting Section, Registration, Review, and Reporting Division

(512) 239 - 1240 - Office of Air Quality, New Source Review

(512) 239 - 0600 - Legal - Legal Division

(512) 239 - 6150 - Financial Assurance - Revenues, Financial Administration Division

(512) 239 - 0354 - Application Fees - Financial Administration Division

(512) 239 - 2343 - Technical - Environmental Cleanup, Remediation Division

Application Review Prohibition:

The Texas Commission on Environmental Quality (TCEQ) shall not review an application for a new commercial hazardous waste facility, and the application shall be deemed not to have been received, until the emergency response information required by Section III.F. of the application has been reviewed and declared by TCEQ staff to be complete and satisfactory. [30 TAC 281.26, 30 TAC 305.50(a)(12)(C) and (D)]

Permit Issuance Prohibited [30 TAC 335.205]:

The TCEQ shall not issue a permit for:

1. a new hazardous waste management facility or an areal expansion of an existing facility if the facility or expansion does not meet the requirements of 30 TAC 335.204 (relating to Unsuitable Site Characteristics);
2. a new hazardous waste landfill or the areal expansion of an existing hazardous waste landfill if there is a practical, economic, and feasible alternative to such a landfill that is reasonably available to manage the types and classes of hazardous waste which might be disposed of at the landfill;
3. a new commercial hazardous waste management facility as defined in 30 TAC 335.202 (relating to Definitions) or the subsequent areal expansion of such a facility or unit of that facility if the owner/operator proposes to locate the boundary of the unit within 2 of a mile (2,640 feet) of an established residence, church, school, day care center, surface water body used for a public drinking water supply, or dedicated public park;
4. a new commercial hazardous waste management facility that is proposed to be located at a distance greater than 2 mile (2,640 feet) from an established residence, church, school, day care center, surface water body used for a public drinking water supply, or dedicated public park unless the applicant demonstrates to the satisfaction of the commission that the facility will be operated so as to safeguard public health and welfare and protect physical property and the environment, at any distance beyond the facility's property boundaries;
5. a proposed hazardous waste management facility, or a capacity expansion of an existing hazardous waste management facility if a fault exists within 3,000 feet of the proposed hazardous waste management facility or of the capacity expansion of an existing hazardous waste management facility unless the applicant performs the demonstration found in 30 TAC 305.50(a)(4)(F) and 305.50(a)(10)(E) ; and
6. A proposed solid waste facility for the processing or disposal of municipal

hazardous waste or industrial solid waste which is located within an area of a municipality or county in which the processing or disposal of municipal hazardous waste or industrial solid waste is prohibited by an ordinance or order. [Texas Health and Safety Code Section 363.112]

See 30 TAC 335 Subchapter G: Location Standards for Hazardous Waste Storage, Processing, or Disposal for additional details and information regarding items 1 through 5 above.

Completing This Application:

Prior to submitting a new permit application, please contact the TCEQ Permitting and Registration Support Division to obtain a Solid Waste Registration Number and an EPA Identification Number for inclusion in Section I.A. of this application. The facility's Solid Waste Registration Number may be proposed in Section I.A. as the Permit Number

This permit application form has been designed to solicit specific information, with reports to be attached or inserted. A response must be made for each informational request in the application form. If an item is not applicable please state "not applicable" and explain. All information included in the application must be listed by the format of the application. For example, if an engineering report is attached to the application to fulfill the requirements of Section V, then each subsection of the engineering report must correlate with the corresponding subsection in the application form (e.g., Subsection V.A.3. of the report would be proposed construction schedules). If information is provided which does not correspond with the application form, the specific rule or regulation which requires submittal of the information must be cited. Each report should be attached behind the summary form or table for the report and submitted as one document with the pages sequentially numbered at the bottom. Maps, bluelines, and drawings that cannot be folded to 8-1/2" x 11" may be submitted as separate documents. Engineering plans and specifications submitted with an application must be approved and sealed by a licensed Professional Engineer, with current license and designating the Registered Engineering Firm's name and Registration Number as required by the Texas Engineering Practice Act. Geology reports, geologic maps, and geologic cross-sections submitted with an application must be approved and sealed by a licensed Professional Geologist, with current license required by the Texas Geoscience Practice Act. Complete the tables in this application rather than substituting.

Facilities which will receive industrial and hazardous wastes from off-site sources must also provide information on these wastes and associated waste management units in accordance with 30 TAC 335.2.

For those who pre-filed a Part A application, certain items may have been omitted. These omissions must be addressed at this time. Additionally, if hazardous waste management methods have changed since the filing of the Part A, please provide an updated Part A.

Pursuant to Section 361.067 of the Texas Health and Safety Code, the TCEQ is required to mail a copy of this application or a summary of its contents to other regulatory agencies. Section I may be considered a summary of the entire application provided that all questions are completely answered. Therefore, Section I responses must not rely solely on cross-references to other sections of the application.

Groundwater Contamination:

If groundwater monitoring has detected the presence of hazardous constituents in the facility groundwater, the owner or operator must submit a Compliance Plan Application that is included as Section XI of this application. For more detailed instructions concerning a Compliance Plan, please see Section XI.

Submittal:

The complete application should be prepared using word processing. The third copy in the submittal package should consist of paper copies or PDF files of all surveys, reports, plot plans, diagrams, P&IDs, maps, etc., and a Compact Disk (CD) of the completed application form document and tables formatted in MS Word. Files may be compressed using PKZIP Ver. 2 or a 100% compatible program. For Renewal, Amendment, and Modification applications, the MS Word files should include both a finalized version and, where available, a redline/strikeout version clearly identifying all proposed changes from the existing permit. For revised application sections and incorporated documents where redline/strikeout versions are not available, submit a detailed listing of all proposed changes to the existing permit. In addition, the submitted electronic version of the application should be easily searchable during the review process by TCEQ staff.

For a new permit application or renewal, submit:

1. an original updated Part A permit application plus three (3) full copies;
2. the original Part B application plus three (3) full copies (including the electronic third copy);
3. a check for payment of permit application fees transmitted directly to the TCEQ Financial Administration Division with a photostatic copy of the check included in the original Part B permit application; and
4. Pre-printed mailing labels of the adjacent landowners or an electronic mailing list on Compact Disk (CD) in MS Word format.

For a new compliance plan or renewal of an existing compliance plan, please submit the following in addition to the above:

1. [Sections I and] XI.A. through D., XI.E., and XI.G., as applicable;
2. Tables XI-I, XI-II, XI-V through XI-VI are required; and Tables XI-III, XI-IIIA, XI-IV, and XI-IVA, and VIII as applicable; and
3. a Sampling and Analysis Plan (SAP) compliant with "Attachment A" requirements and evaluation of monitoring wells compliant with "Attachment B" well specification requirements.

For a post-closure care permit submit:

1. an original updated Part A permit application plus three (3) full copies;
2. the original Part B application (excluding Sections III B and F; IV A, C and D; VII A and B; VIII.B and C; and X) plus three (3) full copies;
3. a check for payment of permit application fees transmitted directly to the TCEQ Financial Administration Division with a photostatic copy of the check included in the original Part B permit application; and
4. pre-printed mailing labels of the adjacent landowners or an electronic mailing list on Compact Disk (CD) in MS Word format.

For major amendments to an issued hazardous waste permit, submit:

1. (if appropriate) an original updated Part A permit application plus three (3) full copies;

2. an original Part B application plus three (3) full copies, consisting of, at a minimum, Section I of the Part B plus replacement pages for the changed portions of the application that change as a result of the amendment;
3. an explanation of why the major amendment is needed;
4. a check for payment of permit application fees transmitted directly to the TCEQ Financial Administration Division with a photostatic copy of the check included in the original Part B permit amendment application; and
5. pre-printed mailing labels of the adjacent landowners or an electronic mailing list on Compact Disk (CD) in MS Word format.

For minor amendments to an issued hazardous waste permit, submit:

1. (if appropriate) an original updated Part A permit application plus three (3) full copies;
2. an original Part B application plus three (3) full copies, consisting of, at a minimum, Section I of the Part B plus replacement pages for the changed portions of the application that change as a result of the amendment;
3. an explanation of why the minor amendment is needed;
4. a check for payment of permit application fees transmitted directly to the TCEQ Financial Administration Division with a photostatic copy of the check included in the original Part B permit amendment application; and
5. pre-printed mailing labels of the adjacent landowners or an electronic mailing list on diskette on Compact Disk (CD) in MS Word format.

For Class 3 modifications (including adding or revising a Compliance Plan) to an issued hazardous waste permit, submit:

1. (if appropriate) an original updated Part A permit application plus three (3) full copies;
2. an original Part B application plus three (3) full copies, consisting of, at a minimum, Section I of the Part B plus replacement pages for the changed portions of the application that change as a result of the modification;
3. a description of the exact changes to be made to the permit conditions and supporting documents referenced by the permit;
4. an explanation of why the Class 3 modification is needed;
5. evidence of the public notice mailing and publication (after the public meeting, please submit a statement that the public meeting was held within the required timeframes);
6. a check for payment of permit application fees transmitted directly to the TCEQ Financial Administration Division with a photostatic copy of the check included in the original Part B permit modification application; and
7. pre-printed mailing labels of the adjacent landowners or an electronic mailing list on Compact Disk (CD) in MS Word format.

For Class 2 modifications to an issued hazardous waste permit, submit:

1. (if appropriate) an original updated Part A permit application plus three (3) full

copies;

2. an original Part B application plus three (3) full copies, consisting of, at a minimum, Section I of the Part B plus replacement pages for the changed portions of the application that change as a result of the modification;
3. a description of the exact changes to be made to the permit conditions and supporting documents referenced by the permit;
4. an explanation of why the Class 2 modification is needed;
5. evidence of the public notice mailing and publication (after the public meeting, please submit a statement that the public meeting was held within the required timeframes);
6. a check for payment of permit application fees transmitted directly to the TCEQ Financial Administration Division with a photostatic copy of the check included in the original Part B permit modification application; and
7. pre-printed mailing labels of the adjacent landowners or an electronic mailing list on diskette on Compact Disk (CD) in MS Word format.

For Class 1[1] modifications to an issued hazardous waste permit, submit:

1. (if appropriate) an original updated Part A permit application plus three (3) full copies;
2. an original Part B application plus three (3) full copies, consisting of, at a minimum, Section I of the Part B plus replacement pages for the changed portions of the application that change as a result of the modification;
3. a description of the exact changes to be made to the permit conditions and supporting documents referenced by the permit;
4. an explanation of why the Class 11 modification is needed; and
5. a check for payment of permit application fees transmitted directly to the TCEQ Financial Administration Division with a photostatic copy of the check included in the original Part B permit modification application.

For Class 1 modifications to an issued hazardous waste permit, submit:

1. (if appropriate) an original updated Part A permit application plus three (3) full copies;
2. an original Part B application plus three (3) full copies, consisting of, at a minimum, Section I of the Part B plus replacement pages for the changed portions of the application that change as a result of the modification;
3. a description of the exact changes to be made to the permit conditions and supporting documents referenced by the permit;
4. an explanation of why the Class 1 modification is needed; and
5. a check for payment of permit application fees transmitted directly to the TCEQ Financial Administration Division with a photostatic copy of the check included in the original Part B permit application.

If several modifications are submitted as one application, the application review will proceed at rate of the amendment or modification which has the longest timeframe.

Application Revisions:

Please submit any application revisions with a revised date and page numbers at the bottom of the page(s).

Waivers:

Any request for waiver of any of the applicable requirements of this permit application must be fully documented.

Designation of Material as Confidential:

The designation of material as confidential is frequently carried to excess. The Commission has a responsibility to provide a copy of each application to other review agencies and to interested persons upon request and to safeguard confidential material from becoming public knowledge. Thus, the Commission requests that the applicant (1) be prudent in the designation of material as confidential and (2) submit such material only when it might be essential to the staff in their development of a recommendation.

The Commission suggests that the applicant not submit confidential information as part of the permit application. However, if this cannot be avoided, the confidential information should be described in non-confidential terms throughout the application, cross-referenced to Section XIII: Confidential Material, and submitted as a separate Section XIII document or binder, and conspicuously marked "CONFIDENTIAL."

Reasons of confidentiality include the concept of trade secrecy and other related legal concepts which give a business the right to preserve confidentiality of business information to obtain or retain advantages from its right in the information. This includes authorizations under, 18 U.S.C. 1905 and special rules cited in 40 CFR Chapter I, Part 2, Subpart B. Section 361.037 of the Texas Health and Safety Code does not allow an applicant for an industrial solid waste permit to claim as confidential any record pertaining to the characteristics of the industrial solid waste.

The applicant may elect to withdraw any confidential material submitted with the application. However, the permit cannot be issued, amended, or modified if the application is incomplete.

Exposure Assessment:

In accordance with 30 TAC 305.50(a)(8) and 40 CFR 270.10(j), any Part B application submitted for a facility that stores, processes, or disposes of hazardous waste in a surface impoundment or a landfill (including post-closure) must be accompanied by exposure information of the potential for the public to be exposed to hazardous wastes or hazardous constituents through releases related to the unit. This exposure information is considered separate from the permit application, as stated in 40 CFR 270.10(c).

Pre-Application Meeting/Public Participation Activities [30 TAC 335.391 and 30 TAC 39.503]:

The TCEQ encourages applicants to conduct an applicant held public meeting prior to submittal of an application to allow the applicant and the public to identify potential issues. A pre-application public meeting is required prior to submittal of an application for an initial permit for hazardous waste management units, an application for hazardous waste part B applications for renewal of permits which propose a significant change in facility operations that would classify as a Class 3 Modification and an application for a major amendment. The pre-application public meeting requirements are described under 40 CFR Part 124.31(b)-(d).

Applicants are encouraged to request a pre-application meeting with TCEQ Permits Section staff and to notify the Industrial and Hazardous Waste Permits Section, Waste Permits Division of intent to file a permit application.

If a local review committee has been established to facilitate communication between the applicant and the local host community, the applicant should summarize the activities of the committee and submit this summary with the application. Any report completed by a review committee must be submitted.

Bilingual Notice Instructions:

For certain permit applications, public notice in an alternate language is required. If an elementary school or middle school nearest to the facility offers a bilingual program, notice may be required to be published in an alternative language. The Texas Education Code, upon which the TCEQ alternative language notice requirements are based, requires a bilingual education program for an entire school district should the requisite alternative language speaking student population exist. However, there may not be any bilingual-speaking students at a particular school within a district which is required to offer the bilingual education program. For this reason, the requirement to publish notice in an alternative language is triggered if the nearest elementary or middle school, as part of a larger school district, is required to make a bilingual education program available to qualifying students and either the school has students enrolled at such a program on-site, or has students who attend such a program at another location to satisfy the school's obligation to provide such a program.

If it is determined that a bilingual notice is required, the applicant is responsible for ensuring that the publication in the alternate language is complete and accurate in that language. Electronic versions of the Spanish template examples are available from the TCEQ to help the applicant complete the publication in the alternative language.

Bilingual notice confirmation for this application:

1. Is the school district of the elementary or middle school nearest to the facility required by the Texas Education Code to have a bilingual program?

   ☐ Yes ☐ No

   (**If No**, alternative language notice publication not required)

2. **If Yes** to question 1, are students enrolled in a bilingual education program at either the elementary school or the middle school nearest to the facility?

   ☐ Yes ☐ No

   (**IF Yes** to questions 1 and 2, alternative language publication is required; **If No** to question 2, then consider the next question)

3. **If Yes** to question 1, are there students enrolled at either the elementary school or the middle school nearest to the facility who attend a bilingual education program at another location? ☐ Yes ☐ No

   (**If Yes** to questions 1 and 3, alternative language publication is required; **If No** to question 3, then consider the next question)

4. **If Yes** to question 1, would either the elementary school or the middle school nearest to the facility be required to provide a bilingual education program but for the fact that it secured a waiver from this requirement, as available under 19 TAC 89.1205(g)?

☐ Yes ☐ No

(**If Yes** to questions 1 and 4, alternative language publication is required; **If No** to question 4, alternative language notice publication not required)

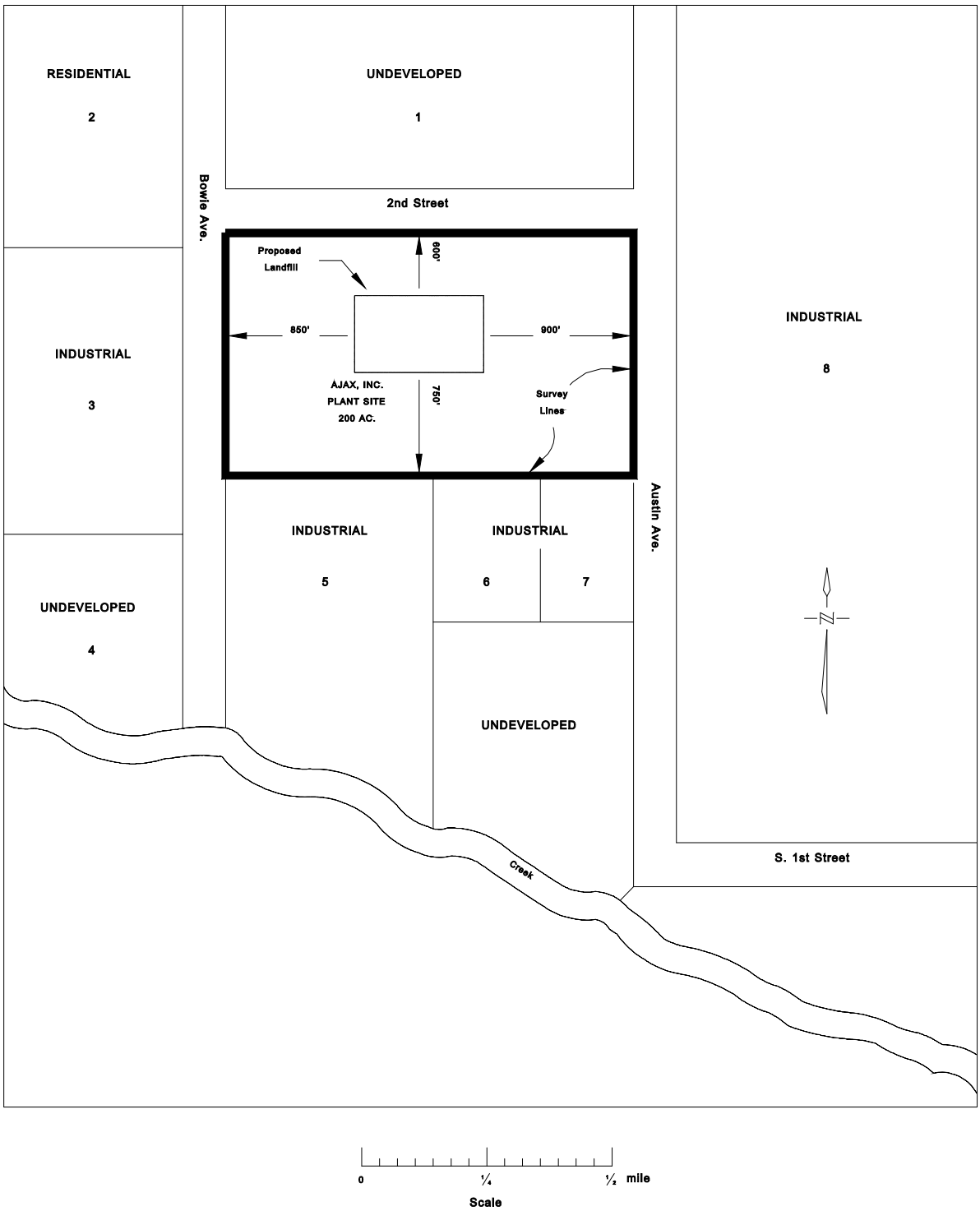
If a bilingual education program(s) is provided by either the elementary school or the middle school nearest to the facility, which language(s) is required by the bilingual program?

_____

Landowners Cross-Referenced To Application Map

SAMPLE APPLICATION MAP

ALL ADJACENT LANDOWNERS SHALL BE IDENTIFIED



The persons identified below would be considered as affected persons.

1. MR & MRS SAMUEL L TEXANS
11901 STARTLE BLVD
ATOWN TX 78759

2. MR & MRS EDWARD CITIZENS
1405 LINEAR ROAD
LITTLE TOWN TX 76710

3. TEXAS LINKED CORP
8411 NNW HWY
BIG PLACE TX 77590

4. MR & MRS TED GOLDEN MUSTARD
3210 AVENUE BLVD
FISHINSPOT TX 76724

5. GENERIC BREWING CO
4240 KNIGHTS BRIDGE
OUTBACK TX 77640

6. PLAIN COMPANY
6647 CRAIGMOUT LANE
BIG PLACE TX 77590

7. ABC CHEMICALS INC
1212 ZIP STREET
BROADBANKS TX 77640

8. BIG LOCAL BOTTLE CO
10024 LOCAL BLVD
URSINUS TX 79402

In accordance with 30 TAC 39.5(b), please also submit this list electronically, for mailing labels, in MS Word. The electronic mailing list must contain only the name, mailing address, city, state, and zip code with no reference to the lot number or lot location. The list should contain 30 names, addresses, etc. (3 columns with 10 per column) per page (MS WORD Avery Standard 5160 – ADDRESS template).

Alternatively, the applicant may elect to submit pre-printed mailing labels of this mailing list with the application. If you wish to provide the list on printed labels, please use sheets of labels that have 30 labels (10 labels per column) to a page (for example: Avery® Easy Peel® White Address Labels for Laser Printers 5160). Please provide four complete sets of labels of the adjacent landowners list.

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A. The minimum permit application fee for a permit or a permit renewal for each hazardous waste facility to be used for Storage, Processing, Disposal, or Closure/Post-Closure Care (disposal has already occurred) of hazardous waste shall be $2,000, plus notice fee, and the maximum shall be $50,000, calculated according to these instructions: 194
B. The application fee for a major amendment or a Class 2 or 3 modification to a hazardous waste permit for operation, closure, or post-closure care is subject to the fees listed below: 194
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Texas Commission on Environmental Quality
Industrial & Hazardous Waste Part B Permit Application

I. General Information

A. Applicant Name: [Facility Operator (or Facility Owner & Operator, if same)]

_____

(Individual, Corporation, or Other Legal Entity Name – must match the Secretary of State's database records for the Facility)

Previous or former names of the facility, if applicable: _____

Address: _____

City: _____ State: _____ Zip Code: _____

Telephone Number: _____

TCEQ Solid Waste Registration No.: _____ EPA I.D. No.: _____

Permit No.: _____ County: _____

Regulated Entity Name: _____

Regulated Entity Reference Number: _____

Customer Name: _____

Customer Reference Number: _____

If the application is submitted on behalf of a corporation, please identify the Charter Number as recorded with the Office of the Secretary of State for Texas.

_____
(Charter Number)

B. Facility Owner : Identify the Facility Owner if different than the Facility Operator

_____

Address: _____

City: _____, Texas, Zip Code: _____

Telephone Number: _____

The operator has the duty to submit an application if the facility is owned by one person and operated by another [30 TAC 305.43(b)]. The permit will specify the operator and the owner who is listed on Part A of this application [Section 361.087, Texas Health and Safety Code].

C. Facility Contact

1. List those persons or firms, including a complete mailing address and telephone number, who will act as primary contact for the applicant during the processing of the permit application.
2. If the application is submitted by a corporation or by a person residing out of state, the applicant must register an Agent in Service or Agent of Service with the Texas Secretary of State's office and provide a complete mailing address for the agent. The agent must be a Texas resident.
3. List the individual who will be responsible for causing notice to be published in the newspaper and his/her mailing address, telephone number and fax number. If e-mail is available please provide an e-mail address.
4. For applications for new permits, renewals, major amendments and Class 3 modifications a copy of the administratively complete application must be made available at a public place in the county where the facility is, or will be, located for review and copying by the public. Identify the public place in the county (e.g., public library, county court house, city hall), including the address, where the application will be made available for review and copying by the public.
5. If an applicant proposes a new industrial or hazardous waste facility that would accept municipal solid waste, the applicant shall hold a public meeting in the county in which the facility is proposed to be located. This meeting must be held before the 45th day after the date the application is filed. In addition, the applicant shall publish notice of the public meeting in accordance with 30 TAC 39.503(e)(5).

Contact: _____ Title: _____

Address: _____

City: _____State: _____ Zip Code: _____

Telephone Number(s): Office _____ Other _____

E-mail: _____FAX _____

D. Application Type and Facility Status

1. ☐permit ☐amendment ☐modification
   ☐new ☐major ☐Class 3
   ☐ interim status ☐minor ☐Class 2
   ☐renewal ☐Class 1[1]
   ☐RD&D ☐Class 1
   ☐Compliance Plan
2. Is this submittal part of a Consolidated Permit Processing request, in accordance with 30 TAC Chapter 33?
   ☐Yes ☐No

   If Yes, state the other TCEQ program authorizations requested.
3. Does the application contain confidential material? ☐ Yes ☐ No

If Yes, cross-reference the confidential material throughout the application to Section XIII: Confidential Material, and submit as a separate Section XIII document or binder conspicuously marked "CONFIDENTIAL".

4. In either column, check all that apply.

☐Proposed hazardous waste management facility	☐Existing hazardous waste management facility
☐On-site	☐On-site
☐Off-site	☐Off-site
☐Commercial	☐Commercial
☐Recycle	☐Recycle
☐Land Disposal	☐Land Disposal
	☐Areal or capacity expansion
	☐Compliance plan

5. Is the facility within the Coastal Management Program boundary (for Class 3 Modifications, Permit Renewals, and New Permit applications only)?

   ☐ Yes ☐ No

6. Provide a brief description of the portion of the facility covered by this application in the table below, including the changes for which an amendment or modification is requested: *[***Note:** *List all changes requested in the table below. Unlisted requests risk remaining unaddressed or possibly denied if brought to the permit application reviewer's attention at a later time.]*

Permit/Compliance Plan Application Section	Brief Description of Proposed Change	Modification or Amendment Type	Supporting Regulatory Citation

7. Total acreage of the facility being permitted: _____

8. Identify the name of the drainage basin and segment where the facility is located: _____

E. Facility Siting Summary

Is the facility located or proposed to be located:

1. within a 100-year floodplain?
   ☐Yes ☐ No

2. in wetlands?
   ☐Yes ☐No

3. in the critical habitat of an endangered species of plant or animal?

☐Yes ☐No

4. on the recharge zone of a sole-source aquifer?
☐Yes ☐ No

5. in an area overlying a regional aquifer?
☐Yes ☐ No

6. Within ½ of a mile (2,640 feet) of an established residence, church, school, day care center, surface water body used for a public drinking water supply, or dedicated public park? (Use only for a new commercial hazardous waste management facility or areal expansion of an existing commercial hazardous waste management facility or unit of that facility as defined in 30 TAC 335.202)
☐Yes ☐No ☐Not Applicable

If Yes: the TCEQ shall not issue a permit for this facility.

7. In an area in which the governing body of the county or municipality has prohibited the processing or disposal of municipal hazardous waste or industrial solid waste?
☐Yes ☐No

If Yes: provide a copy of the ordinance or order.

F. Wastewater and Stormwater Disposition

1. Is the disposal of any waste to be accomplished by a waste disposal well at this facility?
☐ No ☐Yes (**If Yes**: List WDW Permit No(s):_____).

2. Will any point source discharge of effluent or rainfall runoff occur as a result of the proposed activities?
☐ Yes ☐No

3. If Yes, is this discharge regulated by a TPDES or TCEQ permit?
☐ Yes Permit No._____(TCEQ)
Permit No._____(TPDES)

4. ☐No Date TCEQ discharge permit application filed: _____
Date TPDES discharge permit application filed:_____

G. Information Required to Provide Notice

State Officials List

Provide the name and mailing address for the State Senator and State Representative in the district in which the facility is or will be located. Either local district addresses or capitol addresses are acceptable. This list should not be included in the Adjacent Landowners List required below. [30 TAC 39.103(b)]

Local Officials List

Provide the name and mailing address of the mayor and health authority of the municipality in whose territorial limits or extraterritorial jurisdiction the facility is or will be located. In addition, please provide the county judge and health authority of the county in which the facility is located. This list should not be included in the Adjacent

Landowners List required below. [30 TAC 39.103(c)]

Adjacent Landowners List

Submit a map indicating the boundaries of all adjacent parcels of land, and a list (see samples in the instructions) of the names and mailing addresses of all adjacent landowners and other nearby landowners who might consider themselves affected by the activities described by this application. Cross-reference this list to the map through the use of appropriate keying techniques. The map should be a USGS map, a city or county plat, or another map, sketch, or drawing with a scale adequate enough to show the cross-referenced affected landowners. The list should be updated prior to any required public notice. It is the applicant's responsibility to ensure that the list is up-to-date for any required public notice. For all applications (with the exception of Class 1 and Class 11 modifications) this mailing list should be submitted on:

1. a Compact Disk (CD) using software compatible with MS Word [30 TAC 39.5(b)]; or
2. four sets of printed labels.

If the adjacent landowners list is submitted on a compact disk (CD), please label the disk with the applicant's name and permit number. Within the file stored on the disk, type the permit number and applicant's name on the top line before typing the addresses. Names and addresses must be typed in the format indicated below. This is the format required by the U.S. Postal Service for machine readability. Each letter in the name and address must be capitalized, contain no punctuation, and the appropriate two-character abbreviation must be used for the state. Each entity listed must be blocked and spaced consecutively as shown below. The list is to be 30 names, addresses, etc. (10 per column) per page (MS WORD Avery Standard 5160 – ADDRESS template).

Example:

Industrial Hazardous Waste Permit No. 50000, Texas Chemical Plant

HEAVY METALS LP
PO BOX 85624
PUMPKIN PARK TX 79998-5624

MR AND MRS W R NEIGHBOURLY
1405 ACROSSTHE WAY
GREATER METRO CITY TX 79199

A list submitted on compact disk (CD) should be the only item on that disk. Please do not submit a list on a disk that includes maps or other materials submitted with your application.

If you wish to provide the list on printed labels, please use sheets of labels that have 30 labels to a page (10 labels per column) (for example: Avery® Easy Peel® White Address Labels for Laser Printers 5160). Please provide four complete sets of labels of the adjacent landowners list.

Based on the questions in the Bilingual Notice Instructions for this form, are you required to make alternate (Bilingual) notice for this application?

☐Yes ☐No

Bilingual Language(s):_____

H. TCEQ Core Data Form

The TCEQ requires that a Core Data Form CDF (Form 10400) be submitted on all incoming applications. Please ensure that the submitted CDF does not show a change for any information that will remain the same as previously submitted. For more information regarding the Core Data Form, call (512) 239 1575 or go to the TCEQ Web site at http://www.tceq.texas.gov/permitting/central_registry/guidance.html

I. Signature on Application

It is the duty of the operator to submit an application for a permit. The person who signs the application form will often be the operator himself; when another person signs on behalf of the applicant, his title or relationship to the applicant will be shown. In all cases, the person signing the form must be authorized to do so by the applicant. An application submitted by a corporation must be signed by a responsible corporate officer such as a president, secretary, treasurer, vice president, or by his duly authorized representative, if such representative is responsible for the overall operation of the facility from which the activity described in the form originates. In the case of a partnership or a sole proprietorship, the application must be signed by a general partner or the proprietor, respectively. In the case of a municipal, state, federal, or other public facility, the application must be signed by a principal executive officer, a ranking elected official, or another duly authorized employee. A person signing an application on behalf of an applicant must provide notarized proof of authorization.

Signature Page

I,_____, _____,

(Operator) *(Title)*

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

Signature:_____ Date: _____

- - - -

Interim Status Land Disposal Unit(s) Certification

For all land disposal units managing wastes which are newly listed or identified as hazardous wastes, the following certification must be executed by or on the date 12 months after the effective date of the rule identifying or listing the waste as hazardous. If the operator fails to certify compliance with these requirements, the operator shall lose authority to operate under interim status. [40 CFR 270.73(d)]

I,_____, _____

(operator) *(title)*

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

I further certify that in accordance with Section 3005(e)(3) of the Resource Conservation and Recovery Act, as amended, the subject land disposal unit(s) are in compliance with all applicable groundwater monitoring and financial responsibility requirements of 30 TAC Sections 335.112, 335.116, and 335.117. I am aware there are significant penalties for submitting false information, including the possibility of civil penalty, criminal fines, and imprisonment.

Signature:_____ Date: _____

II. Facility Siting Criteria

For all new hazardous waste management facilities or areal expansions of existing hazardous waste management facilities provide a report which includes all applicable information regarding Unsuitable Site Characteristics found in 30 TAC Chapter 335, Subchapter G. The report must address each requirement applicable to the type of activity submitted in the application. Reference specific rule numbers whenever possible. Supporting information may be cross-referenced to other parts of this application such as Section V - Engineering Report or Section VI - Geology Report, but information submitted in previous applications must be fully reproduced herein. In addition, provide the information in Sections II.A. through II.G. below as applicable.

For permit renewals provide a report which includes all applicable information regarding Unsuitable Site Characteristics found in 30 TAC Chapter 335, Subchapter G. In addition, provide the information in Sections II.A through II.G below, as applicable. The applicant may resubmit the information submitted with the original permit application provided this information has not changed. For a renewal this information is necessary to ensure a complete application is received.

For capacity expansions of existing facilities, please provide information in Sections II.A through II.G, as applicable. Please note however, that additional technical information may be requested to address any facility siting characteristics noted in Section I.E.

> **NOTE:** The standards contained in §335.204(a)(6) - (9), (b)(7) - (12), (c)(6) - (11), (d)(6) - (11), and (e) (8) - (13) are not applicable to facilities that have submitted a notice of intent to file a permit application pursuant to §335.391 of this title (relating to Pre-Application Review) prior to May 3, 1988, or to facilities that have filed permit applications pursuant to §335.2(a) of this title which were submitted in accordance with Chapter 305 of this title and that were declared to be administratively complete pursuant to §281.3 of this title (relating to Initial Review) prior to May 3, 1988.[30 TAC 335.201(b)]

A. Requirements for Storage or Processing Facilities, Land Treatment Facilities, Waste Piles, Storage Surface Impoundments, and Landfills.

Is the facility located or proposed to be located:

1. in wetlands? [as applicable: 30 TAC 335.204(a)(2), (b)(2), (c)(2), (d)(2), and/or (e)(2)]

   ☐ Yes ☐ No

Provide the source of information.

If Yes: the TCEQ shall not issue a permit for a new hazardous waste management facility or areal expansion of an existing facility into wetlands, pursuant to 30 TAC 335.205(a)(1).

2. in the critical habitat of an endangered species of plant or animal? [as applicable: 30 TAC 335.204(a)(8), (b)(10), (c)(9), (d)(9), and/or (e)(11)]

   ☐Yes ☐No ☐ Not Applicable

Provide the source of information.

If Yes: submit in Section V information demonstrating that design, construction, and operational features will prevent adverse effects on such critical habitat.

3. on the recharge zone of a sole-source aquifer? [30 TAC 335.204(a)(3), (b)(3), (c)(3), (d)(3), and/or (e)(3)]

☐ Yes ☐ No

Provide the source of the information.

If Yes, then for storage and processing facilities (excluding storage surface impoundments), submit in Section V information demonstrating that secondary containment is provided to preclude migration to groundwater from spills, leaks, or discharges.

Note: Land treatment facilities, waste piles, storage surface impoundments, and landfills may not be located on the recharge zone of a sole-source aquifer.

4. in an area overlying a regional aquifer? [as applicable: 30 TAC 335.204(a)(4), (b)(4), (c)(4), (d)(4), and/or (e)(4)]

☐ Yes ☐ No

Provide the source of information.

If Yes: submit site-specific information in Section V and/or Section VI demonstrating compliance with 30 TAC 335.205(a)(1).

5. in areas where soil unit(s) are within five feet of the containment structure, or treatment zone, as applicable, that have a Unified Soil Classification of GW, GP, GM, GC, SW, SP, or SM, or a hydraulic conductivity greater than 10-5 cm/sec? [as applicable: 30 TAC 335.204(a)(5), (b)(5), (c)(5), (d)(5), and/or (e)(5)]

☐ Yes ☐ No

Provide information to verify the above.

If Yes: provide additional information in Sections V and/or Section VI demonstrating compliance with 30 TAC 335.205(a)(1)

6. in areas of direct drainage within one mile of a lake at its maximum conservation pool level, if the lake is used to supply public drinking water through a public water system? [as applicable: 30 TAC 335.204 (a)(6), (b)(7), (c)(6), and/or (e)(8)].

☐ Yes ☐ No ☐ Not Applicable

Provide information to verify the above.

If Yes: provide information in Section V demonstrating compliance with 30 TAC 335.205(a)(1).

7. in areas of active geologic processes, including but not limited to erosion, submergence, subsidence, faulting, karst formation, flooding in alluvial flood wash zones, meandering river bank cuttings, or earthquakes? [as applicable: 30 TAC 335.204(a)(7), (b)(8) ,(c)(7), (d)(7), and/or (e)(9)]

☐ Yes ☐ No ☐ Not Applicable

Provide the source of the information.

If Yes: specify in Section V the design, construction, and operational features of the facility that will prevent adverse effects resulting from the geologic processes.

8. within 30 feet of the upthrown side or 50 feet of the downthrown side of the

actual or inferred surface expression of a fault that has reasonably been shown to have caused displacement of shallow Quaternary sediments or of man-made structures? [as applicable: 30 TAC 335.204(a)(9), (b)(12) ,(c)(11), (d)(11), and/or (e)(13)]

☐ Yes ☐ No ☐ Not Applicable

Provide the source of information.

If Yes: specify in Section V the design, construction, and operational features that will prevent adverse effects resulting from any fault movement.

If a fault is found to be present, the width and location of the actual or inferred surface expression of the fault, including both the identified zone of deformation and the combined uncertainties in locating a fault trace, must be determined by a qualified geologist or geotechnical engineer and reported in Section VI.

B. Additional Requirements for Land Treatment Facilities [30 TAC 335.204(b)]

Is the land treatment facility located or proposed to be located:

1. within 1000 feet of an established residence, church, school, day care center, surface water body used for a public drinking water supply, or dedicated public park which is in use at the time the notice of intent to file a permit application is filed with the commission, or which is in use at the time the permit application is filed with the commission?

   ☐ Yes ☐ No

   If Yes, the TCEQ shall not issue a permit for a new hazardous waste land treatment unit or an areal expansion of an existing land treatment unit, pursuant to 30 TAC 335.204(b)(6) and 335.205(a).

2. either

   a. within 1000 feet of an area subject to active coastal shoreline erosion even though the area is protected by a barrier island or peninsula?

   ☐ Yes ☐ No

   If Yes: submit in Section V.F design, construction, and operational features which will prevent adverse effects resulting from storm surge and erosion or scouring by water.

   b. within 5000 feet of a coastal shoreline subject to active shoreline erosion and which is unprotected by a barrier island or peninsula.

   ☐ Yes ☐ No

   If Yes: submit Section V.F design, construction and operational features, which will prevent adverse effects resulting from storm surge and erosion or scouring by water.

3. on a barrier island or peninsula?

   ☐ Yes ☐ No ☐ Not Applicable

   If Yes: the TCEQ shall not issue a permit for a new hazardous waste land treatment unit or an areal expansion of an existing land treatment unit, pursuant to 30 TAC 335.204(b)(11) and 335.205(a)(1).

C. Additional Requirements for Waste Piles [30 TAC 335.204(c)]

Is the waste pile located or proposed to be located:

1. either

   a. within 1000 feet of an area subject to active coastal shoreline erosion even though the area is protected by a barrier island or peninsula?

   ☐ Yes ☐ No

   If Yes: submit in Section V.E design, construction, and operational features on the facility which will prevent adverse effects resulting from storm surge and erosion or scouring by water.

   b. within 5000 feet of a coastal shoreline subject to active shoreline erosion and which is unprotected by a barrier island or peninsula.

   ☐ Yes ☐ No

   If Yes: submit Section V.E design, construction, and operational features which will prevent adverse effects resulting from storm surge and erosion or scouring by water.

2. on a barrier island or peninsula?

   ☐ Yes ☐ No ☐ Not Applicable

   If Yes: the TCEQ shall not issue a permit for a new hazardous waste pile or an areal expansion of an existing waste pile, pursuant to 30 TAC 335.204(c)(10) and 335.205(a)(1).

D. Additional Requirements for Storage Surface Impoundments [30 TAC 335.204(d)]

Is the storage surface impoundment located or proposed to be located:

1. either

   a. within 1000 feet of an area of active coastal shoreline erosion even though the area is protected by a barrier island or peninsula?

   ☐ Yes ☐ No

   If Yes: submit in Section V.D design, construction and operational features of the facility which will prevent adverse effects resulting from storm surge and erosion or scouring by water.

   b. within 5000 feet of a coastal shoreline subject to active shoreline erosion and which is unprotected by a barrier island or peninsula?

   ☐ Yes ☐ No

   If Yes: then submit in Section V.D design, construction and operational features which will prevent adverse effects resulting from storm surge and erosion or scouring by water.

2. on a barrier island or peninsula?

   ☐ Yes ☐ No ☐ Not Applicable

   If Yes: the TCEQ shall not issue a permit for a new hazardous waste storage surface impoundment or an areal expansion of an existing storage surface impoundment, pursuant to 30 TAC 335.204(d)(10) and 335.205(a)(1).

E. Additional Requirements for Landfills (and Surface Impoundments Closed as Landfills with wastes in place)

Is the landfill located or proposed to the located:

1. within 1000 feet of an established residence, church, school, day care center, surface water body used for a public drinking water supply, or dedicated public park which is in use at the time the notice of intent to file a permit application is filed with the commission, or which is in use at the time the permit application is filed with the commission?

   ☐ Yes ☐ No

   If Yes: the TCEQ shall not issue a permit for a new hazardous waste landfill or an areal expansion of an existing landfill, pursuant to 30 TAC 335.204(e)(6) and 335.205(a)(1).

2. (for commercial hazardous waste landfills) in the 100-year flood plain of a perennial stream that is delineated on a flood map adopted by the Federal Emergency Management Agency after September 1, 1985, as zone A1-99, VO, or V1-30?

   ☐ Yes ☐ No

   If Yes: the TCEQ shall not issue a permit for a new hazardous waste landfill or an areal expansion of an existing landfill, pursuant to 30 TAC 335.204(e)(7) and 335.205(a)(1).

3. either:

   a. within 1000 feet of an area subject to active coastal shoreline erosion even though the area is protected by a barrier island or peninsula?

   ☐ Yes ☐ No

   If Yes: then submit in Section V.G design, construction, and operational features which will prevent adverse effects resulting from storm surge and erosion or scouring by water.

   b. within 5000 feet of a coastal shoreline subject to active shoreline erosion and which is unprotected by a barriers island or peninsula.

   ☐ Yes ☐ No

   If Yes: then submit in Section V.G design, construction, and operational features which will prevent adverse effects resulting from storm surge and erosion or scouring by water.

4. on a barrier island or peninsula?

   ☐ Yes ☐ No ☐ Not Applicable

   If Yes: the TCEQ shall not issue a permit for a new hazardous waste landfill or an areal expansion of an existing landfill, pursuant to 30 TAC 335.204(e)(12) and 335.205(a)(1).

F. Flooding

1. Identify whether the facility is located within a 100-year flood plain [40 CFR 270.14(b)(11)(iii)]. This identification must indicate the source of data for such

determination and include a copy of relevant documentation (e.g., flood maps, if used and/or calculations). The boundaries of the hazardous waste management facility must be shown on the flood plain map. If the facility is not subject to inundation as a result of a 100-year flood event, do not complete Sections II.F.2. through II.F.4. below. An applicant for a proposed hazardous waste landfill, areal expansion of a hazardous waste landfill, or a commercial hazardous waste land disposal unit may not rely solely on flood plain maps prepared by the Federal Emergency Management Agency (FEMA) or a successor agency for this determination.

2. If the facility is located within the 100-year flood plain the applicant must provide information detailing the specific flooding levels and other events (e.g., Design Hurricane projected by Corps of Engineers) which impact the flood protection of the facility. Information shall also be provided identifying the 100-year flood level and any other special flooding factors (e.g., wave action) which must be considered in designing, construction, operating, or maintaining the facility to withstand washout from a 100-year flood.

3. State whether any flood protection devices exist at the facility (e.g., flood walls, dikes, etc.), designed to prevent washout from the 100-year flood.

   a. **If Yes**: provide in Section V an engineering analysis to indicate the various hydrodynamic and hydrostatic forces expected to result at the facility as a consequence of a 100-year flood. [40 CFR 270.14(b)(11)(iv)(A)]

   Include structural or other engineering studies showing the design of operational units (e.g., tanks, incinerators) and flood protection devices (e.g., flood walls, dikes) at the facility and how these will prevent washout. [40 CFR 270.14(b)(11)(iv)(B)]

   b. **If No**: the applicant shall provide in Section V a plan for constructing flood protection devices and a schedule including specific time frames for completion. Provide engineering analyses to indicate the various hydrodynamic and hydrostatic forces expected to result at the facility as a consequence of a 100-year flood. [40 CFR 270.14(b)(11)(iv)(A)]

   Include structural or other engineering studies showing the design of operational units (e.g., tanks, incinerators) and flood protection devices (e.g., flood walls, dikes) at the facility and how these will prevent washout. [40 CFR 270.14(b)(11)(iv)(B)]

4. If applicable, and in lieu of the flood protection devices from above, provide a detailed description of the procedures to be followed to remove hazardous waste to safety before the facility is flooded. [40 CFR 270.14(b)(11)(iv)(c)] The procedures should include:

   a. Timing of such movement relative of flood levels, including estimated time to move the waste, to show that such movement can be completed before flood waters reach the facility. Indicate which specific events shall be use to begin waste movement (e.g., Hurricane warning, Flash Flood watch, etc.);

   b. A description of the location(s) to which the waste will be moved and a demonstration that these facilities will be eligible to receive hazardous waste in accordance with appropriate regulations (i.e., a permitted facility);

   c. The planned procedures, equipment, and personnel to be used and the means to ensure that such resources will be available in time for use; and

   d. The potential for accidental discharges of the waste during movement and

precautions taken to preclude accidental discharges.

G. Additional Information Requirements

1. For a new hazardous waste management facility, include a map of relevant local land-use plans and descriptions of the major routes of travel in the vicinity of the facility to be used for the transportation of hazardous waste to and from the facility covering at least a five (5)-mile radius from the boundaries of the facility. [30 TAC 305.50(a)(10)(A)&(D)]

2. For a new commercial hazardous waste management facility as defined in 30 TAC 335.202 or the subsequent areal expansion of such a facility or unit of that facility, indicate on the map the nearest established residence, church, school, day care center, surface water body used for a public drinking water supply, and dedicated public park.

3. For new commercial hazardous waste management facilities, submit the following: [30 TAC 305.50(a)(12)(A)]
   a. the average number, gross weight, type, and size of vehicles used to transport hazardous waste;
   b. the major highways nearest the facility irrespective of distance; and
   c. the public roadways used by vehicles traveling to and from the facility within a minimum radius of 2.5 miles from the facility.

4. Include the names and locations of industrial and other waste-generating facilities within 0.5 miles for a new on-site hazardous waste management facility and the approximate quantity of hazardous waste generated or received annually at those facilities. [30 TAC 305.50(a)(10)(B)&(C)]

5. Include the names and locations of industrial and other waste-generating facilities within 1.0 miles for a new commercial hazardous waste management facility and the approximate quantity of hazardous waste generated or received annually at those facilities. [30 TAC 305.50(a)(10)(B)&(C)]

6. For existing land disposal facility units provide documentation that the information required by 30 TAC 335.5 has been placed in the county deed records. If previously submitted, please reference the submittal by date and registration number.

7. If a surface impoundment or landfill (including post-closure) is to be permitted, provide exposure information to accompany this application and in accordance with 30 TAC 305.50(a)(8) and 40 CFR 270.10(j). This information will be considered separately from the TCEQ application completeness determination.

8. For a hazardous waste management facility requesting a capacity expansion of an existing hazardous waste management facility, please provide in Section VI.A.1.a the requested fault delineation information. [30 TAC 305.50(a)(4)(D)]

III. Facility Management

A. Compliance History and Applicant Experience

1. Provide listings of all solid waste management sites in Texas owned, operated, or controlled by the applicant as required by 30 TAC 305.50(a)(2).
2. For a new commercial hazardous waste management facility, provide a summary of the applicant's experience in hazardous waste management as required by 30 TAC 305.50(a)(12)(F).

B. Personnel Training Plan

Provide an outline of the facility training plan which includes all the information required by 40 CFR 264.16. Indicate which training will be repeated annually.

C. Security

Describe how the facility complies with the security requirements of 40 CFR 264.14 or submit a justification demonstrating the reasons for requesting a waiver of these requirements.

D. Inspection Schedule

Provide an inspection schedule summary for the facility which reflects the requirements of 40 CFR 264.15(b), 264.33 and, where applicable, the specific requirements in 40 CFR 264.174, 264.193(i), 264.195, 264.226, 264.254, 264.273, 264.303, 264.347, 264.552, 264.574, 264.602, 264.1033(f), 264.1034, 264.1052, 264.1053(e), 264.1057, 264.1058, 264.1063, 264.1084, 264.1085, 264.1086, 264.1088, 264.1101(c)(4) and 270.14(b)(5). The inspection schedule should reflect the requirements described below. The schedule should encompass each type of hazardous waste management (HWM) unit (i.e., facility component) and its inspection requirements. For incorporation into a permit, complete Table III.D. - Inspection Schedule for all units to be permitted.

The owner or operator must inspect the facility for malfunctions and deterioration, operator errors, and discharges which may be causing or may lead to the release of hazardous waste constituents to the environment or which may pose a threat to human health. The owner or operator must conduct these inspections often enough to identify problems in time to correct them before they harm human health or the environment.

The owner or operator must develop and follow a written schedule for inspecting other basic elements such as monitoring equipment, safety and emergency equipment, security devices, the presence of liquids in leak detection systems, where installed, and operating and structural equipment (such as dikes and sump pumps) that are important to preventing, detecting, or responding to environmental or human health hazards.

If the owner or operator of a facility which contains a waste pile wishes to pursue an exemption from the groundwater monitoring requirements for that waste management unit, the inspection schedule must include examination of the base for cracking, deterioration, or other conditions that may result in leaks. The frequency of inspection must be based on the potential for the liner (base) to crack or otherwise deteriorate under the conditions of operation (e.g., waste type, rainfall, loading rates, and subsurface stability).

E. Contingency Plan (Not Applicable to Permits for Post-Closure Care Only)

If the owner or operator has already prepared a Spill Prevention, Control, and Countermeasures (SPCC) Plan or some other emergency or contingency plan, he need only amend that plan to incorporate hazardous waste management provisions that are sufficient to comply with the requirements of this section. Provide a Contingency Plan which includes all the information required by 40 CFR Part 264 Subparts C and D, except for 40 CFR 264.56(d)(1) and 30 TAC 335.153(2). This plan must also include a drawing of the facility which shows the location of all emergency equipment. In addition, complete the following tables to summarize information expressed in more detail in the plan.

1. Arrangements with Local Authorities

   Complete Table III.E.1. - Arrangements With Local Authorities to indicate arrangements (if made) with local authorities to familiarize local fire and police departments, local hospitals, equipment suppliers, and local and State emergency response teams with the layout of the facility, properties of hazardous waste handled at the facility and associated hazards, places where facility personnel would normally be working, entrances to and roads inside the facility, and possible evacuation routes. Provide documentation of the attempts and any arrangements made with local authorities and emergency response teams.

2. Emergency Coordinator's List

   For inclusion into a permit, list in Table III.E.2. - Emergency Coordinators the persons qualified to act as emergency coordinator. List the alternates in the order in which they will assume responsibility.

3. Emergency Equipment List

   For inclusion into a permit, list in Table III.E.3. - Emergency Equipment all types of emergency equipment at the facility [such as fire-extinguishing systems, spill-control equipment, communications and alarm systems (internal and external), and decontamination equipment], if this equipment is required. Briefly outline the equipment capabilities.

4. Waiver from Preparedness and Prevention Requirements

   If the owner or operator wishes to request a waiver from any of the preparedness and prevention requirements, he must submit a justification demonstrating the reasons for requesting the waiver, as discussed below.

F. Emergency Response Plan

For a new commercial hazardous waste management facility, the application shall contain evidence sufficient to demonstrate that emergency response capabilities are available or will be available before the facility first receives waste. An emergency response plan must be provided which satisfies the requirements of 30 TAC 305.50(a)(12)(C) and (D). This plan must show that the proposed facility has sufficient emergency response capabilities for managing a reasonable worst-case emergency condition associated with the operation of the facility. (For financial assurance requirements associated with the emergency response activities, please see Section VIII.C.3.)

1. Practice Drills

In addition to the contingency plan required under 40 Code of Federal Regulations Part 270.14(b)(7), provisions specifying procedures and timing of practice facility evacuation drills are required. Provide a description and a frequency for facility evacuation drills.

2. If a private corporation, municipality or county group will provide emergency response actions at the proposed facility, include a copy of the contract for this type of agreement with this application or state that documentation will be submitted before the facility accepts wastes.

3. Historical weather data for the area should be documented and submitted. Information regarding how emergency response operations may be affected by weather conditions should be included. (Local rainfall extremes, average rainfall amounts, average wind speeds and directions, potential for major weather events such as hurricanes, tornados, icy conditions, flash flooding etc., should be addressed.)

4. A definition of a worst-case emergency for the proposed facility should be described in the application. This worst-case emergency should take into account the possible complications involved with a facility emergency compounded by adverse weather conditions. It should also detail spills, fires, explosions, etc. This worst case scenario should be developed with the help of local governmental entities where possible. Emergency planning should include both unexpected emergencies and emergencies occurring as a result of a predictable event such as a flood or hurricane. For areas which are prone to hurricanes and flash flooding, the worst case which allows for a realistic situation should be used. For example, response teams should be well versed in reacting to events such as a 100-year flood.

5. A training program for personnel who will respond to these types of emergencies must be provided and must include the requirements described in OSHA Federal Register 1910 and EPA Federal Register 311, the Texas Hazard Communication Act, SARA Title III 302, 304, 311, 312, and 313. If emergency response actions are contracted out, the contracted employees must be properly trained and documentation of this training must be maintained on-site. All responders to emergencies at the proposed facility must be involved in training and drills at the facility in order to be thoroughly familiar with the facility and its operations.

6. The application must include a description and identification of first-responders (i.e. all pertinent facility personnel, local responders, and contractors). The duties of the facility employee who is to be the on-scene coordinator (OSC) must be described. Additional information must be provided detailing the OSC's role in the emergency response activities. This person must have the authority to commit the resources needed to carry out the Emergency Response Plan. His duties must be thoroughly described so that it is clear whether he will remain in control once the emergency response team arrives or whether he will relinquish control to another incident commander upon that person's arrival on the scene. Additionally, there must be a qualified OSC on-site or on call 24 hours a day. The name, address and phone numbers (home and work) of the OSC(s) must be listed in the Emergency Response Plan. Where more than one person is listed, one must be named as the primary OSC and others must be listed in the order in which they will assume responsibility as alternates.

7. Local or regional emergency medical services or hospitals which have experience

in hazardous materials training must be identified in the application. The names, addresses and phone numbers of the hospitals or medical centers should be listed here and updated as necessary. Additionally, maps showing the quickest routes to the medical services must be provided. A description of decontamination procedures for injured personnel prior to transport to medical services must also be provided. The decontamination and transport of injured people to appropriate medical centers must be included in the emergency evacuation training and drills.

8. A pre-disaster plan which includes training drills must be included in the application. This plan should include a schedule for staging evacuations of the facility and for emergency response training drills. At least two evacuations and two emergency response drills should occur annually. The plan should also include additional drills for responding to "predictable" emergencies such as floods and hurricanes. The plan must include the following (or must reference applicable sections of the Contingency Plan): a description of arrangements already in place with local authorities; emergency phone numbers; internal communication or alarm systems and proper alarm codes; a list of all types of emergency equipment at the facility, including a physical description and the capabilities of each item on the list, and the location of each item (a map would be useful here); a description of decontamination equipment; an evacuation plan including signals, evacuation routes and alternate evacuation routes; listing of pertinent first responder emergency phone numbers, and codes for other types of communication devices; and a description of actions that will be performed in the event that a "predictable" emergency occurs.

9. Describe the mechanism which will be used to notify first responders and appropriate local governmental entities that an emergency has occurred. Also describe the mechanism which will be used to notify all applicable governmental agencies when an incident occurs (i.e., TCEQ, Texas Parks and Wildlife, General Land Office, TCEQ Office of Air Quality, Texas Department of Health, and the Texas Railroad Commission).

10. Evidence must be provided that shows coordination with the Local Emergency Planning Committee (LEPC) and any local comprehensive emergency management plan. The applicants should be able to show compliance with SARA Title III.

11. Any medical response capabilities proposed for the facility property must be detailed in the application.

Table III.D. – Inspection Schedule

Facility Unit(s) and Basic Elements	Possible Error, Malfunction, or Deterioration	Frequency of Inspection

Table III.E.1 – Arrangements with Local Authorities

Police:
Address
Person Contacted: Phone:
Agreed Arrangements:
Fire:
Address
Person Contacted: Phone:
Agreed Arrangements:
Hospital:
Address
Person Contacted: Phone:
Agreed Arrangements:
Other:
Address
Person Contacted: Phone:
Agreed Arrangements:

Table III.E.2. – Emergency Coordinators

Name	Home Address	Office Phone(s) and/or Pager	Home Phone(s)
Primary			
Alternates:			

Table III.E.3. – Emergency Equipment

Equipment	Location	Physical Description	Capabilities

IV. Wastes and Waste Analysis

(Sections IV.A, IV.C, and IV.D do not apply to post closure applications.)

A. Waste Management Information

For a new hazardous waste management facility or for a facility hazardous waste management capacity expansion, complete Table IV.A. - Waste Management Information for each waste, source, and volume of waste to be stored, processed, or disposed of in the facility units to be permitted as required by 30 TAC 305.50(a)(9). For on-site facilities, list "on-site" for the waste source. For off-site facilities, list the source of the waste. If unknown, identify potential sources (e.g., industries/processes to be serviced).

B. Waste Managed In Permitted Units

For all hazardous waste management facilities and for inclusion into a permit, complete Table IV.B. - Wastes Managed In Permitted Units for each waste and debris to be managed in a permitted unit. Provide a description, EPA waste codes, and TCEQ waste form codes and classification codes. Guidelines for the Classification & Coding of Industrial Wastes and Hazardous Wastes, TCEQ publication RG-22, contains guidance for how to properly classify and code industrial waste and hazardous waste in accordance with 30 TAC 335.501-335.515 (Subchapter R).

Applicants need not specify the complete 8-digit waste code formulas for their wastes but must include the 3-digit form codes and 1-digit classification codes. This allows the applicant to specify major categories of wastes in an overall manner without having to list all the specific waste streams as generated.

C. Sampling and Analytical Methods

For inclusion into a permit, complete Table IV.C. - Sampling and Analytical Methods for each waste and debris proposed to be sampled and analyzed and include sampling location, sampling method, sample frequency, analytical method, and desired accuracy level for each waste and debris to be managed in a permitted, storage, processing, or disposal unit at the facility.

D. Waste Analysis Plan

The Waste Analysis Plan must address the requirements of 40 CFR §264.13 and §268.7. The Plan should include supplemental and coordinating information on how the facility will analyze wastes and debris (as listed in Table IV.B) to be managed in permitted units. The plan must address the determination of land disposal restrictions. Generators must determine and certify with the manifest the land disposal restriction status of a waste, even if the waste or debris is not intended for land disposal. Land disposal treatment facilities must identify the treatment process and analytical procedures to be used, and include them in the waste analysis plan. Land disposal restriction records must be maintained at the facility until closure of the facility [40 CFR §264.73(b)]. Landfill facilities must determine through the Paint Filter Liquids Test (SW-846 Method 9095) if there is free liquid in a bulk or containerized waste to be landfilled. If so, it must be stabilized; adding adsorbents alone is not acceptable, even for containerized waste.

For off-site facilities the waste analysis plan must specify procedures which will be used to inspect and, if necessary, analyze each movement of industrial and hazardous waste or

hazardous debris received at the facility to ensure it matches the identity of the waste designated on the accompanying shipping ticket. The plan must describe methods which will be used to determine the identity of each movement of waste and debris managed at the facility and sampling method used if the identification method includes sampling in order to store, process, or dispose of the wastes and debris in accordance with 40 CFR Parts 264 and 268 and any abnormal characteristics which may upset further treatment or processing operations. Include rejection criteria for shipments of waste and debris received at the facility

For on-site facilities the waste analysis plan must specify the normal characteristics of the waste (including EPA hazardous waste codes, EPA hazard codes, and 40 CFR Part 261, Appendix VIII Hazardous Constituents) which must be known to store, process, or dispose of the wastes and debris in accordance with 40 CFR Parts 264 and 268 and any abnormal characteristics which may upset further treatment or processing operations.

The methods and equipment used for sampling waste materials will vary with the form and consistency of the waste materials to be sampled. Those sampling methods listed in 40 CFR Part 261 Appendix I, for sampling waste with properties similar to the indicated materials, or equivalent sampling methods approved by EPA under 40 CFR §260.20 and §260.21, will be considered by the TCEQ to be acceptable.

Table IV.A. – Waste Management Information

Waste Type(s)	Source	Volume (tons/year)

Table IV.B. – Wastes Managed In Permitted Units

No.	Waste	EPA Hazardous Waste Numbers	TCEQ Waste Form Codes and Classification Codes

Table IV.C. – Sampling and Analytical Methods

Waste No.[1]	Sampling Location	Sampling Method[2]	Frequency	Parameter	Test Method[2]	Desired Accuracy Level[3]

1 from Table IV.B, first column

2 Sampling and Test/Analysis methods should be specified in enough detail to allow determination of whether they are suitable and correct for the purpose indicated while allowing flexibility in selection and future updates to the specified method. Standard methods, such as those from SW-846, will generally require no further submittal. Non-standard and proprietary methods may require additional information to determine suitability. ASTM methods may require submittal of a copy of the specified method.

3 Desired Accuracy Level should provide a specified numeric minimum performance level (maximum acceptable reporting limit) for method detection and quantitation limits that will be accepted from the laboratory performing the analysis and must ensure that reported data will allow determinations of compliance with regulatory limits for the parameter tested.

V. Engineering Reports

The engineering report represents the conceptual basis for the storage, processing, or disposal units at the hazardous waste management (HWM) facility. It should include calculations and other such engineering information as may be necessary to follow the logical development of the facility design. Plans and specifications are an integral part of the report. They should include construction procedures, materials specifications, dimensions, design capacities relative to the volume of wastes (as appropriate), and the information required by 40 CFR 270.14(b)(8), 270.14(b)(10). Since these reports may be incorporated into any issued permit, the report should not include trade names, manufacturers, or vendors of specific materials, equipment, or services unless such information is critical to the technical adequacy of the material. Technical specifications and required performance standards are sufficient to conduct a technical review. For landfills, surface impoundments, and waste piles, a Construction Quality Assurance Plan, which considers the guidance in EPA publication 530-SW-85-014, Minimum Technology Guidance on Double Liner Systems for Landfills and Surface Impoundments; Design, Construction, and Operation, and/or EPA/600/R-93/182, Quality Assurance And Quality Control For Waste Containment Facilities, should be submitted.

For facilities which will receive wastes from off-site sources, the engineering report must also contain information on the units which will manage these off-site wastes in accordance with 30 TAC 335.45(a).

Certain ancillary components or appurtenant devices must be addressed in the Part B application. These include but are not limited to sumps, pipelines, ditches, and canals. The technical information and the level of detail required will vary with the nature, scope, and location of the ancillary component. At a minimum they should be included in descriptions of piping and process flow. More information may be required. A single area containing a large number of ancillary components or a remote appurtenant device in an unusually sensitive location may warrant some specific permit requirements. All ancillary components must be included in calculating closure cost estimates.

In each of the unit-specific sections, describe precautions taken to prevent accidental commingling of incompatible wastes. If reactive or ignitable wastes are to be managed, or if incompatible wastes are deliberately commingled, provide information to ensure that precautions are taken to avoid danger due to:

- generation of extreme heat or pressure, fire, explosion, or violent reaction;
- production of uncontrolled toxic mists, fumes, dusts, or gases in sufficient quantities to threaten human health;
- production of uncontrolled flammable fumes or gases in sufficient quantities to pose a risk of fire or explosion;
- damaging the structural integrity of the device or facility containing the waste; or
- threatening human health or the environment by any other means.

Comprehensive consideration should be given to ensure that the facility is designed in accordance with good public health and hazardous waste management practices. The application will be evaluated primarily for the aspects of design covered by the regulations. Nothing in any approval is intended to relieve the facility owner or operator of any liabilities or responsibilities with respect to the design, construction, or operation of the project.

Engineering Report for Combustion Units

For hazardous waste combustion unit which are subject to regulation by 40 CFR Part 63, Subpart EEE, the requirements 30 TAC Chapter 305 and Subchapters I and Q do not apply

when the unit becomes subject to Resource Conservation and Recovery Act (RCRA) permit requirements after October 12, 2005 (i.e., new unit), or no longer apply when an owner or operator of an existing hazardous waste management unit demonstrates compliance with the air emission standards and limitations in 40 Code of Federal Regulations (CFR) Part 63, Subpart EEE, except for the following:

1. Those provisions the Executive Director determines are necessary to comply with 40 CFR §264.345(a) and 40 CFR §264.345(c) for Phase I sources or 40 CFR §266.102(e)(1) and (2)(iii) for Phase II sources if the permittee or applicant elects to comply with any of the options listed in 40 CFR §270.235(a) to minimize emissions of toxic compounds from startup, shutdown, and malfunction events;
2. Those standards and associated requirements for particulate matter, hydrogen chloride and chlorine gas, and non-mercury metals that a Phase II area source elects to comply with in 40 CFR §§266.105, 266.106, and 266.107;
3. Those standards for particulate matter in 40 CFR 264.343(c) remain in effect for a Phase I source incinerator that elects to comply with the alternative to the particulate matter standard under 40 CFR 63.1206(b)(14) and 63.1219(e); and
4. Those provisions that the Executive Director may apply in 30 TAC Chapter 305, Subchapters I and Q, on a case-by-case basis. The Executive Director may require a permittee or an applicant to submit information in order to establish permit conditions under §305.50(a)(15) or (16) and §305.127(1)(B)(iii) or (4)(A) (i.e., risk-based permit conditions).

For hazardous waste combustion units subject to regulation by 40 CFR Part 63, Subpart EEE, some of the information requested in Sections V.H and V.I. will not be applicable for new units or existing units which have submitted a Notification of Compliance in accordance with 40 CFR 63.1207(j) and 63.1210(d), received a Finding of Compliance pursuant to 40 CFR 63.1206(b)(3), and have the associated RCRA permit conditions removed from the permit. Information which is not applicable or no longer applicable should not be included in the Part B application. *[Please note that the TCEQ will require a Finding of Compliance be made prior to modifying the permit by deleting redundant operating parameter limits and standards for the combustion units. Until such time as the permit is modified to delete the redundant RCRA-based operating parameter limits and standards in the permit or the permit is terminated or revoked, the permittee must comply with the RCRA-based conditions specified in the permit. More stringent risk-based permit conditions will remain in the RCRA permit.]*

For the exceptions listed in Items 1.-4., the owner and operator must provide the applicable information requested in the Part B permit application and any additional information required by the Executive Director to establish permit conditions.

A. General Engineering Reports

1. General Information

Complete Table V.A. – Facility Waste Management Handling Units listing all past, current or proposed units. *[Indicate units' status as* Active, Closed, Inactive *(built but not yet managing waste)*, Proposed *(not yet built)*, Never Built, Transferred, or Post-Closure. *Indicate appropriate units for Capacity information.]* **Note for renewals and modifications involving adding or dropping units from the permit:** List all TCEQ Permit Unit Numbers that have been assigned previously as in a current permit Attachment D –Authorized Facility Units table and do not reuse or reassign permit numbers for units that

have been replaced, closed, removed from the permit, or transferred to other ownership. All Notice of Registration (NOR) Numbers must match the State of Texas Environmental Electronic Reporting System (STEERS) and may not be reused for replacement units.

Provide an overall plan view of the entire facility. Identify each hazardous or industrial solid waste management unit (container storage area, tank, incinerator, etc.) to be permitted in relation to its location and the type of waste managed in that unit. Also provide a plan view at an appropriate scale to clearly show the location of all hazardous waste management units to be permitted on one or more 8 1/2" x 14" sheets. Indicate on this plan view how the design or operation provides for buffer zones or waste segregation as appropriate for incompatible, ignitable, or reactive wastes.

Submit a topographic map or maps of the facility which clearly shows the information specified in 40 CFR 270.14(b)(19), 270.14(c)(3), and 270.14(d)(1)(i) (for large HWM facilities, the TCEQ will allow the use of other scales on a case-by-case basis). Please note that the term "facility" includes all contiguous land, structures, other appurtenances, and improvements on the land for storing, processing, or disposing of hazardous and industrial solid waste.

2. Features to Mitigate Unsuitable Site Characteristics

   For all new hazardous waste management storage and/or processing facilities or areal expansions of existing hazardous waste management storage and/or processing facilities, include in the engineering report design, construction, and operational information specified in 30 TAC 335.204(a)(1) and (a)(3) through (9).

3. Construction Schedules

   a. In order to meet the required design standards, extensive retrofitting of some facilities may be required. In the worst case, the applicant may elect to close certain operations rather than comply with the RCRA standards. Thus, the permit may specify a schedule of compliance requiring the accomplishment of given tasks within specific time frames. As required, indicate an appropriate schedule(s) of compliance in this application. The schedule should provide for facility compliance as soon as possible and in accordance with 40 CFR 270.33(a)(2) and 270.33(b).

   b. For commercial hazardous waste management facilities, permit applications (new, renewal, or interim status applications), major amendments, and Class 3 modifications must include a construction schedule. A construction schedule must be submitted even if the application does not include an addition of units or a revision to permitted units. This schedule should comply with the requirements of 30 TAC 305.149.

4. Provide detailed plans and specifications which when, accompanied by the engineering report, will be sufficiently detailed and complete to allow the Executive Director to ascertain whether the facility will be constructed and operated in compliance with all pertinent permitting requirements. Engineering plans and specifications must be prepared under the supervision of and sealed by a licensed Professional Engineer, with current license, along with the Registered Engineering Firm's name and Registration Number as required by the Texas Engineering Practice Act. For some facilities, plans in the form of a standard piping and instrumentation diagram will be sufficient. Overall dimensions and

materials of construction must be shown.

B. Container Storage Areas

1. Provide an engineering report which includes all of the information specified in 40 CFR 264.170-264.173, 264.175-264.177, and 270.15.

   Complete Table V.B - Container Storage Areas and list the container storage areas covered by this application to be permitted. List the N.O.R. unit number, the rated capacity or size of each unit (including the maximum number of each type of container to be stored at each unit and total maximum capacity of all types wastes stored in the unit), the areal dimensions, containment volume, aisle space requirements, whether ignitable, reactive, or incompatible waste will be stored in each unit, and whether processing will occur within the unit.

2. Container storage areas must have a containment system that is capable of collecting and holding spills, leaks, and precipitation. In addition to the requirements of 40 CFR 270.15, the design report should include the following:

   a. Capacity of the containment relative to the number and volume of containers to be stored; in addition, for unenclosed areas, the amount of rainfall collected prior to removal. The TCEQ recommends using a 25-year, 24-hour rainfall event for this extra capacity; and

   b. Run-on into the containment system must be prevented, or a collection system with sufficient excess capacity must be provided. If run-on is collected within the containment system, delineate the area(s) from which run-on is collected. The 25-year, 24-hour rainfall event should be used to calculate the excess capacity.

3. Wastes Containing No Free Liquids

   With the exception of 40 CFR 264.175(d), storage areas that hold only wastes that do not contain free liquids need not have a containment system, provided that compliance with 40 CFR 264.175(c) is demonstrated. This demonstration must be submitted as part of the application and must include:

   a. test procedures and results or other documentation or information to show that the wastes do not contain free liquids; and

   b. a description of how the storage area is designed or operated to drain and remove liquids or how containers are kept from contact with standing liquids.

4. Managing Ignitable or Reactive Wastes

   If a container storage area will manage ignitable or reactive waste, as indicated on Table V.B, provide in the engineering report drawings demonstrating compliance with the buffer zone requirement of 40 CFR 264.17 and 264.176.

5. Managing Incompatible Wastes

   If a container storage area will manage incompatible waste, as indicated on Table V.B, provide in the engineering report a description of the procedures used to ensure compliance with 40 CFR 264.17 and 264.177.

6. Managing Nonhazardous Wastes and/or Universal Wastes

   If a container storage area will manage nonhazardous wastes, and/or universal wastes in addition to hazardous waste, provide a description of all types of wastes managed in the engineering report and procedures used to ensure compliance

with 40 CFR 264 Subpart I.

C. Tanks and Tank Systems

Provide an engineering report which includes all of the information specified in 40 CFR 264.190-264.194, 264.196, 264.198-264.199, and 270.16.

1. For inclusion into a permit, complete Table V.C - Tanks and Tank Systems and list the tanks covered by this application to be permitted. List the N.O.R. unit number, whether the unit is for storage and/or processing, the waste managed in each unit, the rated capacity of each unit, overall dimensions of each unit, containment volume, and whether ignitable, reactive, or incompatible waste will be stored in each unit.
2. If a tank will manage ignitable or reactive waste, as indicated on Table V.C, describe in the engineering report the procedures used to ensure compliance with 40 CFR 264.198 and provide drawings demonstrating compliance with any applicable buffer zone requirements and 40 CFR 264.17.
3. If a tank will manage incompatible waste, as indicated on Table V.C, describe in the engineering report the procedures used to ensure compliance with 40 CFR 264.17 and 264.199.
4. Submit written assessments that were reviewed and certified by an independent, qualified licensed Professional Engineer that attests to the structural integrity and suitability of handling the hazardous waste for each tank system, as required under 40 CFR 264.191-264.192 for existing tanks which do not have secondary containment meeting the standards of 40 CFR 264.193. The engineer signing the written assessment must make the certification specified in 40 CFR 270.11(d). The certification must be sealed by a licensed Professional Engineer, with current license, along with the Registered Engineering Firm's name and Registration Number as required by the Texas Engineering Practice Act.
5. If a tank has been de-rated or if the permitted capacity is otherwise different from the design capacity, specify any such change(s) in the engineering report.

Provide in the report any additional information for tanks and tank systems as specified in the above regulatory citations including: specifics of leak, spill, and unfit for use systems responses; assessments of tank systems; new tank systems or components; overfill control and prevention; special requirements for ignitable and/or reactive wastes; incompatible wastes; air emissions control; detection of leaks into secondary containment; ancillary equipment; and plans and specifications individually sealed by a licensed professional engineer with current Texas registration with the Registered Engineering Firm's name and Registration number.

D. Surface Impoundments

Provide an engineering report which includes all of the information specified in 30 TAC 305.50(a)(6), 335.168, 335.169, and 40 CFR 264.19, 264.220, 264.221, 264.222, 264.223, 264.226(a) and (c), 264.227, 264.229-264.231, and 270.17.

For storage surface impoundments at a new hazardous waste management facility or which are part of an areal expansion of an existing hazardous waste management facility, include in the engineering report design, construction, and operational information specified in 30 TAC 335.204(d). For any surface impoundment to be closed as a landfill (where wastes will remain after closure of the impoundment) at a new hazardous waste

management facility or which are part of an areal expansion of an existing hazardous waste management facility, include in the engineering report design, construction, and operational information specified in 30 TAC 335.204(e).

For all impoundments, include in the report the following information.

1. Complete Table V.D.1 - Surface Impoundments and list the surface impoundments, covered by this application, to be permitted. List the waste(s) managed in each unit and the rated capacity or size of each unit.

2. If a surface impoundment will manage ignitable or reactive waste, as indicated on Table V.D.1., describe in the engineering report the procedures used to ensure compliance with 40 CFR 264.17 and 264.229.

3. If a surface impoundment will manage incompatible waste, as indicated on Table V.D.1., describe in the engineering report the procedures used to ensure compliance with 40 CFR 264.17 and 264.230.

4. If a surface impoundment will manage F020, F021, F022, F023, F026, and F027 waste, as indicated on Table V.D.1, describe in the engineering report the procedures used to ensure compliance with 40 CFR 264.231.

5. Describe the surface impoundment. Detailed plan view and cross-sectional drawings of the surface impoundment should be included with the engineering report.

6. Freeboard

   Specify the minimum freeboard to be maintained and the basis of the design to prevent overtopping resulting from normal or abnormal operations; overfilling; wind and wave action; rainfall; run-on; malfunctions of level controllers, alarms, and other equipment; and human error. Show that adequate freeboard will be available to prevent overtopping from a 100-year, 24-hour storm. [40 CFR 264.221(g)]

   If the impoundment is inflow sensitive, it should be equipped with a high-level alarm based on a different level sensor than that used for automatic control.

7. Waste Flow

   Describe the means that will be used to immediately shut off the flow of waste to the impoundment to prevent overtopping or in the event of liner failure, and include appropriate detailed drawings.

   If the surface impoundment is a flow-through facility describe the flow of waste, including a hydraulic profile.

8. Dike Construction

   a. If dikes are used, include the following certification as part of the engineering report:

   "I, *(qualified licensed Professional Engineer)*, Texas P.E. License Number _____, of Registered Firm *(Name)* Registered Firm No. *(Registration Number)* certify under penalty of law that I have personally examined and am familiar with the design and construction of the dikes that are a portion of *(surface impoundment unit name)*.

   I further certify that I have evaluated the dike design and materials of construction using accepted engineering procedures, and have determined that

the dike, including the portion of the dike providing freeboard, has structural integrity, and

(1) will withstand the stress of the pressure exerted by the types and amounts of wastes to be placed in the impoundment; and
(2) will not fail due to scouring or piping, without dependence on any liner system included in the impoundment construction.

Date: _____"

"(Signature)"

"(Seal)"

b. The structural integrity of the dike system must be certified by a qualified Professional Engineer before a permit is issued. If the impoundment is not being used, the dike licensed system must be certified before it can be put into use. The certification must be sealed by a licensed Professional Engineer, with current license, along with the Registered Engineering Firm's name and Registration Number as required by the Texas Engineering Practice Act.

c. A report shall accompany the dike certification which summarizes the activities, calculations, and laboratory and field analyses performed in support of the dike certification. Describe the design basis used in construction of the dikes. Provide the following analyses as attachments to the engineering report (A Quality Assurance Project Plan <QAPP> should be included in the report to ensure that each analysis is performed appropriately):

(1) Slope Stability Analysis
(2) Hydrostatic and Hydrodynamic Analysis
(3) Storm Loading
(4) Rapid Drawdown

d. Earthen dikes should have a protective cover to minimize wind and water erosion and to preserve the structural integrity of the dike. Describe the protective cover used and describe its installation and maintenance.

9. Containment System

We suggest that the applicant use available recognized guidance documents, such as EPA publication 530-SW-85-014, which provide design guidance for liner systems. The applicant is strongly encouraged to test each synthetic liner after installation by an electrical leak location test, such as the electric field method described in EPA Technical Guidance Document EPA/600/R-93/182, Quality Assurance and Quality Control for Waste Containment Facilities, or an equivalent method, such as those found in ASTM publications, and approved by the Executive Director. Construction above the liner may not proceed until any detected leaks are sealed.

a. Complete Table V.D. 6. - Surface Impoundment Liner System for each surface impoundment to be permitted.

b. In the engineering report, describe the design, installation and operation of liner and leak detection components. The description must demonstrate that the liner and leak detection system will prevent discharge to the land, and ground and surface water. Include the following analyses as attachments to the engineering report (A QAPP should be included in the report to ensure that each analysis is performed appropriately):

For artificial liners:

(1) Seaming method
(2) Surface preparation method
(3) Tensile Strength
(4) Impact Resistance
(5) Compatibility Demonstration
(6) Foundation Design (including Settlement Potential, Bearing Capacity and Stability, and Potential for Bottom Heave Blow-out)

For soil liners:

(7) Waste Migration Analysis (based on head, porosity, and permeability) for the most mobile and least attenuated waste constituents
(8) Atterberg Limits, % passing a #200 sieve, and Permeability
(9) Moisture Content
(10) Standard Proctor Density, Compaction Data

For leachate collection systems:

(11) Pipe Material and Strength
(12) Pipe Network Spacing and Grading
(13) Collection Sump(s) Material and Strength
(14) Drainage Media Specifications and Performance
(15) Analyses showing that pipe and pipe perforation size will prevent clogging and allow free liquid access to the pipe.
(16) Compatibility Demonstration
(17) Capacity of System
    (a) rate of leachate removal
    (b) capacity of sumps
    (c) thickness of mounding and maximum hydraulic head

c. Specify the liner system installation date and expected lifetime of liner system (years).
d. Specify whether the liner is chemically resistant to the waste and how this resistance was determined. Attach any tests or documentation to the engineering report.
e. Submit a quality assurance/quality control plan for all components to demonstrate that all components will be properly installed and will perform to design specifications.
f. Submit a Response Action Plan that proposes actions to be taken if the Action Leakage Rate for the surface impoundment exceeds. At a minimum the Response Action Plan must include the requirements of 40 CFR 264.223.

10. Surface impoundments that receive waste on or after May 8, 1985 (or for newly-regulated units, the effective date of the new RCRA regulation) into new units and/or lateral expansions or replacements of existing units must meet the minimum technological requirements of the Hazardous and Solid Waste Amendments of 1984, unless an appropriate waiver is granted by the Commission. The owner or operator of each new surface impoundment unit for which the construction commences after January 29, 1992, or each lateral expansion of an existing surface impoundment unit where construction commences after July 29, 1992, or replacement of an existing surface impoundment unit that commence reuse after July 29, 1992 must install two or more liners and leachate collection and removal system unless commission

approves alternate design or operating practices. Plans and specifications for both new and existing surface impoundments must demonstrate conformity with 30 TAC 335.168 and 40 CFR 264.221

11. Run-on Diversion

    Describe in detail how the surface impoundment system will manage stormwater run-on away from the surface impoundment. Stormwater run-on must be diverted away from a surface impoundment. Use at least a 100-year, 24-hour rainfall event in the design and analysis of diversion structures. Where dikes are used to divert run-on, they must be protected from erosion. Include all analyses used to calculate run-on volumes.

12. The Commission may approve an alternate design or operating practice for a surface impoundment if the owner or operator demonstrates that such design or operating practices, together with location characteristics [40 CFR 264.221(d)]:
    a. Will prevent the migration of hazardous constituents into the groundwater or surface water at least as effectively as the liners and leachate collection and removal system required by 40 CFR 264.221; and
    b. Will allow detection leaks of hazardous constituents through the top liner at least as effectively.

13. Exemption from Double-Liner Requirements for Monofills [264.221(e)]

    Owners or operators of hazardous waste surface impoundment monofills will be exempted from the double-liner requirements if the Commission finds, based on a demonstration by the owner or operator, that alternative design and operating practices, together with location characteristics are at least as effective as a double liner in preventing migration of hazardous constituents to the groundwater or surface water. If an exemption is sought, submit detailed plans and engineering and hydrogeologic reports, as appropriate, describing alternate design and operating practices that will, in conjunction with location aspects, prevent the migration of any hazardous constituents into the groundwater or surface water at any future time.

E. Waste Piles

This section applies to owners or operators of industrial solid waste facilities that store or process hazardous waste in piles. A hazardous waste pile that will be closed with wastes left in place must be managed as a landfill. Existing portions of waste piles are those areas that were listed on the original Part A and on which wastes have been lawfully placed.

Provide an engineering report which includes all of the information specified in 30 TAC 335.170 and 40 CFR 264.19, 264.250, 264.251, 264.252-264.253, 264.254(a) and (c), 264.256, 264.257, 264.259, and 270.18.

For waste piles at a new hazardous waste management facility or which are part of any areal expansion of an existing hazardous waste management facility, include in the engineering report design, construction, and operational information specified in 30 TAC 335.204(c).

For all waste piles, include in the report the following information.

1. For inclusion into a permit, complete Table V.E.1 - Waste Piles and list the waste piles covered by this application. List the waste managed in each unit and the

rated capacity or size of the unit.

2. If a waste pile will manage ignitable or reactive waste, as indicated on Table V.E.1, describe in the engineering report the procedures used to ensure compliance with 40 CFR 264.17 and 264.256.

3. If a waste pile will manage incompatible waste, as indicated on Table V.E.1, describe in the engineering report the procedures used to ensure compliance with 40 CFR 264.17 and 264.257.

4. If a waste pile will manage F020, F021, F022, F023, F026, and F027 waste, as indicated on Table V.E.1, describe in the engineering report the procedures used to ensure compliance with 40 CFR 264.259.

5. Describe the waste pile, including any structure surrounding or enclosing the waste pile.

6. Containment System

   We suggest that the applicant use available recognized guidance documents, such as EPA publication 530-SW-85-014, which provide design guidance for liner systems. The applicant is strongly encouraged to test each synthetic liner after installation by an electrical leak location test, such as the electric field method described in EPA Technical Guidance Document EPA/600/R-93/182, Quality Assurance and Quality Control for Waste Containment Facilities, or an equivalent method, such as those found in ASTM publications, and approved by the Executive Director. Construction above the liner may not proceed until any detected leaks are sealed.

   a. For inclusion into a permit, complete Table V.E. 3 - Waste Pile Liner System and specify the type of containment/liner system.
   b. In the engineering report, describe the design, installation, construction, and operation of the liner and leachate collection system. The description must demonstrate that containment systems will prevent discharge to the land, surface water, or groundwater. Include the following analyses as attachments to the engineering report, when applicable to the containment system being described (A QAPP should be included in the report to ensure that each analysis is performed appropriately):

   For artificial liners:

   (1) Seaming method
   (2) Surface preparation method
   (3) Tensile Strength
   (4) Impact Resistance
   (5) Compatibility Demonstration
   (6) Foundation Design (including Settlement Potential, Bearing Capacity and Stability, and Potential for Bottom Heave Blow-out)

   For soil liners:

   (7) Waste Migration Analysis (based on head, porosity, and permeability) for the most mobile and least attenuated constituents.
   (8) Atterberg Limits, % passing a #200 sieve, and Permeability
   (9) Moisture Content
   (10) Standard Proctor Density, Compaction Data

For leachate detection, collection, and removal system:

(11) Capacity of system

(a) rate of leachate removal
(b) capacity of sumps
(c) thickness of mounding and maximum hydraulic head

(12) Pipe Material and Strength
(13) Pipe Network Spacing and Grading
(14) Collection Sump(s) Material and Strength
(15) Drainage Media Specifications and Performance
(16) Analysis showing that pipe and perforation size will prevent clogging and allow free liquid access to the pipe.
(17) Compatibility Demonstration

c. Containment/liner system installation date and expected lifetime of liner system (years).

d. Specify whether the containment/liner system is chemically resistant to the waste and how this resistance was determined. Attach any tests or documentation to the engineering report.

e. Submit a quality assurance/quality control plan for all components to demonstrate that all components will be properly installed and will perform to design specifications.

f. Submit a Response Action Plan that proposes actions to be taken if the Action Leakage Rate for the waste pile exceeds. At a minimum the Response Action Plan must include the requirements of 40 CFR 264.253.

7. Wind Dispersal [30 TAC 335.170(j)]

Waste piles containing hazardous waste which could be subject to dispersal by wind must be covered or otherwise managed so that wind dispersal is minimized. Describe practices to control wind dispersal (e.g., cover or frequent wetting) of the hazardous waste.

8. Run-on Diversion [30 TAC 335.170(g)]

Describe in detail the measures used to control and divert run-on from the unit. The owner or operator must design, construct, operate, and maintain a run-on control system capable of preventing flow onto the active portion of the pile during peak discharge from at least a 100-year, 24-hour storm.

Include all analyses used to calculate: flow rates; run-on volume and depth; and back-water calculations for the ditches on plant property.

Any tanks or basins associated with the run-on control systems must be emptied or otherwise managed expeditiously after a storm to maintain the design capacity of the system. [30 TAC 335.170(i)]

9. Run-off Control [30 TAC 335.170(h)]

Describe in detail the measures used to control run-off from the unit. Include all analyses used to calculate the run-off volumes.

The owner or operator must design, construct, operate, and maintain a run-off management system to collect and control at least the water volume resulting from a 100-year, 24-hour storm.

Collection and holding facilities (e.g., tanks or basins) associated with the run-off

control systems must be emptied or otherwise managed expeditiously after storms to maintain the design capacity of the system. [30 TAC 335.170(i)]

10. Give a description of design and operating procedures to properly manage and/or dispose of any residuals (e.g., leachate) that may be generated during waste management. Describe the management process and any equipment used.

11. Provide a description and list of all equipment and procedures used to place the waste in or on the waste pile, and how the liner surface will be exposed for inspection, if necessary. A containment system must be protected from plant growth which could puncture any component of the system.

12. Exemption from Liner and Leachate Collection Requirements

    The Commission may approve an alternate design or operating practice for a waste pile if the owner or operator demonstrates that such design or operating practices, together with location characteristics [40 CFR 264.251(d)]:

    a. Will prevent the migration of hazardous constituents into the groundwater or surface water at least as effectively as the liners and leachate collection and removal system; and
    b. Will allow detection leaks of hazardous constituents through the top liner at least as effectively.

13. Exemption from Groundwater Monitoring under 40 CFR 264.250(c)

    A waste pile may be exempt from groundwater monitoring if the following standards are met:

    a. The waste pile (including its underlying liners) must be located entirely above the seasonal high water table; and
    b. The waste pile is inside or under a structure that provides protection from precipitation so that neither run-off nor leachate is generated, provided that:
        (1) Liquids or materials containing free liquids are not placed in the pile;
        (2) The waste pile is protected from surface water run-on by the structure or in some other manner;
        (3) The waste pile is designed and operated to control dispersal of the waste by wind, where necessary, by means other than wetting; and
        (4) The waste pile will not generate leachate through decomposition or other reactions; or
    c. The waste pile must have a leachate collection and removal system above the top liner; and
    d. Underlayment:
        (1) either:
            (a) The waste pile must be underlain by two liners, which are designed and constructed in a manner that prevents the migration of liquids into or out of the space between the liners and a leak detection system which must be designed, constructed, maintained, and operated between the liners to detect any migration of liquids into the space between the liners; and
            (b) A demonstration must be made that there is a low potential for migration of liquid from the waste pile to the

uppermost aquifer during the life of the waste pile (including the closure period). The owner or operator must base any predictions made on assumptions that maximize the rate of liquid migration;

(2) or:

(a) The waste pile must be underlain by a liner (base) that is designed, constructed, and installed in a manner that prevents the migration of liquids or waste beyond the liner; and

(b) The wastes in the waste pile must be removed periodically, and the liner must be inspected for deterioration, cracks, or other conditions that may result in leaks. The frequency of inspection will be specified in the inspection plan and must be based on the potential for the liner (base) to crack or otherwise deteriorate under the conditions of operation (e.g., waste type, rainfall, loading rates and subsurface stability).

The liner(s) used to satisfy V.D.13.d. must be of sufficient strength and thickness to prevent failure due to puncture, cracking, tearing, or other physical damage from equipment used to place waste in or on the pile or to clean and expose the liner surface for inspection.

F. Land Treatment Units

Provide an engineering report which includes all of the information specified in 30 TAC 305.50(a)(6), 335.171, 335.172, 40 CFR 264.270-264.272, 264.273, 264.276, 264.278, 264.279, 264.281-264.283, and 270.20 for each land treatment unit.

For land treatment units at a new hazardous waste management facility or which are part of an areal expansion of an existing hazardous waste management facility, include in the engineering report design, construction, and operational information specified in 30 TAC 335.204(b).

For all land treatment units, include in the report the following information.

1. Complete Tables V.F.1 - Land Treatment Units and V.F.2 - Land Treatment Unit Capacity and list the land treatment units covered by this application. List the waste(s) managed in each unit and the rated capacity or size of the unit. If different wastes are placed on separate portions of the land treatment area, each portion is considered a land treatment unit, and requires a separate summary form and engineering report.

   The treatment zone is defined as the soil area of the unsaturated zone of a land treatment unit within which hazardous constituents are degraded, transformed, or immobilized. In this section, specify the depth of the treatment zone. The maximum depth of the treatment zone for new land treatment units must be [40 CFR 264.271(c)]:

   a. No more than 1.5 meters (5 feet) from the surface; and
   b. More than 1 meter (3 feet) above the seasonal high water table.

2. If a land treatment unit will manage ignitable or reactive waste, as indicated on Table V.F.1, describe in the engineering report the procedures used to ensure compliance with 40 CFR 264.17 and 264.281.

3. If a land treatment unit will manage incompatible waste, as indicated on Table V.F.1, describe in the engineering report the procedures used to ensure compliance with 40 CFR 264.17 and 264.282.

4. If a land treatment unit will manage F020, F021, F022, F023, F026 and F027 waste, as indicated on Table V.F.1, describe in the engineering report the procedures used to ensure compliance with 40 CFR 264.283.

5. Describe the land treatment unit. The report shall include all the information requested in this section including drawings. At a minimum, a plan view and cross-section of the unit should be included with the engineering report.

6. Complete Table V.F.3. - Land Treatment Principal Hazardous Constituents and list the wastes for which the treatment demonstration will be made and the principal hazardous constituents in each waste. Specify in the report the data sources to be used to make the demonstration such as laboratory data, field data, operating data, literature, or other.

7. Run-on Diversion

   Describe in detail the measures used to control run-on and divert run-on from the unit. Include all the analyses used to calculate the run-on volumes.

   The owner or operator must design, construct, operate, and maintain a run-on control system capable of preventing flow onto the active portion of the land treatment unit during peak discharge from a 100-year, 24-hour storm. [30 TAC 335.171(3)]

   Collection holding facilities (e.g., tanks or basins) associated with the run-on control system must be emptied or otherwise managed expeditiously after storms to maintain the design capacity of the system. [30 TAC 335.171(5)]

8. Run-off Control

   Describe in detail the measures used to control the run-off from the unit, and minimize hazardous constituents in the run-off, include all the analyses used to calculate the run-off volumes.

   The owner or operator must design, construct, operate and maintain a run-off management system to collect and control at least the water volume resulting from a 100-year, 24-hour storm. [30 TAC 335.171(4)]

   Collection and holding facilities (e.g., tanks or basins) associated with run-off control systems must be emptied or otherwise managed expeditiously after storms to maintain design capacity of the system. [30 TAC 335.171(5)]

9. Wind Dispersal

   The owner or operator of a land treatment unit containing hazardous waste which could be subject to dispersal by wind must cover or otherwise manage the land treatment unit so that wind dispersal is minimized. Describe practices to control wind dispersal (e.g., cover or frequent wetting) of the hazardous waste. [30 TAC 335.171(6)]

10. Treatment Demonstration

    A description of the treatment demonstration required under 40 CFR 264.272 and 270.20(a) shall be included with the engineering report. If the owner or operator intends to conduct field tests or laboratory analyses in order to make the

demonstration, he must obtain a treatment or disposal permit.

11. The owner or operator must establish an unsaturated zone monitoring program in accordance with 40 CFR 264.278 and a detailed monitoring program must be included in the application.

12. Food Chain Crops [40 CFR 264.276]

    Several conditions must be satisfied if food-chain crops are to be grown in or on the treatment zone. A demonstration must be prepared similar to the one described in the Treatment Demonstration and submitted at least 90 days prior to the planting of crops. The demonstration need not be submitted with this application. However, a description of the demonstration must be included as part of the engineering report. This demonstration may be combined with the Treatment Demonstration description, as some of the information required is identical.

G. Landfills

Provide an engineering report which includes all of the information specified in 30 TAC 305.50(a)(5), (6), (9), (10), and (12), 335.173, 40 CFR 264.19, 264.300, 264.301, 264.302, 264.303(a), 264.304, 264.309, 264.312, 264.313, 264.315-264.317, and applicable requirements of 270.21. The text of the report should be written to supplement engineering plans, specifications, and test results necessary to provide a detailed description of how the landfill will comply with these standards.

For landfills at a new hazardous waste management facility or which are part of an areal expansion of an existing hazardous waste management facility, include in the engineering report design, construction, and operational information specified in 30 TAC 335.204(e).

For all landfills, include in the report the following information.

1. Complete Table V.G.1 - Landfills and list the landfills (and number of cells, if applicable) covered by this application. List the waste(s) managed in each unit and the rated capacity or size of the unit. If wastes are segregated in some manner, list the cell number in which wastes are placed next to each waste type.

2. If a landfill will manage ignitable or reactive waste, as indicated on Table V.G.1, describe in the engineering report the procedures used to ensure compliance with 40 CFR 264.17 and 264.312.

3. If a landfill will manage incompatible waste, as indicated on Table V.G.1, describe in the engineering report the procedures used to ensure compliance with 40 CFR 264.17 and 264.313.

4. If a landfill will manage F020, F021, F022, F023, F026, and F027 waste, as indicated on Table V.G.1, describe in the engineering report the procedures used to ensure compliance with 40 CFR 264.317.

5. Describe the landfill. A plan view and cross-section of the landfill should be included with the engineering report. As appropriate, detailed plan, elevation, cross-section of landfill containment facilities shall be included with the report.

6. Containment System

   We suggest that the applicant use available recognized guidance documents, such as EPA publication 530-SW-85-014, which provide design guidance for liner

systems. The applicant is strongly encouraged to test each synthetic liner after installation by an electrical leak location test, such as the electric field method described in EPA Technical Guidance Document EPA/600/R-93/182, Quality Assurance and Quality Control for Waste Containment Facilities, or an equivalent method, such as those found in ASTM publications, and approved by the Executive Director. Construction above the liner may not proceed until any detected leaks are sealed.

a. Complete Table V.G.3. - Landfill Liner System and specify the type of liner used for the landfill.

b. In the engineering report, describe the design, installation, construction, and operation of the liner and leachate collection system. The description must demonstrate that the liner system will prevent discharge to the land, groundwater, and surface water. The following analyses should be included as attachments to the engineering report (A QAPP should be included in the report to ensure that each analysis is performed appropriately):

For artificial liners:

(1) Seaming method
(2) Surface preparation method
(3) Tensile Strength
(4) Impact Resistance
(5) Compatibility Demonstration
(6) Foundation Design (including Settlement Potential, Bearing Capacity and Stability, and Potential for Bottom Heave Blow-out)

For soil liners:

(7) Waste Migration Analysis (based on head, porosity, and permeability) for the most mobile and least attenuated waste constituents
(8) Atterberg Limits, % passing a #200 sieve, and Permeability
(9) Moisture Content
(10) Standard Proctor Density, Compaction Data

For Leachate Collection System

For incorporation into the permit, complete Table V.G.4. - Landfill Leachate Collection System used for the landfill.

(11) Capacity of the system:
  (a) rate of leachate removal
  (b) capacity of sumps
  (c) thickness of mounding and maximum hydraulic head
(12) Pipe Material and Strength
(13) Pipe Network Spacing and Grading
(14) Collection Sump(s) Material and Strength
(15) Drainage Media Specifications and Performance
(16) Analyses showing that pipe and pipe perforation size will prevent clogging and allow free liquid access to the pipe.
(17) Compatibility Demonstration

c. State whether the liner system components are chemically resistant to the waste and how this resistance was determined. Attach any tests or documentation to the engineering report.

d. Provide a quality assurance/quality control plan for all components to demonstrate that all components will be properly installed and will perform to design specifications.

e. Whether the leachate collection components are chemically resistant to the waste and how this resistance was determined. Attach any tests or documentation to the engineering report.

f. Provide a Response Action Plan that proposes actions to be taken in the case of exceedance of the landfill Action Leakage Rate. At a minimum the Response Action Plan must include the requirements of 40 CFR 264.304.

7. For Dikes:

a. Slope Stability Analysis;

b. Hydrostatic and Hydrodynamic Analyses

c. Ability to withstand scouring from leaking liner.

8. Landfills that receive waste on or after May 8, 1985 (or for newly-regulated units, the effective date of the new RCRA regulation) into new units and/or lateral expansions or replacements of existing units must meet the minimum technological requirements of the Hazardous and Solid Waste Amendments of 1984, unless an appropriate waiver is granted by the Commission. The owner or operator of each new landfill unit for which the construction commences after January 29, 1992, or each lateral expansion of an existing landfill unit where construction commences after July 29, 1992, or replacement of an existing landfill unit that commence reuse after July 29, 1992 must install two or more liners and leachate collection and removal system unless commission approves alternate design or operating practices. Plans and specifications for both new and existing landfills must demonstrate conformity with 30 TAC 335.173 and 40 CFR 264.301(c).

9. Site Development Plan

Describe the methods used to deposit waste in the landfill. This description should include rate of waste deposition, waste segregation, average lift size, maximum lift, average cell or trench size, maximum cell or trench size, and other information necessary to depict how the landfill will be developed. Do not include liner or leachate collection system information, closure information, or handling of special wastes. This will be included elsewhere in the report.

10. Run-on Control [30 TAC 335.173(g)]

The owner or operator must design, construct, operate, and maintain a run-on control system capable of preventing flow onto the active portion of the landfill during peak discharge from at least a 100-year, 24-hour storm.

In the engineering report, include the following analyses:

a. Run-on volume and depth calculations from the peak discharge of the 100-year, 24-hour storm; and

b. For ditches on the plant property, back-water calculations.

Collection and holding facilities (e.g., tanks or basins) associated with the run-on control system must be emptied or otherwise managed expeditiously. [30 TAC 335.173(i)]

11. Run-off Control [30 TAC 335.173(h)]

The owner or operator must design, construct, operate, and maintain a run-off management system to collect and control the water volume resulting from a 100-year, 24-hour storm.

Include all analyses used to calculate run-off volumes.

Collection and holding facilities (e.g., tanks or basins) associated with run-off control systems must be emptied or otherwise managed expeditiously after storms to maintain design capacity of the system. [30 TAC 335.173(i)]

12. Wind Dispersal [30 TAC 335.173(j)]

    If the landfill contains any particulate matter which may be subject to wind dispersal, the owner or operator must cover or otherwise manage the landfill to minimize wind dispersal. Based upon the characteristics of the material to be landfilled describe the likelihood of wind dispersal occurring. Describe in detail any method and/or control mechanism used to prevent wind dispersal.

13. Liquid Waste

    If liquid waste or waste containing free liquids is to be stabilized and then placed in the landfill, the procedures used to stabilize the waste must be described in the engineering report. The waste must be treated prior to landfilling using a treatment technology that does not solely involve the use of a material that functions primarily as a sorbent. Provide supporting documentation to verify that an appropriate stabilization procedure is used to comply with 30 TAC 335.175.

14. The Commission may approve an alternate design or operating practice for a landfill if the owner or operator demonstrates that such design or operating practices, together with location characteristics [40 CFR 264.301(d)]:
    a. Will prevent the migration of hazardous constituents into the groundwater or surface water at least as effectively as the liners and leachate collection and removal system; and
    b. Will allow detection leaks of hazardous constituents through the top liner at least as effectively.

15. Exemption from Double-Liner Requirements for Monofills [264.301(e)]

    Owners or operators of hazardous waste monofills will be exempted from the double-liner requirements if the Commission finds, based on a demonstration by the owner or operator, that alternative design and operating practices, together with location characteristics are at least as effective as a double liner in preventing migration of hazardous constituents to the groundwater or surface water. If an exemption is sought, submit detailed plans and engineering and hydrogeologic reports, as appropriate, describing alternate design and operating practices that will, in conjunction with location aspects, prevent the migration of any hazardous constituents into the groundwater or surface water at any future time.

16. Above-grade Benefits

    The engineering report must evaluate the benefits, if any, associated with the construction of the landfill above existing grade at the proposed site, the costs associated with the above-grade construction, and the potential adverse effects, if any, which would be associated with the above-grade construction. [TX. Health and Safety Code 361.108]

H. Incinerators

As applicable, provide an engineering report which includes all of the information specified in 30 TAC 305.171-305.176, 40 CFR 264.340, 264.342-264.346, 264.347(a), and 270.19. In addition, the Executive Director may require additional information to address the requirements in 30 TAC 305.50(a)(15).

Note: Please review the information provided in the section above entitled "Engineering Report for Combustion Units" and 40 CFR 270.19(e) to determine applicability of standards and associated requirements in 40 CFR Part 264, Subpart O. If the permit contains risk-based permit conditions, please ensure that all applicable supporting information is included in the engineering report.

1. Complete Table V.H.1 - Incinerators and list the incinerators covered by this application and list the waste managed in each unit.
2. Complete Table V.H.2 - Incinerator Permit Conditions, Monitoring, and Automatic Waste Feed Cutoff Systems for each Incinerator.
3. Complete Table V.H.3 - Maximum Constituents Feed Rate for each Incinerator.
4. Complete Table V.H.4 - Maximum Allowable Emission Rates for each Incinerator.
5. For use during the shakedown period, the trial burn period and the period after completion of the initial trial burn, complete Table V.H.5 - Incinerator Permit Conditions, Monitoring, and Automatic Waste Feed Cutoff-Short-Term Operation for each new or modified Incinerator.
6. If an incinerator will manage reactive or incompatible waste, as indicated on Table V.H.1, describe in the engineering report the procedures used to ensure compliance with 40 CFR 264.17.
7. If an incinerator will manage F020, F021, F022, F023, F026, and F027 waste, as indicated on Table V.H.1, the DRE requirement is 99.9999%.
8. If a trial burn for a modified unit and Comprehensive Performance Test under 40 CFR Part 63, Subpart EEE (HWC MACT) (for all new and modified units) will be performed, designate one or more of the 40 CFR 261 Appendix VIII organic compounds present in the wastes to be incinerated as Principal Organic Hazardous Constituents (POHCs). Selection will be based upon the degree of difficulty of incineration of these compounds and upon their concentration or mass in the waste feed. These POHCs will be used to determine the destruction and removal efficiency (DRE) specified in the performance standards of 40 CFR 264.343 and HWC MACT. In addition, complete Table V.H.8 - Principal Organic Hazardous Constituents.
9. Submit a Quality Control/Quality Assurance Plan for all sampling, analysis, and monitoring activities which will occur in conjunction with the trial burn.
10. As applicable, facilities with existing permits may request that the Executive Director to address permit conditions that minimize emissions from startup, shutdown, and malfunction events in accordance with the options under 40 CFR 270.235 when requesting the removal of permit conditions that are no longer applicable according to 30 TAC 305.175. Please provide the relevant information needed to process the requested option to minimize emissions identified in 40 CFR 270.235(1)(a)(i)-(iii). (30 TAC 305.176)

I. Boilers and Industrial Furnaces

As applicable, provide an engineering report which includes all of the information specified in 30 TAC 305.50(a)(13), 305.571-573, 40 CFR 266.100 and 266.102 (as incorporated by reference in 30 TAC 335.221 through 335.225), 266.104-266.112, and 270.22. In addition, the Executive Director may require additional information to address the requirements in 30 TAC 305.50(a)(15).

Note: Please review the information provided in the section above entitled "Engineering Report for Combustion Units" and 40 CFR 270.22 to determine applicability of standards and associated requirements in 40 CFR Part 266, Subpart H. Area sources that elect to comply with the standards and associated requirements of 40 CFR 266.105, 266.106, and 266.107 should address those elected standards and requirements in the engineering report. If the permit contains risk-based permit conditions, please ensure that all applicable supporting information is included in the engineering report.

1. Complete Table V.I.1 - Boilers and Industrial Furnaces and list the boilers and/or industrial furnaces covered by this application to be permitted and list the waste managed in each unit.
2. Complete Table V.I.2 - Boiler and Industrial Furnace Permit Conditions, Monitoring, and Automatic Waste Feed Cutoff Systems for each unit.
3. Complete Table V.I.3 - Maximum Constituent Feed Rate for each unit.
4. Complete Table V.I.4 - Maximum Allowable Emission Ratesfor each unit.
5. For use during the shakedown period, trial burn period and the period after completion of the initial trial burn, complete Table V.I.5 - Boiler and Industrial Furnace Permit Conditions, Monitoring, and Automatic Waste Feed Cutoff Systems-Short-Term Operation for each new or modified unit.
6. If a boiler or industrial furnace will manage reactive or incompatible waste, as indicated on Table V.I.1, describe in the engineering report the procedures used to ensure compliance with 40 CFR 264.17.
7. If a boiler and industrial furnace will manage F020, F021, F022, F023, F026, and F027 waste, as indicated on Table V.I.1, the DRE requirement is 99.9999%.
8. If a trial burn for modified units and Comprehensive Performance Test under 40 CFR Part 63, Subpart EEE (HWC MACT) (for all new and modified units) will be performed, designate one or more of the 40 CFR 261 Appendix VIII organic compounds present in the wastes to be incinerated as Principal Organic Hazardous Constituents (POHCs). Selection will be based upon the degree of difficulty of incineration of these compounds and upon their concentration or mass in the waste feed. These POHCs will be used to determine the destruction and removal efficiency (DRE) specified in the performance standards of 40 CFR 266.104 and HWC MACT. In addition, complete Table V.I.8 - Principal Organic Hazardous Constituents.
9. Submit a Quality Control/Quality Assurance Plan for all sampling, analysis, and monitoring activities.
10. As applicable, facilities with existing permits may request that the Executive Director to address permit conditions that minimize emissions from startup, shutdown, and malfunction events in accordance with the options under 40 CFR 270.235 when requesting the removal of permit conditions that are no longer

applicable according to 30 TAC 305.571(b). Please provide the relevant information needed to process the requested option to minimize emissions identified in 40 CFR 270.235(1)(a)(i)-(iii). [30 TAC 305.572(a)(6)]

J. Drip Pads

Provide an engineering report which includes all of the information specified in 40 CFR 264.570-573 and 270.26.

1. Complete Table V.J.1. - Drip Pads and list the drip pads, covered by this application, to be permitted. List the N.O.R. unit number, the waste managed in each unit, the rated capacity of each unit, and the overall dimensions of the unit (including perimeter curb or berm height) that will be in contact with the waste.
2. For either new drip pads[1] or existing drip pads for which the owner/operator elects to comply with the synthetic liner requirement of 40 CFR 264.573(b), please complete Table V.J.2. - Drip Pad Synthetic Liner System.
3. In the engineering report, describe the design, installation, construction, and operation of the liner and leakage collection system. The description must demonstrate that the liner system will prevent discharge to the land, groundwater, and surface water. The following analyses should be included as attachments to the engineering report (A QAPP should be included in the report to ensure that each analysis is performed appropriately):

For artificial liners:

a. Seaming method
b. Surface preparation method
c. Tensile Strength
d. Impact Resistance
e. Compatibility Demonstration
f. Foundation Design (including Settlement Potential, Bearing Capacity and Stability, and Potential for Bottom Heave Blow-out)

For Leakage Collection System

g. Capacity of the system:
    (1) rate of leachate removal
    (2) capacity of sumps
    (3) thickness of mounding and maximum hydraulic head
h. Pipe Material and Strength
i. Pipe Network Spacing and Grading
j. Collection Sump(s) Material and Strength
k. Drainage Media Specifications and Performance
l. Analyses showing that pipe and pipe perforation size will prevent clogging and allow free liquid access to the pipe.

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1 New drip pads are those drip pads constructed after 12/06/90 and which had no binding contract for construction. If electing to comply with 40 CFR 264.573(b), the requirement to install a leakage collection system of 40 CFR 264.573(b)(3) applies only to those drip pads constructed after 12/24/92 and which had no binding contract for construction.

m. Compatibility Demonstration

K. Miscellaneous Units

A miscellaneous unit is a unit other than a container, tank, incinerator, boiler, industrial furnace, landfill, surface impoundment, waste pile, underground injection well, land treatment area, drip pad, or unit eligible for an R, D & D permit that is used to process, store, or dispose of hazardous waste.

For each miscellaneous unit for which an operating permit is sought, provide an engineering report which includes all of the information specified in 40 CFR 264.600-264.602, and 270.23.

1. Complete Table V.K - Miscellaneous Units and list the miscellaneous units covered by this application. List the waste managed in each unit and the rated capacity or size of the unit. If the information requested is not applicable, an explanation must be submitted.
2. Provide any other information which is descriptive of the relationship between the miscellaneous unit and the environment. Application information may include design requirements of 30 TAC 305 and 335, 40 CFR Part 264 Subparts I through O, and Part 270 that are appropriate for the miscellaneous unit or portions of the unit being permitted.
3. For a unit which involves combustion, please provide emissions data or a trial burn plan. Tables V.H.1-5 for incinerators or Tables V.I.1-5 for boilers and industrial furnaces may be adapted as appropriate to provide operation, monitoring, and emission information for a miscellaneous combustion unit.

L. Containment Buildings

Provide an engineering report which includes all of the information specified in 40 CFR 264.1100-1101(c)(3), and 264.1101(d)-(e).

Complete Table V.L. - Containment Buildings and list the containment buildings covered by this application to be permitted. List the N.O.R. unit number, whether the unit is for storage and/or processing, the waste or debris managed in each unit, the rated capacity of each unit, and the overall dimensions of the unit (including containment wall height) that will be in contact with the waste or debris.

Table V.A. – Facility Waste Management Handling Units

TCEQ Permit Unit No.[1]	Unit Name	NOR No.[1]	Unit Description[3]	Capacity	Unit Status[2]

1. Permitted Unit No. and NOR No. cannot be reassigned to new units or used more than once and all units that were in the Attachment D of a previously issued permit must be listed.
2. Unit Status options: Active, Closed, Inactive (built but not managing waste), Proposed (not yet built), Never Built, Transferred, Post-Closure.
3. If a unit has been transferred, the applicant should indicate which facility/permit it has been transferred to in the Unit Description column of Table V.A.

Table V.B. – Container Storage Area

Permit Unit No.	Container Storage Area	N.O.R. No.	Waste Nos.[4]	Rated Capacity[3]	Dimensions	Containment Volume (including rainfall for unenclosed areas)	Unit will manage Ignitable[1], Reactive[1], or Incompatible[2] waste (state all that apply)

1 Containers managing ignitable or reactive waste must be located at least 15 meters (50 feet) from the facility's property line.
2 Incompatible waste must be separated from other waste or materials stored nearby in other containers, piles, open tanks, or surface impoundments by means of a dike, berm, wall, or other device.
3 Container Storage Areas need to include in capacity calculations any nonhazardous wastes and universal wastes managed in the unit in addition to hazardous wastes.
4 from Table IV.B, first column

Table V.C. – Tanks and Tank System

Permit Unit No.	Tank	N.O.R. No.	Storage and/or Processing	Waste Nos.[1]	Rated Capacity	Dimensions	Containment Volume (including rainfall for unenclosed areas)	Unit will manage Ignitable, Reactive, or Incompatible Waste (state all that apply)

1 from Table IV.B, first column

Table V.D.1. – Surface Impoundments

Permit Unit No.	Surface Impoundment	N.O.R. No.	Waste Nos.[1]	Rated Capacity	Dimensions[2]	Distance from lowest liner to groundwater	Action Leakage Rate (if required)	Unit will manage Ignitable, Reactive, Incompatible, or F020, F021, F022, F023, F026, and F027 Waste (state all that apply)

1from Table IV.B, first column
2Dimensions should be provided as average length, width and depth, also include the surface acreage for the unit.

Table V.D.6. – Surface Impoundment Liner System

Surface Impoundment	Primary Liner			Secondary Liner			Clay Liner		
	Material	Permeability (cm/sec)	Thickness	Material	Permeability (cm/sec)	Thickness	Material	Permeability (cm/sec)	Thickness

Table V.E.1. – Waste Piles

Permit Unit No.	Waste Pile	N.O.R. No.	Waste Nos.[1]	Rated Capacity	Dimensions[2]	Distance from lowest liner to groundwater	Action Leakage Rate (if required)	Unit will manage Ignitable, Reactive, Incompatible, or F020, F021, F022, F023, F026, and F027 Waste (state all that apply)

1from Table IV.B, first column
2Dimensions should be provided as average length, width and depth, also include the surface acreage for the unit.

Table V.E.3. – Waste Pile Liner System

Waste Pile	Primary Liner			Secondary Liner			Clay Liner		
	Material	Permeability (cm/sec)	Thickness	Material	Permeability (cm/sec)	Thickness	Material	Permeability (cm/sec)	Thickness

Table V.F.1. – Land Treatment Units

List the land treatment units covered by this application. List the waste managed in each unit and the rated capacity or size of the unit.

Permit Unit No.	Land Treatment Unit	N.O.R. No.	Waste Nos.[1,2]	Dimensions[3]	Distance from lowest liner to groundwater	Unit will manage Ignitable, Reactive, Incompatible, or F020, F021, F022, F023, F026, and F027 Waste (state all that apply)

1from Table IV.B, first column
2If cadmium is present in the waste, state the concentration in the report.
3Dimensions should be provided as average length, width and depth, also include the surface acreage for the unit.

Table V.F.2. – Land Treatment Unit Capacity

For the land treatment units listed in Table IV.F.1, specify the waste treatment capacity.

Permit Unit No.*	Land Treatment Unit	N.O.R. No.	Rated Capacity				Treatment Zone Depth
			Monthly Hydraulic Loading	Monthly Organic Loading	Monthly Inorganic Loading	Cumulative Lifetime Loading	

* This number should match the Permit Unit No. given on Table V.F.1.

Table V.F.3. – Land Treatment Principal Hazardous Constituents

List the wastes for which the demonstration will be made and the principal hazardous constituents in each waste. Indicate by an (*) asterisk which constituents will be treated and rendered nonhazardous.

Waste	Hazardous Constituents

Table V.G.1. – Landfills

Permit Unit No.	Landfill	N.O.R. No.	Waste Nos.[1]	Rated Capacity	Dimensions[2]	Distance from lowest liner to groundwater	Action Leakage Rate (if required)	Unit will manage Ignitable, Reactive, Incompatible, or F020, F021, F022, F023, F026, and F027 Waste (state all that apply)

1from Table IV.B, first column
2Dimensions should be provided as average length, width and depth, also include the surface acreage for the unit.

Table V.G.3. – Landfill Liner System

Permit Unit No.*	Landfill	Primary Liner			Secondary Liner			Clay Liner		
		Material	Permeability (cm/sec)	Thickness	Material	Permeability (cm/sec)	Thickness	Material	Permeability (cm/sec)	Thickness

* This number should match the Permit Unit No. given on Table V.G.1.

Table V.G.4. – Landfill Leachate Collection System

Landfill	Primary Leachate Collection System					Secondary Leachate Collection System				
	Drainage Media	Collection Pipes (including risers)	Filter Fabric	Geofabric	Sump Material	Drainage Media	Collection Pipes (including risers)	Filter Fabric	Geofabric	Sump Material

Table V.H.1. – Incinerators

List the incinerators covered by this application to be permitted. List the waste managed in each unit and the rated capacity or size of each unit.

Permit Unit No.*	Incinerators	N.O.R. No.	Waste Nos.[1]	Waste Physical Form (Pumpable or Non-pumpable	Reactive, Incompatible, or F020, F021, F022, F023, F026, or F027 Waste

1From the first column of Table IV.B.

* If the unit is already permitted, use the established "Permit Unit No." If the unit is not yet permitted, the number given here for the unit will become the "Permit Unit No." The numbers should be in an order that will be convenient for the facility operator.

Table V.H.2. – Incinerator Permit Conditions, Monitoring and Automatic Waste Feed Cutoff Systems

[Use a table for each unit and fill in all columns with the appropriate information]

Parameter	Monitoring Basis[1]	Monitoring Device	Device Location	Permit Limit	Primary Combustion Chamber AWFCO Y/N2	Secondary Combustion Chamber AWFCO Y/N[2]
Operating Parameters						
Maximum Total Hazardous Waste Feed Rate *[Additional hazardous waste feed limits shall be added as determined necessary based upon feed mechanism and/or waste-specific needs]*		*[Volumetric Flow Meter[3] or Mass Flow Meter as applicable to the feed mechanism]*	Feed System	lb/hr	Y	Y
Maximum Total Pumpable Hazardous Waste Mass Feed Rate *[Not applicable for Tier I or Tier I adjusted metals control limits]*		Volumetric Flow Meter[3] or Mass Flow Meter	Feed System	lb/hr		
Minimum Primary Combustion Chamber Temperature		Thermocouple *[or other device]*	Primary Chamber Exit	lb/hr		
Minimum Secondary Combustion Chamber Temperature		Thermocouple *[or other device]*	Secondary Chamber Exit	°F	Y	Y
Maximum Secondary and/or Primary Combustion Chamber Temperature [Include if using Tier II, III metals controls only]		Thermocouple *[or other device]*	Secondary Chamber Exit	°F	Y	Y
Maximum Flue Gas Temperature at PM Control Device Inlet [Tier II and Tier III Metals only as applicable]		Thermocouple *[or other device]*	At entrance to PM Control	°F	Y	Y
Maximum Combustion Gas Velocity Indicator *[If condition is something other than "maximum combustion gas velocity", write specific name of condition]*					Y	Y
Atomization parameters *[as necessary]*						[as appropriate]
Feed Rates: (Metals, Total Chlorine, and Ash)			Volumetric Flow Meter[3]			
or Mass Flow Meter	Feed	Limits Specified in	N	N		

Parameter	Monitoring Basis[1]	Monitoring Device	Device Location	Permit Limit	Primary Combustion Chamber AWFCO Y/N2	Secondary Combustion Chamber AWFCO Y/N[2]
	Systems	Table ____ *[Maximum Constituent Feed Rates]*				
Secondary Combustion Zone Pressure *[or other method for fugitives monitoring]*				e.g., in. H2O	*[Yes, if neg. pressure is used to control fugitives.]*	*[Yes, if neg. pressure is used to control fugitives.]*
Primary Combustion Zone Pressure *[or other method for fugitives monitoring]*				e.g., in. H2O	*[Yes, if neg. pressure is used to control fugitives.]*	*[Yes, if neg. pressure is used to control fugitives.]*
CEMS Monitoring Parameters						
Stack Oxygen	Continuous	CEMS	Stack	No Limit (for correction to 7% O2)	N	N
Stack CO	Continuous HRA	CEMS	Stack	100 ppmv HRA, 7% O2, dry basis	Y	Y
Stack THC *[If specified in the permit]*	Continuous HRA	CEMS	Stack	20 ppmv HRA, 7% O2, dry basis	Y	Y
APCD Parameters						
Pressure drop across Baghouse *[or fabric filter]*				_____ in. W.C.		
[Wet Scrubbers:]						
Ionizing Wet Scrubber minimum voltage				_____ kilovolts (kV)		
Minimum liquid to flue gas ratio (L/G)				_____ gallons/1000 actual cubic feet (acf)		
Minimum scrubber blowdown				_____ gallons/min		

Parameter	Monitoring Basis[1]	Monitoring Device	Device Location	Permit Limit	Primary Combustion Chamber AWFCO Y/N2	Secondary Combustion Chamber AWFCO Y/N[2]
Minimum scrubber water pH				_____		
[Venturi Scrubbers:]						
Venturi scrubber minimum liquid to gas ratio (L/G)				_____ gallons/1000 actual cubic feet minute (acfm		
Minimum differential gas pressure across venturi scrubber				____ in. W.C.		
[Dry Scrubbers:]						
Minimum alkaline reagent *[insert name of reagent here, such as lime]* flow to the dry scrubber				_____ pounds per minute		
Maximum flue gas flow rate				_____acfm		
[Absorbers:]						
Absorber minimum pH of incoming liquid				_____		
Absorber minimum liquid to gas ratio (L/G)				_____ gallons/1000 actual cubic feet (acf)		
Other Air Pollution Control Devices permit conditions as necessary						

1Instantaneous as defined in 40 CFR 266.102(e)(6)(i)(A) shall mean a value which occurs at any time. A value shall be determined by the monitoring device no less than every 15 seconds.
Continuous monitor is one which continuously samples or measures the regulated parameter without interruption, and evaluates the detector response at least once each 15 seconds, and computes and records the average value at least every 60 seconds.
Hourly Rolling Average (HRA) as defined in 40 CFR 266.102(e)(6)(i)(B).
- For carcinogenic metals and lead feed rates: Instantaneous as defined above or, rolling average as defined in 40 CFR 266.102(e)(6)(ii).
2AWFCO: Automatic Waste Feed Cutoff. For AWFCOs indicated by "Y", the Permit Limit in the table triggers an AWFCO.
3The respective specific gravity and constituent concentration of each stream associated with a volumetric rate must be known to determine the mass feed rate.

Table V.H.3. – Maximum Constituent Feed Rates

[Multi-chamber Incinerators (e.g., rotary kilns) may need feed rate limits to each combustion chamber.] The total feed rate of constituents to the incinerator(s) shall not exceed the following limitations in grams per hour (g/hr) or tons per year (T/yr), as noted. The metals limitations have been evaluated through the risk assessment. The ash and chlorine limits are based upon testing or regulatory limits.

Constituent	Maximum Allowable Feed Rate In All Feedstreams Hourly Basis (g/hr)	Maximum Allowable Feed Rate In All Hazardous Waste Feedstreams Hourly Basis (g/hr)[1]	Maximum Allowable Feed Rate in All Pumpable Hazardous Waste Feedstreams Hourly Basis (g/hr)[1]	Maximum Allowable Feed Rate in All Feedstreams Annual Basis (T/yr)
Arsenic				
Beryllium				
Cadmium				
Total Chromium				
Antimony				
Barium				
Lead				
Mercury				
Silver				
Thallium				
(Others as Necessary)				
Total Chlorine		Not applicable	Not applicable	Not applicable
Ash to Secondary Combustion Chamber or Other Primary Chamber if Only Pumpable Waste is Fed		Not applicable	Not applicable	Not applicable

1Not applicable for Tier I or Tier I adjusted metals feed rate screening limits.

[Hourly feed rate limits must comply with the requirements of 40 CFR 266.106 for carcinogenic metals and non-carcinogenic metals. As applicable, the feed rate limit for chromium may be specified as hexavalent and total chromium limits.]

Table V.H.4. – Maximum Allowable Emission Rates

[Use a table for each operating mode as applicable]

Carcinogenic Constituent (Compliance Tier)	Maximum Allowable Emission Rate[1]	Units[2]
Arsenic (Tier___)		g/hr
Beryllium (Tier___)		g/hr
Cadmium (Tier___)		g/hr
Chromium, Total (Tier___)		g/hr
Non-Carcinogenic Constituent(Compliance Tier)	Maximum Allowable Emission Rate1	Units2
Antimony (Tier___)		g/hr
Barium (Tier___)		g/hr
Lead (Tier___)		g/hr
Mercury (Tier___)		g/hr
Silver (Tier___)		g/hr
Thallium (Tier___)		g/hr
Hydrogen Chloride (Tier___)		g/hr
Free Chlorine (Tier___)		g/hr
Particulate Matter	0.08	Grains/dscf

1 Not applicable for Tier I or Tier I adjusted feed rate screening limits.
2g/hr denotes grams per hour. Grains/dscf denotes grains per dry standard cubic foot (standard conditions: 760 mm Hg, 68 °F) after correction to a stack gas concentration of 7% oxygen.

Note: Site-specific dispersion modeling factor x.xxx *[insert dispersion factor for Tier III as applicable]* micrograms per cubic meter per grams per second emission rate.

Table V.H.5. - Incinerator Permit Conditions, Monitoring and Automatic Waste Feed Cutoff Systems - Short-Term Operation

[Use this table for each new or modified Incinerator unit and fill in all columns with the appropriate information]

Parameter	Monitoring Basis[1]	Monitoring Device	Device Location	Short-Term Operating Permit Limits			Primary Combustion Chamber AWFCO Y/N[2]	Secondary Combustion Chamber AWFCO Y/N[2]
				Pre-Trial Burn - Shakedown	Trial Burn	Post Trial Burn		
Operating Parameters								
Maximum Total Hazardous Waste Feed Rate *[Additional hazardous waste feed limits shall be added as determined necessary based upon feed mechanism and/or waste-specific needs]*		*[Volumetric Flow Meter[3] or Mass Flow Meter as applicable to the feed mechanism]*	Feed System	lb/hr			Y	Y
Maximum Total Pumpable Hazardous Waste Mass Feed Rate *[Not applicable for Tier I or Tier I adjusted metals screening limits]*		Volumetric Flow Meter[3] or Mass Flow Meter	Feed System	lb/hr				
Minimum Primary Combustion Chamber Temperature		Thermocouple *[or other device]*	Primary Chamber Exit	°F			Y	N
Minimum Secondary Combustion Chamber Temperature		Thermocouple *[or other device]*	Secondary Chamber Exit	°F			Y	Y
Maximum Secondary and/or Primary Combustion Chamber Temperature *[Include if using Tier II/ III metals controls.]*		Thermocouple *[or other device]*	Secondary Chamber Exit	°F			Y	Y
Maximum Flue Gas Temperature at PM Control Device Inlet *[Tier II/III metals controls as applicable.]*		Thermocouple *[or other device]*	At entrance to PM Control Device	°F			Y	Y
Maximum Combustion Gas Velocity Indicator *[If condition is something other than "maximum combustion gas velocity", write specific name of condition]*							Y	Y

Parameter	Monitoring Basis[1]	Monitoring Device	Device Location	Short-Term Operating Permit Limits			Primary Combustion Chamber AWFCO Y/N[2]	Secondary Combustion Chamber AWFCO Y/N[2]
				Pre-Trial Burn - Shakedown	Trial Burn	Post Trial Burn		
Atomization parameters *[as necessary]*								*[as appropriate]*
Feed Rates: (Metals, Total Chlorine, and Ash)		Volumetric Flow Meter[3] or Mass Flow Meter	Feed Systems	Limits Specified in Table _____			N	N
Secondary Combustion Zone Pressure *[or other method for fugitives monitoring]*				e.g., in. H2O			*[Yes, if neg. pressure is used to control fugitives.]*	*[Yes, if neg. pressure is used to control fugitives.]*
Primary Combustion Zone Pressure *[or other method for fugitives monitoring]*				e.g., in. H2O			*[Yes, if neg. pressure is used to control fugitives.]*	N
CEMS Monitoring Parameters								
Stack Oxygen	C	CEMS	Stack	No Limit (for correction to 7% O2)			N	N
Stack CO	C, HRA	CEMS	Stack	100 ppmv HRA, 7% O2, dry basis			Y	Y
Stack THC *[If specified in the permit]*	C, HRA	CEMS		20 ppmv HRA, 7% O2, dry basis			Y	Y
APCD Parameters								
Pressure drop across Baghouse *[or fabric filter]*				_____ in. W.C.				
[Wet Scrubbers:]								

Parameter	Monitoring Basis[1]	Monitoring Device	Device Location	Short-Term Operating Permit Limits			Primary Combustion Chamber AWFCO Y/N[2]	Secondary Combustion Chamber AWFCO Y/N[2]
				Pre-Trial Burn - Shakedown	Trial Burn	Post Trial Burn		
Ionizing Wet				_____ kilovolts (kV)				
Scrubber minimum voltage								
Minimum liquid to flue gas ratio (L/G)				_____ gallons/1000 actual cubic feet (acf)				
Minimum scrubber blowdown				_____ gallons/min				
Minimum scrubber water pH				_____				
[Venturi Scrubbers:]								
Venturi scrubber minimum liquid to gas ratio (L/G)				_____ gallons/1000 actual cubic feet minute (acfm)				
Minimum differential gas pressure across venturi scrubber				____ in. W.C.				
[Dry Scrubbers:]								
Minimum alkaline reagent [insert name of reagent here, such as lime] flow to the dry scrubber				_____ pounds per minute				
Maximum flue gas flow rate				_____acfm				
[Absorbers:]								
Absorber minimum pH of incoming liquid				_____				

Parameter	Monitoring Basis[1]	Monitoring Device	Device Location	Short-Term Operating Permit Limits			Primary Combustion Chamber AWFCO Y/N[2]	Secondary Combustion Chamber AWFCO Y/N[2]
				Pre-Trial Burn - Shakedown	Trial Burn	Post Trial Burn		
Absorber minimum liquid to gas ratio (L/G)				_____ gallons/1000 actual cubic feet (acf)				
Other Air Pollution Control Devices permit conditions as necessary								

1 **(I)** *Instantaneous* as defined in 40 CFR 266.102(e)(6)(i)(A) shall mean a value which occurs at any time. A value shall be determined by the monitoring device no less than every 15 seconds.
(C) *Continuous monitor* is one which continuously samples or measures the regulated parameter without interruption, and evaluates the detector response at least once each 15 seconds, and computes and records the average value at least every 60 seconds.
(HRA) *Hourly Rolling Average* as defined in 40 CFR 266.102(e)(6)(ii).
For carcinogenic metals and lead feed rates: *Instantaneous* as defined above or, *Rolling average* as defined in 40 CFR 266.102(e)(6)(ii)
2**AWFCO**: *Automatic Waste Feed Cutoff*. For AWFCOs indicated by "Y", the Permit Limit in the table triggers an AWFCO.
3The respective specific gravity and constituent concentration of each stream associated with a volumetric rate must be known to determine the mass feed rate.

Table V.H.8 - Principal Organic Hazardous Constituents

List the wastes for which the trial burn demonstration will be made and the principal organic hazardous constituents (POHCs) in each waste.

Waste	Principal Organic Hazardous Constituents

Table V.I.1. - Boilers/Industrial Furnaces

Permit Unit No.	Boilers/Industrial Furnaces	N.O.R. No.	Waste Nos.[1]	Waste Physical Form (Pumpable or Non-pumpable)	Reactive, Incompatible, or F020, F021, F022, F023, F026, or F027 Waste

1From the first column of Table IV.B.
* If the unit is already permitted, use the established "Permit Unit No." If the unit is not yet permitted, the number given here for the unit will become the "Permit Unit No." The numbers should be in an order that will be convenient for the facility operator.

Table V.I.2. - Boiler/Industrial Furnace Permit Conditions, Monitoring and Automatic Waste Feed Cutoff Systems

[Use a table for each unit and fill in all columns with the appropriate information]

Parameter	Monitoring Basis[1]	Monitoring Device	Device Location	Permit Limit	AWFCO Y/N[2]
Operating Parameters					
Maximum Total Hazardous Waste Feed Rate *[Additional hazardous waste feed limits shall be added as determined necessary based upon feed mechanism and/or waste-specific needs]*		*[Volumetric Flow Meter[3] or Mass Flow Meter as applicable to the feed mechanism]*	Feed System	lb/hr	Y
Maximum Total Pumpable Hazardous Waste Mass Feed Rate *[Not applicable for Tier I or Tier I adjusted metals control limits]*		Volumetric Flow Meter[3] or Mass Flow Meter	Feed System	lb/hr	
Minimum Primary Combustion Chamber Temperature		Thermocouple *[or other device]*	Primary Chamber Exit	°F	Y
Minimum Secondary Combustion Chamber Temperature		Thermocouple *[or other device]*	Secondary Chamber Exit	°F	Y
Maximum Secondary and/or Primary Combustion Chamber Temperature *[Include if using Tier II, III metals controls only]*		Thermocouple *[or other device]*	Secondary Chamber Exit	°F	Y
Maximum Flue Gas Temperature at PM Control Device Inlet *[Tier II and Tier III Metals only as applicable]*		Thermocouple *[or other device]*	At entrance to PM Control Device	°F	Y
Maximum Combustion Gas Velocity Indicator *[If condition is something other than "maximum combustion gas velocity", write specific name of condition]*					Y
Atomization parameters *[as necessary]*					
Feed Rates: (Metals, Total Chlorine, and Ash)		Volumetric Flow Meter[3]			
or Mass Flow Meter	Feed Systems	Limits Specified in Table _____ *[Maximum Constituent Feed Rates]*	N	N	
Secondary Combustion Zone Pressure *[or other method for fugitives monitoring]*				e.g., in. H2O	*[Yes, if neg. pressure is used*

Parameter	Monitoring Basis[1]	Monitoring Device	Device Location	Permit Limit	AWFCO Y/N[2]
					to control fugitives.]
Primary Combustion Zone Pressure *[or other method for fugitives monitoring]*				e.g., in. H2O	*[Yes, if neg. pressure is used to control fugitives.]*
CEMS Monitoring Parameters					
Stack Oxygen	Continuous	CEMS	Stack	No Limit (for correction to 7% O2)	N
Stack CO	Continuous HRA	CEMS	Stack	100 ppmv HRA, 7% O2, dry basis	Y
Stack THC *[If specified in the permit]*	Continuous HRA	CEMS	Stack	20 ppmv HRA, 7% O2, dry basis	Y
APCD Parameters					
Pressure drop across Baghouse *[or fabric filter]*				_____ in. W.C.	
[Wet Scrubbers:]					
Ionizing Wet Scrubber minimum voltage				_____ kilovolts (kV)	
Minimum liquid to flue gas ratio (L/G)				_____ gallons/1000 actual cubic feet (acf)	
Minimum scrubber blowdown				_____ gallons/min	
Minimum scrubber water pH				_____	
[Venturi Scrubbers:]					
Venturi scrubber minimum liquid to gas ratio (L/G)				_____ gallons/1000 actual cubic feet	

Parameter	Monitoring Basis[1]	Monitoring Device	Device Location	Permit Limit	AWFCO Y/N[2]
				minute (acfm)	
Minimum differential gas pressure across venturi scrubber				____ in. W.C.	
[Dry Scrubbers:]					
Minimum alkaline reagent *[insert name of reagent here, such as lime]* flow to the dry scrubber				_____ pounds per minute	
Maximum flue gas flow rate				_____acfm	
[Absorbers:]					
Absorber minimum pH of incoming liquid				_____	
Absorber minimum liquid to gas ratio (L/G)				_____ gallons/1000 actual cubic feet (acf)	
Other Air Pollution Control Devices permit conditions as necessary				_____ gallons/1000 actual cubic feet (acf)	

1 *Instantaneous* as defined in 40 CFR 266.102(e)(6)(i)(A) shall mean a value which occurs at any time. A value shall be determined by the monitoring device no less than every 15 seconds.
Continuous monitor is one which continuously samples or measures the regulated parameter without interruption, and evaluates the detector response at least once each 15 seconds, and computes and records the average value at least every 60 seconds.
Hourly Rolling Average as defined in 40 CFR 266.102(e)(6)(ii).
For carcinogenic metals and lead feed rates: *Instantaneous* as defined above or, *Rolling average* as defined in 40 CFR 266.102(e)(6)(ii)
2*AWFCO*: *Automatic Waste Feed Cutoff*. For AWFCOs indicated by "Y", the Permit Limit in the table triggers an AWFCO.
3The respective specific gravity and constituent concentration of each stream associated with a volumetric rate must be known to determine the mass feed rate.

Table V.I.3 - Maximum Constituent Feed Rates

The total feed rate of constituents to the boiler/industrial furnace(s) shall not exceed the following limitations in grams per hour (g/hr) or tons per year (T/yr), as noted. The metals limitations have been evaluated through risk assessment. The ash and chlorine limits are based upon testing or regulatory limits.

Constituent	Maximum Allowable Feed Rate In All Feedstreams Hourly Basis (g/hr)	Maximum Allowable Feed Rate In All Hazardous Waste Feedstreams Hourly Basis (g/hr)[1]	Maximum Allowable Feed Rate in All Pumpable Hazardous Waste Feedstreams Hourly Basis (g/hr)[1]	Maximum Allowable Feed Rate in All Feedstreams Annual Basis (T/yr)
Arsenic				
Beryllium				
Cadmium				
Total Chromium				
Antimony				
Barium				
Lead				
Mercury				
Silver				
Thallium				
(Others as Necessary)				
Total Chlorine		Not applicable	Not applicable	Not applicable
Ash		Not applicable	Not applicable	Not applicable

1Not applicable for Tier I or Tier I adjusted metals feed rate screening limits.

[Hourly feed rate limits must comply with the requirements of 40 CFR 266.106 for carcinogenic metals and non-carcinogenic metals. As applicable, the feed rate limit for chromium may be specified as hexavalent and total chromium limits.]

Table V.I.4. - Maximum Allowable Emission Rates

[Applicant to use a table for each operating mode as applicable and for each unit]

Carcinogenic Constituent (Compliance Tier)	Maximum Allowable Emission Rate[1]	Units[2]
Arsenic (Tier___)		g/hr
Beryllium (Tier___)		g/hr
Cadmium (Tier___)		g/hr
Chromium, Total (Tier___)		g/hr
Non-Carcinogenic Constituent(Compliance Tier)	Maximum Allowable Emission Rate[1]	Units[2]
Antimony (Tier___)		g/hr
Barium (Tier___)		g/hr
Lead (Tier___)		g/hr
Mercury (Tier___)		g/hr
Silver (Tier___)		g/hr
Thallium (Tier___)		g/hr
Hydrogen Chloride (Tier___)		g/hr
Free Chlorine (Tier___)		g/hr
Particulate Matter	0.08	Grains/dscf

1 Not applicable for Tier I or Tier I adjusted feed rate screening limits.
2 *g/hr* denotes grams per hour. *Grains/dscf* denotes grains per dry standard cubic foot (standard conditions: 760 mm Hg, 68 °F) after correction to a stack gas concentration of 7% oxygen.

Note: Site-specific dispersion modeling factor 'x.xxx *[insert dispersion factor for Tier III as applicable]* micrograms per cubic meter per grams per second emission rate.

Table V.I.5 - Boiler/Industrial Furnace Permit Conditions, Monitoring and Automatic Waste Feed Cutoff Systems - Short-Term Operation

[Use this table for each new or modified Boiler/Industrial Furnace unit and fill in all columns with the appropriate information]

Parameter	Monitoring Basis[1]	Monitoring Device	Device Location	Short-Term Operating Permit Limits			Primary Combustion Chamber AWFCO Y/N[2]	Secondary Combustion Chamber AWFCO Y/N[2]
				Pre-Trial Burn - Shakedown	Trial Burn	Post Trial Burn		
Operating Parameters								
Maximum Total Hazardous Waste Feed Rate *[Additional hazardous waste feed limits shall be added as determined necessary based upon feed mechanism and/or waste-specific needs]*		*[Volumetric Flow Meter[3] or Mass Flow Meter as applicable to the feed mechanism]*	Feed System	lb/hr			Y	Y
Maximum Total Pumpable Hazardous Waste Mass Feed Rate *[Not applicable for Tier I or Tier I adjusted metals screening limits]*		Volumetric Flow Meter[3] or Mass Flow Meter	Feed System	lb/hr				
Minimum Primary Combustion Chamber Temperature		Thermocouple *[or other device]*	Primary Chamber Exit	°F			Y	N
Minimum Secondary Combustion Chamber Temperature		Thermocouple *[or other device]*	Secondary Chamber Exit	°F			Y	Y
Maximum Secondary and/or Primary Combustion Chamber Temperature *[Include if using Tier II/ III metals controls.]*		Thermocouple *[or other device]*	Secondary Chamber Exit	°F			Y	Y
Maximum Flue Gas Temperature at PM Control Device Inlet *[Tier II/III metals controls as applicable.]*		Thermocouple *[or other device]*	At entrance to PM Control Device	°F			Y	Y
Maximum Combustion Gas Velocity Indicator *[If condition is something other than "maximum combustion gas velocity", write specific name of condition]*							Y	Y

Parameter	Monitoring Basis[1]	Monitoring Device	Device Location	Short-Term Operating Permit Limits			Primary Combustion Chamber AWFCO Y/N[2]	Secondary Combustion Chamber AWFCO Y/N[2]
				Pre-Trial Burn - Shakedown	Trial Burn	Post Trial Burn		
Atomization parameters *[as necessary]*								*[as appropriate]*
Feed Rates: (Metals, Total Chlorine, and Ash)		Volumetric Flow Meter[3] or Mass Flow Meter	Feed Systems	Limits Specified in Table ____			N	N
Secondary Combustion Zone Pressure *[or other method for fugitives monitoring]*				e.g., in. H2O			*[Yes, if neg. pressure is used to control fugitives.]*	*[Yes, if neg. pressure is used to control fugitives.]*
Primary Combustion Zone Pressure *[or other method for fugitives monitoring]*				e.g., in. H2O			*[Yes, if neg. pressure is used to control fugitives.]*	N
CEMS Monitoring Parameters								
Stack Oxygen	C	CEMS	Stack	No Limit (for correction to 7% O2)			N	N
Stack CO	C, HRA	CEMS	Stack	100 ppmv HRA, 7% O2, dry basis			Y	Y
Stack THC *[If specified in the permit]*	C, HRA	CEMS		20 ppmv HRA, 7% O2, dry basis			Y	Y
APCD PARAMETERS								
Pressure drop across Baghouse *[or fabric filter]*				_____ in. W.C.				
[Wet Scrubbers:]								

Parameter	Monitoring Basis[1]	Monitoring Device	Device Location	Short-Term Operating Permit Limits			Primary Combustion Chamber AWFCO Y/N[2]	Secondary Combustion Chamber AWFCO Y/N[2]
				Pre-Trial Burn - Shakedown	Trial Burn	Post Trial Burn		
Ionizing Wet				_____ kilovolts (kV)				
Scrubber minimum voltage								
Minimum liquid to flue gas ratio (L/G)				_____ gallons/1000 actual cubic feet (acf)				
Minimum scrubber blowdown				_____ gallons/min				
Minimum scrubber water pH				_____				
[Venturi Scrubbers:]								
Venturi scrubber minimum liquid to gas ratio (L/G)				_____ gallons/1000 actual cubic feet minute (acfm)				
Minimum differential gas pressure across venturi scrubber				____ in. W.C.				
[Dry Scrubbers:]								
Minimum alkaline reagent [insert name of reagent here, such as lime] flow to the dry scrubber				_____ pounds per minute				
Maximum flue gas flow rate				_____acfm				
[Absorbers:]								
Absorber minimum pH of incoming liquid				_____				

Parameter	Monitoring Basis[1]	Monitoring Device	Device Location	Short-Term Operating Permit Limits			Primary Combustion Chamber AWFCO Y/N[2]	Secondary Combustion Chamber AWFCO Y/N[2]
				Pre-Trial Burn - Shakedown	Trial Burn	Post Trial Burn		
Absorber minimum liquid to gas ratio (L/G)				_____ gallons/1000 actual cubic feet (acf)				
Other Air Pollution Control Devices permit conditions as necessary								

1 **(I)** *Instantaneous* as defined in 40 CFR 266.102(e)(6)(i)(A) shall mean a value which occurs at any time. A value shall be determined by the monitoring device no less than every 15 seconds.
(C) *Continuous monitor* is one which continuously samples or measures the regulated parameter without interruption, and evaluates the detector response at least once each 15 seconds, and computes and records the average value at least every 60 seconds.
(HRA) *Hourly Rolling Average* as defined in 40 CFR 266.102(e)(6)(i)(B).
- For carcinogenic metals and lead feed rates: *Instantaneous* as defined above or, *Rolling average* as defined in 40 CFR 266.102(e)(6)(ii).
2 **AWFCO**: *Automatic Waste Feed Cutoff*. For AWFCOs indicated by "Y", the Permit Limit in the table triggers an AWFCO. During the Trial Burn phase, AWFCOs will be as necessary to ensure protection of human health and the environment.
3 The respective specific gravity and constituent concentration of each stream associated with a volumetric rate must be known to determine the mass feed rate
.

Table V.I.8. - Principal Organic Hazardous Constituents

List the wastes for which the trial burn demonstration will be made and the principal organic hazardous constituents in each waste.

Waste	Principal Organic Hazardous Constituents

Table V.J.1. - Drip Pads

Permit Unit No.*	Drip Pad	N.O.R. No.	Storage and/or Processing	Waste Nos.[1]	Overall Dimensions	Collection System Volume

1from Table IV.B, first column

* If the unit is already permitted, use the established "Permit Unit No." If the unit is not yet permitted, the number given here for the unit will become the "Permit Unit No." The numbers should be in an order that will be convenient for the facility operator.

Table V.J.2 - Drip Pad Synthetic Liner System

Drip Pad	Synthetic Liner			Leakage Detection System			Leak Collection System		
	Material	Permeability (cm/sec)	Thickness	Material	Permeability (cm/sec)	Thickness	Material	Permeability (cm/sec)	Thickness

Table V.K. - Miscellaneous Units

Permit Unit No.*	Miscellaneous Unit	N.O.R. No.	Storage, Processing, and/or Disposal	Waste Nos.[1]	Rated Capacity	Dimensions	Unit will manage Ignitable, Reactive, or Incompatible Waste (state all that apply)

1from Table IV.B, first column
*If the unit is already permitted, use the established "Permit Unit No." If the unit is not yet permitted, the number given here for the unit will become the "Permit Unit No." The numbers should be in an order that will be convenient for the facility operator.

Table V.L. - Containment Buildings

Permit Unit No.*	Containment Building	N.O.R. No.	Storage and/or Processing	Waste Nos.[1]	Rated Capacity	Overall Dimensions

1 from Table IV.B, first column

*If the unit is already permitted, use the established "Permit Unit No." If the unit is not yet permitted, the number given here for the unit will become the "Permit Unit No." The numbers should be in an order that will be convenient for the facility operator.

VI. Geology Report

This portion of the application applies to owners or operators of new hazardous waste management facilities; areal and/or capacity expansions of existing hazardous waste management facilities; and existing industrial solid waste facilities that store, process or dispose of hazardous waste in surface impoundments, landfills, land treatment units, waste piles (except those waste piles that meet the requirements of Section V.E.10.b. of this application), and tanks or drip pads which require a contingent post-closure plan.

For a new Compliance Plan or modification/amendment to an existing Compliance Plan of Section XI of this application, submit a Geology Report which contains updated site geologic information derived from on-going investigations since submittal of the last Permit modification/amendment application.

Submit a Geology Report which includes at a minimum the following information. This report and all specifications, details, calculations/estimates and each original sheet of plans, drawings, maps, cross-sections, other graphics, such as limits of contamination maps, etc. or any other geoscientific work must be signed and sealed by a Professional Geoscientist licensed in the State of Texas under the Professional Geoscientists Practice Act.

A. Geology and Topography

1. Active Geologic Processes

   Provide a description and interpretation of the active geologic processes in the vicinity of the facility. This description should include:

   a. An identification of any faults (active or otherwise) in the area of the facility. The preparer should determine which Holocene sediments or man-made structures have been displaced. The report should contain a description of the investigation techniques used to identify faults and should assess the degree, if any, to which a particular fault increases the long-term potential for waste migration. The clearance required from active faults to ensure that liner systems will not be disrupted will be based upon site specific factors such as the zone of significant surface deformation, uncertainty in locating the fault, activity of the fault, and a distance to provide a reasonable margin of safety. These issues should be addressed when discussing the offset of an industrial solid waste facility unit from an active fault.

      To satisfy the requirements of 30 TAC 305.50(a)(4)(D) and 305.50(a)(10)(E), for a proposed hazardous waste management facility or a modification or amendment of a permit which includes a capacity expansion of an existing hazardous waste management facility, submit the following.

      (1) A geologic literature review should be conducted, from which useful information on the possibility of faulting at a given site may be revealed. This includes, but is not limited to, maps of surface faults, subsurface structure, and field investigations by the author(s).
      (2) Descriptions and maps of faulting, fracturing, and lineations in the area are necessary. An aerial photo with lineation interpretations is suggested.
      (3) The maps and cross-sections are to be constructed using an amount of data necessary to adequately describe the geology of the

area. Surface data, including data regarding known surface expressions, such as surface faults, gas seeps, lineations, etc., should be accounted for in the subsurface interpretations. A surface structure map should be prepared, incorporating all of the subsurface data as well as known surface features.

(4) A minimum of two structural cross-sections, utilizing available oil field and/or water well electric log data, shall be made perpendicular to each other, crossing at the proposed surface unit location. These cross-sections should define geologic units, indicating especially Holocene sediments and Underground Sources of Drinking Water (USDWs), as well as lithology. The cross-sections should be constructed from the surface, down through the shallowest major structure or the base of the Holocene, whichever is deeper. These cross-sections need to be on a scale necessary to depict the local geology (3000' radius from the site location minimum). If needed to adequately describe the local geology, then a larger radius or deeper area of review may be necessary.

(5) A minimum of two structural subsurface maps need to be prepared. One map should be made on the shallowest mappable subsurface marker, the other on a deeper horizon that shows the underlying major structure. Additional maps may be necessary.

(6) Field surveillance will be necessary to check the area of the facility for surface features, such as lineations, and to investigate potential surface faults as indicated by, but not limited to, aerial photos, topographic maps, and seismic and subsurface structural maps.

(7) The above requirements do not limit the use of any additional information, such as seismic data, isopach maps, or potentiometric maps, that may help in defining the geology of the area of review.

(8) If faulting exists within 3000 feet of the surface unit, it must be demonstrated that the fault has not had displacement within Holocene time. If such a fault does exist, it cannot pass within 200 feet of the surface unit.

(9) If a fault that has been active within the Holocene is located within 3000 feet of the surface unit, it must be demonstrated that, a.) the fault is not transmissive, i.e., it will not provide for groundwater movement that would result in endangerment to human health or the environment, and b.) there is no actual and/or potential problem of subsidence, which could endanger the stability of the surface unit.

b. A discussion of the extent of land surface subsidence in the vicinity of the facility including total recorded subsidence and past and projected rates of subsidence. For facilities located at low elevations along the coast which have experienced appreciable rates of subsidence, the potential for future submergence beneath Gulf water should be addressed.

c. A discussion of the degree to which the facility is subject to erosion. The potential for erosion due to surface water processes such as overland flow, channeling, gullying, and fluvial processes such as meandering streams and undercut banks should be evaluated. If the facility is located in a low-lying coastal area, historical rates of shoreline erosion should also be provided.

d. Complete Table VI.A.1. – Major Geologic Formations.

2. Regional Physiography and Topography (applicable only to owners or operators of facilities that store, process, or dispose of hazardous waste in surface impoundments, landfills, land treatment units, waste piles, except waste piles exempt from groundwater monitoring requirements, and tanks which require a contingent post-closure plan)

   a. Distance and direction to nearest surface water body
   b. Slope of land surface
   c. Direction of slope
   d. Maximum elevation of facility
   e. Minimum elevation of facility

3. Regional Geology (applicable only to owners or operators of facilities that store, process, or dispose of hazardous waste in surface impoundments, landfills, land treatment units, waste piles, except waste piles exempt from groundwater monitoring requirements, and tanks which require a contingent post-closure plan)

   Provide a description of the regional geology of the area. This section should include:

   a. A geologic map of the region with text describing the stratigraphic and lithologic properties of the map units. An appropriate section of a published map series such as the Geologic Atlas of Texas prepared by the Bureau of Economic Geology is acceptable.
   b. A description of the generalized stratigraphic column in the facility area from the base of the lowermost aquifer capable of providing usable groundwater to the land surface. At least the uppermost 1,000 feet of section below the facility should be described. The geologic age, lithology, variation in lithology, thickness, depth, geometry, hydraulic conductivity, and depositional history of each geologic unit should be described based upon available geologic information. Regional stratigraphic cross sections should be provided, where available.

4. Subsurface Soils Investigation Report

   This section should contain the results of an investigation of subsurface conditions for each land based unit and/or unit which requires contingent closure and post-closure care. If several units are in close proximity, a single investigation for the area will suffice. This report should include:

   a. The logs of borings performed at the waste management area. All borings must be conducted in accordance with established field exploration methods. Investigation procedures should be discussed in the report. A sufficient number of borings should be performed to establish subsurface stratigraphy and to identify and allow assessment of potential pathways for pollution migration. Borings must be sufficiently deep to allow identification of the uppermost aquifer and underlying hydraulically interconnected aquifers. Borings should penetrate through the uppermost aquifer and all deeper hydraulically interconnected aquifers, deep enough to identify the aquiclude at the lower boundary. Borings should be completed to a depth at least 30 feet below the deepest excavation planned at the waste management area. The required number of borings will increase or decrease depending on the

heterogeneity of subsurface materials. Locations with stratigraphic complexities such as non-uniform beds which pinch out, vary significantly in thickness, coalesce, or grade into other units, will require a significantly greater degree of subsurface investigation than areas with simple hydrogeologic frameworks. Boring logs should include a detailed description of materials encountered including any discontinuities such as fractures, fissures, slickensides, lenses or seams. Whenever possible, electric logs should be run on each borehole. The hollow stem auger boring method is recommended in those instances where an accurate determination of initial water levels is important. A key explaining both the symbols used on the boring logs and the classification terminology for soil type, consistency, and structure should be provided.

b. Cross-sectional drawings prepared from the borings depicting the generalized soil strata profile at the site. For small waste management areas two cross sections prepared perpendicular to each other will normally suffice.

c. A text which describes the investigator's interpretations of the subsurface stratigraphy based upon the field investigation. If appropriate, soils may be assigned to generalized strata to aid in the discussion.

d. Complete Table VI.A.4. - Waste Management Area Subsurface Conditions and provide in the report data which describes the geotechnical properties of the subsurface soil materials. All laboratory and field tests must be performed in accordance with recognized procedures. A brief discussion of test procedures should be included. All major strata encountered during the field investigation phase should be characterized with regard to: Unified Soil Classification, moisture content, percent less than number 200 sieve, Atterberg limits (liquid limit, plastic limit, and plasticity index), and coefficient of permeability. Field permeability tests should be used to determine the coefficient of permeability of sand or silt units and should also be used to supplement laboratory tests for more clay-rich soils. In addition, particle size distribution and relative density based upon penetration resistance should be determined for coarse-grained soils. For fine-grained soils the following parameters should also be determined: cohesive shear strength based upon either penetrometer or unconfined compression tests, dry unit weight, and degree of saturation(s). For the major soil strata encountered, the maximum, minimum, and average for each of these variables should be compiled.

e. For land treatment units, provide a description of the surficial soils at the site which includes:

    (1) The name and description of the soil series at the site;
    (2) Important physical properties of the series such as depth, permeability, available water capacity, soil pH, and erosion factors;
    (3) Engineering properties and classifications such as USDA texture, Unified Soil Classification, size gradation, and Atterberg limits (liquid limit, plastic limit, and plasticity index); and
    (4) The cation exchange capacity (CEC) of the soil(s) expressed in units of meq/100g.

Much of this information may be obtained by consulting the county soil survey published by the United States Department of Agriculture, Soil Conservation Service. If available, a copy of an aerial photograph showing soil series units on

the land treatment area should be provided.

If an aerial photograph is not available, include a soil series map as an attachment to this subsurface soils investigation report.

B. Facility Groundwater

If past monitoring has shown the presence of hazardous constituents in the groundwater, the owner or operator must submit a Compliance Plan Application with this application. The Compliance Plan Application and instructions can be found in Section XI of this application form.

1. Regional Aquifers

   Provide a description of the regional aquifers in the vicinity of the facility based upon available geologic references. The section should provide:

   a. Aquifer names and their association with geologic units described in Section VI.A.3.b.;
   b. A description of the constituent materials of the aquifer(s);
   c. A description of the water-bearing and transmitting properties of the aquifer(s);
   d. Whether the aquifers are under water table or artesian conditions;
   e. Whether the aquifers are hydraulically connected;
   f. A regional water table contour map or potentiometric surface map for each aquifer, if available, from published references;
   g. An estimate of the rate of groundwater flow in units of ft/yr;
   h. Values for total dissolved solids content of groundwater from the aquifers;
   i. Identification of areas of recharge to the aquifers; and

   Note: An application for a new hazardous waste surface impoundment, waste pile, land treatment unit, or landfill, which is to be located in the apparent recharge zone of a major or minor aquifer, as designated by the Texas Water Development Board, must include a hydrogeologic report documenting the potential effects, if any, on the regional aquifer in the event of a release from the waste containment system. See the publication entitled Water for Texas, Today and Tomorrow (1990) or subsequent revision (Available at http://www.twdb.texas.gov/waterplanning/swp/1990/index.asp) for more information [30 TAC 305.50(6)]

   j. The present use of groundwater withdrawn from aquifers in the vicinity of the facility.

   The preparer should update Section III.C.1.e. of the Part A permit application to ensure that all water wells within 1 mile of the property boundaries of the facility have been located. The aquifer(s) yielding water should be identified for each well.

2. Provide groundwater conditions for each land based unit or unit which requires post closure care which includes all the information specified in 30 TAC 335.156-335.167. This discussion should also include:

   a. Records of water level measurements in borings. The boring logs prepared in response to Section VI.A.4.a. should be annotated to note the level at which groundwater is first encountered and the level of groundwater after

equilibration. Normally a 24-hour period is adequate for equilibration of groundwater but an extended period may be required for saturated clay deposits. This information should also be presented on the cross-sections required in Section VI.A.4.b. and recorded and retained in the facility groundwater monitoring record.

b. Records of historical maximum and minimum static water level measurements in monitor wells. Historic water level measurements made during any previous groundwater monitoring should be presented in a table for each well.

c. Upper and lower limits of the uppermost aquifer and deeper aquifers which are hydraulically interconnected to it beneath the facility boundary. In most cases this identification would include surface contour maps of the top and bottom surfaces. Indicate the typical depth at which groundwater is first encountered.

d. A site specific water table contour map or potentiometric surface map for the uppermost aquifer, and the basis for such identification (the information obtained from hydrogeologic investigations of the facility area). The predicted groundwater flow direction and rate should be indicated.

e. A discussion of the variation of hydraulic gradient across the site, including vertical gradient. Calculations for the maximum, minimum, and average groundwater flow velocities for each aquifer identified should also be provided, including pump test data where appropriate.

f. An analysis of the most likely pathway(s) for pollutant migration in the event that the primary barrier liner system is penetrated.

3. Description of the Detection Monitoring Program

The groundwater monitoring standards apply to owners and operators of facilities that treat, store, or dispose of hazardous waste in surface impoundments, waste piles, land treatment units, landfills, or tanks without satisfactory secondary containment for which a post-closure care plan or permit is required. If a waste management unit meets certain standards it may qualify for an exemption to the groundwater monitoring requirements. An exemption for a unit does not exempt an entire facility. (See the instructions for each type of unit for a specific exemption.) A facility-wide exemption is described in Section VI.C.

It is important to note that even if the proposed program may use the same well system as the present program, the sampling parameters may be different.

a. Include in the design report a description of the proposed detection monitoring program. This description should contain all requirements of 30 TAC 335.163-335.164.

b. Provide a justification for the selected suite of waste specific parameters specified in Table VI.B.3.c. - Groundwater Sample Analysis based on toxicity, mobility, persistence, and concentrations in light and dense non-aqueous phase components of the waste.

c. (Sampling and Analysis Plan) Describe the proposed sampling and analysis methods, as well as statistical comparison procedures to be utilized in evaluating groundwater monitoring data. Note: Methods listed for use in groundwater programs may provide flexibility allowing for updates of the base method. For methods other than the standard acceptable methods,

applicant must provide a demonstration that the proposed methods are appropriate for groundwater analysis per 30 TAC 335.163(5).

d. Specify the statistical method and process for determining whether constituent concentrations in groundwater are above background, in accordance with 30 TAC 335.163. Refer to the EPA guidance document entitled Statistical Analysis of Ground-Water Monitoring Data at RCRA Facilities – Unified Guidance (March 2009) (document # EPA 530-F-09-020) for recommended methods.

   All data submitted to the TCEQ shall be in a manner consistent with the latest version of the "*Quality Assurance Project Plan for Environmental Monitoring and Measurement Activities Relating to the Resource Conservation Recovery Act and Underground Injection Control*" (TCEQ QAPP) which a can be found on the agency's website.

   Monitoring samples and measurements shall be taken at times and in a manner so as to be representative of the monitored activity. The method used to obtain a representative sample of the material to be analyzed shall be the appropriate method from ***Ground Water, Volume II: Methodology***, (document # EPA/625/6-90/016b) or an equivalent method approved by the Executive Director of the TCEQ. Laboratory methods shall be those specified in ***Test Methods for Evaluating Solid Waste: Physical/Chemical Methods, SW-846***, 1987, as revised; ***Standard Methods for the Examination of Water and Wastewater, Fifteenth Edition***, 1980, and 1981 supplement, or current adopted edition; ***RCRA Ground-Water Monitoring: Draft Technical Guidance***, 1992, ***OSWER Directive 9950.1***, or an equivalent method approved in writing prior to use by the Executive Director. [30 TAC Section 305.125(11)(A)]

e. For inclusion into a permit, complete Table VI.B.3.b. - Unit Groundwater Detection Monitoring System to specify the proposed well system for each unit or waste management area which requires groundwater monitoring.

f. For inclusion into a permit, complete Table VI.B.3.c to specify:
   (1) the suite of waste specific parameters (indicator parameters, waste constituents, or reaction products) which will be analyzed at each sampling event for each well or group of wells. These parameters must provide a reliable indication of the presence of hazardous constituents in the groundwater;
   (2) the sampling frequencies and calendar intervals (e.g., monthly; quarterly within the second 30 days of each quarter; semiannually within the first 30 days of the 2nd and 4th quarters, etc.);
   (3) the analytical method and the laboratory predicted detection limit and predicted Practical Quantification Limit (PQL) of the sample preparation and analysis methods for the selected parameters. This detection limit will represent the capability of the sampling and analysis to reliably and accurately determine the presence of the selected parameters in the sample; and
   (4) the concentration limit which will be the basis for determining whether a release has occurred from the waste management unit/area. Concentration limits shall be based on background values for the waste management unit/area, or PQL values

developed through laboratory data obtained using practices consistent with the latest version of the TCEQ QAPP. If background values are lower than PQLs, the applicant may choose respective PQLs as concentration limits for hazardous constituents.

g. Submit drawings depicting the monitoring well design, current and proposed.

h. Submit at least one map of the entire facility and additional maps or drawings if necessary on one or more 8.5" x 11" sheets of sufficient scale to show the following in adequate detail:

   (1) Monitoring well locations, current and proposed;
   (2) Soil-pore liquid and core sampling points, current and proposed;
   (3) Waste management unit(s)/area;
   (4) Property boundary;
   (5) Point of compliance;
   (6) Direction of groundwater flow; and
   (7) Extent of any known plume of contamination

i. For the description of site-specific groundwater for inclusion in permit summary documents, please complete the following brief description:

   Groundwater is typically encountered approximately *[###]* feet below grade (*[###]* feet *[above/below]* Mean Sea Level) in the uppermost aquifer. The uppermost aquifer is part of the *[Name]* Formation and consists of *[brief lithological description]* ranging in thickness from *[### to ###]* feet. Groundwater flow is generally toward the *[north/east/south/west]*.

C. Exemption from Groundwater Monitoring for an Entire Facility

In accordance with 30 TAC 335.156(b)(4), a waste management facility may be exempt from groundwater monitoring if the owner or operator can demonstrate that there is no potential for migration of liquid from any regulated unit to the uppermost aquifer during the active life of the regulated unit (including the closure period) and post-closure care period. This demonstration must be submitted with the permit application, and must be certified by a qualified geologist or geotechnical engineer.

This exemption does not apply to Unsaturated Zone Monitoring. Owners and operators of Land Treatment Units must monitor the unsaturated zone under all circumstances.

The following areas should be addressed in the demonstration, and any predictions must be made on assumptions that maximize the rate of liquid migration:

1. Thickness of soil between the base of the unit and saturated zone;
2. Thickness of saturated zone;
3. Head pressure of the fluids;
4. Properties of the saturated and unsaturated zone (including permeability, effective porosity, and homogeneity), and
5. Total life of facility

The criteria used for the evaluation of this demonstration are more stringent than those used for evaluations of demonstrations submitted prior to permitting. Thus it is necessary for an owner or operator to submit another demonstration even if one was submitted and approved previously.

This type of exemption differs from the exemptions described in Sections V.D. (Surface Impoundments), V.E. (Waste Piles), and V.G. (Landfills). An owner or operator may pursue a facility-wide exemption as well as an exemption for a particular unit, if the owner or operator wishes.

D. Unsaturated Zone Monitoring

This section applies only to facilities which contain land treatment units. Attach any previous monitoring data to the monitoring report. Provide any additional information necessary to demonstrate compliance with 40 CFR 264.278.

1. List all hazardous constituents that have been or will be monitored.
   a. Current parameters.
   b. Proposed parameters.
2. Number of soil-pore liquid sampling points.
   c. Depth of sampling points.
   d. Equipment used for soil pore liquid monitoring.
3. Number of soil core sampling points.
   e. Depth of soil core sampling points.
   f. Indicate on a facility map locations of all sampling points.

Table VI.A.1. – Major Geologic Formations

Names Of Major Geologic Formation(s) Beneath The Facility	Lithology Of The Major Geologic Formation	Formation Thickness (Feet)	Depth To Top Of Formation	
			Feet/MSL(1)	Feet/BGS(2)

(1) MSL: Mean Sea Level
MLGL: Mean Low-tide Gulf Level
(2) BGS: Below Grade Surface

Table VI.A.4 – Waste Management Area Subsurface Conditions

Boring Number	Depth Below Grade	Stratum	USC Symbol	Liquid Limit*	Plasticity Index*	Percent Passing #200 Sieve*	Permeability*	Percent Porosity*

Maximum depth: feet below grade
feet above MSL

*For the major soil strata encountered, record the minimum, maximum, and average values of these parameters as applicable.

Table VI.B.3.b. – Unit Groundwater Detection Monitoring Systems

Waste Management Unit/Area Name[1]						
Well Number(s):						
Hydrogeologic Unit Monitored						
Type (e.g., point of compliance, background, observation, etc.)						
Up or Down Gradient						
Casing Diameter and Material						
Screen Diameter and Material						
Screen Slot Size (in.)						
Top of Casing Elevation (Ft, MLGL or MSL)						
Grade or Surface Elevation (Ft, MLGL or MSL)						
Well Depth (Ft, Below Grade Surface *[BGS]*)						
Well Depth (Ft, Below Top of Casing *[BTOC]*)						
Screen Interval From(Ft, BGS) To(Ft, BGS)						
Screen Interval From(Ft, BTOC) To(Ft, BTOC)						
Facility Coordinates (e.g., lat./long. or company coordinates)						

1From Tables in Section V.
MSL: Mean Sea Level; *MLGL*: Mean Low-tide Gulf Level; *BGS*: Below Grade Surface; *BTOC*: Below Top of Casing

Table VI.B.3.c. – Groundwater Detection Monitoring Parameters

Unit/Waste Management Area:

Well No(s):

Parameter	Sampling Frequency	Analytical Method	Method Detection Limit (MDL) or Method Quantification Limit (MQL) Value, (units), MDL or MQL[2]	Concentration Limit[1]

1 The concentration limit is the basis for determining whether a release has occurred from the waste management unit/area.

2 a. Enter the laboratory expected *Method Detection Limit* if determination of *Statistically Significant Increase* (SSI) occurrence is based on detection of the presence of the constituent of concern in the sample.

2 b. Enter the laboratory expected Method Quantification Limit if determination of SSI is based on statistical analysis of detection monitoring data or direct comparison to a limit value.

This should be based on the laboratory's minimum expected level of performance. Please designate which type of limit has been entered for each constituent, with its value and units.

VII. Closure and Post-Closure Plans

Submit a full closure plan and post-closure plan, if applicable, which contains all the information required by 30 TAC 335.8, 335.169, 335.172, 335.174, 335.177, 335.178, 335.551-335.569, 30 TAC Chapter 350, 40 CFR 264.112, 264.118, 264.178, 264.197, 264.228, 264.258, 264.280, 264.310, 264.351, 264.575, 264.601, 264.603, 264.1102, 270.14(b)(13), 270.17(f), 270.18(h), 270.20(f), 270.21(e), 270.23(a)(2) & (3), and 270.26(c)(16) where applicable. The owner of property on which an existing disposal facility is located must also submit documentation that a notation has been placed in the deed to the facility that will in perpetuity notify any potential purchasers of the property that the land has been used to manage hazardous wastes and its use is restricted (see 30 TAC 335.5). For hazardous waste disposal units that were closed before submission of the application, the applicant should submit documentation to show that plats and notices required under 40 CFR 264.116 and 264.119 have been filed.

A. Closure

This section applies to the owners and operators of all hazardous waste management facilities to be permitted. The applicant must close the facility in a manner that minimizes need for further maintenance and controls, or eliminates, to the extent necessary to protect human health and the environment, the post-closure release of hazardous waste, hazardous constituents, leachate, contaminated rainfall, or waste decomposition products to the groundwater, surface waters, or to the atmosphere.

The facility type and type of unit to be closed can determine the level of detail sufficient for a closure plan.

For each unit to be permitted, complete Table VII.A. - Unit Closure and list the facility components to be decontaminated, possible methods of decontamination, and possible methods of disposal of wastes and waste residues generated during unit closure. All ancillary components must be included in calculating closure cost estimates.

Additionally, if the applicant plans to close a surface impoundment in accordance with 30 TAC 335.169(a)(1) and the impoundment does not comply with the liner requirements of 30 TAC Section 335.168(a) then the closure plan for the impoundment must include both a plan for complying with 30 TAC 335.169(a)(1) and a contingent plan for complying with 30 TAC 335.169(a)(2).

Guidance on design of a closure cap and final cover for landfills is given in TCEQ Technical Guideline No. 3, and EPA publication 530-SW-85-014 presents guidance on construction quality assurance of liner construction.

If a waste pile does not comply with the liner requirements of 30 TAC Section 335.170(a)(1) then the closure plan for the waste pile must include both a plan for complying with 40 CFR 264.258(a) and a contingent plan for complying with 40 CFR 264.258(b).

The final certification of closure of a land treatment unit may be prepared by an independent licensed Professional Geoscientist in lieu of an independent licensed Professional Engineer. [30 TAC 335.172(b)]

B. Closure Cost Estimate (including contingent closure) [30 TAC 335.178, 40 CFR 264.142]

This section applies to owners or operators of all hazardous waste facilities, except state

and federal agencies. A detailed estimate, in current dollars, of the cost of closing the facility should be included in the report. The cost estimate must include the cost of closure at the point in the facilities operating life when the extent and manner of its operation would make closure the most expensive. The TCEQ has published Technical Guideline No. 10, Closure and Post-Closure Cost Estimates, for calculating closure costs which should be consulted. Closure costs should be developed on the basis of abandonment of the site at full capacity and closure activities to be conducted by a third party with no operable on-site equipment. The costs for closing each unit must be detailed.

1. If closure costs are based on contractor bids, the applicant should submit a copy of the bid specification and each contractor's response.

2. If closure costs are based on a detailed analysis, the applicant should submit details of item costs and number of each item, and details of costs for equipment rental, third party labor and supervision, transportation, analytical costs, etc. Provide an itemized cost on Table VII.B. - Unit Closure Cost Estimate for a complete, third party permitted facility closure.

   As units are added or deleted from these tables through future permit amendments or modifications, the remaining itemized unit costs should be updated for inflation when re-calculating the revised total cost in current dollars.

3. The closure plan may propose on-site disposal of wastes, residues, etc. during closure of a unit, and this may be executed if on-site capacity exists in other units during closure of a unit. However, the cost estimate for closure must be based on off-site shipment and disposal during closure of all wastes, waste residues, wastes generated by decontamination, contaminated stormwater, and leachate.

4. For each surface impoundment, waste pile, or tank system required to have a contingent closure plan, the cost for closure under the contingent closure plan should be detailed, as well as the cost of proposed closure. The more expensive of the cost of the proposed closure of a unit versus the cost of the contingent closure of the unit should be used in the total facility closure cost estimate.

C. Post-closure

This section applies to owners or operators of all hazardous waste disposal facilities. This section also applies to certain waste piles, tanks and surface impoundments from which the owner or operator intends to remove wastes at closure but which are required to have contingent post-closure plans.

Post-closure care of each hazardous waste management unit must continue for 30 years after the date of completing closure of the unit and must consist of monitoring and reporting of the groundwater monitoring systems in addition to the maintenance and monitoring of waste containment systems. Continuation of certain security requirements may be necessary after the date of closure. Post-closure use of property on or in which hazardous waste remains after closure must never be allowed to disrupt the integrity of the containment system. In addition, submit the following information.

1. The post-closure care plan for a landfill or of a surface impoundment, waste pile, miscellaneous unit, or tank system closed with wastes or waste constituents left in place, or closed under a contingent closure plan, must demonstrate compliance with 30 TAC 335.174(b).

2. The name, address, and phone number of the person or office to contact about

the disposal facility during the post-closure period; and

3. A discussion of the future use of the land associated with each unit.

4. For landfills, surface impoundments, waste piles, and land treatment areas closed under interim status, submit the required documentation of 40 CFR 270.14(b)(14).

5. Landfills, surface impoundments, waste piles and land treatment areas that received hazardous wastes after July 26, 1982 or for which closure was certified after January 26, 1983 must be included in post-closure care plans unless they have been determined to have closed by removal equivalent to the closure standards in 40 CFR 264 Subpart G. If such a demonstration has been made pursuant to 40 CFR 270.1(c)(5), but an equivalency determination has not been made, please submit a copy of the demonstration documentation. If an equivalency determination has been made pursuant to 40 CFR 270.1(c)(6), applicant should submit a copy of the determination. Complete Table VII.C.5. - Land-Based Units Closed Under Interim Status for all land based units closed under interim status.

D. Post-closure Cost Estimate [40 CFR 264.144]

This section regarding post-closure cost estimate applies to owners or operators of all hazardous waste disposal facilities, except state and federal agencies, and certain waste piles, tank systems, and surface impoundments from which the owner or operator intends to remove wastes at closure, but which are required to have contingent closure and post-closure plans. A detailed estimate, in current dollars, of the annual cost of monitoring and maintenance of the facility in accordance with the applicable post-closure regulations must be included in the report. The TCEQ has published Technical Guideline No. 10 for calculating post-closure costs, which should be consulted. Costs should be developed in detail for 30 years of post-closure care activities to be conducted by a third party, for each applicable unit.

1. The applicant should submit details of item costs and number of each item for off-site disposal of leachate and bailed monitor well water, labor and supervision, monitor well sampling and analyses, inspection and repair of the cap(s), mowing and re-seeding of the vegetative cover, maintaining site security, etc. Provide an itemized cost estimate on Table VII.D. - Unit Post-Closure Cost Estimate for complete, third party permitted facility post-closure care.

2. As units are added or deleted from these tables through future permit amendments or modifications, the remaining itemized unit costs should be updated for inflation when re-calculating the revised total cost in current dollars.

3. Total annual cost of post-closure care for the facility including costs of contingent post-closure care should be multiplied by 30 years.

Closure and Post-Closure Cost Summary

Please complete Table VII.E.1 - Permitted Unit Closure Cost Summary.

Please complete Table VII.E.2 - Permitted Unit Post-Closure Cost Summary.

Table VII.A. - Unit Closure

For each unit to be permitted, list the facility components to be decontaminated, the possible methods of decontamination, and the possible methods of disposal of wastes and waste residues generated during unit closure:

Equipment or HWM Unit	Possible Methods of Decontamination[1]	Possible Methods of Disposal[1]

1Applicants may list more than one appropriate method.

Table VII.B. - Unit Closure Cost Estimate

Task	Cost
(Name of permitted unit, e.g., Tank TK-1)	
Verbal description of task *(waste amount generated x disposal cost/unit amount)*	$$,$$$
Verbal description of task *(waste amount generated x disposal cost/unit amount)*	$$,$$$
Verbal description of task *(waste amount generated x disposal cost/unit amount)*	$$,$$$
Verbal description of task *(waste amount generated x disposal cost/unit amount)*	$$,$$$
Other tasks *(such as labor, lab analysis, transportation, certifications, etc.)*	$$,$$$
Other tasks	$$,$$$
Subtotal	**$$$,$$$**
Contingency (10% minimum)	**$$,$$$**
Total Unit Closure Cost	**$$$,$$$ (20__)**
(Name of permitted unit, e.g.,. Surface Impoundment West)	$$,$$$
Verbal description of task *(waste amount generated x disposal cost/unit amount)*	$$,$$$
Verbal description of task *(waste amount generated x disposal cost/unit amount)*	$$,$$$
Verbal description of task *(waste amount generated x disposal cost/unit amount)*	$$,$$$
Verbal description of task *(waste amount generated x disposal cost/unit amount)*	$$,$$$
Other tasks *(such as labor, lab analysis, transportation, certifications, etc.)*	$$,$$$
Other tasks	$$,$$$
Subtotal	**$$$,$$$**
Contingency (10% minimum)	**$$,$$$**
Total Unit Closure Cost	**$$$,$$$ (20__)**
Total Permitted Facility Closure Cost *(all unit costs combined)*	**$,$$$,$$$ (20__)**

Table VII.C.5. - Land-Based Units Closed Under Interim Status

N.O.R. Unit #	Unit Description[1,2]	Date of Receipt of Last Waste[3]	Date of Closure Certification[3]

1Indicates a unit for which a 40 CFR 264 closure equivalency determination has been requested pursuant to 40 CFR 270.1(c)(5).
2Indicates a unit for which a 40 CFR 264 closure equivalency determination has been made pursuant to 40 CFR 270.1(c)(6).
3Enter month, day, and year.

Table VII.D. - Unit Post-Closure Cost Estimate

Task	Cost
(Name of permitted unit, e.g., East Landfill)	
Verbal description of annual task, e.g., leachate collected (*amount generated x disposal cost/unit amount)*	$$,$$$
Verbal description of annual task, e.g., cap maintenance *(material needed x cost/unit amount)*	$$,$$$
Verbal description of annual task, e.g., detection monitoring system *(# of wells x # sample events/well/year x lab analysis cost)*	$$,$$$
Verbal description of annual task	$$,$$$
Other annual tasks	$$,$$$
Other annual tasks	$$,$$$
Subtotal	**$$$,$$$**
Contingency (10% minimum)	**$$,$$$**
Total Unit Post-Closure Care Cost x 30 yrs. (or other post-closure care period)	**$$$,$$$ (20__)**
(Name of permitted unit, e.g.,. Surface Impoundment West)	$$,$$$
Verbal description of annual task, e.g., leachate collected *(amount generated x disposal cost/unit amount)*	$$,$$$
Verbal description of annual task, e.g., cap maintenance *(material needed x cost/unit amount)*	$$,$$$
Verbal description of annual task, e.g., detection monitoring system *(# of wells x # sample events/well/year x lab analysis cost)*	$$,$$$
Verbal description of annual task	$$,$$$
Other annual tasks	$$,$$$
Other annual tasks	$$,$$$
Subtotal	**$$$,$$$**
Contingency (10% minimum)	**$$,$$$**
Total Unit Post-Closure Care Cost x 30 yrs. (or other post-closure care period)	**$$$,$$$ (20__)**
Total Permitted Facility Closure Cost *(all unit costs combined)*	**$,$$$,$$$ (20__)**

Table VII.E.1. - Permitted Unit Closure Cost Summary

Existing Unit Closure Cost Estimate	
Unit	Cost
Total Existing Unit Closure Cost Estimate	$$$$$$$$$$$$$$$$$$ (in 20__ Dollar)[1]

Proposed Unit Closure Cost Estimate	
Unit	Cost

1 As units are added or deleted from these tables through future permit amendments or modifications, the remaining itemized unit costs should be updated for inflation when re-calculating the revised total cost in current dollars.

Table VII.E.2. - Permitted Unit Post-Closure Cost Summary

Existing Unit Post-Closure Cost Estimate	
Unit	Cost
Total Existing Unit Post-Closure Cost Estimate	$$$$$$$$$$$$$$$$$$ (in 20__ Dollar)[1]

Proposed Unit Post-Closure Cost Estimate	
Unit	Cost

1 As units are added or deleted from these tables through future permit amendments or modifications, the remaining itemized unit costs should be updated for inflation when re-calculating the revised total cost in current dollars.

VIII. Financial Assurance

A. Financial Assurance Information Requirements for all Applicants (30 TAC Chapter 37, Subchapter P, 305.50(a)(4)(A-E), 335.152(a)(6) and 335.179)

1. Financial Assurance for Closure

An owner or operator must establish financial assurance for the closure of the facility no later than 60 days prior to the first receipt of waste [30 TAC Section 37.31(a)]. Please refer to 30 TAC Chapter 37, Subchapter P, for the financial assurance requirements for closure and provide a signed statement from an authorized signatory per 30 TAC 305.44 regarding how the owner or operator will comply with this provision.

If a financial mechanism has been obtained, provide a copy of the mechanism.

For applications involving a permit transfer, the new owner or operator must provide a financial assurance mechanism (in original form) satisfactory to the TCEQ executive director. Prior to the executive director issuing the permit modification transferring the permit, the new owner or operator must provide proof of financial assurance in compliance with 30 TAC Section 305.64 (g) and Chapter 37, Subchapter P.

2. Financial Assurance for Post-Closure Care (applicable to disposal facilities and contingent post-closure care facilities only)

An owner or operator subject to post-closure monitoring or maintenance requirements must establish financial assurance for the post-closure care of the facility no later than 60 days prior to the first receipt of waste [30 TAC Section 37.31(a)]. Please refer to 30 TAC Chapter 37, Subchapter P for the financial assurance requirements for post-closure and provide a signed statement from an authorized signatory per 30 TAC 305.44 regarding how the owner or operator will comply with this provision.

If a financial mechanism has been obtained, provide a copy of the mechanism.

For applications involving a permit transfer, the new owner or operator must provide a financial assurance mechanism (in original form) satisfactory to the TCEQ executive director. Prior to the executive director issuing the permit modification transferring the permit, the new owner or operator must provide proof of financial assurance in compliance with 30 TAC Section 305.64 (g) and Chapter 37, Subchapter P.

3. Financial Assurance for Corrective Action

An owner or operator must establish financial assurance for corrective action of the facility no later than 60 days after the permit or order requiring the corrective action financial assurance is signed by the executive director or commission [30 TAC Section 37.31(b)]. Please refer to 30 TAC Chapter 37, Subchapter P, for the financial assurance requirements for closure and provide a signed statement from an authorized signatory per 30 TAC 305.44 regarding how the owner or operator will comply with this provision and indicate below the type of financial assurance mechanism to cover corrective action for the facility.

If a financial mechanism has been obtained, provide a copy of the mechanism.

For applications involving permit transfers, the new owner or operator must provide a financial assurance mechanism (in original form) satisfactory to the TCEQ executive director. Prior to the executive director issuing the permit modification transferring the permit, the new owner or operator must provide proof of financial assurance in compliance with 30 TAC Section 305.64 (g) and Chapter 37, Subchapter P.

4. Liability Requirements (not required for post-closure care)

   All owners or operators must establish financial assurance for third party sudden liability coverage of the facility no later than 60 days prior to the first receipt of waste [30 TAC Section 37.31(a)]. Owners or operators of disposal facilities must establish financial assurance for third party sudden and nonsudden liability coverage of the facility no later than 60 days prior to the first receipt of hazardous waste. Please refer to 30 TAC Chapter 37, Subchapter P, for the financial assurance requirements for liability coverage, and provide a signed statement from an authorized signatory per 30 TAC 305.44 regarding how the owner or operator will comply with this provision.

   If a financial mechanism has been obtained, provide a copy of the mechanism.

   For applications involving a permit transfer, the new owner or operator must provide a financial assurance mechanism (in original form) satisfactory to the TCEQ executive director. Prior to the executive director issuing the permit modification transferring the permit, the new owner or operator must provide proof of financial assurance in compliance with 30 TAC Section 305.64 (g) and Chapter 37, Subchapter P.

B. Applicant Financial Disclosure Statements for a new permit, permit amendment, or permit modification, or permit renewal (30 TAC 305.50(a)(4))

Refer to the Supplemental Technical Information Guidance for Applicants Subject to Financial Capability Requirements, included in Section VIII.B., and the requirements listed below as you complete this section.

1. Provide information required in 30 TAC 305.50(a)(4), as applicable to the application request.
2. Complete Table VIII.B. if requesting capacity expansion or new construction.
3. For new commercial hazardous waste management facility applications, a written statement signed by an authorized signatory per 30 TAC 305.44 explaining how the applicant intends to provide emergency response financial assurance per 30 TAC 305.50(a)(12)(C) or (D).
4. For renewal applications with no capacity expansion, please complete and submit the attached Financial Disclosure Letter.

Information for Applicants Subject to Financial Capability Requirements

Certain applications involving Hazardous Waste facilities are subject to review of the applicant's financial ability to construct, operate, and/or close the facility, perform post-closure care and corrective action at the facility in accordance with State law as specified in Section 361.085 of the Texas Health and Safety Code. TCEQ refers to these reviews as financial capability reviews. This document summarizes and clarifies the information required in an application to meet the TCEQ requirements of 30 Texas Administrative Code (TAC) 305.50.

Information requirements vary depending on the type of financial information available to applicants, primarily whether audited financial statements are available as well as the type of application submitted. For each scenario described below, financial information must be provided for the specific applicant.

I. New Facilities, Facility Expansions and Permit Transfers

A. Publicly traded Entities

1. Securities and Exchange Commission (SEC) Form 10-Ks

   This portion of the requirement calls for the two most recent 10-K reports filed.

2. SEC Form 10-Q

   This portion of the requirement calls for a copy of the most recent quarterly report.

3. Explanation statement

   This portion of the requirement calls for a statement signed by an authorized signatory [as described in 30 TAC 305.44(a)] explaining in detail how the applicant demonstrates sufficient financial resources to construct, safely operate, properly close, perform post-closure care, perform corrective action and provide adequate liability coverage for the facility. This statement must also address how the closure, post-closure, corrective action, and liability coverage financial assurance requirements of Chapter 37, Subchapter P will be met. (ie. which financial assurance mechanism is or will be used).

4. Construction capital cost estimates

   This portion of the requirement calls for estimates of capital costs for expansion and/or initial construction if the application encompasses facility expansion, capacity expansion, or new construction.

B. Privately held entities with audited financial statements

1. Audited financial statements

   This portion of the requirement calls for complete copies of the audited financial statements for each of the most recent two fiscal years. If an audit has not been completed for one of the previous two years, a complete copy of the fiscal year end financial statement and federal tax return may be substituted in lieu of the audit not performed. The tax return must be certified by original signature of an authorized signatory as being a "true and correct copy of the return filed with the Internal Revenue Service." Financial statements must be prepared consistent with generally accepted accounting principles and include a balance sheet, income statement, cash flow statement, notes to the financial statement, and an accountant's opinion letter.

2. Quarterly financial statement

   This portion of the requirement calls for a complete copy of the most current quarterly financial statement prepared consistent with generally accepted accounting principles. Internally prepared statements are satisfactory.

3. Supplementary information statement

   This portion of the requirement calls for a written statement detailing the information that would normally be found in SEC's Form 10-K including descriptions of the business and its operations; identification of any affiliated relationships; credit agreements and terms; any legal proceedings involving the applicant; contingent liabilities; and significant accounting policies.

4. Construction capital cost estimates

   This portion of the requirement calls for estimates of capital costs for expansion and/or initial construction if the application encompasses facility expansion, capacity expansion, or new construction.

5. Explanation statement

   This portion of the requirement calls for a statement signed by an authorized signatory [as described in 30 TAC 305.44(a)] explaining in detail how the applicant demonstrates sufficient financial resources to construct, safely operate, properly close, perform post-closure care, perform corrective action and provide adequate liability coverage for the facility. This statement must also address how the closure, post-closure, corrective action, and liability coverage financial assurance requirements of Chapter 37, Subchapter P will be met (ie. which financial assurance mechanism is or will be used).

C. Entities without audited financial statements or entities choosing not to provide the information listed above

1. Financial Plan

   This portion of the requirement calls for a financial plan (including balance sheets listing assets, liabilities and capital accounts) sufficiently detailed to clearly demonstrate that the applicant will be in a position to readily secure financing for construction, operation, and closure, post-closure, and corrective action if the permit is issued. At least 3 balance sheets should be included as of: a) approximately the date of the permit application, b) 12 months after any construction is completed (or assumption of operational control for a permit transfer), and c) 24 months after any construction is completed (or assumption of operational control for a permit transfer).

2. Letters of opinion

   The submitted financial plan must be accompanied by original letters of opinion from two financial experts, not otherwise employed by the applicant, who have the demonstrated ability to either finance the facility or place the required financing. If the permit action sought involves construction of a new facility or expansion of an existing facility, the opinion letters must certify that financing is obtainable within 180 days of permit approval and include the time schedule contingent upon permit finality for securing the financing as well as certify the financial plan is reasonable. Even if the application does not involve a facility or capacity expansion, the opinion letters must certify that the financial plan is reasonable. Only one opinion letter from a financial expert, not otherwise

employed by the applicant, is required if the letter renders a firm commitment to provide all the necessary financing.

Letters of opinion are usually issued by investment or commercial bankers but there could be additional sources. Applicants are encouraged to verify the adequacy of the credentials of their chosen financial expert with TCEQ's financial assurance unit prior to a formal engagement. Financial experts should describe their qualifications and disclose their independence from the applicant and/or any entity or person affiliated with the applicant.

3. Operating and cash flow statement

   This portion of the requirement calls for a written detail of the annual operating costs of the facility and a projected cash flow statement including the period of construction and first two years of operation. The cash flow statement must demonstrate the financial resources to meet operating costs, debt service, and provide financial assurance for closure, post-closure care, and liability coverage requirements. A list of the assumptions made to forecast cash flow must also be provided.

4. Explanation statement

   This portion of the requirement calls for a statement addressing how the closure, post-closure, corrective action, and liability coverage financial assurance requirements of Chapter 37, Subchapter P will be met (ie. which financial assurance mechanism is or will be used).

5. Construction capital cost estimates

   This portion of the requirement calls for estimates of capital costs for expansion and/or initial construction if the application encompasses facility expansion, capacity expansion, or new construction.

D. Entities with a resolution from a governing body approving or agreeing to approve the issuance of bonds to satisfy financial assurance requirements (e.g. a city or county)

1. Explanation statement

   This portion of the requirement calls for a statement signed by an authorized signatory [as described in 30 TAC30 305.44(a)] explaining in detail how the applicant demonstrates sufficient financial resources to construct, safely operate, properly close, perform post-closure, perform corrective action and provide adequate liability coverage for the facility. This statement must also address how the closure, post-closure, corrective action, and liability coverage financial assurance requirements of Chapter 37, Subchapter P will be met (ie. which financial assurance mechanism is or will be used).

2. Certified copy of the resolution from the governing body,
3. Certification by the governing body of passage of the resolution.

II. Permit Renewals

Complete the attached letter with applicable information inserted into the parentheses. *Note that additional information must be provided if requested by TCEQ.*

[Date]

Mr. Robert Patton, Jr.
Manager, Industrial and Hazardous Waste Permits Section
Texas Commission on Environmental Quality
Building F, MC 130
12100 Park 35 Circle
Austin, Texas 78753

Re: Financial Disclosure Letter for [name of applicant]

Permit Renewal
Hazardous Waste Permit No. [xxxxx] / Compliance Plan No. [xxxxx]
Industrial Solid Waste Registration No. [xxxxx]
EPA ID No. [TXDxxxxxxxxx]
RN[xxxxxxxxx]; CN[xxxxxxxxx]

Dear Mr. Patton:

This letter is furnished to you in response to financial disclosure requirements as applicable under Texas Health and Safety Code Section 361.085 and Title 30, Texas Administrative Code (30 TAC), Section 305.50 to provide assurance that [name of applicant] has sufficient financial resources.

In keeping with the above law and rule requirements I hereby certify that [name of applicant] is adequately capitalized and has sufficient financial resources to operate, close, provide post-closure care for and perform corrective action for the above-referenced facility in a safe manner, and in compliance with the permit and all applicable rules.

[name of applicant] currently provides a [describe type of mechanism, i.e., letter of credit, surety bond, etc.] financial assurance mechanism as set out in 30 TAC, Chapter 37, Subchapter C to meet [name of applicant]'s financial assurance obligations.

I am authorized to make these statements on behalf of [name of applicant]. I understand that the TCEQ may request additional information as part of their review.

Sincerely,

[Signature block]
[Title of Signatory]

*[**Note**: signatory must be person whose title and job responsibilities meet the requirements in 30 TAC § 305.44]*

Table VIII.B - Estimated Capital Costs

	Estimated Capital Costs
Site preparation, fencing, paving, curbing, lighting, roadways:.....	$_____
Foundations, buildings, other structures, utilities and connections, drainage system, HVAC system, electrical system, wastewater system:.....	$_____
Process and control equipment:.....	$_____
Auxiliary equipment, including but not limited to exhaust hoods fans, ducting, pumps, piping, conveyors, stacks, storage tanks, process tanks, waste disposal facilities, pollution control equipment, and fire protection system:.....	$_____
Process integration and instrumentation:.....	$_____
Emergency response equipment:.....	$_____
Transportation equipment:.....	$_____
Office equipment:.....	$_____
Engineering design, supervision, overhead:.....	$_____
Construction expenses including permits, insurance, temporary facilities, and clean-up.....	$_____
Contractor's fees and overhead.....	$_____
Contingency.....	$_____
Total	$_____

The estimates listed above were derived from the following sources:

IX. Releases from Solid Waste Units and Corrective Action

The Texas Solid Waste Disposal Act, 30 TAC 335.167, 40 CFR 270.14(d) and Section 3004(u) of the Hazardous and Solid Waste Amendments of 1984 (HSWA) *require that each hazardous waste management permit application review shall address corrective action for all releases of hazardous waste and hazardous constituents* listed in 40 CFR 261, Appendix VIII, 40 CFR Part 264, Appendix IX, and/or other constituents of concern from any solid waste management unit (SWMU) and/ or Areas of Concern (AOCs) at a facility, regardless of the time at which waste was placed in such unit[2]. Current EPA interpretation of this requirement has resulted in a Corrective Action process that begins with a RCRA Facility Assessment (RFA) to determine if corrective action is necessary.

The first step in the RFA is the development of a Preliminary Review (PR) from all available documentation for a facility (including but not limited to all facility documents, Part A, and Part B of the permit application, TCEQ correspondence files and inspection reports, etc.). The PR compiles available information on every SWMU and/or AOC that has ever existed at the facility. A unit checklist is completed for each SWMU and/ or AOC. On a unit-by-unit basis, the PR may recommend no further action for:

- well-designed and well-managed units;
- units that have not managed hazardous wastes or wastes containing hazardous constituents;
- units already under corrective action by enforcement order; or
- units scheduled to be addressed in a compliance plan.

In addition, the unit checklists are summarized in a *Facility Checklist*. If there is a known release or potential for a release of hazardous waste or hazardous constituents from a unit/area, the PR may recommend a *RCRA Facility Investigation* (RFI), or an *Affected Property Assessment* (APA), if 30 TAC Chapter 350, Texas Risk Reduction Program (TRRP) applies, to determine the extent of the release for future corrective action, or stabilization as an appropriate and immediate corrective action.

The second step is a *Visual Site Inspection* (VSI) of the entire facility. The RFA is the combination of the PR and VSI documentation and any sample results. The RFA process should be scheduled so as to be completed during the latter stages of the Technical Review process or no later than one month in advance of the preparation of an initial draft permit for the facility. The RFA includes recommendations for whether further investigation or corrective action is warranted.

The requirements for an RFI or any other corrective action will be included in the permit, in the associated compliance plan which is mandatory for facilities with known groundwater contamination, or pursuant to 40 CFR 270.14(d)(3), the applicant may be required to start the RFI or other corrective action before the permit is issued. The RFI shall comply with all the applicable items contained in the U.S. EPA publication EPA/520-R-94-004, OSWER Directive 9902.3-2A, RCRA Corrective Action Plan (Final), May 1994, unless an alternate investigation approach is approved by the Executive Director. An RFI workplan may typically include a soil

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2For the purposes of HSWA Corrective Action, a SWMU may include, but is not limited to, any landfill, surface impoundment, land treatment unit, waste pile, underground injection well, incinerator, boiler, industrial furnace, tank, container storage area, drip pad, containment building, miscellaneous unit; any units exempt from hazardous waste permitting requirements, such as wastewater treatment units, elementary neutralization units, totally enclosed treatment units, waste recycle/reuse units, and 90-day accumulation time units; or process units or areas which may have routine and/or systematic releases to the environment (e.g., process drainage ditches or product storage tanks).

boring program, installation of monitoring wells, and sampling and analysis for 40 CFR 261 Appendix VIII and 40 CFR 264 Appendix IX hazardous constituents for surface soils, subsurface strata, surface water, groundwater, and/or air.

The permittee shall perform the RFI or APA and report the results. Corrective Action under 30 TAC Chapter 350 consists of an APA, determination of protective concentration levels, selection of a remedy standard (if necessary), development and implementation of a response action (if necessary), and submittal of required report according to 30 TAC Chapter 350.

If the RFI report indicates releases of hazardous waste or hazardous constituents for SWMUs and/or AOCs that have been grandfathered under 30 TAC Chapter 335 Subchapters A and S, Corrective Action shall consists of, if necessary, Interim Corrective Measures, *Baseline Risk Assessment* (BLRA)/*Corrective Measures Study* (CMS) Report, and *Corrective Measures Implementation* (CMI).

For grandfathered SWMUs and/or AOCs, the permittee may continue to complete the Corrective Action requirements under 30 TAC Chapter 335, Subchapter A and S, provided the permittee complies with the notification and schedule requirements pursuant to 30 TAC 335.8 and 350.(2)(m).

This report shall evaluate the risk, identify and evaluate corrective measure alternatives, and recommend appropriate corrective measure(s) to protect human health and the environment. The BLRA/CMS Report shall address all of the applicable items in 30 TAC 350, 30 TAC 335 Subchapter S, and the U.S. EPA publication EPA/520-R-94-004, OSWER Directive 9902.3-2A, RCRA Corrective Action Plan (Final), May 1994.

Upon approval of the BLRA/CMS Report by the TCEQ, the permittee shall submit a CMI Workplan to address all of the items for CMI Workplan contained in the U.S. EPA publication EPA/520-R-94-004, OSWER Directive 9902.3-2A, RCRA Corrective Action Plan (Final), May 1994. For projects conducted under TRRP, the risk assessment process shall be addressed in the *Affected Property Assessment Report* (APAR), and the evaluation of corrective measures shall be conducted as part of the remedy standard selection process provided in the *Response Action Plan* (RAP). If the CMI or RAP does not propose a permanent remedy, then a CMI Workplan or RAP shall be submitted as part of a new compliance plan application or as a modification/amendment application to an existing compliance plan. The workplan or RAP shall contain detailed final engineering design, monitoring plans, and schedules necessary to implement the selected remedy. Implementation of the corrective measures shall be addressed through a new and/or a modified/amended compliance plan. Upon installation of a corrective action system based upon the approved CMI Workplan or RAP, the permittee shall submit a CMI Report or RAP which includes as-built drawings of the corrective action system. To report the progress of the corrective measures, the permittee shall submit periodic CMI Progress Reports or Response Action Effectiveness Reports to the TCEQ in accordance with the schedule specified in the compliance plan. Upon completion of the corrective action requirements, the permittee shall submit CMI Report or Response Action Completion Reports for review and approval.

Please note that the applicant/permittee may perform voluntary corrective action, stabilization, or "interim measures" at any time prior to or during the RFA/RFI/CMS/CMI or the APAR/RAP process without prior TCEQ approval. The TCEQ strongly supports these actions when undertaken to mitigate releases or reduce or minimize exposure and releases to human health and the environment.

A. Preliminary Review Checklists

For Applications for a New Hazardous Waste Permit:

- For all facility Solid Waste Management Units (SWMUs) and/or Areas of Concern (AOCs), complete the accompanying forms entitled "Preliminary Review Facility Checklist" and "Preliminary Review Unit Checklist". Make additional copies as necessary.

For Applications for a Renewal/Amendment/Modification of an Existing Hazardous Waste Permit:

- Update the Preliminary Review Facility Checklist to include any newly identified SWMUs and/or AOCs that were not incorporated into the previous permit issuance (new, amendment, modification, or renewal), and to update the status of all previously identified SWMUs or AOCs which are incorporated into the existing permit under either Section IX – Corrective Action for Solid Waste Management Units, or Section XI – Compliance Plan. Status updates should include notes regarding whether the SWMU or AOC has been incorporated into a compliance plan, has received approval of no further action (NFA), has had changes in its corrective action status, or has had other determinations issued by the TCEQ. Include the date of the status change in the updated checklist;
- Complete the Preliminary Review Unit Checklists for any newly identified SWMUs or AOCs that were not incorporated into the previous permit issuance (new, amendment, modification, or renewal);
- Update the status on the Preliminary Review Unit Checklists for all previously identified SWMUs or AOCs that had not yet received TCEQ approval of NFA at the time of the previous permit issuance;
- Provide copies of the letters from the TCEQ approving NFA or other determinations that were issued since the previous permit issuance;
- For previously identified SWMUs and/or AOCs which are incorporated into the existing permit and are included in Section XI – Compliance Plan of this application, you may forego filling out the Preliminary Review Unit Checklists for these units. Briefly note on the Preliminary Review Facility Checklist that the SWMUs or AOCs are addressed in Section XI. Provide the location where the SWMU's and addressed in Section XI. Or
- If all previously identified SWMUs and/or AOCs reached NFA status at or before the last permit issuance you may forego filling out the Preliminary Review Unit Checklists, indicate Not Applicable, and provide a brief explanation of the facts.

Instructions for Preliminary Review Facility Checklist

Fill out the information block at the top of the page (the reviewer space should remain blank for the TCEQ authorized agent).

Facility:_____ City:_____

ISW Reg. No:_____ Date:_____

Permit No:_____ Reviewer:_____

EPA ID No:_____

Waste Management Units:

RCRA Regulated Units: List all units that received hazardous wastes after July 26, 1982 or for which closure was certified after January 26, 1983 with the appropriate information under the three provided column headings as explained in the Unit Checklist instructions. [40 CFR 264.90(a)(2)]

Solid Waste Management Units, and/or Areas of Concern (AOC):

List all remaining SWMUs and/or AOCs.

Reviewed Documents:

Enter the appropriate information for sub-items 1-6, including document dates (item 6 should include pertinent company files).

Summary:

Provide an overall summary of the results of this Preliminary Review noting units and areas of concern.

Recommended Actions:

Summarize the Unit Checklist Recommended Actions and list those units recommended for further investigation including appropriate Unit No.

Provide the following information for EACH unit or area of concern:

A. Waste Management Unit: Enter SWMU and/or AOC name and facility designated number (e.g., Tank 101)

B. N.O.R. No.: enter TCEQ Notice of Registration (N.O.R.) Number or, if unassigned, a letter designation (i.e., A-Z)

C. Description: enter type of unit (e.g., above-grade processing tank) and Process Code as listed below:

Instructions for Preliminary Review Unit Checklist (Continued)

Process Types Table

Process Code	Unit Type	Process Code	Unit Type
Disposal		Miscellaneous (Subpart X)	
D79	Injection Well	X01	Open Burning/Open Detonation
D80	Landfill	X02	Mechanical Processing
D81	Land Application	X03	Thermal Unit
D83	Surface Impoundment - Disposal	X04	Geologic Repository
D99	Other Disposal	X99	Other Subpart X
Storage			
S01	Container	S05	Drip Pad
S02	Tank - Storage	S06	Containment Building - Storage
S03	Waste Pile	S99	Other Storage
S04	Surface Impoundment - Storage		
Treatment			
T01	Tank - Treatment	T86	Blast Furnace
T02	Surface Impoundment - Treatment	T87	Smelting, Melting, or Refining Furnace
T03	Incinerator	T88	Titanium Dioxide Chloride Process Oxidation Reactor
T04	Other Treatment	T89	Methane Reforming Furnace
T80	Boiler	T90	Pulping Liquor Recovery Furnace
T81	Cement Kiln	T91	Combustion Device Used in Recovery of Sulfur Values from Spent Sulfuric Acid
T82	Lime Kiln	T92	Halogen Acid Furnace
T83	Aggregate Kiln	T93	Other Industrial Furnaces Listed in 40 CFR 260.10
T84	Phosphate Kiln	T94	Containment Building - Treatment
T85	Coke Oven		

D. Dates of Operation:

Enter the date the unit was placed into service and any other dates the unit changed status (active, inactive, closed, post-closure) with the appropriate status designation.

E. Wastes Managed:

List all solid wastes ever managed in the unit and include the TCEQ NoR waste #, EPA Hazard Codes, and EPA waste codes. For each waste, list any hazardous constituent listed in 40 CFR 261 Appendix VIII and 264 Appendix IX, as appropriate.

F. Evidence of Release:

Completely describe the release, including time frame, waste amount, to what media, and any corrective measures taken.

G. Pollutant Dispersal Pathways:

Completely describe the possible and actual run-off pathways (i.e., to which tributary, creek, river, and bay or through subsoil to which aquifer with groundwater flow gradient, speed, and direction and any discharge point).

H. Summary:

Provide complete unit description including unit type, elements of construction, location, age, condition, dimensions, size, capacity (i.e., gallons, square feet, cubic yards, etc.), and potential for release.

I. Recommended Action:

Recommend No Further Action, Stabilization (interim measures), or Further Investigation and justify. Note, corrective action under another authority is justification for No Further Action.

Preliminary Review Facility Checklist

Facility:_____ City:_____

ISW Reg No:_____ Date:_____

Permit No:_____ Reviewer:_____

EPA ID No:_____

A. Waste Management Units:

RCRA Regulated Units:

NOR No.	Description	Status

Solid Waste Management Units:

NOR No.	Description	Status

B. Reviewed Documents:

RCRA:

Part A _____

Part B _____

Permit _____

CERCLA:

Inspection Reports:_____

Enforcement Actions:_____

Exposure Information:_____

Other Information:_____

C. Summary:

D. Recommended Action:

Preliminary Review Unit Checklist

Facility:_____ City:_____

ISW Reg No:_____ Date:_____

Permit No:_____ Reviewer:_____

EPA ID No:_____

Waste Management Unit:

A. NOR No:

B. Description:

C. Dates of Operation:

Wastes Managed:

Evidence of Release:

Pollutant Dispersal Pathways:

Summary:

Recommended Action:

Appendices to Preliminary Review (PR)

The PR should also include Appendices I-IV to correspond to the Roman numerals in the Unit Checklist:

Appendix I. FACILITY and SWMU LOCATION MAPS

- Regional Location Map
- Site Location Map
- Facility SWMU Map - Use the Notice of Registration (NOR) number to show the location of each unit on a replicate of the topographic map required in Section V.A.1 of this application. Also, please note that the term "facility" includes the entire contiguous property under the control of the owner or operator, which in most cases is the area shown as the legal description of the site in the facility's Part A permit application.

Appendix II. WASTES MANAGED

- List all wastes managed and 40 CFR 261 Appendix VIII and 40 CFR 264 Appendix IX hazardous constituents. Provide pertinent health, safety, and risk data on each.

Appendix III. EVIDENCE of RELEASE

- Provide any applicable documentation on a release. Provide a map of release locations, SWMU identification, and paths traveled.

Appendix IV. POLLUTANT DISPERSAL PATHWAYS

- Provide a facility, local, and regional map identifying all possible and eventual pathways in which a release from any unit could or did travel. Provide a facility general cross-section to illustrate vertical pathways and lateral movements in groundwater, including discharges (i.e., seeps, creeks, etc.).

Preliminary Review Submittal Format

The PR should be bound with a cover page and contain a Table of Contents with the Facility Checklist entered first followed by all the Unit Checklists in unit NOR numerical order and alphabetical order.

X. Air Emission Standards

Section X.D. applies to Permittees with "one- stop" permits applying for an amendment, modification, or renewal of the Air Permits Division portions of their combined "one-stop" permit.

A. Process Vents

Does the facility have process vents and equipment subject to the requirements of 40 CFR Part 264, Subpart AA?

☐ Yes ☐ No

If Yes: please provide a report that includes all of the information required by 40 CFR §270.24. Indicate on a facility plot plan the approximate location of process vents.

1. For incorporation into the permit, complete Table X.A - Process Vents for all vents on waste management units that manage hazardous waste with an annual average total organics concentration of 10 ppmw or greater ("process vents"). Specifically include:
   a. process vents on distillation, fractionation, thin-film evaporation, solvent extraction, air or steam stripping operations, and vents on condensers serving these operations; and
   b. process vents on tanks (e.g., distillate receivers, bottom receivers, surge control tanks, separator tanks, and hot wells) associated with distillation, fractionation, thin-film evaporation, solvent extraction, and air or steam stripping processes if emissions from these process operations are vented through the tanks.

      Emissions caused by natural means such as daily temperature changes or by tank loading and unloading are not subject to control.
2. For process vents, include the following certification as part of the air emissions report:

   I,_____*[owner or operator]*_____, certify that the operating parameters used in the design analysis reasonably represent the conditions that exist when the hazardous waste management unit is or would be operating at the highest load or capacity level reasonably expected to occur.

   I further certify that the control device is designed to operate at an efficiency of 95 weight percent or greater.

   OR

   I further certify that the total organic emission limits of 40 CFR §264.1032(a) for affected process vents at the facility can be attained by a control device involving vapor recovery at an efficiency less than 95 weight percent.

   [Signature] _____ *[Date]* _____.

B. Equipment Leaks

Does the facility have equipment subject to the requirements of 40 CFR Part 264, Subpart BB?

☐ Yes ☐ No o Not Applicable (facility contains no regulated ancillary equipment types associated with permitted units)

If No: please provide the regulatory exclusion/exemption(s):

If Yes: please provide a report that includes all of the information required by 40 CFR §270.25.

1. For incorporation into the permit, complete Table X.B. – Equipment Leaks for all valves, pumps, compressors, pressure relief devices, sampling connection systems, and open-ended valves or lines that contain or contacts hazardous waste streams with organic concentrations of 10% by weight or greater. Equipment in vacuum service is not subject to control if identified in the facility operating record.

2. For equipment, include the following statement as part of the air emissions report:

   I,_____*[owner or operator]*_____, certify that the operating parameters used in the design analysis reasonably represent the conditions that exist when the hazardous waste management unit is operating at the highest load or capacity level reasonably expected to occur.

   I further certify that the control device is designed to operate at an efficiency of 95 weight percent or greater.

   [Signature] _____ *[Date]* _____.

C. Tanks, Surface Impoundments, and Containers

Does the facility have tanks subject to the requirements of 40 CFR Part 264, Subpart CC?

☐ Yes ☐ No ☐ Not Applicable (no permitted tanks)

If No: provide the regulatory exception/exemption(s) for each tank subject to regulation under 40 CFR Part 264, Subpart J:

Does the facility have surface impoundments subject to the requirements of 40 CFR Part 264, Subpart CC?

☐ Yes ☐ No o Not Applicable (no permitted surface impoundments)

If No: provide the regulatory exception/exemption(s) for each permitted surface impoundment subject to regulation under 40 CFR Part 264, Subpart K:

Does the facility have containers subject to the requirements of 40 CFR Part 264, Subpart CC?

☐ Yes ☐ No ☐ Not Applicable (no permitted container storage areas)

If No: provide the regulatory exception/exemption(s) applicable to the authorized containers subject to regulation under 40 CFR Part 264, Subpart I:

If the facility contains tanks, surface impoundments, and containers subject to the requirements of 40 CFR Part 264 Subpart CC, please provide a report that includes all of the information required by 40 CFR §270.27.

1. For incorporation into the permit, complete Table X.C.

2. As applicable, include the following floating roof cover certification as part of the air emissions report for tanks:

I,_____*[owner or operator]*_____, certify that the floating roof cover meets the applicable design specifications as listed in 40 CFR §264.1084(e)(1) or 40 CFR §264.1084(f)(1).

[Signature] _____ *[Date]* _____.

3. As applicable, include the following floating membrane cover certification as part of the air emissions report for surface impoundments:

   I,_____*[owner or operator]*_____, certify that the floating membrane cover meets the applicable design specifications listed in 40 CFR §264.1085(c)(1).

   [Signature] _____ *[Date]* _____.

4. As applicable, include the following container certification as part of the air emissions report for containers:

   I,_____*[owner or operator]*_____, certify that the requirements of 40 CFR Part §264, Subpart CC, are met for all containers subject to control.

   [Signature] _____ *[Date]* _____.

5. As applicable, include the following control device certification as part of the air emissions report:

   I,_____*[owner or operator]*_____, certify that the control device is designed to operate at the performance level documented by a design analysis as specified in 40 CFR 264.1089 (e)(1)(ii) or by performance tests as specified in 40 CFR §264.1089(e)(1)(iii) when the tank, surface impoundment, or container is or would be operating at capacity or the highest level reasonably expected to occur.

   [Signature] _____ *[Date]* _____.

D. "One-Stop" Permits:

Does the facility have a "one-stop" permit?

☐ Yes ☐ No

If yes: does this permit application propose to delete the "one-stop" portion of the permit?

☐ Yes ☐ No

Does the facility want the application processed in accordance with 30 TAC Chapter 33 – Consolidated Permit Applications?

☐ Yes ☐ No

If yes: please provide a copy of the notification of intent required by 30 TAC 33.43.

Permittees having "one-stop" permits may elect to combine the air and waste management amendment, modification, or renewal of permitted waste management units. The combined amendment, modification, or renewal application will follow the application processing procedures for an industrial solid waste permit. "One-Stop" permit applications shall include the following air quality information, as applicable.

1. Area map (to scale) showing the location of the plant and land use in the vicinity of the facility including buildings, schools, residences, etc. within 3000 feet.
2. Plot plan (to scale) with latitude and longitude showing the plant layout, property

boundary and location of all emission points of air contaminants. Emission points are to be numbered.

3. Specific chemical name of each air contaminant and emission rate in maximum pounds per hour, maximum tons per year and calculations used to determine emission rates. Fugitive emissions are to be included. Complete Table 1(a) entitled "Emission Sources."

4. Process description, operating schedule, and flow chart in sufficient detail that will explain the process and operation and a material balance for processes where applicable. The description should include a discussion of disposal methods for any generated residues and associated air emissions.

5. Design specifications about each emission control device using the appropriate OAQ table.

6. Volatile organic compound (VOC) concentrations in water or sludges or soil and volumes or weights of water, sludges or soils to be processed.

7. Exhaust stack or emission point parameters for each emission point including height, diameter, temperature, velocity and flow rate, except ground level fugitive emissions.

8. Best available control technology (BACT) documentation for all new and modified facilities.

9. Documentation of compliance with any applicable Federal New Source Performance Standard (NSPS) and Federal National Emission Standard for Hazardous Air Pollutants (NESHAPS).

10. Documentation as to whether a permit is required under new source review requirements of part C or D or Title I of the Federal Clean Air Act, 42 U.S.C. 7401 et seq., for a major source or major modification.

11. Information that demonstrates reliability of emission control systems including process instrumentation, equipment redundancy and operating procedures.

12. Results of atmospheric dispersion modeling certified to have been conducted in accordance with applicable TCEQ Office of Air Quality (OAQ) procedures. Model results must show maximum off-property 30-minute and annual ground level concentrations of each air contaminant. Dispersion modeling results must indicate compliance with all OAQ Rules and Regulations. Dimensions of buildings/structures that may influence dispersion modeling are to be furnished. Please consult with OAQ before beginning any modeling study.

13. Storage tank data including capacity in gallons, diameter, height, paint color, composition, density, vapor pressure and molecular weight of liquid stored, maximum hourly and annual throughput and number of turnovers per year. Complete Table 7 entitled "Storage Tank Summary" for each tank.

14. A statement addressing the applicability of each OAQ regulation.

15. All methods of calculating emissions must be properly referenced with justification for selecting and assuming the values used in any equation.

Table X.A. – Process Vents

List all process vents covered by this application.

I.D. No. (if any)	Process Vent	Annual Throughput	Operating Hours	Total Vent Facility Emissions

Table X.B. - Equipment Leaks

List all equipment covered by this application

Equipment I.D. No.	Equipment Type	Waste Management Unit N.O.R. No.	Waste Management Unit Name	% by Weight Total Organics in Haz. Waste Stream	Waste State (gas, vapor, liquid)	Method of Compliance

Table X.C. – Tanks, Surface Impoundments, and Containers Subject to Air Emission Controls

List all units covered by this application

Permit Unit No.	Tanks	Design Capacity (Cubic Meters)	Hazardous Waste Maximum Organic Vapor Pressure[1] (Kilopascals)	Tank Used in Waste Stabilization Process (Y, N)	Tank Level Control (1, 2)[2]	Identify Tank Level 2 Control Tank Type and Control Device Type[3]

Permit Unit No.	Surface Impoundments	Control Type (Floating Membrane /Cover Vented through Closed Vent System to Control Device)[3]

Permit Unit No.	Container Storage Areas	Container Design Capacity (Cubic Meters)	In Light Material Service? (Y/N)	Container Level Standard2 (1, 2, 3)	Container Level Standard 3 Control Types (Closed-Vent System/ Enclosure, Control Device Type)[3]

1 Applicable to Tank Level 1 controls determined using procedures in 40 CFR 264.1083(c). If the tank is heated, see 40 CFR 264.1084(b)(ii).
2 See 40 CFR 264.1084(c) and (d) for tanks and 40 CFR 264.1086(b) for containers.
3 See 40 CFR 264.1084(d)(1)-(5) for tanks, 40 CFR 264.1087(c)(1) for control devices, 40 CFR 264.1085(b) for surface impoundments, and 40 CFR 264.1086(c), (d), and (e) for containers.

Table X.D.1(a) – Emission Point Parameters

Table 1(a) _____ Page _____ of _____

Emission Sources _____ Date _____

Review of applications and issuance of permits will be expedited by supplying all necessary information requested on this Table.

Air Contaminant Data									Emission Point Discharge Parameters						
Emission Point[1]		Chemical Composition of Total Stream		Air Contaminant Emission Rate		UTM Coordinates of Emission Pt. [6]			Stack Sources (7)					Area Sources [8]	
									Height Above Ground [ft.]	Height Above Structures [ft.]	Exit Data				
Number	Name	Component or Air Contaminant Name [2]	Conc. (%v)	Lb/hr [4]	Tons/ Yr [5]	Zone	East [meters] (Lat.)	North [meters] (Long.)			Dia. [ft.]	Vel. [fps]	Temp. [°F]	Length [ft.]	Width [ft.]

Ground Elevation of Facility Above Mean Sea Level _____ feet.

TACB Standard Conditions Are 68°F and 14.7 psia [RULE 131.01.00.001(55)]

General Instructions for Table X.D.1(a):

1. Identify each emission point with a unique number for this plant site, consistent with emission point identification used on plot plan, previous permits and Emissions Inventory Questionnaire. Limit emission point number to 8 character spaces. For each emission point, use as many lines as necessary to list air contaminant data. Typical emission point names are : heater, vent, boiler, tank, reactor, separator, baghouse, fugitive, etc. Abbreviations are OK.
2. Typical component names are: air, H_2O, nitrogen, oxygen, CO_2, CO, Nox, SO_2, hexane, particulate matter (PM), etc. Abbreviations are OK.
3. Concentration data is required for all gaseous components. Show concentration in volume percent of total gas stream.
4. Pounds per hour (lb/hr) - maximum emission rate expected by applicant.
5. Tons per year (tons/year, t/yr.) is annual maximum emission rate expected by applicant which takes into account process operating schedule.
6. As a minimum, applicant must furnish a facility plot plan drawn to scale showing a plant benchmark, latitude and longitude correct to the nearest second for the benchmark, and all emission points dimensioned with respect to the benchmark as required by General Application, Form PI-1. This information is essential for calculation of emission point UTM coordinates. Please show emission point UTM coordinates if known.
7. Supply additional information as follows if appropriate:
   a. Stack exit configuration other than a round vertical stack. Show length and width for a rectangular stack. Indicate if horizontal discharge with a note.
   b. Stack's height above supporting or adjacent structures if structure is within three (3) "stack heights above ground" of stack.
   c. If emission point is a flare, show flare data on Table 8.
8. Normally used for fugitive sources. Show dimensions of a minimum size rectangle which will "enclose" all fugitive sources included in this emission point number.

Table X.D.7 – For Fugitive Sources

Table 74-82 Storage Tank Summary

I. Applicant's Name:_____

II. Tank Parameters (one form for each tank).

1. Location (indicate on plot plan or provide coordinates):

   _____

2. Tank No. _____

3. Emission Point No. _____

4. Nominal Capacity : _____ barrels or

   _____ gallons

5. Dimensions: Diameter _____ft.

   Height or Length _____ ft.

6. Color: Chalking white ☐ Aluminum ☐ Light grey or blue ☐

   Dark color or not paint ☐ Other ☐ (Describe _____)

7. Status: New tank ☐ Altered tank ☐ Relocation ☐ Change of Service ☐

8. Previous permit or exemption number

   _____

9. Type: Fixed roof ☐ Pressure ☐ Insulated ☐ External floating roof o

10. Open top ☐ Underground ☐ Internal floating roof ☐ Horizontal ☐

11. Heated/Cooled ☐ (Temp. _____°F)

12. For floating roof tanks, please supply the following information:

    a. Type of roof: Double deck ☐ Pontoon ☐
       Other ☐ (Describe_____)

    b. Roof color: Chalking white ☐ Aluminum ☐
       Other ☐ (Describe _____)

    c. Shell construction: Riveted ☐ Welded ☐
       Other ☐ (Describe_____)

    d. Seals:

       Primary:

       Mechanical Shoe ☐ Liquid-Mounted ☐ Vapor-Mounted ☐

       Other ☐ (Describe _____)

       Secondary:

       Shoe-Mounted ☐ Rim-Mounted ☐ Weather Shield ☐None ☐
       Other ☐ (Describe_____)

Vent Valve Data	Number	Pressure Setting	Vacuum Setting *[Specify "atmosphere" or Discharging To: (name of abatement device)]*
Combination vent valve			
Pressure vent valve			
Vacuum vent valve			
Open vent			

III. Properties of Stored Material (If tank is to hold several different materials or mixtures, attach appropriate information)

1. Material to be stored in this tank:

   _____

2. Liquid density at average annual bulk storage temperature: _____lbs/gal or _____°API
3. Average vapor molecular weight _____
4. Vapor pressure @ average annual bulk storage temperature: _____psia @ _____°F. (or _____lbs. Reid).
5. Vapor pressure @ maximum bulk storage temperature: _____psia @ _____°F.
6. Initial boiling point: _____°F.
7. If material stored is a solution, please supply the following information:
   a. Name of solvent: _____
   b. Partial pressure of solvent: _____ psia
   c. Name of solute: _____
   d. Partial pressure of solute: _____ psia
   e. Concentration of solute: _____ wt% or _____ vol% or _____lbs/gal.

IV. Operating Data:

1. Maximum filling rate: _____ bbls/hr or _____ gal/hr.
2. Average outage (average distance from top of tank shell to liquid surface): _____ft.
3. Tank turnovers per year: _____ (Use zero (0) for constant-level tanks).

XI. Compliance Plan

Groundwater Monitoring and Corrective Action Requirements for Regulated Units

Owners or operators of facilities that process, store, or dispose of hazardous waste may be required to establish groundwater monitoring and response programs in accordance with the provisions of 30 TAC 335.157. There are three types of groundwater monitoring programs which may be addressed in a Compliance Plan Application for Regulated Units: i) detection monitoring, ii) compliance monitoring, and iii) corrective action monitoring. The applicability of these various monitoring programs and the associated application requirements are illustrated in Figure 2 of the Compliance Plan Application instructions and further outlined below. A Compliance Plan Application will be required to be submitted when establishing a new compliance plan or incorporating changes in an existing compliance plan.

Detection Monitoring: An owner/operator required to conduct detection monitoring per the requirements of 30 TAC 335.164 must monitor for indicator parameters, such as specific conductance, total organic carbon, and total organic halogen, as well as chemical parameters and hazardous constituents specified in the facility permit. If a statistically significant increase in any parameter or hazardous constituent specified in the facility permit is detected in any monitoring well down gradient of the compliance point, the owner/operator must sample the groundwater in all monitoring wells and analyze the samples for the presence of 40 CFR Part 264 Appendix IX hazardous constituents. As shown in the accompanying Flow Diagram (see Figure 2), if the analytical results confirm the presence of Appendix IX constituents down gradient of the compliance point, the owner/operator must submit a Compliance Plan Application to establish a compliance monitoring program or corrective action program.

Compliance Monitoring: The requirements for compliance monitoring programs are detailed in 30 TAC 335.165. Owners/operators required to establish a compliance monitoring program must monitor the groundwater to determine whether Regulated Units are in compliance with the Groundwater Protection Standard (GWPS) specified in the compliance plan (see 30 TAC 335.158 .160). If a statistically significant increase above the GWPS in any chemical parameter or hazardous constituent specified in the compliance plan is confirmed, the owner/operator must submit a application to modify the compliance plan to establish a corrective action program in accordance with 30 TAC 335.166 (see Figure 2). If no such exceedance of the GWPS is detected for three consecutive years and the applicable compliance period has expired, the owner/operator must apply for modification of the compliance plan to re-establish a detection monitoring program for the unit. No further monitoring may be needed if the applicable post-closure care period for the unit is complete.

Regulated Unit Corrective Action Program: Owners/operators required to implement a corrective action program in accordance with the provisions of 30 TAC 335.166 must remove the hazardous waste constituents found in the groundwater or treat the groundwater in-place to levels equal to or less than the GWPS down gradient of the compliance point. The owner/operator must also establish and implement a groundwater monitoring program to demonstrate the effectiveness of the corrective action program. Corrective action measures may be terminated once the concentrations of hazardous constituents are reduced to levels equal to or below their respective concentration limits. After termination of the corrective action measures, the owner/operator must submit an application for modification of the compliance plan to re-establish a compliance monitoring program for the duration of the compliance period (see Figure 2).

Groundwater Corrective Action Requirements for Solid Waste Management Units (SWMUs)

HSWA Solid Waste Management Unit (SWMU) Corrective Action Program: An owner/operator

of a Permitted facility or an applicant applying for a hazardous waste permit is required to submit a Compliance Plan Application if hazardous constituents have been released from a SWMU and/or Area of Concern (AOC) to the groundwater and exceeds background or Practical Quantitation Limit (PQL) values, if under Risk Reduction Rules 30 TAC 335 and/or appropriate Protective Concentration Limits (PCLs), if under Texas Risk Reduction Program Rules 30 TAC 350. The Permitted facility must implement a corrective action program for SWMUs and/or AOCs in accordance with provisions 30 TAC 335.167 (see Figure 3, page 122 of the instructions for example of process-alternate, but equivalent process may be authorized by the Executive Director).

Compliance Plan Application Form Structure:

The Compliance Plan Application consists of Sections XI.A. through E.

Application Information Form:

This section contains detailed information necessary for the application and regulatory requirements needed to put in the final compliance plan.

The application form contains the following subsections:

A. Site Specific Information

B. Groundwater Protection Standard (GWPS)

C. Compliance Monitoring Program

D. Corrective Action Program

E. Cost Estimates for Financial Assurance

CP Attachments:

A. Alternate Concentration Limits

B. Well Design and Construction Specifications

C. Sampling and Analysis Plan

Compliance Plan Site Specific Tables:

This section includes the following tables which are to be completed by the applicant, as applicable, and shall be incorporated as part of the final draft Compliance Plan. [Note: include a CD disk with the application providing an electronic copy of the files supporting the compliance plan tables, as applicable, in MS Word format]:

CP Table I – Waste Management Units and/or Areas Subject to Groundwater Corrective Action and Compliance Monitoring

CP Table II – Solid Waste Management Units and/or Areas of Concern for which Corrective Action applies pursuant to 30 TAC 335.167.

CP Table III – CORRECTIVE ACTION PROGRAM Table of Detected Hazardous and Solid Waste Constituents and the Groundwater Protection Standard

CP Table IIIA – CORRECTIVE ACTION PROGRAM Table of Indicator Parameters and the Groundwater Protection Standard

CP Table IV – COMPLIANCE MONITORING PROGRAM Table of Hazardous and Solid Waste Constituents and Practical Quantitation Limits or Method Quantitation Limits for Compliance Monitoring

CP Table IVA – COMPLIANCE MONITORING PROGRAM Table of Detected Hazardous

Constituents and the Groundwater Protection Standard for Compliance Monitoring

CP Table V – Designation of Wells by Function

CP Table VI – Compliance Period for RCRA-Regulated Units

Note to the Permittee: All responses to each item in Section XI of the application form should be entered immediately below the original text associated with the form. Do not delete any areas of the application form that are not applicable, retain these areas with a response of either 'Reserved' or 'Not Applicable' below the original text of the form. In addition, if material supporting a response is located elsewhere in the application, the response should provide details as to the specific location within the referenced material.

One of the primary goals of the performance based Compliance Plan is the wells listed in, CP Table V – Designation of Wells by Function (to be included in the final Compliance Plan) are the wells in which the GWPS must be met to verify compliance with Compliance Monitoring program or corrective action objectives, and to change the table would require a modification. On the other hand, the following types of wells Corrective Action Observation Wells, Corrective Action System well, etc., that are included in "Attachment A" maps of the final draft Compliance Plan, should be flexible. The purpose is to provide the permittee with the authority to alter the groundwater monitoring system and Corrective Action System designs, as necessary, to proactively address changing environmental conditions without modifying or amending the Compliance Plan. An application to modify/amend the compliance plan is only required if wells listed in CP Table V are changed; consequently, Corrective Action Observation and Corrective Action System Wells are not listed in CP Table V of the compliance plan so they may be added or removed without modifying/amending the compliance plan. Notification of proposed changes to the groundwater monitoring system and Corrective Action System designs can be included in the semiannual or annual report required by CP Table VIII – Compliance Schedule (to be included in the final Compliance Plan).

Figure 1 – Overview of Required Submittals And Revisions Associated with TCEQ Groundwater Compliance Plan Application

Type of Compliance Plan Application or Revision	Minimum Required Submittals				Additional Application Submittals Or Revisions					
	Description of Modification	Public Notification Evidence	Fee Payment Evidence	Part B, Section I General Information	Section XI.A. Site-Specific Information	Section XI.B. Groundwater Protection Standard	Section XI.C. Compliance Monitoring Program	Section XI.D. Corrective Action Program	Section XI.E. Financial Assurance Cost Estimates	Attachment A Alternate Concentration Limits
RCRA Permitted Units										
Compliance Monitoring Program, commencement or modification per 30 TAC 335.165.	●	●	●	●	●	●	●	○	●	◉
Corrective Action Program, commencement or modification per 30 TAC 335.166.	●	●	●	●	●	●	○	●	●	◉
Compliance Period, termination or extension per 30 TAC 335.162.	●	●	●	●	◉	○	●	○	◉	○
Solid Waste Management Units										
Corrective Measure Implementation (CMI), per 30 TAC 335.167.	●	●	●	●	●	●	◉	●	●	○
Corrective Action Program termination.	●	●	●	●	◉	○	●	○	○	○

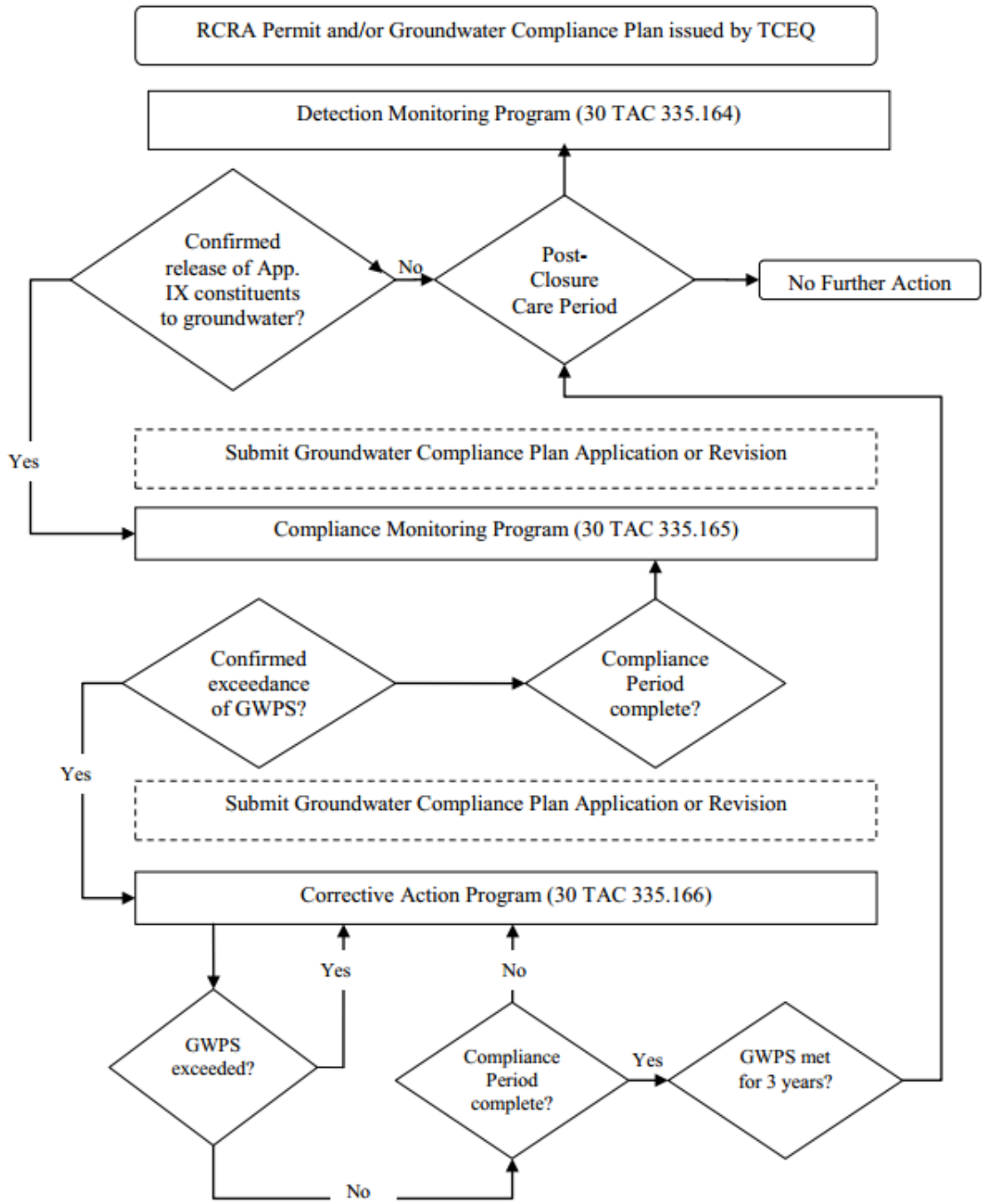
Note:

● Submittal of additional or revised information required.

○ No submittal of additional or revised information required.

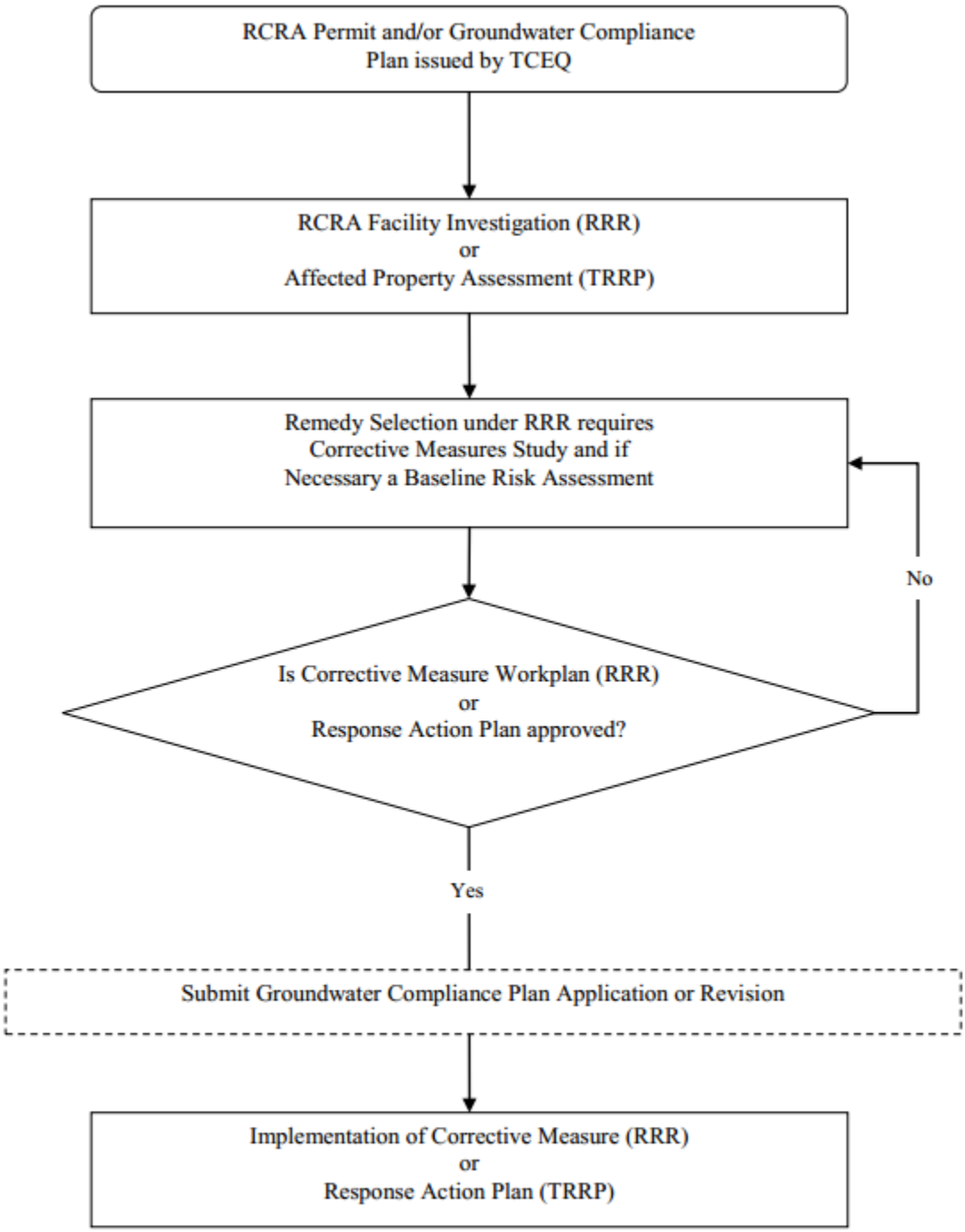
◉ Possible submittal of additional or revised information required.

Figure 2 - Summary of Groundwater Monitoring and Compliance Plan Application Requirements for Regulated Waste Management Units (30 TAC 335 Subchapter F)



Note:
- GWPS = Groundwater Protection Standard (See Section XI.B. of this document, and 30 TAC 335.158 – 160)
- App. IX = Groundwater Monitoring List, 40 CFR 264 Appendix IX.
- Compliance Period = See Section XI.E. of this application, and 30 TAC 335.162.

Figure 3 – Summary of Compliance Plan Applications Requirements for Solid Waste Management Units (SMMUS) (30 TAC 335.167)



Note:
(RRR) – Risk Reduction Rules, 30 TAC 335
(TRRP) – Texas Risk Reduction Program, 30 TAC 350

A. Site Specific Information

1. General Site Information (provide the following information):
   a. An overall plan view map of the entire facility delineating the facility's property boundary, Facility Operations Area (FOA) boundaries, as applicable, and the plume management zone (PMZ) boundaries as applicable;
   b. A 7.5 minute U.S.G.S. quadrangle topographic map showing the entire facility;
   c. All oversized (larger than 8.5" by 11") drawings submitted in accordance with a and b, above, should be accompanied with legible photocopies of the reduced drawing on 8.5" by 11" sheet(s) of paper which shall be used as "CP Attachment A" maps in the final draft Permit/Compliance Plan. The applicant should title the map(s) accordingly as "CP Attachment A, Sheet 1 of xx – Facility Site Map"; "CP Attachment A, Sheet xx of xx, FOA Lateral Boundary Map"; "CP Attachment A, Sheet xx of xx, PMZ Boundary Location Map"; and
   d. Aerial photographs through time depicting changes in the land use, if available.

2. Waste Management

   Provide a complete list and a plan view drawing(s) locating and identifying the following waste management units at the scale of 2.5 centimeters (1 inch) equal to not more than 61.0 meters (200 feet). All oversized (larger than 8.5" by 11") drawings should be accompanied with legible photocopies of the reduced drawing on 8.5" by 11" sheet(s) of paper. Please provide information for each waste management unit listed below on Table XI.A.1. – Facility History for Waste Management Units.

   a. All hazardous waste management units regulated under the Industrial Solid Waste and Municipal Hazardous Waste Rules (Chapter 335) required to be monitored in accordance with 30 TAC 335.164 (Detection Monitoring), 335.165 (Compliance Monitoring Program) and 335.166 (Corrective Action Program);
   b. All solid waste management units (SWMUs) and Areas of Concern (AOCs) regulated under 335.167 which are recommended for further investigation and/or corrective action in the RCRA Facility Assessment (RFA) shall include those identified in accordance with the permit requirements subsequent to the initial RFA.
   c. All on site wastewater treatment units.

3. Facility History

   Based on the information provided in Table XI.A.1., complete CP Table I – Waste Management Units and Areas Subject to Groundwater Corrective Action and Compliance Monitoring accordingly in the format provided.

   For the SWMUs or AOCs listed in Table XI.A.1. regulated under 30 TAC 335.167 which are recommended for further investigation and/or corrective action in the RCRA Facility Assessment (RFA), including those identified in accordance with permit requirements subsequent to the initial RFA, complete CP Table II – Solid Waste Management Units and Areas of Concern for which Corrective Action applies pursuant to 30 TAC 335.167. CP Table II will become part of the Compliance Plan.

4. Site Geology, Hydrogeologic Conditions, and Relationship to Surface Water

For New, modified/amended Compliance Plan, please provide a Geology Report as required by Section VI.B of this application containing updated site geologic information including the following descriptions, maps and tables with appropriate supporting documentation [All maps should be at the scale of 1 inch equal to not more than 200 feet and legible when reduced to 8.5" by 11" letter size paper]:

a. A description of the site geology for the facility. The geologic description should include a site geology map and sufficient cross sections (see Item h. below) to describe the uppermost aquifer and any confining stratigraphic unit(s) beneath the site.

b. A description of the site soils and subsurface lithologies using the Unified Soil Classification System. For those soil units which do not extend beneath the entire site area, the soil description should include a plan view map designating the soil's areal extent;

c. Where a soil remedy is required in a corrective action program of Section XI.D.1. of this application for a Regulated Unit, SWMU and/or AOC, the applicant shall submit a description of contamination in soils of the vadose zone (unsaturated zone above the uppermost aquifer). The soil description should include maps indicating lateral and vertical extent of contamination;

d. A description and designation of the uppermost saturated zone or uppermost aquifer including the name, the type of unit (e.g. perched, confined, etc.,), and groundwater characteristics (flow rates, directions, hydraulic conductivity, etc.). As defined in 40 CFR 260.10, an aquifer is a geologic formation, group of formation, or part of a formation, capable of yielding significant amount of groundwater to wells or springs. Persons using Texas Risk Reduction Program (TRRP) should also consider the definition of a groundwater bearing unit as a saturated geologic formation, group of formations, or part of a formation with a hydraulic conductivity of equal to or greater than 1 x 10 -5 centimeters/second (30 TAC 350.4(a)40).

e. Present the geologic, stratigraphic and hydrogeological information; and

f. Maps indicating the lateral and vertical extent of the contamination for each stratigraphic unit affected, with supporting documentation.

g. Current Contaminant Plume Map(s) Locating and identifying the extent of contamination as determined from previous monitoring on a separate facility base map(s). Locate and identify all monitor wells and waste management units/areas.

h. Cross section Cross section transect lines should be indicated on the Contaminant Plume Map. The applicant, at a minimum, must submit two (2) stratigraphic cross sections for each waste management unit/area. One cross section should be drawn through all the point of compliance wells and the second cross section should be drawn along the direction of the movement of the contaminant plume released from the unit/area. Cross sections should follow the requirements outlined in the Geologic and Hydrogeologic Report of Parts IV and V of this application. At a minimum, the cross sections should include the following information:

(1) the stratigraphic interpretation (e.g., surface grade, uppermost aquifer, aquiclude);

(2) lithology/geologic description of the uppermost aquifer and

aquiclude;

(3) the potentiometric surface;

(4) detected non-aqueous phase liquids (NAPLs) and hazardous constituents; and

(5) screen length and screen depth for each well in the cross section.

i. Well Construction diagram The report should include a well construction diagram for all wells used in the cross section. The well construction diagram should include the information in "Attachment B" of this (Compliance Plan) application. The well construction diagram information may be included on the geologic cross-section(s).

j. Describe the potential for any surface water bodies to be hydraulically connected to groundwater containing hazardous constituents. Apply the guidance provided in Determining PCLs for Surface Water and Sediment, RG-366/TRRP-24 Revised, December 2002, in order to determine the water body type and applicable surface water criteria for human health, aquatic life and wildlife, as applicable.

B. Hazardous Constituents In Groundwater And Groundwater Protection Standards (GWPSs)

Hazardous Constituents in Groundwater

For each contaminated hydrogeologic unit beneath a waste management unit/area (40 CFR 264.95), provide a list of all 40 CFR Part 264 Appendix IX hazardous constituents that have been detected in groundwater samples above background values, Practical Quantitation Limits (PQLs), or Method Quantitation Limits (MQLs). Please submit for each unit/area the most recent Appendix IX laboratory analysis results showing the constituents, constituent concentrations, methods used for analysis and associated laboratory QA/QC.

The groundwater samples (collected for the purpose of determining whether constituents listed in Appendix IX are present) shall be from each waste management unit/area monitoring well system as required by 30 Texas Administrative Code (TAC) 335.164 (detection monitoring program).

If the waste management unit/area is subject to Corrective Action Program required by 30 TAC 335.166 or 335.167 and/or Compliance Monitoring required by 30 TAC 335.165, then list the unit/area and include the list of hazardous constituents and their principal degradation constituents in:

CP Table III – Corrective Action Program Table of Detected Hazardous and Solid Waste Constituents and the Groundwater Protection Standard; and

CP Table IV – Compliance Monitoring Program Table of Hazardous and Solid Waste Constituents and Practical Quantitation Limits or Method Quantitation Limits for Compliance Monitoring.

1. Groundwater Protection Standards (GWPSs)

The GWPS (30 TAC 335.158) is designed to ensure that hazardous constituents (30 TAC 335.159) identified in groundwater and their principal degradational constituents do not exceed concentrations that pose a present or potential hazard to human health and the environment. Compliance monitoring and corrective action programs for a Regulated Unit (30 TAC 335.165 and 335.166) and a corrective action program for a solid waste management unit (SWMU) (30 TAC

335.167) require human health and the environment to be protected from all releases of hazardous wastes and constituents. These corrective action and monitoring programs are evaluated using the GWPS. The GWPS is based on the following criteria.

a. Background Levels Background levels authorized under 30 TAC 335.160(a)(1) are defined as constituent concentration values that are naturally occurring or are not influenced by contamination coming from the waste management unit. These values are established by statistical analysis of upgradient well sampling data. Analytical results from a sufficient number of independent samples are required to be utilized with an approved and appropriate statistical method. For guidance on the statistical methods consult, Statistical Analysis of Groundwater Data at RCRA Facilities-Unified Guidance, U.S. EPA, March 2009, and any subsequent updates to this document.

   Practical Quantitation Limits (PQLs) or Method Quantitation Limits (MQLs) are utilized in lieu of background values unless a background demonstration establishes concentrations for naturally occurring constituents. The PQL or MQL is defined in the footnote of CP Tables III and IV.

b. Primary and Secondary Maximum Contaminant Levels (MCLs) Maximum permissible level of a contaminant in water which is delivered to any user of a public water system (40 CFR Part 141 and 143, Federal Safe Drinking Water Act).

c. Alternate Concentration Limits (ACLs) determined in accordance with 30 TAC 335.160(b) and are defined in footnote of CP Tables III and IV.

2. Establishing the Groundwater Protection Standard (GWPS)

a. If background, PQL or MQLs are proposed for the GWPS, the applicant must list all constituents (i.e., detected and degradational constituents) for which a GWPS is being applied for and the appropriate concentration limits. This information shall be submitted in the format of CP Tables III, and IV.

b. Alternate Concentration Limits (ACLs) ACLs are established at the point of compliance (POC) for a regulated or solid waste management unit (SWMU). All concentration values or limits listed in Section XI.B.1.c. are considered ACLs. ACLs are evaluated in accordance with the provisions of 30 TAC 335.160(b) and other regulations acceptable to the executive director. If an ACL is requested on the basis of Section XI.B.1.c. (MCLs), then no ACL demonstration is necessary. The ACL demonstration must establish constituent concentrations in groundwater in accordance with regulations acceptable to the executive director. This information shall be submitted in the format of CP Tables III and IV. Note that depending upon the rule employed [i.e., 30 TAC 335 Subchapter S – Risk Reduction Rules (RRR) or 30 TAC 350 – Texas Risk Reduction Program (TRRP)], the applicant should determine the GWPS for the point of compliance and point of exposure, as applicable, in accordance with the remedy standard being utilized.

c. If the contaminant plume discharges or has a potential to discharge into surface water, then the facility must also comply with 30 TAC Chapter 307 (Texas Surface Water Quality Standards) unless other regulatory requirements acceptable to the executive director are requested.

d. "Attachment A" of this Compliance Plan Application provides a summary of regulatory requirements for an ACL demonstration in accordance with 30

TAC 335.160(b).

C. Compliance Monitoring Program

As required by 30 TAC 335.165, an owner or operator must monitor the groundwater to determine whether Regulated Units are in compliance with the Groundwater Protection Standard (GWPS) under 30 TAC 335.158. The applicant must provide the following information when proposing a compliance monitoring program.

1. Groundwater Monitoring Program Description
   a. Describe the proposed groundwater monitoring system to be used to monitor compliance with the GWPS which includes the following information.
      (1) Changes, if applicable, from the current detection monitoring system or compliance monitoring system groundwater monitoring program at the waste management unit that will be required to comply with the compliance monitoring program described in 30 TAC 335.165. This description should address changes concerning:
         (a) Geological and/or hydrogeological information differences since the submittal of the previous application [must submit an updated Geologic and Hydrogeologic Report required by Section XI.A.4];
         (b) Waste management areas/units;
         (c) Construction details for monitor wells to evaluate compliance with "Attachment B" well specification requirements;
         (d) The number and locations of additional monitor wells [also see Section XI.C.1.b.(2)];
         (e) Sample handling, chain of custody, and analytical procedures (also see "Attachment C");
         (f) Frequency of monitoring;
         (g) Monitoring parameters;
         (h) Evaluation of compliance with GWPS (Statistical Methods);
         (i) Other Sampling and Analysis Plan information to be compliant with "Attachment C";
         (j) Compliance period as defined in Section XI.E.1.c. of the application;
         (k) Financial assurance (see Section XI.E.); and
         (l) An ACL variance under 30 TAC 335.160(b), if applicable (also see "Attachment A").
      (2) The number, depth and location of all monitor wells (Background Wells, Point of Compliance Wells, Observation Wells, Piezometers, etc.). Complete CP Table V – Designation of Wells by Function and make changes as applicable to plans referenced in Section XI.C.1.b.
      (3) The proposed hazardous constituent monitoring list which is based on constituents that were monitored during detection monitoring (if applicable), constituents detected in accordance with 30 TAC 335.164, and degradational constituents identified in Table CP IV accordingly to develop the constituent list for the

Compliance Monitoring Program. Also, list the PQL, MQL, or background concentration for each constituent in CP Table IV. CP Table IV shall become part of the final Compliance Plan to be analyzed at least annually as required by 30 TAC 335.165(7).

(4) The proposed indicator parameter monitoring list. From the list of constituents and GWPS identified in CP Table IV., complete CP Table IVA – Compliance Monitoring Program, Table of Detected Hazardous Constituents and the Groundwater Protection Standard for Compliance Monitoring, accordingly. CP Table IVA shall become part of the final Compliance Plan to be analyzed at least semiannually as required by 30 TAC 335.165(6).

(5) Monitoring frequency.

(6) Provisions for reporting of groundwater data at least on an annual basis.

(7) Annual determination of contamination plume rate and direction of migration.

(8) Compliance period. Calculate the compliance period as required by 30 TAC 335.162 and 335.165(1)(d). Include calculations and complete CP Table VI – Compliance Period for RCRA-Regulated Units which shall become part of the final Compliance Plan.

b. Submit the following plans and reports.

(1) Current Sampling and Analysis Plan The Sampling and Analysis Plan must include information required by 30 TAC 335.163(4) and 335.163(5) and 40 CFR Subpart 270.30(j). For guidance, please see "Attachment C" to the application.

(2) Monitoring System Plan If the applicant is proposing a monitoring well or a monitoring system in the application, the applicable well installation specifications outlined in "Attachment B" of this application should be followed. All new monitoring wells must be installed in accordance with the specifications outlined in "Attachment B", unless an alternative design is approved by the agency prior to installation. If the applicant proposes as part of the monitoring system, any well (existing or proposed) that does not meet or exceed the requirements outlined in "Attachment B", then the proposed alternative design must be described in detail in the Monitoring System Plan and must be submitted with this application. The Monitoring System Plan must include:

(a) Monitoring System Design and Specifications Certified by a qualified engineer and/or geologist which provides detailed plans and specifications on the monitoring system design; and

(b) Well Drilling and Well Casing Specifications Certified by a qualified engineer and/or geologist which provides details on well casing specification, drilling logs and reports.

(3) Current Geologic and Hydrogeologic Report Provide a report per Section X.I.A.4 of this application discussing the geologic and hydrogeologic conditions of the facility and the specific area affected by the waste management areas. This report should include the most up-to-date information from which the design of the groundwater monitoring system was based.

2. Waste Management Units Monitored

   a. Delineate and identify the following for each waste management unit in the proposed groundwater monitoring program.

      (1) Boundary of the waste management unit and, if applicable, the proposed waste management area which includes more than one waste management unit (identify all waste management units which are included in the waste management area). These waste management units subject to compliance monitoring should be listed in CP Table I – Waste Management Units and Areas Subject to Groundwater Corrective Action and Compliance Monitoring which shall become part of the final Compliance Plan.

      (2) The proposed point of compliance (30 TAC 335.161) and point of exposure wells.

      (3) Any other proposed monitor wells such as supplemental wells, observation wells, background wells, etc. If appropriate the groundwater monitoring system should have a sufficient number of wells be designated to monitor the downgradient extent of the plume.

      (4) Features which may serve as conduits for subsurface contamination.

   b. For each waste management unit/area in the proposed groundwater monitoring system, submit the locations of individual waste management unit/area monitor wells (existing or proposed) and any soil borings (plugged and unplugged) specifically drilled for assessment of contamination. These individual monitor wells shall be identified by respective well number on a plan view drawing and only the background, point of compliance and/or point of exposure wells should be indicated in CP Table V – Designation of Wells by Function. The plan view map depicting the location of individual monitoring wells for compliance monitoring should be labeled as "CP Attachment A, sheet xx of xx" in the text box. The title box should also include reference to the facility name, Permit/Compliance Plan Number, Solid Waste Registration Number, Unit Description or name with Notice of Registration (NoR) Unit No. 0000. The "CP Attachment A" map(s) and CP Table V shall also become part of the final Compliance Plan.

3. Implementation Schedule

   Itemize and discuss, in detail, the estimated time schedule necessary for any testing and assessments, system design, construction and installation, and final implementation of the groundwater monitoring program for each Regulated Unit and solid waste management unit. If the schedule of implementation for items are not completed at the time of the application, or are not completed at the time of issuance of the final draft Permit/Compliance Plan, then the items should be added to the CP Table VIII - Compliance Schedule of the application.

D. Corrective Action Program

As required by 30 TAC 335.166, the owner or operator must take corrective action to ensure that Regulated Units are in compliance with the Groundwater Protection Standards (GWPS) under 30 TAC 335.158. As required under 30 TAC 335.167, all releases of hazardous constituents from any solid waste management unit at the facility must also be addressed. For existing corrective action programs which have been

approved by the TCEQ, the applicant shall provide a copy of the TCEQ corrective action system approval letter, design system specifications and any updates as requested in Section XI.D.3.a.(1) of this section. The applicant must provide the information requested below when proposing a corrective action program which has not been previously approved by the TCEQ including a detailed description of a corrective action or a combination of corrective actions that will remedy the groundwater contamination at the waste management unit and a proposed plan for a monitoring program that will demonstrate the effectiveness of the corrective action.

The owner or operator may also apply for a the Facility Operations Area (FOA) pursuant to the requirements of 30 TAC 350.131 - 350.135 of the Texas Risk Reduction Program (TRRP) rules, provided the applicant meets the FOA pre-approval process steps 1 through 3 approved by the Commission.

Also, the owner or operator may apply for alternative groundwater Corrective Action Program pursuant 30 TAC 335.151, 335.156 and 30 TAC 350, where there are commingled releases from RCRA-regulated unit from one or more SWMUs, PCO, and/or AOC.

1. Type of Corrective Action Proposed

   From the list below, indicate the type of groundwater corrective action proposed for each hazardous waste unit/area. Discuss in detail if more than one corrective action is to be used in a waste management area. Submit the discussion and descriptions as an attachment to the application.

   a. Groundwater well recovery with surface treatment
   b. Groundwater well recovery/surface treatment/re injection
   c. Groundwater well recovery and disposal
   d. Vapor extraction system
   e. Interceptor trench recovery and disposal
   f. Interceptor trench recovery and surface treatment
   g. In-situ treatment – bioreclamation
   h. In-situ treatment – chemical reaction
   i. Barrier walls/encapsulation
   j. Permeable treatment beds
   k. Other, please describe

2. Program Description

   Attach a technical report providing a detailed description of a complete corrective action system including above and below ground equipment/facilities. Include discussions on the following concerns for each type of corrective action as applicable.

   a. Recovery Wells
      (1) Indicate on a plan view of the waste management area the anticipated location of Recovery Well(s) which would optimize the extraction of the groundwater contaminants.
      (2) Indicate on a plan view the estimated radius of influence of each Recovery Well.
      (3) Indicate the optimum pumping rate of each Recovery Well determined from the aquifer pump test.

(4) Describe the design of the Recovery Wells and pump system including diameter, construction material, gravel packing, screen slot sizes and patterns, type of pumps and maintenance requirements.

(5) Describe the collection and storage of the contaminated groundwater which is classified hazardous waste (on site storage of hazardous waste shall require compliance with the applicable regulations):

(a) Less than 90 day tanks (see 40 CFR 262.34/40 CFR 265 Subpart J);

(b) Permitted Tanks (see 40 CFR 264 Subpart J);

(c) (Less than 90 day Container Storage Area (see 40 CFR 262.34/40 CFR 265 Subpart I);

(d) Permitted Container Storage Area (see 40 CFR 264 Subpart I); and

(e) Temporary Units (see CFR 264.553).

(6) Describe the treatment and/or final disposition of the hazardous and nonhazardous contaminated groundwater.

b. Vapor Extraction System

(1) Indicate on a plan view of the waste management area the anticipated location of the vapor extraction system which would optimize the extraction of hazardous constituents from the vadose zone.

(2) Describe the construction design of the vapor extraction system in detail, including all diagrams and drawings.

(3) Describe the emission control equipment used to comply with air quality regulations.

(4) Provide the anticipated volatile contaminants to be remediated along with information on the expected effectiveness of the vapor extraction system at the waste management unit.

(5) Provide established treatability data for the proposed design.

(6) Specify the hazardous constituents affected by this type of treatment.

c. Interceptor Trenches

(1) Indicate on a plan view of the waste management area the anticipated location of the interceptor trench.

(2) Provide the construction design.

(3) Describe the procedure for construction.

(4) Describe the liquid removal and collection system.

(5) Describe the surface storage and/or treatment of the contaminated groundwater.

(6) Describe the final disposition of the contaminated groundwater.

d. In-situ Treatment – Chemical Reaction

(1) Characterize the chemical agents to treat the contaminated groundwater and/or soils in the vadose zone.

(2) Provide laboratory treatability data.

(3) Specify the hazardous constituents affected by this type of treatment.

(4) Specify the reaction by products produced during the chemical

reactions.

(5) Indicate degradation time for each treated hazardous constituent and any resulting chemical reaction by products.

(6) Describe the potential health risks caused by human exposure to the reaction by products.

(7) Describe potential damage to wildlife, crops, vegetation and physical structures caused by exposure to reaction by products.

(8) Describe the persistence and permanence of the potential effects of the reaction by products.

(9) Describe the method of chemical reactant injection and other important aspects of the system design.

e. In-situ Treatment Bioreclamation

(1) Describe the type of bacteria most appropriate for the degradation of the hazardous constituents present in the groundwater and/or soil in the vadose zone.

(2) Describe the nutrients necessary and application frequency to encourage effective bioreclamation.

(3) Provide laboratory data from treatability studies utilizing the contaminated groundwater and describe any potential hazardous by products.

(4) Indicate the degradation time for each hazardous constituent affected by this treatment.

(5) Describe the method of injecting the bacteria and nutrients and describe the delivery system design.

f. Barrier Walls

(1) Provide laboratory permeability data using the actual contaminated groundwater.

(2) Describe the barrier wall materials.

(3) Summarize construction design and installation procedures.

g. Permeable Treatment Beds

(1) Provide laboratory data of treatability simulations using actual contaminated groundwater in combination with the material proposed to be used in treatment beds.

(2) Discuss the properties of the treatment material which would make it effective for use at this site.

(3) Indicate which hazardous constituents will be affected by this treatment. Indicate the reactions which will take place and the resulting reactant by products. Discuss the anticipated lifetime of the permeable treatment beds.

(4) Provide the construction design and installation procedures.

h. Other

Discuss in detail, any other corrective action (soils and groundwater) not included above which is proposed for use at the affected waste management area(s).

3. Groundwater Monitoring and Corrective Action Program Description

a. Describe the proposed groundwater monitoring system to be used to monitor corrective action and compliance with the GWPS which includes the following information.

(1) Changes, if applicable, from the current groundwater monitoring program at the waste management unit that will be required to comply with the corrective action monitoring program described in 30 TAC 335.166. This description should address changes concerning:

- (a) Geological and/or hydrogeological information differences since the submittal of the previous application [must submit a Geologic and Hydrogeologic Report in accordance with Section XI.A.4;
- (b) Waste management areas/units;
- (c) Construction details for monitor wells to evaluate compliance with "Attachment B" well specification requirements;
- (d) The number and locations of additional monitor wells [must submit the Monitoring System Plan/Report required by Section XI.D.3.c.(2);
- (e) Sample handling, chain of custody, and analytical procedures (also see "Attachment C");
- (f) Frequency of monitoring;
- (g) Monitoring parameters;
- (h) Evaluation of compliance with GWPS (statistical methods);
- (i) Other Sampling and Analysis Plan information to be incompliant with "Attachment C";
- (j) Compliance period as defined in Section XI.E.1.c. of the application;
- (k) Financial assurance; and
- (l) An ACL variance under 30 TAC 335.160(b), if applicable (also see "Attachment A").

(2) The number, depth and location of all monitor wells (Background Wells, Point of Compliance Wells, Corrective Action Observation Wells, Supplemental Wells, piezometers, etc.) and all Recovery Wells and complete CP Table V – Designation of Wells by Function. Also, make revisions as applicable to plans referenced in Section XI.D.3.c.

(3) The proposed hazardous constituent monitoring list which is based on constituents that were monitored during detection monitoring (if applicable), constituents detected in accordance with 30 TAC 335.164, and degradational constituents identified in CP Table III accordingly to develop the constituent list for the Corrective Action Monitoring Program. CP Table III shall become part of the final Compliance Plan.

(4) The proposed indicator parameter monitoring list. From the list of constituents and GWPS identified in CP Table III complete CP Table IIIA – Corrective Action Program Table of Indicator Parameters and the Groundwater Protection Standard, accordingly. CP Table IIIA shall become part of the Compliance Plan to be analyzed at least semiannually as required by 30 TAC 335.166(7).

(5) Monitoring frequency.

(6) Provisions for semiannual reporting of groundwater data.

(7) Annual determination of contamination plume rate and direction

of migration.

(8) Compliance period. Calculate the compliance period as required by 30 TAC 335.162 and 335.165(1)(d). Include calculations and complete CP Table VI – Compliance Period for RCRA-Regulated Units which shall become part of the final Compliance Plan.

b. Proposed methods of evaluating the effectiveness of the corrective action in the saturated and vadose zone.

c. Submit the following plans and reports.

(1) Current Sampling and Analysis Plan The Sampling and Analysis Plan must include information required by 30 TAC 335.163(4) and 335.163(5) and 40 CFR Subpart 270.30(j). For guidance, please see "Attachment C" to the application.

(2) Groundwater Recovery and Monitoring System Plan At a minimum, the plan must include:

(a) Recovery System Plan The applicant should propose a recovery system design that will achieve the performance requirement to protect human health and the environment. The plan should provide detailed plans, information and specifications on the recovery system's design and well installation specifications. All new recovery wells must be installed in accordance with applicable specifications outlined in "Attachment B", unless an alternative well design is approved by the agency prior to installation of the well. The Recovery System Plan must include Recovery System Design and Specifications Certified by a Texas Registered Professional Engineer. The certification must be sealed by a licensed Professional Engineer, with current license, along with the Registered Engineering Firm's name and Registration Number as required by the Texas Engineering Practice Act.;

(b) Monitoring System Plan If the applicant is proposing a monitoring well or a monitoring system in the application, the applicable well installation specifications outlined in "Attachment B" of this application should be followed. All new monitoring wells must be installed in accordance with the specifications outlined in "Attachment B", unless an alternative design is approved by the agency prior to installation. If the applicant proposes as part of the monitoring system, any well (existing or proposed) that does not meet or exceed the requirements outlined in "Attachment B", then the proposed alternative design must be described in detail in the Monitoring System Plan and must be submitted with this application. The Monitoring System Plan must include:

(i.) Monitoring System Design and Specifications Certified by a qualified engineer and/or geologist which provides detailed plans and specifications on the monitoring system design; and

(ii.) Well Drilling and Well Casing Specifications Certified by a qualified engineer and/or geologist

which provides details on well casing specification, drilling logs and reports.

(3) Current Geologic and Hydrogeologic Report - Provide a report per Section XI.A.4 of this application discussing the geologic and hydrogeologic conditions of the facility and the specific area affected by the waste management areas. This report should include the most up-to-date information from which the design of the groundwater monitoring system was based.

4. Waste Management Units/Areas Monitored Under Corrective Action Programs

a. Delineate and identify the following for each waste management unit/area in the proposed groundwater monitoring and corrective action programs.

(1) Boundary of the waste management unit and, if applicable, the proposed waste management area which includes more than one waste management unit (identify all waste management units which are included in the waste management area). These waste management units/areas subject to corrective action pursuant to 30 TAC 335.166 and 335.167 should be listed in CP Table I – Waste Management Units and Areas Subject to Groundwater Corrective Action and Compliance Monitoring. CP Table I shall become part of the final Compliance Plan.

(2) The proposed point of compliance (30 TAC 335.161), point of exposure wells, or alternate point of exposure wells.

(3) Any proposed monitor wells such as supplemental wells, observation wells, background wells, etc. If appropriate the groundwater monitoring system should have a sufficient number of wells to monitor the downgradient extent of the plume.

(4) Features which may serve as conduits for subsurface contamination.

(5) Corrective action system.

b. For each waste management unit/area in the proposed groundwater monitoring system, submit the locations of individual waste management unit/area monitor wells (existing or proposed) and any soil borings (plugged and unplugged) specifically drilled for assessment of contamination. These individual monitor wells shall be identified by respective well number on a plan view drawing and only the background, point of compliance, point of exposure wells and/or alternate point of exposure wells should be indicated in CP Table V – Designation of Wells by Function. The plan view map depicting the location of individual monitoring wells for corrective action monitoring should be labeled as "CP Attachment A, sheet xx of xx" in the text box. The title box should also include reference to the facility name, Permit/Compliance Plan Number, Solid Waste Registration Number, Unit Description or name with Notice of Registration (NoR) Unit No. 0000. The "CP Attachment A" map(s) and CP Table V shall also become part of the final Permit/Compliance Plan.

5. Waste Management Units/Areas Addressed Under Other Corrective Action Programs -Facility Operations Area (FOA), specific to the requirements of 30 TAC 350.131 - 350.135. The Permittee should also complete Sections XI.D.4. for other units not addressed by the FOA that may require corrective action outside the FOA boundary. For other units not addressed by the FOA, either within the

FOA or outside the FOA which may require compliance monitoring, the Permittee should complete Section XI.C. of this application accordingly.

a. Provide an approved version of the FOA Qualifying Criteria Checklist and evidence that Steps 1 through 3 of the FOA pre-approval process has been approved by the Commission.
b. Provide a discussion on exceptions to the TRRP rule requested.
c. Provide a summary of the SWMUs/AOCs that will be addressed within the FOA boundary and a discussion of the multiple sources of COCs present and how FOA will better address these sources.
d. Provide maps of appropriate scale depicting the following (maps may be combined where appropriate):
    (1) The number, location and type of monitoring points in each stratigraphic unit to be monitored individual monitoring wells should be identified by respective well number on a plan view drawing, to include the background, Point of Compliance (POC), Point of Exposure (POE), FOA Boundary of Compliance wells, FOA piezometers or supplemental wells, Corrective Action Observation ((CAO), Corrective Action System (CAS) wells that are applicable for FOA monitoring program should be labeled as "CP Attachment A, sheet no xx of xx" in the title box. The title box should also include reference to the facility name, Permit/Compliance Plan Number (00000), TCEQ Solid Waste Registration Number and Unit Description or Name. The "CP Attachment A" map(s) shall become part of the final Permit/Compliance Plan.
    (2) HWMUs/SWMUs/AOCs addressed
    (3) Surrounding land use
    (4) FOA lateral boundaries
    (5) Potential source areas
    (6) Potentiometric surface of all relevant transmissive units
    (7) Surrounding water wells
    (8) Extent of known contamination in each transmissive unit
    (9) Areas of potential ecological impact
    (10) Known occurrences of NAPL or DNAPL in each transmissive units
    (11) FOA access control components
e. Provide cross-sections in accordance with Section XI.A.4. depicting the following (maps may be combined where appropriate);
    (1) The vertical boundaries of the FOA;
    (2) The vertical extent of contamination;
    (3) Groundwater level elevations for each transmissive unit.
f. Provide tabulated information for;
    (1) Results of Appendix IX GW sampling.
    (2) Proposed PCLs for each hazardous constituent and principal degradational constituent for each monitoring point with supporting documentation (including a discussion of exposure pathways) should be listed in CP Table III – CORRECTIVE ACTION PROGRAM Table of Detected Hazardous and Solid Waste Constituents and the Groundwater Protection Standard. CP Table III shall become part of the final Compliance Plan.

(3) The proposed indicator parameter monitoring list. From the list of constituents and GWPS identified in CP Table IIIA. CP Table IIIA shall become part of the Compliance Plan to be analyzed at least semiannually as required by 30 TAC 335.166(7).

(4) Only the background, POC, POE, FOA Boundary of Compliance wells should be listed in CP Table V which shall become part of the final Permit/Compliance Plan.

g. Provide a discussion of the types of corrective action that will be employed to address contaminated media.

h. Provide detailed descriptions of GW recovery and other remedial technologies such as vapor extraction, interceptor trenches, hydraulic containment, barrier walls, etc., including radius of influence, estimated optimum recovery rates, location of collection, storage or disposal facilities.

i. Provide a detailed description of the ground water monitoring system including placement of monitoring wells, hydrogeologic characteristics of monitored units and well completion details.

j. Provide a Sampling and Analysis plan for the proposed FOA that includes development of COCs to be monitored, sampling methodology, sample handling procedures, sampling frequency and statistical procedures for evaluating analytical results (Appendix C).

k. Propose a methodology for evaluating the effectiveness of remedial measures and potential remedial system enhancements.

l. Propose a reporting schedule to provide updated information on the installation and operation of remedial and monitoring systems.

m. Provide Financial Assurance in accordance with Section XI.E.

n. Provide draft language intended to comply with the deed notification requirements of 30 TAC 350.111 and 350.135(a)(11).

o. Provide a summary of the approved workers protection plan.

p. Provide a discussion of areas of ecological impact, if any, and development of associated Protective Concentration Limits (PCLs).

q. Provide a discussion of how NAPL occurrences, if any, will be addressed inside and outside the FOA.

r. Provide a schedule of implementation for items not completed at the time of application See also Section XI.D.8.

6. Waste Management Units/Areas Monitored Under Corrective Action Programs - Plume Management Zone (PMZ)

a. Please provide a summary of the HWMUs and SWMUs/AOCs that will be addressed within the PMZ boundary.

b. Please provide a discussion of the multiple sources of COCs present and how PMZ will better address these sources.

c. Please provide maps of appropriate scale depicting the following (maps may be combined where appropriate);

(1) HWMUs/SWMUs/AOCs addressed
(2) surrounding land use
(3) PMZ lateral boundaries
(4) potential source areas
(5) Potentiometric surface of all relevant transmissive units

(6) Surrounding water wells
(7) extent of known contamination in each transmissive unit
(8) number, location and type of monitoring points in each stratigraphic unit to be monitored
(9) Areas of potential ecological impact
(10) known occurrences of LNAPL or DNAPL in each transmissive unit

d. Please provide sufficient cross-sections depicting the following (maps may be combined where appropriate);
   (1) The vertical boundaries of the PMZ;
   (2) The vertical extent of contamination;
   (3) potentiometric surfaces for each transmissive unit.

e. Please provide tabulated information for;
   (1) history of all relevant units or AOCs;
   (2) summary of hydrogeologic data for each affected transmissive unit;
   (3) results of Appendix IX GW sampling;
   (4) proposed PCLs for each constituent for each monitoring point (Point of Exposure wells, alternate point of exposure wells, etc) with supporting documentation (including a discussion of exposure pathways). This should also include the designation/establishment of sufficient number of Attenuation Monitoring Points (AMPs) beginning at an appropriate hydraulically upgradient location within the groundwater protective concentration level exceedence (PLCE) zone and continuing down the approximate central flow path of the constituent of concern (COC) in the downgradient extent of the Plume Management Zone(s) in accordance with 30 TAC 350.33(f)(4)(D).
   (5) Establish/Calculate Attenuation Action Levels (AALs) (critical PCLs) for each attenuation monitoring point in accordance with 30 TAC 350.33(f)(4)(D)(ii). The established AALs (critical PCLs) for each AMP well should be graphically presented in table format on the plan view map depicting the location of individual monitoring wells (including AMP wells) for corrective action monitoring labeled "CP Attachment A, Sheet xx of xx", referenced in XI.D.4.b.

f. Please provide a discussion of the types of corrective action that will be employed to address contaminated media.

g. Please provide detailed descriptions of GW recovery and other remedial technologies such as vapor extraction, interceptor trenches, hydraulic containment, barrier walls, etc., including radius of influence, estimated optimum recovery rates, location of collection, storage or disposal facilities.

h. Please provide a detailed description of the groundwater monitoring system including placement of monitoring wells, hydrogeologic characteristics of monitored units and well completion details.

i. Please provide a Sampling and Analysis plan for the proposed PMZ that includes development of COCs to be monitored, sampling methodology, sample handling procedures, sampling frequency and statistical procedures for evaluating analytical results.

j. Please propose a methodology for evaluating the effectiveness of remedial measures and potential remedial system enhancements.

k. Please propose a reporting schedule to provide updated information on the installation and operation of remedial and monitoring systems.

l. Please provide a thorough detailed description of an estimate of all costs that will be incurred by implementing, operating, and maintaining the corrective action and monitoring systems addressed by the compliance plan.

m. Please provide draft language intended to comply with the deed notification requirements of 350.111, and schedule to verify compliance with institutional control requirements in accordance with 30 TAC 350.31(g) which provides notice of the existence and location of the PMZ and which prevents exposure to groundwater from this zone until such a time as constituents of concern may be reduced to below the GWPS.

n. Schedule for notification requirements if an unexpected event occurs, or a condition is detected, during post-response action care period which indicates that additional response actions will be required at an affected property pursuant to 30 TAC 350.33(k).

o. Please provide a summary of the approved soil response action plan.

p. Please provide a discussion of areas of ecological impact, if any, and development of associated PCLs.

q. Please provide a discussion of how NAPL occurrences, if any, will be addressed inside the PMZ.

r. Please provide a schedule of implementation for items not completed at the time of application {See also Section XI.D.8.}

7. Waste Management Units/Areas Monitored Under Alternative Corrective Action Program for Co-mingled plumes Alternative groundwater Corrective Action Program apply, pursuant 30 TAC 335.151, 335.156 and 350, for commingled release from RCRA-regulated unit and from one or more SWMUs and/or AOC.

   a. Complete Sections XI.D.1. through 4.;

   b. In addition to the CP Attachment A maps in Section XI.D.4.b., CP Attachment A maps should clearly depict those waste management unit or areas of the facility which have commingled plumes and the alternative corrective action applies.

   c. Please provide a schedule of implementation for items not completed at the time of application {See also Section XI.D.8.}

8. Implementation Schedule

   Itemize and discuss, in detail, the estimated time schedule necessary for any testing and assessments, system design, construction and installation, and final implementation of the groundwater monitoring program for each Regulated Unit and solid waste management unit. If the schedule of implementation for items are not completed at the time of the application, or are not completed at the time of issuance of the final draft Compliance Plan, then the items should be added to the CP Table VIII - (Compliance Schedule) of the application.

E. Cost Estimates For Financial Assurance

As required by 30 TAC 335.156 and 335.167, the applicant must provide cost estimates for groundwater monitoring and corrective action to determine the amount of financial

assurance. Please complete the applicable parts of this form. Cost estimates should be filled out for each proposed corrective action/monitoring system at the site; or any additional corrective action system not covered in this Part. Please note, the Executive Director may request from the applicant documentary evidence for cost estimates.

If an item is not applicable, please mark it NA.

General Information:

1. For each Waste Management Area (WMA) list the following:
   a. A description of the waste management unit(s) in the WMA (e.g., landfill, surface impoundment, land treatment);

      _____

      _____

   b. The NoR unit number(s) in the WMA; and the compliance period for the WMA listed above.

      Year(s) = _____

   c. (The compliance period is the number of years equal to the active life of the waste management area as defined in 30 TAC 335.162).
   d. In instances where the compliance period is equal to or exceeds 30 years, the maximum amount of financial assurance required will be based on 30 years because the required post-closure care period to perform corrective action and groundwater monitoring is 30 years. In instances where the compliance period is less than 30 years, the financial assurance for corrective action or compliance monitoring will be based on the longest time frame established by one of the following criteria:
      (1) the duration of your compliance plan;
      (2) the time frame for clean-up based on model projections and historical data as approved by the Executive Director; or
      (3) the compliance period for the unit/area.
      Total Years Used To Calculate the Financial Assurance for the Corrective Action and/or Compliance Monitoring Program
      Year(s) = _____
2. Please complete Table XI.E.1. – Corrective Action Program Cost Estimate.
3. Please complete Table XI.E.2. – Groundwater Monitoring Cost Estimate.
4. Please complete Table XI.E.3. – Financial Assurance Summary.

Table XI.A.1. - Facility History for Waste Management Units

(Page ____ of ____)

Name of Waste Management Unit[1]	Type of Waste Management Unit	Notice of Registration Unit Number	Date Waste Was *First* Placed in Unit	EPA Waste Code	Estimated Capacity of Unit	Quantity of Waste Left in Place	Date Waste Was Last Placed in Unit[2]	Date of Unit Closure Or Projected Closure	Date Unit Certified Closed[3]	Is There Evidence of a Release of Hazardous Constituent(s)[4] to Groundwater? (Yes, No, or Unknown)
1.										
2.										
3.										
4.										
5.										
6.										
7.										

1 Indicate by asterisk (*) those waste management units that have received any hazardous waste constituent listed in Appendix VIII of 40 CFR Part 261.
2 For the purposes of this Compliance Plan Application, a waste management unit receiving hazardous waste after July 26, 1982 shall be considered a Regulated Unit. A waste management unit that ceased receiving hazardous waste on or before that date shall be considered a Solid Waste Management Unit (SWMU).
3 Date the applicant submitted certification of closure to the Commission.
4 Hazardous constituents are those hazardous constituents listed in Appendix IX of 40 CFR Part 264.

Table XI.E.1. Corrective Action Program Cost Estimate

1. Pumping Capacity Per Year:

   A. Daily average system pumping rate _____ gal/day

   B. Annual groundwater volume recovered _____ gal/yr

2. Off-Site Liquid Treatment / Disposal Cost:

   A. Volume of treated contaminated water to be disposed of off-site yearly _____ gal/yr

   B. Transportation of liquid waste disposed of off-site yearly

      (1) Transportation cost per gallon _____ $/gal

      (2) Gallons of contaminated water shipped per year _____ gal/yr

      (3) Annual cost of transportation (1 x 2) _____ $/yr

   C. On-site yearly storage cost prior to off-site disposal _____ $/yr

   D. Off-site yearly treatment cost of liquid waste

      (1) Treatment charge per gallon _____ $/gal

      (2) Total volume to be treated per year _____ gal/yr

      (3) Annual treatment cost (1 x 2) _____ $/yr

   E. Off-site disposal cost of liquid waste per year

      (1) Disposal charge per gallon _____ $/gal

      (2) Total volume to be disposed per year _____ gal/yr

      (3) Annual disposal cost (1 x 2) _____ $/yr

***Annual Off-Site Liquid Treatment / Disposal Cost (2B3 + 2C +2D3 + 2E3)** _____ **$**

3. On-site Waste Water Treatment System Cost and On-site Treatment / Disposal Cost:

   Submit a cost estimate for a treatment system specifically designed and used exclusively for the groundwater corrective action program and operational after some start up maintenance. Estimates to clean out the system should also be included in the following cost.

   A. Initial capital expenditure for treatment system including start up maintenance _____ $

***On-Site Waste Water Treatment System Capital Cost (3A)** _____ **$**

   B. Gallons of contaminated water to be treated on-site per year _____ gal/yr

   C. Cost of on-site treatment per gallon _____ $/gal

   D. Cost of sludge, or solids disposal per year _____ $/yr

   E. Cost per year of maintenance on treatment system and recovery system, along with any additional equipment and repairs needed for the systems _____ $/yr

   F. Cost of on-site disposal per year _____ $/yr

***Annual On-Site Treatment / Disposal Cost**
[(3B x 3C) + 3D + 3E + 3F] _____ **$**

4. Inspections, Maintenance and Operation Cost for the Corrective Action Program:

A. Operator's time on-site for inspections and maintenance per year	_____	hour/yr
B. Charge of salary per hour	_____	$/hr
C. Annual cost of labor (4A x 4B)	_____	$/yr
D. Replacement of parts and equipment per year	_____	$/yr
E. Electricity cost per year	_____	$/yr

***Annual Inspections / Maintenance / Operation Cost for**
the Corrective Action Program (4C + 4D + 4E) _____ **$**

Table XI.E.2.e Groundwater Monitoring Cost Estimate

1. Annual Sampling and Analysis Cost:

A. Background Wells

(1) Number of wells _____

(2) Sample analysis cost per well _____ $/well

(3) Number of sampling events per year _____ /yr

(4) Sampling cost (1 x 2 x 3) _____ $

B. Point of Compliance Wells

(1) Number of wells _____

(2) Sample analysis cost per well _____ $/well

(3) Number of sampling events per year _____ /yr

(4) Sampling cost (1 x 2 x 3) _____ $

C. Recovery Wells

(1) Number of wells _____

(2) Sample analysis cost per well _____ $/well

(3) Number of sampling events per year _____ /yr

(4) Sampling cost (1 x 2 x 3) _____ $

D. Corrective Action Observation Wells

(1) Number of wells _____

(2) Sample analysis cost per well _____ $/well

(3) Number of sampling events per year _____ /yr

(4) Sampling cost (1 x 2 x 3) _____ $

E. Point of Exposure Wells

(1) Number of wells _____

(2) Sample analysis cost per well _____ $/well

(3) Number of sampling events per year _____ /yr

(4) Sampling cost (1 x 2 x 3) _____ $

F. Supplemental Wells

(1) Number of wells _____

(2) Sample analysis cost per well _____ $/well

(3) Number of sampling events per year _____ /yr

(4) Sampling cost (1 x 2 x 3) _____ $

G. Field Quality Control Sampling

(1) Number of wells _____

(2) Sample analysis cost per well _____ $/well

(3) Number of sampling events per year _____ /yr

(4) Sampling cost (1 x 2 x 3) _____ $

2. Sampling Labor Cost:

A. Hours of sampling per well _____hrs/well

B. Number of sampling technicians per well _____

C. Charge per hour _____ $/hr

D. Total number of wells to be sampled annually _____ Wells

E. Total number of wells sampled semi-annually _____ Wells

F. Total number of wells sampled quarterly _____ Wells

G. Total number of wells sampled monthly _____ Wells

H. Total number of wells sampled per year
(2D) + (2E x 2) + (2F x 4) + (2G x 12) _____total wells sampled/yr

I. Sampling Labor Cost (2A x 2B x 2C x 2H) _____ $

***Annual Groundwater Monitoring Cost** _____ **$**

3. Well Installation (typical cost):

A. Monitor well installation cost per well _____ $/well

B. Number of monitor wells to be installed _____ Wells

C. Cost of monitor well system (A x B) _____ $

D. Recovery well installation cost per well _____ $/well

E. Number of Recovery Wells to be installed _____ Wells

F. Cost of Recovery well system (D x E) _____ $

***Total Well Installation Cost (3C + 3F)** _____ **$**

4. Administrative Cost:

A. Annual cost for record-keeping and report preparation _____ $

***Annual Administrative Cost (4A)** _____ **$**

5. Inspection and Maintenance Cost for the Monitoring Program:

A. Operator's time (hours) on-site for inspections and maintenance per year _____ hour/yr

B. Charge or salary per hour _____ $/hr

C. Annual cost of labor (4A x 4B) _____ $/yr

D. Replacement of parts and equipment per year _____ $/yr

***Annual Inspections / Maintenance Cost for the Groundwater Monitoring Program (5C + 5D)** _____ **$**

Table XI.E.3. – Financial Assurance Summary

Annual Off-Site Liquid Treatment / Disposal Cost	$_____
Annual On-Site Treatment / Disposal Cost	$_____
Annual Inspection / Maintenance / Operation Cost For The Corrective Action Program	$_____
Annual Groundwater Monitoring Cost	$_____
Annual Administrative Cost	$_____
Annual Inspection And Maintenance Cost For The Groundwater Monitoring Program	$_____
Annual Sub Total	**$_____**
Total Years Used For Calculating Financial Assurance	_____ Yrs.
Remediation Cost	_____
(Annual Sub Total x Total Years Used)	$_____
On-Site Waste Water Treatment System Capital Cost	$_____
Total Well Cost	$_____
10% Contingency	$_____
Grand Total Cost (nearest $1000)	**$_____**

CP Table I: Waste Management Units and Areas Subject to Groundwater Corrective Action and Compliance Monitoring

A. Corrective Action[1] (30 TAC §335.166)

Unit Type[5]	Unit Name	Notice of Registration (NOR) Number, if applicable	Date Program Requirement and Remedy Standard Completed[5]
	1.[*unit name*]		
	2.		
	3.		

B. Compliance Monitoring[1] (30 TAC §335.165)

Unit Type[5]	Unit Name	Notice of Registration (NOR) Number, if applicable	Date Program Requirement and Remedy Standard Completed[5]
	1.[*unit name*]		
	2.		
	3.		

C. Corrective Action[2] (30 TAC §335.167)

Unit Type[5]	Unit Name	Notice of Registration (NOR) Number, if applicable	Date Program Requirement and Remedy Standard Completed[5]
	1.[*unit name*]		
	2.		
	3.		

D. Alternative Corrective Actions[3] (30 TAC §335.151)

Unit Type[5]	Unit Name	Notice of Registration (NOR) Number, if applicable	Date Program Requirement and Remedy Standard Completed[5]

	1.[*unit name*]		
	2.		
	3.		

E. Facility Operations Area (FOA)[4] (30 TAC §335.156 and Chapter 350)

Unit Type[5]	Unit Name	Notice of Registration (NOR) Number, if applicable	Date Program Requirement and Remedy Standard Completed[5]
	1.[*unit name*]		
	2.		
	3.		

[Note: Enter "Reserved" if a specific program (referenced in CP Table I.A., I.B., I.C., I.D., and/or I.E.) is not applicable. More than one program may apply to a facility. Also, include a CD disk with the application that provides an electronic copy of the applicable files supporting CP TABLES I-VI in MS Word format.]

Foot Notes:

1 Program applies to RCRA-regulated units only.

2 Program applies to releases from solid waste management units (SWMUs) and/or areas of concern (AOCs).

3 Program applies to commingled releases from RCRA-regulated unit and from one or more SWMUs and/or AOCs.

4 List SWMUs, additional units/areas of Investigation, AOCs, RCRA-regulated units within the FOA that are subject to corrective action. For RCRA units, SWMUs and/ or AOC outside the FOA boundary for which compliance monitoring and/ or corrective action applies should be listed separately in Items A, B or C as appropriate.

5 Specify the date of Commissions No Further Action approval letter for program requirement and remedy standard completed for all media of concern. [Note: for the purpose of maintaining a historical record, the permittee shall update CP Table I to reflect the new status of the unit / area to include the remedy standard achieved for all media of concern and the date of the Commissions No Further Action approval letter. The units/area shall not be deleted from this table even though the program objectives have been completed and no further action has been approved. Put "N/A" in this column if not applicable.]

CP Table II: Solid Waste Management Units and/or Areas of Concern for which Corrective Action applies pursuant to 30 TAC 335.167

Unit Number[1]	Unit Name	Notice of Registration (NOR) Number, if applicable	SWMU or AOC	Media Affected[2]	Date Program Requirement and Remedy Standard Completed[3]
1.	[*unit name*]				
2.					
3.					
4.					
5.					
6.					

Foot Notes:
SWMU ' Solid Waste Management Unit
AOC ' Area of Concern
1 For sites with FOA Authorization, list SWMUs and/or AOCs that were not included in the FOA, and are subject to corrective action.
2 Specify affected media groundwater, soils, etc.
3 Specify the date of Commissions No Further Action approval letter for program requirement and remedy standard completed for all media of concern.

CP Table III: Corrective Action Program Table of Detected Hazardous and Solid Waste Constituents and the Groundwater Protection Standard

Unit Name	COLUMN A: Hazardous Constituents	COLUMN B: Groundwater Protection Standards (mg/l)
1. [*unit name*]	*parameter*	ND(0.00*)
	parameter	0.00MSC
	parameter	0.00MCL
	parameter	0.00SMCL
	parameter	0.00AL
	parameter	0.00 GWGWIng
2. [*unit name*]	*parameter*	0.00 BKG
	parameter	0.00MSC
	parameter	0.00MCL
	parameter	0.00SMCL
	parameter	0.00AL
	parameter	0.00 GWGWIng
	parameter	

[**Note:** This Table should present the long list of hazardous constituents that are reasonably expected to be in or derived from waste placed in the units, and may not necessarily be detected and that are to be monitored semi-annually. Also, instead of listing individual constituents of concern (COCs), Appendix IX can be referenced in this table. If Appendix IX list and associated Practical Quantitation Limit (PQL) or Method Quantitation Limit (MQLs) are being required instead of listing individual COCs, add this sentence: The Permittee may petition the Executive Director for deletion of specific parameters from Appendix IX analysis if the Permittee can demonstrate that the constituents were never used in the facility's operation or were never disposed in the waste management area.]

[*Add COLUMN C if there is a GWPS assigned at a Point of Exposure (POE) (e.g. monitored natural attenuation and Plume Management Zone established in accordance with 30 TAC 350, if applicable). Modify Table and footnotes as necessary.]

Foot Note:

Use the following GWPS footnote designations if Risk Reduction Rules (RRR) or Texas Risk Reduction Program (TRRP) apply:

* For RRR use the following GWPS designation:*

MSC ACL pursuant to 30 TAC §335.160(b) based upon the Groundwater Medium-Specific Concentration, Residential {...or Industrial...) Risk Reduction Standard No. 2 {...or No. 3}specified in 30 TAC §335 Subchapter S.

MCL ACL pursuant to 30 TAC §335.160(b) based upon the Groundwater Maximum Contaminant Level specified in 40 CFR Part 141, National Primary Drinking Water Regulations Subparts B and G.

SMCL ALC pursuant to 30 TAC §335.160(b) based upon the Groundwater Secondary Maximum Contaminant Level (MCL) specified in 40 CFR Part 143, National Secondary Drinking Water Regulations.

AL ACL pursuant to 30 TAC §335.160(b) based upon the Action Level specified in 40 CFR Part 141, National Primary Drinking Water Regulations Subpart I.

BKG Background as determined in accordance with 30 TAC 350.4(a)(6).

ND Non-detectable at PQL as determined by the analytical methods of the EPA SW-846 most recent edition, and as listed in the July 8, 1987 edition of the Federal Register and later editions. PQL is indicated in parentheses. PQL is the lowest concentrations of analytes in groundwaters that can be reliably determined within specified limits of precision and accuracy by the indicated methods under routine laboratory operating condition.

* or Use the following GWPS designation if TRRP applies:*

GWGWIng ACL pursuant to 30 TAC §335.160(b) based upon the PCL determined under RSA or RSB (Residential or Commercial /Industrial) for Class 1 or Class 2 Groundwater ingestion PCL of 30 TAC Chapter 350. The PCL value, Column B, will change as updates to the rule are promulgated. Changes to the rule automatically change the concentration value established in Column B in this table.. In accordance with §350.72(b), GWGWIng, PCLs may need to be adjusted to lower concentrations to meet the cumulative carcinogenic risk level (less than or equal to 1x10-4) and hazard index criteria (less than or equal to 10) when there are more than 10 carcinogenic and/or more than 10 non-carcinogenic chemicals of concern within a source medium.

GWGWClass3 ACL pursuant to 30 TAC §335.160(b) based upon the PCL determined under RSA or RSB (Residential or Commercial /Industrial), Tier I for Class 3 Groundwater ingestion PCL of 30 TAC Chapter 350. The PCL value, Column B, will change as updates to the rule are promulgated. Changes to the rule automatically change the concentration value established in Column B in this table.

AirGWInh-V ACL pursuant to 30 TAC §335.160(b) based upon the PCL determined under RSA or RSB (Residential or Commercial /Industrial) for Class 1 or Class 2 Groundwater inhalation PCL of 30 TAC Chapter 350. The PCL value, Column B, will change as updates to the rule are promulgated. Changes to the rule automatically change the concentration value established in Column B in this table.

SWGW ACL pursuant to 30 TAC §335.160(b) based upon the Protective PCL determined under RSA or RSB for Groundwater- to-surface water PCL of 30 TAC Chapter 350. The PCL value, Column B, will change as updates to the rule are promulgated. Changes to the rule automatically change the concentration value established in Column B in this table.

SEDGW ACL pursuant to 30 TAC §335.160(b) based upon the PCL determined under RSA or RSB for Groundwater- to-sediment PCL of 30 TAC Chapter 350. The PCL value, Column B, will change as updates to the rule are promulgated. Changes to the rule automatically change the concentration value established in Column B in this table.

ECOGW ACL pursuant to 30 TAC §335.160(b) based upon the PCL determined under RSA or RSB for Groundwater- based on ecological receptor(s) PCL of 30 TAC Chapter 350. The PCL value, Column B, will change as updates to the rule are promulgated. Changes to the rule automatically change the concentration value established in Column B in this table.

AAL ACL derived pursuant to 30 TAC §335.160(b) based upon the Protective Concentration level (PCL) established as an Attenuation Action Level as defined in 30 TAC §350(a)(4).

BKG Background as determined in accordance with 30 TAC 350.4(a)(6).

ND Non-detectable at MQL as determined by the analytical methods of the EPA SW-846 most recent edition, and as listed in the July 8, 1987 edition of the Federal Register and later editions. MQL is indicated in parentheses. MQL is defined in 30 TAC §350.4 (54) as the lowest non-zero concentration standard in the laboratory's initial calibration curve and is based on the final volume of extract (or sample) used by the laboratory.

CP Table IIIA: Corrective Action Program Table of Indicator Parameters and Groundwater Protection Standard

Unit Name	COLUMN A: Hazardous Constituents	COLUMN B: Groundwater Protection Standards (mg/l)
1. [*unit name*]	*parameter*	ND(0.00*)
	parameter	0.00MSC
	parameter	0.00MCL
	parameter	0.00SMCL
	parameter	0.00AL
	parameter	0.00 GWGWIng
2. [*unit name*]	*parameter*	0.00 BKG
	parameter	0.00MSC
	parameter	0.00MCL
	parameter	0.00SMCL
	parameter	0.00AL
	parameter	0.00 GWGWIng
	parameter	

[**Note:** This Table should list the short list of constituents (i.e., indicator parameters) developed from CP Table III – Corrective Action Program Table of Detected Hazardous and Solid Waste Constituents and the Groundwater Protection Standard to be monitored semiannually during the Corrective Action Program to verify GWPSs are met.]

[*Add COLUMN C if there is a GWPS assigned at a Point of Exposure (POE) (e.g. monitored natural attenuation and Plume Management Zone established in accordance with 30 TAC 350, if applicable). Modify Table and footnotes as necessary.]

Foot Note:

Use the following GWPS footnote designations if Risk Reduction Rules (RRR) or Texas Risk Reduction Program (TRRP) apply:

* **For RRR use the following GWPS designation:***

MSC ACL pursuant to 30 TAC §335.160(b) based upon the Groundwater Medium-Specific Concentration, Residential {...or Industrial...) Risk Reduction Standard No. 2 {...or No. 3}specified in 30 TAC §335 Subchapter S.

MCL ACL pursuant to 30 TAC §335.160(b) based upon the Groundwater Maximum Contaminant Level specified in 40 CFR Part 141, National Primary Drinking Water Regulations Subparts B and G.

SMCL ALC pursuant to 30 TAC §335.160(b) based upon the Groundwater Secondary Maximum Contaminant Level (MCL) specified in 40 CFR Part 143, National Secondary Drinking Water Regulations.

AL ACL pursuant to 30 TAC §335.160(b) based upon the Action Level specified in 40 CFR Part 141, National Primary Drinking Water Regulations Subpart I.

BKG Background as determined in accordance with 30 TAC 350.4(a)(6).

ND Non-detectable at PQL as determined by the analytical methods of the EPA SW-846 most recent edition, and as listed in the July 8, 1987 edition of the Federal Register and later editions. PQL is indicated in parentheses. PQL is the lowest concentrations of analytes in groundwaters that can be reliably determined within specified limits of precision and accuracy by the indicated methods under routine laboratory operating condition.

*** or Use the following GWPS designation if TRRP applies:***

GWGWIng ACL pursuant to 30 TAC §335.160(b) based upon the PCL determined under RSA or RSB (Residential or Commercial /Industrial) for Class 1 or Class 2 Groundwater ingestion PCL of 30 TAC Chapter 350. The PCL value, Column B, will change as updates to the rule are promulgated. Changes to the rule automatically change the concentration value established in Column B in this table.. In accordance with §350.72(b), GWGWIng, PCLs may need to be adjusted to lower concentrations to meet the cumulative carcinogenic risk level (less than or equal to 1x10-4) and hazard index criteria (less than or equal to 10) when there are more than 10 carcinogenic and/or more than 10 non-carcinogenic chemicals of concern within a source medium.

GWGWClass3 ACL pursuant to 30 TAC §335.160(b) based upon the PCL determined under RSA or RSB (Residential or Commercial /Industrial), Tier I for Class 3 Groundwater ingestion PCL of 30 TAC Chapter 350. The PCL value, Column B, will change as updates to the rule are promulgated. Changes to the rule automatically change the concentration value established in Column B in this table.

AirGWInh-V ACL pursuant to 30 TAC §335.160(b) based upon the PCL determined under RSA or RSB (Residential or Commercial /Industrial) for Class 1 or Class 2 Groundwater inhalation PCL of 30 TAC Chapter 350. The PCL value, Column B, will change as updates to the rule are promulgated. Changes to the rule automatically change the concentration value established in Column B in this table.

SWGW ACL pursuant to 30 TAC §335.160(b) based upon the Protective PCL determined under RSA or RSB for Groundwater- to-surface water PCL of 30 TAC Chapter 350. The PCL value, Column B, will change as updates to the rule are promulgated. Changes to the rule automatically change the concentration value established in Column B in this table.

SEDGW ACL pursuant to 30 TAC §335.160(b) based upon the PCL determined under RSA or RSB for Groundwater- to-sediment PCL of 30 TAC Chapter 350. The PCL value, Column B, will change as updates to the rule are promulgated. Changes to the rule automatically change the concentration value established in Column B in this table.

ECOGW ACL pursuant to 30 TAC §335.160(b) based upon the PCL determined under RSA or RSB for Groundwater- based on ecological receptor(s) PCL of 30 TAC Chapter 350. The PCL value, Column B, will change as updates to the rule are promulgated. Changes to the rule automatically change the concentration value established in Column B in this table.

AAL ACL derived pursuant to 30 TAC §335.160(b) based upon the Protective Concentration level (PCL) established as an Attenuation Action Level as defined in 30 TAC §350(a)(4).

BKG Background as determined in accordance with 30 TAC 350.4(a)(6).

ND Non-detectable at MQL as determined by the analytical methods of the EPA SW-846 most recent edition, and as listed in the July 8, 1987 edition of the Federal Register and later editions. MQL is indicated in parentheses. MQL is defined in 30 TAC §350.4 (54) as the lowest non-zero concentration standard in the laboratory's initial calibration curve and is based on the final volume of extract (or sample) used by the laboratory.

CP Table IV: Compliance Monitoring Program Table of Hazardous and Solid Waste Constituents and Quantitation Limits

Unit Name	COLUMN A Hazardous Constituents	COLUMN B Concentration Limits (mg/l)
1. [*unit name*]	*parameter*	ND(0.00*)
	parameter	ND (0.00*)
	parameter	0.00 BKG
2. [*unit name*]	*parameter*	ND (0.00*)
	parameter	ND (0.00*)
	parameter	0.00 BKG
	parameter	

[**Note:** This Table should provide the long list of hazardous constituents that are reasonably expected to be in or derived from waste placed in the units, and may not necessarily be detected and that are to be monitored annually to determine if any new constituents need to be added to CP Table IVA. Also, instead of listing individual constituents of concern (COCs), Appendix IX can be referenced in this table. If Appendix IX list and associated Practical Quantitation Limit (PQL) or Method Quantitation Limit (MQLs) are being required instead of listing individual COCs, add this sentence: The Permittee may petition the Executive Director for deletion of specific parameters from Appendix IX analysis if the Permittee can demonstrate that the constituents were never used in the facility's operation or were never disposed in the waste management area.]

Foot Note:

In the Footnote use one of the following Quantitation Limit designations as the concentration limit if RRR or TRRP apply

*** For RRR use the following designation, or***

ND Non-detectable at PQL as determined by the analytical methods of the EPA SW-846 most recent edition, and as listed in the July 8, 1987 edition of the Federal Register and later editions. PQL is indicated in parentheses. PQL is the lowest concentrations of analytes in groundwaters that can be reliably determined within specified limits of precision and accuracy by the indicated methods under routine laboratory operating condition.

BKG Background as determined in accordance with 30 TAC 350.4(a)(6).

*** Use the following designation if TRRP applies:***

ND Non-detectable at MQL as determined by the analytical methods of the EPA SW-846 most recent edition, and as listed in the July 8, 1987 edition of the Federal Register and later editions. MQL is indicated in parentheses. MQL is defined in 30 TAC §350.4 (54) as the lowest non-zero concentration standard in the laboratory's initial calibration curve and is based on the final volume of extract (or sample) used by the laboratory.

BKG Background as determined in accordance with 30 TAC 350.4(a)(6).

CP Table IVA: Compliance Monitoring Program Table of Detected Hazardous Constituents and the Groundwater Protection Standard

Unit Name	COLUMN A Hazardous Constituents	COLUMN B Groundwater Protection Standard (mg/l)
1. [*unit name*]	*parameter*	ND (0.00*)
	parameter	0.00MSC
	parameter	0.00MCL
	parameter	0.00SMCL
	parameter	0.00AL
	parameter	0.00 GWGWIng
2. [*unit name*]	*parameter*	0.00 BKG
	parameter	0.00MSC
	parameter	0.00MCL
	parameter	0.00SMCL
	parameter	0.00AL
	parameter	0.00 GWGWIng

* [Note: This Table should provide a list of all hazardous constituents detected above the Quantitation Limits specified in CP Table IV – Compliance Monitoring Program Table of Hazardous and Solid Waste Constituents and Practical Quantitation Limits or Method Quantitation Limits for Compliance Monitoring. CP Table IVA constituents are to be monitored semiannually to verify achievement of the GWPS.]

Foot Note:

Use the following GWPS footnote designations if Risk Reduction Rules (RRR) or Texas Risk Reduction Program (TRRP) apply:

*** For RRR use the following designation, or***

MSC ACL pursuant to 30 TAC §335.160(b) based upon the Groundwater Medium-Specific Concentration, Residential {...or Industrial...) Risk Reduction Standard No. 2 {...or No. 3} specified in 30 TAC §335 Subchapter S.

MCL ACL pursuant to 30 TAC §335.160(b) based upon the Groundwater Maximum Contaminant Level specified in 40 CFR Part 141, National Primary Drinking Water Regulations Subparts B and G.

SMCL ACL pursuant to 30 TAC §335.160(b) based upon the Groundwater Secondary Maximum Contaminant Level specified in 40 CFR Part 143, National Secondary Drinking Water Regulations.

AL ACL pursuant to 30 TAC §335.160(b) based upon the Action Level specified in 40 CFR Part 141, National Primary Drinking Water Regulations Subpart I.

BKG Background as determined in accordance with Provision XI.F.1.

ND Non-detectable at PQL as determined by the analytical methods of the EPA SW-846 most recent edition, and as listed in the July 8, 1987 edition of the Federal Register and later editions. PQL is indicated in parentheses. PQL is the lowest concentrations of analytes in groundwaters that can be reliably determined within specified limits of precision and accuracy by the indicated methods under routine laboratory operating condition.

*** Use the following designation if TRRP applies:***

GWGWIng ACL pursuant to 30 TAC §335.160(b) based upon the PCL determined under RSA or RSB (Residential or Commercial /Industrial) for Class 1 or Class 2 Groundwater ingestion PCL of 30 TAC Chapter 350. The PCL value, Column B, will change as updates to the rule are promulgated. Changes to the rule automatically change the concentration value established in Column B in this table. In accordance with §350.72(b), GWGWIng, PCLs may need to be adjusted to lower concentrations to meet the cumulative carcinogenic risk level (less than or equal to 1x10-4) and hazard index criteria (less than or equal to 10) when there are more than 10 carcinogenic and/or more than 10 non-carcinogenic chemicals of concern within a source medium.

GWGWClass3 ACL pursuant to 30 TAC §335.160(b) based upon the PCL determined under RSA or RSB (Residential or Commercial /Industrial) Tier I for Class 3 Groundwater ingestion PCL of 30 TAC Chapter 350. The PCL value, Column B, will change as updates to the rule are promulgated. Changes to the rule automatically change the concentration value established in Column B in this table.

AirGWInh-V ACL pursuant to 30 TAC §335.160(b) based upon the PCL determined under RSA or RSB (Residential or Commercial /Industrial) for Class 1 or Class 2 Groundwater inhalation PCL of 30 TAC Chapter 350. The PCL value, Column B, will change as updates to the rule are promulgated. Changes to the rule automatically change the concentration value established in Column B in this table.

SWGW ACL pursuant to 30 TAC §335.160(b) based upon the PCL determined under RSA or RSB for Groundwater-to-surface water PCL of 30 TAC Chapter 350. The PCL value, Column B, will change as updates to the rule are promulgated. Changes to the rule automatically change the concentration value established in Column B in this table.

SEDGW ACL pursuant to 30 TAC §335.160(b) based upon the PCL determined under RSA or RSB for Groundwater-to-sediment PCL of 30 TAC Chapter 350. The PCL value, Column B, will change as updates to the rule are promulgated. Changes to the rule automatically change the concentration value established in Column B in this table.

ECOGW ACL pursuant to 30 TAC §335.160(b) based upon the PCL determined under RSA or RSB for Groundwater- based on ecological receptor(s) PCL of 30 TAC Chapter 350. The PCL value, Column B, will change as updates to the rule are promulgated. Changes to the rule automatically change the concentration value established in Column B in this table.

BKG Background as determined in accordance with Provision XI.F.1.

ND Non-detectable at MQL as determined by the analytical methods of the EPA SW-846 most recent edition, and as listed in the July 8, 1987 edition of the Federal Register and later editions. MQL is indicated in parentheses. MQL is defined in 30 TAC §350.4 (54) as the lowest non-zero concentration standard in the laboratory's initial calibration curve and is based on the final volume of extract (or sample) used by the laboratory.

CP Table V: Designation of Wells

Point of Compliance Wells:

1. (unit name *********)
   (*well nos. *********)
2. (unit name *********)
   (*well nos. *********)

Point of Exposure Wells: *[***Add "None" if there are no POE wells]*

1. (unit name *********)
   (*well nos. *********)
2. (unit name *********)
   (*well nos. *********)

Alternate Point of Exposure Wells: *[***Add "None" if there are no APOE wells]*

1. (unit name *********)
   (*well nos. *********)
2. (unit name *********)
   (*well nos. *********)

Background Wells:

1. (unit name *********)
   (*well nos. *********)
2. (unit name *********)
   (*well nos. *********)

FOA Boundary of Compliance Wells Background Wells: *[**Add "None" if there are no FOA BOC wells]*

Exposure Pathway: (e.g. SWGW - Groundwater to surface water PCL for Brazos River or Barge Canal, etc)

1. (unit name *********)
   (*well nos. *********)
2. (unit name *********)
   (*well nos. *********)

Note: Wells that are not listed in this table are subject to change, upon approval by the Executive Director, without modification to the Compliance Plan.

CP Table VI: Compliance Period for RCRA-Regulated Units

[*Unit name*]	Year or Number of Years
Year Waste Management Activities Initiated	20**
Year Closed	20**
Compliance Period	** Years
Compliance Period Began	20**

[*Unit name*]	Year or Number of Years
Year Waste Management Activities Initiated	20**
Year Closed	20**
Compliance Period	** Years
Compliance Period Began	20**

CP Table VIII: Compliance Schedule

Item	Compliance Schedule *(from the date of issuance of the Compliance Plan unless otherwise specified)*	Regulatory Citation	Requirement
A.	60	Compliance Plan	Submit to the Executive Director a schedule summarizing all activities required by the Compliance Plan. The schedule shall list the starting dates of all routine activities. The Permittee shall include an updated schedule in the report required by Compliance Plan CP Table VII – Reporting Requirements. The schedule shall list the activity or report, the Compliance Plan Section which requires the activity or report and the calendar date the activity or report it to be completed or submitted (if this date can be determined).
B.	60	30 TAC §335.163(4) and Provision XI.F.2.	{*Note: Include the following, in no Sampling & Analysis Plan was submitted or submit an updated plan*} Submit to the Executive Director for review and approval a Sampling & Analysis Plan
C.	120	30 TAC §350.31(g)	{*Note: Include the following requirements (C and D), if the Permittee applied for a Plume Management Zone (PMZ)*} Submit to the Executive Director proof of compliance with institutional control requirements in accordance with which provides notice of the existence and location of the Plume Management Zone (PMZ) and which prevents exposure to groundwater from this zone until such a time as constituents of concern may be reduced to below the Groundwater Protection Standards of CP Table III – Corrective Action Program Table of Detected Hazardous and Solid Waste Constituents and the Groundwater Protection Standard.
D.	Notify within30 days	30 TAC §350.33(k)	After an unexpected event occurs, or a condition is detected, during post-response action care period which indicates that additional response actions will be required at an affected property.
E.			*{Note: Add other any site specific activities listed in the implementation schedule of Sections C Compliance Monitoring Program or D Corrective Action Program of the application that are no completed at the time of application submittal or issuance of the final draft compliance plan.}*

Attachment A

Alternate Concentration Limits

Alternate Concentration Limits (ACLs) must be submitted by hazardous waste facility owners or operators who seek ACLs for any hazardous constituent as provided by 30 TAC 335.160(b) as a part of a compliance monitoring or corrective action program. An ACL demonstration should follow the guidance provided in this attachment. Compliance Plan Application, Section XI.B.2.b. outlines when an ACL demonstration must be conducted. Where possible in "Attachment A", the applicant may copy information previously submitted to the Commission and reference the information submitted in other Sections (Sections I and XI.B. through E.) of this Compliance Plan Application.

Alternate Concentration Limit Demonstration

An ACL petition is based on a demonstration that hazardous constituents detected in the groundwater will not pose a substantial present or future threat to human health or the environment at the ACL levels. Potential adverse effects on both groundwater quality and hydraulically connected surface water quality must be addressed. Using Environmental Protection Agency published lists of 40 CFR Part 264 Appendix IX hazardous constituents, the applicant must submit a list of all contaminants in the groundwater. For all the petitioned ACL constituents, the applicant must address all known synergistic and additive effects on human health and the environment to develop appropriate ACL levels.

Required Information for Alternate Concentration Limits

In addition to rule specific requirements (i.e., 30 TAC Chapter 335 Subchapter S RRR, or 30 TAC Chapter 350 TRRP), the following items must be addressed for each hazardous constituent for which an alternate concentration is sought (CP Tables III and IV, XII.B.). If the information required in this part has been furnished in other parts of Compliance Plan Application, please provide an adequate reference.

1. Potential adverse effects on groundwater quality, considering:
    a. The physical and chemical characteristics of the waste in the Regulated Unit, Solid Waste Management Unit(SWMU) or Area of Concern (AOC), including its potential for migration;
    b. The hydrogeological characteristics of the facility and surrounding land;
    c. The quantity of groundwater r and the direction of groundwater flow;
    d. The proximity and withdrawal rates of groundwater users;
    e. The current and future uses of groundwater in the area;
    f. The existing quality of groundwater, including other sources of contamination and their cumulative impact on the groundwater quality;
    g. The potential for health risks caused by human exposure to waste constituents;
    h. The potential damage to wildlife, crops, vegetation, and physical structures caused by exposure to waste constituents; and,
    i. The persistence and permanence of the potentially adverse effects.
2. Potentially adverse effects on hydraulically connected surface water quality, considering:

a. The volume and physical and chemical characteristics of the waste in the Regulated Unit, Solid Waste Management Unit (SWMU) or Area of Concern (AOC);
b. The hydrogeological characteristics of the facility and surrounding land;
c. The quantity and quality of groundwater, and the direction of groundwater flow;
d. The patterns of rainfall in the region;
e. The proximity of the Regulated Unit to surface waters;
f. The current and future uses of surface waters in the area and any water quality standards established for those surface waters;
g. The existing quality of surface water, including other sources of contamination and the cumulative impact on surface water quality;
h. The potential for health risks caused by human exposure to waste constituents;
i. The potential damage to wildlife, crops, vegetation, and physical structures caused by exposure to waste constituents; and,
j. The persistence and permanence of the potentially adverse effects.

Attachment B

Well Design And Construction Specifications

The following well design and construction specifications should be used as guidance when designing a groundwater Compliance Monitoring Program (Section XI.C.) or a Corrective Action Program (Section XI.D.). This guidance is provided to establish minimum well design and construction specifications for the Compliance Plan.

1. Well drilling methods that minimize potential adverse effects on the quality of water samples withdrawn from the well and that minimize or eliminate the introduction of foreign fluids into the borehole must be utilized.

2. All wells shall be constructed such that the wells can be routinely sampled with a pump, bailer, or alternate sampling device. Piping associated with recovery wells should be fitted with sample ports or an acceptable alternative sampling method to facilitate sampling of the recovered groundwater on a well by well basis.

3. Above the saturated zone the well casing may be two (2) inch diameter or larger schedule 40 or 80 polyvinyl chloride (PVC) rigid pipe or stainless steel or polytetrafluoroethylene (PTFE or "teflon") or an approved alternate material. The PVC casing must bear the National Sanitation Foundation logo for potable water applications (NSF pw). Solvent cementing compounds shall not be used to bond joints and all connections shall be flush threaded. In and below the saturated zone, the well casing shall be stainless steel or PTFE.

   PVC or fiberglass reinforced resin may be used as an alternate well casing material in and below the saturated zone provided that it yields samples for groundwater quality analysis that are unaffected by the well casing material.

4. Any well that has deteriorated due to incompatibility of the casing material with the groundwater contaminants or due to any other factors must be replaced.

5. Well casings and screens shall be steam cleaned prior to installation to remove all oils, greases, and waxes. Well casings and screens made of fluorocarbon resins shall be cleaned by detergent washing.

6. Screen length shall not exceed ten (10) feet within a given transmissive zone unless otherwise approved by the executive director. Screen lengths exceeding ten (10) feet may be installed in groundwater recovery or injection wells to optimize the groundwater remediation process in accordance with standard engineering practice.

7. The intake portion of a well shall be designed and constructed so as to allow sufficient water flow into the well for sampling purposes and minimize the passage of formation materials into the well during pumping. The intake portion of a well shall consist of commercially manufactured stainless steel or PTFE screen or approved alternate material. The annular space between the screen and the borehole shall be filled with clean siliceous granular material (i.e., filter pack) that has a proper size gradation to provide mechanical retention of the formation sand and silt. The well screen slot size shall be compatible with the filter pack size as determined by sieve analysis data. The filter pack should extend no more than three (3) feet above the well screen. A silt trap, no greater than one (1) foot in length, may be added to the bottom of the well screen to collect any silt that may enter the well. The bottom of the well casing shall be capped with PTFE or stainless steel or approved alternate material.

Groundwater recovery and injection wells shall be designed in accordance with standard engineering practice to ensure adequate well production and accommodate ancillary equipment. Silt traps exceeding one (1) foot may be utilized to accommodate ancillary equipment. Well heads shall be fitted with mechanical wellseals, or equivalent, to prevent entry of surface water or debris.

8. A minimum of two (2) feet of pellet or granular bentonite shall immediately overlie the filter pack in the annular space between the well casing and borehole. Where the saturated zone extends above the filter pack, pellet or granular bentonite shall be used to seal the annulus. The bentonite shall be allowed to settle and hydrate for a sufficient amount of time prior to placement of grout in the annular space. Above the minimum two (2) foot thick bentonite seal, the annular space shall be sealed with a cement/bentonite grout mixture. The grout shall be placed in the annular space by means of a tremie pipe or pressure grouting methods equivalent to tremie grouting standards.

   The cement/bentonite grout mixture or TCEQ approved alternative grout mixture shall fill the annular space to within two (2) feet of the surface. A suitable amount of time shall be allowed for settling to occur. The annular space shall be sealed with concrete, blending into a cement apron at the surface that extends at least two (2) feet from the outer edge of the monitor well for above ground completions. Alternative annular space seal material may be proposed with justification and must be approved by the executive director prior to installation.

   In cases where flush to ground completions are unavoidable, a protective structure such as a utility vault or meter box should be installed around the well casing and the concrete pad design should prevent infiltration of water into the vault. In addition, the following requirements must also be met 1) the well/cap juncture is watertight; 2) the bond between the cement surface seal and the protective structure is watertight; and 3) the protective structure with a steel lid or manhole cover has a rubber seal or gasket.

9. Water added as a drilling fluid to a well shall contain no bacteriological or chemical constituents that could interfere with the formation or with the chemical constituents being monitored. For groundwater recovery and injection wells, drilling fluids containing freshwater and treatment agents may be utilized in accordance with standard engineering practice to facilitate proper well installation. In these cases, the water and agents added should be chemically analyzed to evaluate their potential impact on in-situ water quality and to assess the potential for formation damage. All such additives shall be removed to the extent practicable during well development.

10. Upon completion of installation of a well, the well must be developed to remove any fluids used during well drilling and to remove fines from the formation to provide a particulate free discharge to the extent achievable by accepted completion methods and by commercially available well screens. Development shall be accomplished by reversing flow direction, surging the well or by air lift procedures. No fluids other than formation water shall be added during development of a well unless the aquifer to be screened is a low yielding water bearing aquifer. In these cases, the water to be added should be chemically analyzed to evaluate its potential impact on in-situ water quality, and to assess the potential for formation damage.

For recovery and injection wells, well development methods may be utilized in accordance with standard engineering practice to remove fines and maximize well efficiency and specific capacity. Addition of freshwater and treatment agents may be utilized during well development or re development to remove drilling fluids, inorganic scale or bacterial slime. In these cases, the water and agents added should be chemically analyzed to evaluate their potential impact on in-situ water quality and to assess the potential for formation damage. All such additives shall be removed to the extent practicable during well development.

11. Each well shall be secured and/or designed to maintain the integrity of the well borehole and groundwater.

12. The above ground portion of the well must be protected by bumper guards and/or metal outer casing protection when wells are located in traffic areas or outside the secured plant area.

13. The attached Table of Well Construction Details is to be completed or updated for each well installed and kept on site. Items in the table that require a yes or no answer indicate diagrams plans, or procedures that shall be kept on site and made available to inspection. The completed table and other records shall include all of the following information:

    - name/number of well (well designation);
    - intended use of the well(sampling, recovery, etc.);
    - date/time of construction;
    - drilling method and drilling fluid used;
    - well location (+ 0.5 ft.);
    - bore hole diameter and well casing diameter;
    - well depth (+ 0.1 ft.);
    - drilling and lithologic logs;
    - depth to first saturated zone;
    - casing materials;
    - screen materials and design;
    - casing and screen joint type;
    - screen slot size/length;
    - filter pack material/size;
    - filter pack volume (how many bags, buckets, etc.);
    - filter pack placement method;
    - sealant materials;
    - sealant volume (how many bags, buckets, etc.);
    - sealant placement method;
    - surface seal design/construction;
    - well development procedure;
    - type of protective well cap;
    - ground surface elevation (+ 0.01 ft. MSL);
    - top of casing elevation (+ 0.01 ft. MSL); and,
    - detailed drawing of well (include dimensions).

14. Construction or plugging and abandonment of each well shall be completed in accordance with the requirements of 16 TAC Chapter 76 and must be reported/certified to the TCEQ that such proper construction or plugging and abandonment has occurred following installation or plugging and abandonment.

Well completion logs for each newly installed or replaced well shall be included with the report. The certification shall be prepared by a qualified geologist or geotechnical engineer. Each well certification shall be accompanied by a certification report, including an accurate log of the soil boring, which thoroughly describes and depicts the location, elevations, material specifications, construction details, and soil conditions encountered in the boring for the well. A copy of the certification and certification report shall be kept on site, and a second copy shall be submitted to the executive director.

15. The well number must be clearly marked and maintained on each well at the site.

16. The elevation of the top of each well casing must be measured in feet above mean sea level to the nearest 0.01 foot.

17. Wells must be replaced at any time the well integrity or materials of construction or well placement no longer enable the well to yield samples representative of groundwater quality.

18. Soil test borings shall be plugged and wells removed from service with a cement/bentonite grout mixture so as to prevent the preferential migration of fluids in the area of the borehole. Certification of each plugging shall be reported in accordance with Provision 14. The plugging of wells shall be in accordance with 16 TAC Chapter 76 dealing with Well Drilling, Completion, Capping and Plugging.

19. A well's screened interval shall be appropriately designed and installed to meet the well's specific objective (i.e., either DNAPL, LNAPL, both, or other objective of the well). All wells designed to detect, monitor, or recover DNAPL must be drilled to intercept the bottom confining layer of the aquifer. The screened interval to detect DNAPL should extend from the top of the lower confining layer to above the portion of the aquifer saturated with DNAPL. The screened interval for all wells designed to detect, monitor, or recover LNAPL must extend high enough into the vadose zone to provide for fluctuations in the seasonal water table. In addition, the sandpacks for the recovery or monitoring well's screened interval shall be coarser than surrounding media to ensure the movement of NAPL to the well.

Table of Well Construction Details (Item 13)

Well number					
Hole diameter (in)					
Well diameter (in)					
Total borehole depth (ft)					
Constructed well depth (ft)					
Well location available (Y/N)					
Intended Use of Well (sampling, recovery, etc.)					
Drilling & lithologic logs available (Y/N)					
Drill method					
Date drilled					
Casing I.D.(in)					
Casing type/materials					
How joined					
Stick-up length					
Top of casing (+0.01 MSL)					
Ground surface elevation (+0.01 MSL)					
Capped/lockable					
Surface pad size(ft)					
Detailed drawing of well (include dimensions) Y/N					
Depth to surface seal(ft)					
Surface seal design & construction available (Y/N)					
Well development procedure available (Y/N)					
Annulus fill					
Depth to annulus seal(ft)					

Depth to gravel pack(ft)					
Depth to 1st saturated zone					
Length of gravel pack(ft)					
Size-gravel pack					
Filter pack volume (how many bags, buckets, etc.)					
Filter pack placement method					
Depth to screen(ft)					
Sealant materials					
Sealant volume (how many bags, buckets, etc.)					
Sealant placement method					
Screen slot size/length(in)					
Screen type					
Screen length(ft)					
Blank length(ft)					
Dev. method					
Well coordinates (lat & long)					

Attachment C - Sampling And Analysis Plan

Introduction and Purpose

This Attachment was prepared for the purpose of providing guidance for the preparation of a Groundwater Sampling and Analysis Plan (SAP) to meet the requirements of 30 Texas Administrative Code (TAC) 335.163(4) and (5) and also 40 CFR 270.30(j). This guidance is based on the publication, RCRA Groundwater Monitoring: Draft Technical Guidance (TEGD Update) (November 1992, USEPA), and its updates, and is not intended to be rule or policy, or include all acceptable practices.

When preparing the SAP, the applicant may insert copies of areas of the Compliance Plan Application already completed which provides any necessary information for completion of the SAP. The SAP should include the information described in the following sections. When certain sections are not applicable, please provide justification for omission from the SAP.

1. Pre Field Activity
   a. A. The log book format should be outlined in the SAP and should contain at a minimum:

   - the names of those conducting the sampling event;
   - the purpose and provision(s) of the compliance plan requiring the sampling event;
   - weather conditions at time of sampling;
   - date and time of collection;
   - well identification;
   - integrity of well;
   - monitoring well measurements, including: total well depth; static water level depth; measurement techniques; height of water column; well volume; and, notation of the presence or absence of accumulated silt (including thickness and measurement procedures);
   - notation of the presence or absence of NAPLs (including thickness and detection method);
   - well purging procedures, including equipment, purge volume, pumping rate, and well purge time;
   - sampling methods, including well sampling sequence, sampling equipment and withdrawal procedures;
   - visual and measured water quality parameters required for analysis, such as appearance, pH, conductivity, temperature and turbidity; and,
   - sample preservation and handling procedures, including types of sample bottles, sample identification numbers, preservatives used, and internal temperature of field and shipping containers.

   b. B. The SAP should reference the Provisions or Tables within the Compliance Plan regarding monitor well designations, parameters to be monitored, and sampling frequency, rather than utilizing detailed lists.

   c. C. The SAP should include examples of the log book format, chain of custody, and information to be included on the container labels and seals.

   d. D. The SAP should reference both the Health and Safety Plan, and Field Emergency Contingency Plan. These Plans should be checked to determine if they adequately address health and safety issues that may occur during a sampling event.

2. Prior to Purging Well

a. A. Procedures for evaluating the physical condition and integrity of the well should include:

- inspecting the casing and cap for cracks, signs of deterioration or tampering;
- determination if the cap and monitoring well are secure;
- inspecting the well pad for cracks, or signs of deterioration, erosion, settling, and/or animal and insect burrowing; and,
- where appropriate, inspect any dedicated equipment for signs of cleanliness, structural integrity and deterioration.

b. B. Procedures and equipment used for measuring groundwater elevations, well depths, silt accumulation, and Non Aqueous Phase Liquids (NAPLs) should be included in the SAP. Water levels should be measured from the surveyed datum on the top of the well casing, with a precision of ±0.01 foot. If present, accumulated silt and light/dense NAPLs should be measured for thickness.

c. C. Procedures for monitoring site specific weather conditions at the time of sampling should be incorporated into the SAP, including precipitation (when applicable), temperature, and approximate wind speed and direction.

3. Sampling Preparation Activity

a. A. Well purging methods:

(1) 1) A sampling contingency plan should be developed for wells which are purged to dryness or purged such that full recovery exceeds two hours. In such instances, samples should be taken as soon as a sufficient volume of groundwater has entered the well to enable the collection of the necessary groundwater samples.

(2) 2) In all instances of purging, the SAP should describe in detail the equipment used (dedicated or non dedicated), purging rate, and the method for determining volume purged.

(3) 3) Although purging and sampling by bailers is acceptable, the EPA recommends the use of dedicated pumping equipment designed for low flow rates.

(4) 4) When utilizing micropurging methods, the purge rate may range between 0.1 to 0.5 liter/minute. During micropurging, drawdown should not exceed 0.1 meter. The applicant should provide justification for any alternate sampling procedure. The SAP should also specify the well screen interval at which the pump intake is placed and a copy of the boring log for each well utilizing micropurging. In line measurements of redox, dissolved O2 and turbidity during purging of groundwater should stabilize within 10% over at least two measurements prior to sampling.

b. B. Field filtering of groundwater samples should not be conducted unless the applicant has provided a justification and field filtration is approved by the TCEQ. If samples are field filtered, a 10 micron filter should be used while still fulfilling the data quality objectives for the groundwater monitoring program.

c. C. The container type, size, and labeling method for each procedure performed should be referenced and/or tabulated in the SAP.

d. D. Sample blanks, field blanks, trip blanks and split sampling procedures, including frequency and preservation should be specified in the SAP as quality control checks for each sampling event. The preparation, analysis, and evaluation of replicates, duplicates and spikes should also be included.

4. Well Sampling

a. A. Well sampling equipment, collection procedures, and sampling sequence of wells, should be specified in the SAP. The SAP should include sampling equipment that is constructed of inert material, which should not alter analyte concentration due to loss of analyte via absorption, or gain via desorption, degradation or corrosion.

b. B. Field QA/QC and sample preservation methods used to control pH, chemical addition and refrigeration of samples should be described in the SAP and follow the methods described in the current editions of EPA Report SW 846, "Test Methods for Evaluating Solid Waste" and American Society for Testing and Materials (ASTM) Standard Test Methods or other methods accepted by the TCEQ. The SAP should indicate that chemical preservatives are to be added to samples in the field and not in the laboratory. The SAP should indicate that coolants used for refrigerating samples need to be contained (e.g. blue ice).

c. C. Procedures for sampling inorganics and volatile/semi volatile organics should be described in the SAP and follow the methods of SW 846 and ASTM or other methods accepted by the TCEQ.

5. Post Sampling Activity

a. A. Decontamination procedures should be included in the SAP when dedicated equipment is not used for purging and sampling, or when dedicated equipment is stored outside the well. The procedures should include disassembly, cleaning of equipment, packaging and storage of equipment when not in use.

b. B. Analytical methods and holding times should be tabulated in the SAP in accordance with SW 846 and ASTM or other methods accepted by the TCEQ.

c. C. Chain of custody and shipping procedures should be described and intended to prevent misidentification of samples, to identify and prevent tampering of the samples during shipping and storage, and allow easy tracking of the shipment from the field to final analyses. A Chain of Custody Form should accompany each sample shipment and include the following information:

- sample identification number;
- signature of collector;
- date and time of collection;
- sample type (e.g. groundwater);
- identification of sampling point (well);
- number of containers;
- parameters requested for analysis;
- preservatives used;
- signature(s) of person(s) involved in the chain of possession;
- inclusive dates and time of possession;
- internal temperature of shipping container when samples were sealed into the container for shipping; and,

- internal temperature of container upon opening in the laboratory.

Samples should be shipped in coolers or similar containers designed to keep samples at a constant 4°C and prevent breakage. Containers used for sample shipment should be sealed with the seal signed and dated by the sampler.

d. D. Disposal methods of contaminated equipment, wash water and purged groundwater should be described.

e. E. Laboratory QA/QC procedures should include control samples as defined in Chapter I of SW 846. An appropriate statistical method/procedure should be used to monitor and document performance and to implement an effective program to resolve testing problems (instrument maintenance). Data from the control samples (i.e. spiked samples, duplicates and blanks) should be used as a measure of performance or as an indicator of potential source of cross contamination (i.e. from instrumentation). QA/QC documentation for reporting values should be tabulated on laboratory data sheet and include: target analyte; unit of measure (e.g. ppm); method analyses; and, time/dates of sample collection and analyses.

XII. Hazardous Waste Permit Application Fee

In accordance with 30 TAC 305.53, complete Tables XII.A. - Hazardous Waste Units (For Application Fee Calculations) and XII.B. - Hazardous Waste Permit Application Fee Worksheet . Use the following information in calculating your fee. The application fee will be non-refundable once an initial review of the application has been completed. The applicant's fees are subject to evaluation by the technical staff of the Texas Commission on Environmental Quality (TCEQ). However, the TCEQ reserves the right to assess further fees as may be necessary.

A. The minimum permit application fee for a permit or a permit renewal for each hazardous waste facility to be used for Storage, Processing, Disposal, or Closure/Post-Closure Care (disposal has already occurred) of hazardous waste shall be $2,000, plus notice fee, and the maximum shall be $50,000, calculated according to these instructions:

1. Process Analysis - $1,000.00.
2. Management/Facility Analysis - $500.00.
3. A facility unit(s) analysis of $500 per unit is charged for the following:
   a. each cell of a landfill (note that multiple cells that are identical in type and use are subject to a single $500 fee);
   b. tanks and container storage areas (note that multiple tanks and container storage areas that are identical in type and use are subject to a single $500 fee)
   c. identical in type and use means the following:
      (1) made of the same material and same design;
      (2) the same size/capacity within + 10%;
      (3) store the same waste (as identified by USEPA hazardous waste number - 40 CFR 261 Subparts C & D); and
      (4) have the same management characteristics (e.g., storage only).
   d. Each incinerator, boiler/industrial furnace unit, surface impoundment, waste pile, land treatment unit, drip pad, miscellaneous unit, or containment building.
4. Site Evaluation - $100 per acre of surface used for hazardous waste management up to 300 acres. No additional fee thereafter. This shall be calculated as any acreage which will be permitted to manage hazardous waste. This shall include, for example, the entire area within the secondary containment of a tank farm, the area within a fence that surrounds individual units (other than the facility fence), or the area defined by the toe of the dike surrounding a landfill or impoundment, etc.
5. An applicant shall also include with each initial application a fee of $50 to be applied toward the cost of providing the required notice. An additional notice fee of $15 is required with each application for renewal.

B. The application fee for a major amendment or a Class 2 or 3 modification to a hazardous waste permit for operation, closure, or post-closure care is subject to the fees listed below:

1. A management/facility analysis fee of $500.

2. The notice fee is $50.
3. If a unit is added or a unit area is expanded for any purpose, $100 per additional acre is assessed, until the total additional acreage reaches 300 acres.
4. If one or more of the following reports are added or are significantly revised, the process analysis fee of $1000 is assessed:
   a. waste analysis plan;
   b. site-specific or regional geology report;
   c. site-specific or regional geohydrology report;
   d. groundwater and/or unsaturated zone monitoring;
   e. closure and/or post-closure care plan; or
   f. RCRA Facility Assessments (RFAs), or corrective action reports;
   g. Alternate Concentration Limit (ACL) demonstration or Development of Protective Concentration Limits (PCLs);
   h. Regulated Unit Facility Assessment, Corrective Action (CA) work plans or reports for Regulated Units; and/or
   i. RCRA Facility Investigation (RFI)/Affected Property Assessment (APA), Remedy Selection, Corrective Measure Implementation (CMI)/Remedial Action Plan for solid waste management units, and/or areas of concern;
   j. Facility Operations Area (FOA).
5. A unit analysis fee of $500 per unit is assessed if any of the following occur:
   a. if a unit is added (even if identical to units already in place, using the criteria discussed in A.3 above);
   b. if there are design changes in an existing unit; or
   c. if a unit status changes from closure to post-closure care;
   d. Changes in the number, location, depth, or design of wells approved in compliance plan or a permit (unless it is a replacement well);
   e. Changes in point of compliance and compliance monitoring program;
   f. Changes in Groundwater Protection Standards, indicator parameters, Alternate Concentration Limits or Protective Concentration Limits; and/or
   g. Changes in corrective action program.

C. The application fee for a minor amendment, a Class 1, or a Class 11 modification of a hazardous waste permit is $100 plus the notice fee of $50.

Table XII.A. – Hazardous Waste Units (For Application Fee Calculations)

Verbal Description of Unit	Rated Capacity	Surface Acreage[1]	# of Unit Types[2]	Identical Unit Justification[3]
		Total[4]	Total[4]	

1 Number of calculated acres.
2 Enter number of units except for units identical in type and use which only count toward a single $500.00 fee.
3 Explain justification for any units claimed as identical in type and use.
4 Enter these totals on the worksheet.

Table XII.B. - Hazardous Waste Permit Application Fee Worksheet

Name of Facility:_____

Solid Waste Registration Number:_____

1. Process Analysis - $1,000..... $_____
2. Facility Management Analysis - $500..... $_____
3. Unit Analysis - _____ units @ $500 per unit..... $_____
4. Site Evaluation - _____ acres @ $100 per acre..... $_____

   (Maximum of 300 acres)
5. Minor amendment, Class 1, or Class 11 modification - $100..... $_____
6. Cost of Providing Notice - $50 (+ $15 for a renewal)..... $_____

Pay This Amount ☐ **Total** $_____

Make Checks Payable To:

Texas Commission on Environmental Quality - Fund 549
(your canceled check will be your receipt)

Complete And Return With Payment To:

Texas Commission on Environmental Quality
Financial Administration Division - MC 214
P.O. BOX 13087
Austin, Texas 78711-3087

The applicant's fees are subject to evaluation by the technical staff of the Texas Commission on Environmental Quality (TCEQ). However, the TCEQ reserves the right to assess further fees as may be necessitated.

XIII. Confidential Material

Any information requested in the previous Sections I. through XI. of this application which is deemed confidential shall be provided in this Section as a separate collective document and clearly labeled **CONFIDENTIAL**.