

# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



**NOTICE OF HEARING  
GLADIEUX METALS RECYCLING, LLC  
SOAH Docket No. 582-22-0332  
TCEQ Docket No. 2021-0943-IHW  
Permit No. 50204**

**APPLICATION.**

Gladieux Metals Recycling, LLC, 302 Midway Road, Freeport, Texas 77542, operates a commercial industrial and hazardous waste management facility which recycles spent catalysts applied to Texas Commission on Environmental Quality (TCEQ) for a permit renewal and a major amendment to authorize structural changes for the facility's permitted units, the reclassification of a containment building to a container storage area, add wastes authorized to be accepted and stored at the facility, remove certain requirements to divide a consolidated permit into its separate authorizations, and remove authorization of air emissions that are authorized under TCEQ Air Permit No. 9803. The facility is located at 302 Midway Road, Freeport, 77542 in Brazoria County, Texas. TCEQ received the application by Gulf Chemical & Metallurgical Corporation (GCMC) on June 19, 2012. On December 06, 2017 the TCEQ approved a permit modification transferring the permit from GCMC to the new owner, Gladieux Metals Recycling, LLC. The TCEQ received an amended application from Gladieux Metals Recycling, LLC, on September 30, 2019. As a public courtesy, we have provided the following Web page to an online map of the site or the facility's general location. The online map is not part of the application or the notice: <https://arcg.is/1nnOKT>. For the exact location, refer to the application.

The Coastal Management Program boundary is the area along the Texas Coast of the Gulf of Mexico as depicted on the map in 31 Texas Administrative Code Section 503.1 and includes part or all of the following counties: Cameron, Willacy, Kenedy, Kleberg, Nueces, San Patricio, Aransas, Refugio, Calhoun, Victoria, Jackson, Matagorda, Brazoria, Galveston, Harris, Chambers, Jefferson and Orange: The TCEQ Executive Director has reviewed this action for consistency with the goals and policies of the Texas Coastal Management Program (CMP) in accordance with the regulations of the Coastal Coordination Council (CCC) and has determined that the action is consistent with the applicable CMP goals and policies.

The TCEQ Executive Director has prepared a draft permit which, if approved, would establish the conditions under which the facility must operate. The Executive Director has made a preliminary decision that this permit, if issued, meets all statutory and regulatory requirements. The permit application, Executive Director's preliminary decision, and draft permit are available for viewing and copying at the Freeport Public Library, 410 North Brazosport Blvd, Freeport, Texas 77541.

## **CONTESTED CASE HEARING.**

The State Office of Administrative Hearings (SOAH) will conduct a preliminary hearing at:

**10:00 a.m. – December 6, 2021  
Freeport Police Department  
Council Chambers Room  
430 North Brazosport Boulevard  
Freeport, Texas 77541**

The purpose of a preliminary hearing is to establish jurisdiction, name the parties, establish a procedural schedule for the remainder of the proceeding, and to address other matters as determined by the judge. The evidentiary hearing phase of the proceeding, which will occur at a later date, will be similar to a civil trial in state district court. The hearing will address the disputed issues of fact identified in the TCEQ order concerning this application issued on September 2, 2021. In addition to these issues, the judge may consider additional issues if certain criteria are met.

The hearing will be conducted in accordance with Chapter 2001, Texas Government Code; Chapter 361, Texas Health and Safety Code; TCEQ rules, including 30 Texas Administrative Code (TAC) Chapter 335, and the procedural rules of the TCEQ and SOAH, including 30 TAC Chapter 80 and 1 TAC Chapter 155. At least one session of the hearing will be held in the county in which the facility is located. The hearing will be held unless all timely hearing requests have been withdrawn or denied.

To request to be a party, you must attend the hearing and show you would be adversely affected by the application in a way not common to members of the general public. Any person may attend the hearing and request to be a party. Only persons named as parties may participate at the hearing.

This notice satisfies the requirements of the Resource Conservation and Recovery Act (RCRA), as amended, 42 U.S. 6901 et seq. and 40 CFR 124.10. Once the final permit of the TCEQ and U.S. Environmental Protection Agency (EPA) are effective regarding this facility, they will implement the requirements of RCRA as amended by the Hazardous and Solid Waste Amendments of 1984 (HSWA). The final permit decision will also implement the federally authorized state requirements. The TCEQ and EPA have entered into a joint permitting agreement whereby permits will be issued in Texas in accordance with the Texas Solid Waste Disposal Act, Texas Health and Safety Code Ann., Chapter 361, and RCRA, as amended. In order for the applicant to have a fully effective RCRA permit, both the TCEQ and EPA must issue the permit. All permit provisions are fully enforceable under State and Federal law. The State of Texas has not received full HSWA authority. Areas in which the TCEQ has not been authorized by EPA are denoted in the draft permit with an asterisk (\*). Persons wishing to comment or request a hearing on a HSWA requirement denoted with an asterisk (\*) in the draft permit should also notify, in writing, Chief, RCRA Permits Branch, EPA Region 6, 1445 Ross Avenue, Dallas, Texas 75202-2733. EPA will accept hearing requests submitted to the TCEQ.

**In accordance with 1 Tex. Admin. Code § 155.401(a), Notice of Hearing, “Parties that are not represented by an attorney may obtain information regarding contested case hearings on the public website of the State Office of Administrative Hearings at [www.soah.texas.gov](http://www.soah.texas.gov), or in printed format upon request to SOAH.”**

**INFORMATION.**

If you need more information about the hearing process for this application, please call the Public Education Program, toll free, at 800-687-4040. General information about the TCEQ can be found at our web site at [www.tceq.texas.gov](http://www.tceq.texas.gov). The mailing address for the TCEQ is P.O. Box 13087, Austin TX 78711-3087.

Further information may also be obtained from Gladieux Metals Recycling, LLC at the address stated above or by calling Alison Landis at 979-415-1519.

Persons with disabilities who need special accommodations at the hearing should call the SOAH Docketing Department at 512-475-4993, at least one week prior to the hearing.

Issued: October 22, 2021

A handwritten signature in black ink that reads "Laurie Gharis". The signature is written in a cursive, flowing style.

Laurie Gharis, Chief Clerk  
Texas Commission on Environmental Quality