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December 1995  
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# Source Reduction and Waste Minimization Executive Summary and Certificate of Completeness and Correctness for Small Quantity Generators/Non-TRI Reporters

Office of Pollution Prevention and Recycling

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TEXAS NATURAL RESOURCE CONSERVATION COMMISSION



**Barry R. McBee, *Chairman***  
**R. B. "Ralph" Marquez, *Commissioner***  
**John M. Baker, *Commissioner***

**Dan Pearson, *Executive Director***

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# Introduction and Applicability

The Waste Reduction Policy Act (**WRPA**) of 1991, also known as Senate Bill 1099, was adopted by the Texas Legislature to prevent pollution in Texas. This Act requires that certain facilities:

- Prepare a Source Reduction/Waste Minimization (SR/WM) Plan;
- Submit an Executive Summary of their plan; and
- Report annually on their pollution prevention activities.

**This document explains the WRPA requirements for Small Quantity Generators who are not Toxic Release Inventory (TRI) reporters.** This document is intended to assist your facility in submitting your Executive Summary and Certificate of Completeness and Correctness to the Texas Natural Resource Conservation Commission (TNRCC).

## Who is subject to WRPA ?

The Waste Reduction Policy Act applies to the following:

- Large Quantity Generators (LQGs): Those who generate more than 1,000 kilograms of hazardous waste a month;
- Small Quantity Generators (SQGs): Those who generate between 100 kilograms and 1,000 kilograms of hazardous waste a month; and
- Toxic Release Inventory (TRI) Reporters: Those manufacturing facilities which are subject to the Toxic Release Inventory (TRI) reporting requirements. To be subject to TRI, a facility would meet **all** of the following requirements:
  - Have the equivalent of 10 or more full-time employees;
  - Be included in Standard Industrial Classification (SIC) codes 20 to 39; and
  - Produce, import, or process more than 25,000 pounds, or otherwise use more than 10,000 pounds of any of the TRI chemicals.

If you have questions about whether your facility is subject to TRI reporting, you can call 512/239-3100 for assistance.

This document summarizes the requirements that SQGs must follow. If you are not an SQG, refer to page 4 for how to obtain additional assistance. The SR/WM Plan completion dates in effect for the WRPA program are summarized in Table 1 on the next page. SQGs will generally fall into one of the last two reporting categories (1996 or 1997).

The Waste Reduction Policy Act is codified at the Texas Health and Safety Code, §361.501 - §361.510. Rules implementing the Act are found in 30 TAC §335.471-480 (copy available in Appendix A of this document).

### Table 1. What is Your SR/WM Plan Completion Date?

(Based on Total Amounts of Hazardous Waste Generated and/or TRI Releases and Transfers)

Plan Completion Date <sup>1</sup>	Total Amount of Hazardous Waste (HW) Generated <sup>2</sup> or TRI Releases and Transfers <sup>3</sup> (Tons per Year)	Year of HW or TRI Data That is Used to Determine Due Date
7/01/93	HW: greater than or equal to 5,000 TRI: greater than or equal to 100	1992
1/01/94	HW: greater than or equal to 500 and less than 5,000 TRI: greater than or equal to 10 and less than 100	1993
1/01/95	HW: greater than or equal to 15 and less than 500 TRI: greater than or equal to 5 and less than 10	1994
1/01/96	HW: greater than or equal to 5 and less than 15 TRI: greater than or equal to 1 and less than 5	1995
1/01/97	HW: greater than or equal to 1.102 and less than 5 TRI: less than 1	1996

<sup>1</sup> A SR/WM Plan completion date is determined based on total amounts of hazardous waste generated and/or TRI releases and transfers for the preceding calendar year. For example, if a facility released and transferred 8 tons of TRI chemicals in 1994, their SR/WM plan would be due 1/01/95. If a facility has a significant increase in HW generation or TRI releases and transfers, such that a prior plan completion date applies, the rules allow a 90-day period to prepare a plan.

<sup>2</sup> Total amount of all hazardous waste generated at the facility, based on the Annual Hazardous Waste Summary reports. Hazardous wastes have Texas Waste Codes beginning with "9" or ending with "H".

<sup>3</sup> Total releases of all chemicals exceeding TRI reporting thresholds and as reported in Section 5-Onsite Releases and Section 6-Offsite Transfers on TRI Form R.

# WRPA Reporting Requirements for SQG/Non-TRI Reporters

WRPA requires that facilities:

- Prepare a SR/WM Plan;
- Submit an Executive Summary of the plan; and
- Report annually on the progress of the plan.

## SR/WM Plan

If WRPA applies to you, then you need to prepare a SR/WM plan, and have a copy at your facility by the date in Column 1 of Table 1. According to the rules, this plan should be available to the TNRCC for on-site inspection. See “Additional Assistance” on page 4 for how to request additional help. The SR/WM plan for SQGs/Non-TRI reporters needs to include the following elements:

- List of **all** Hazardous Wastes generated and quantity in tons (using your facility's most recently submitted Annual Waste Summary);
- A description of Source Reduction/Waste Minimization projects including:
  - A discussion of environmental and human health risks associated with these projects;
  - A description of any media transfer and/or change of waste or release associated with projects;
  - A schedule for project implementation and completion;
- Facility reduction goals; and
- Executive Summary/Certificate of Completeness and Correctness (you may use the form on page 8 of this document; see below).

## Executive Summary

You must submit the Executive Summary and Certificate of Completeness and Correctness portions of the plan to the TNRCC at the time the plan is due to be completed. For this portion of the plan, you may use the Executive Summary form on page 8 to meet this requirement.

The essential elements of the Executive Summary are:

- Facility information (name, address, contacts, IDs, etc.);
- Estimated amount of hazardous waste to be generated in the fifth year (based on the reduction goals in your plan);
- Prioritized list of HW to be reduced;
- List of Source Reduction activities; and
- Certificate of Completeness & Correctness, signed by the Owner/Corporate Officer.

## **Annual Progress Reporting**

SQGs can meet their annual progress reporting requirements by submitting the above-mentioned Executive Summary, provided they have submitted their Annual Waste Summary to the Industrial & Hazardous Waste Division, Waste Evaluation Section by January 25 each year. No additional reporting is required under WRPA.

## **Additional Assistance**

To receive more assistance with WRPA requirements, you may:

- Read the Waste Reduction Policy Act rules which are in Appendix A of this document;
- Order documents listed in Appendix B to assist with WRPA compliance;
- Access the TNRCC Online Bulletin Board at (512) 239-0700 if you have a PC & a modem. Once you are connected, select the General menu, then the Pollution Prevention and Recycling menu, and download the applicable files. For help on how to access TNRCC Online, call (512) 239-0911. This document (including the Executive Summary form) should be available online by late January 1996;
- Call (512) 239-3100 for help with WRPA requirements and ask to speak to someone on the Industrial Pollution Prevention team. We can clarify requirements and assist you in preparation of your SR/WM Plan and Executive Summary;
- Attend a Pollution Prevention Workshop; for information, call (512) 239-3152; or
- Write to us at:  
Office of Pollution Prevention and Recycling, MC112  
TNRCC  
P.O. Box 13087  
Austin, TX 78711-3087.

## Instructions for Completing the Executive Summary Form

Following are detailed instructions on filling out the Executive Summary form presented on page 8. Please type or neatly print the required information on the form or a clear copy of the form. **You are not required to use the Executive Summary form**; however, the same information should be provided to the TNRCC Office of Pollution Prevention & Recycling, MC112.

**Date Plan Due** - Enter the date that your plan is due. Circle 1/1/96 or 1/1/97. If you are unsure of your due date, please refer to Table 1.

**Executive Summary Date** - Enter the date that the Executive Summary Form is sent to the TNRCC.

**EPA ID # (RCRA)** - Enter the 12 character identification code.

**TNRCC SW Reg. #** - Enter the 5 digit solid waste registration number (on your Notice of Registration) issued by TNRCC.

**Facility Name** - Enter the name of the facility as it is identified in other reports submitted to the TNRCC, such as a plant site name or other appropriate facility designation.

**Mailing Address** - Enter the mailing address of the facility contact person for this report. The address can be either street or P.O. Box. **Please include State & Zip Code.** Use the nine digit zip code (xxxxx-xxxx) when it is known.

**Facility Description** - Provide a brief description of what is made, processed, and/or manufactured at the facility.

**Facility Contact Person** - Enter the name of the person who can answer questions about the facility's SR/WM Plan & Executive Summary from the public, TNRCC, etc.

**Contact Phone** - Enter area code and telephone number for the Facility Contact Person.

**SIC Code** - Enter the 4 digit Standard Industrial Classification (SIC) code that best describes the principal product or service at the facility. This code is the same as that reported on your facility's Employer's Quarterly Report (Form C-3), filed with the Texas Employment Commission.

**Number of Employees** - Enter the estimated number of full-time employees working for your entire company in a year. This information is optional, but allows us to better track the quality of our service.

**Estimated Amount of Hazardous Waste Generated the Fifth Year, in tons** - Enter the **estimated** amount of Hazardous Waste you expect to generate in the fifth year, in tons. This amount is based on your facility's reduction goals.

***For Example:*** If your plan due date is 1/1/96, then you need to enter the estimated amount of hazardous waste you would generate by the year 2001. Your facility reduction goal and the projects described in your SR/WM plan should help you estimate the amount of hazardous waste you would generate by the year 2001. If your facility generates 10 tons of hazardous waste in 1995 and your SR/WM Plan goal is to reduce the amount by 30% in five years, then the estimated generation for the fifth year is 7 tons.

**List of Hazardous Waste to be Reduced and the corresponding Source Reduction Activities** - Enter a prioritized list of hazardous waste generated (from your Annual Waste Summary - waste codes beginning with "9" or ending with "H" ) that you expect to reduce in the SR/WM projects you outlined in your SR/WM plan. For each hazardous waste, place a check mark in the appropriate box to identify the source reduction activity you plan to use to reduce the waste. Table 2 provides a list of examples of source reduction activities.

***For Example:*** Suppose one of the projects in your SR/WM plan is to reduce paint waste generated in the painting operation through Raw Material Modification. On the form, you need to enter paint waste as the waste to be reduced and place a check mark under the column Raw Material Modification to identify the corresponding source reduction activity.

**Certificate of Completeness and Correctness** - In the lower part of the form, the Facility Owner or Corporate Officer certifies that the SR/WM plan has been completed and meets the specified requirements of the rules and the information provided is true, correct, and complete.

**Check box located in the Certificate of Correctness and Completeness section of the Form:**  
Enter "X" if this form is submitted to amend information already submitted.

**Optional Information for SQG Executive Summary Report** - On the back of the form, you will also find the SQG Optional Information section. If you wish, you can provide additional information on a separate page if necessary. **However, there is no requirement that you complete the optional section of this form.**

## **Where to send the completed Executive Summary Form**

Please send the completed Executive Summary Form to:

**Office of Pollution Prevention & Recycling, MC 112  
Texas Natural Resource Conservation Commission  
P.O. Box 13087  
Austin, TX 78711-3087**

If you have any questions, please call **(512) 239-3100**

Please **do not fax** this Executive Summary form unless you are requested to do so by the TNRCC. Please retain a copy for inclusion in your facility's SR/WM Plan. Your SR/WM Plan should be kept onsite & be available for review by TNRCC personnel. If you wish, you may submit your entire plan to the TNRCC.

## **Revisions to the Executive Summary Form**

If the information you provide on your Executive Summary Form does not change, you are **not** required to submit a new Executive Summary form each year. However, if you update your SR/WM Plan, then you need to send in a revision to your Executive Summary form within 30 days with any changes from the prior year.

**Table 2. Examples of Source Reduction Activities**

<p><b><u>Good Operating Practices</u></b></p> <ul style="list-style-type: none"> <li>● Segregate types of hazardous waste to make them more amenable to recycling</li> <li>● Segregate hazardous waste from non-hazardous waste</li> <li>● Improve maintenance scheduling, record-keeping, or procedures</li> <li>● Change production schedule</li> <li>● Other changes in operating practices</li> </ul> <p><b><u>Inventory Control</u></b></p> <ul style="list-style-type: none"> <li>● Institute procedures to reduce outdated material</li> <li>● Test outdated material</li> <li>● Eliminate shelf-life requirements for stable materials</li> <li>● Use better labeling procedures</li> <li>● Institute clearinghouse to exchange materials</li> <li>● Other changes in inventory control</li> </ul> <p><b><u>Spill and Leak Prevention Codes</u></b></p> <ul style="list-style-type: none"> <li>● Improve storage and stacking procedures</li> <li>● Improve procedures for loading, unloading and transfer operations</li> <li>● Install overflow alarms or automatic shut-off valves</li> <li>● Install vapor recovery systems</li> <li>● Implement inspection or monitoring program of potential spill and leak sources</li> <li>● Other spill and leak prevention activities</li> </ul> <p><b><u>Raw Material Modifications</u></b></p> <ul style="list-style-type: none"> <li>● Increase purity of materials</li> <li>● Substitute non-hazardous for hazardous raw materials</li> <li>● Other raw material modifications</li> </ul> <p><b><u>Process Modifications Code</u></b></p> <ul style="list-style-type: none"> <li>● Institute recirculation within a process</li> <li>● Modify equipment, layout or piping</li> <li>● Use of a different process catalyst</li> <li>● Institute better controls on operating bulk containers to minimize empty container disposal</li> <li>● Change from small containers to bulk containers to minimize empty container disposal</li> <li>● Other process modifications</li> </ul> <p><b><u>Cleaning and Degreasing</u></b></p> <ul style="list-style-type: none"> <li>● Modify stripping/cleaning equipment</li> <li>● Change to mechanical stripping/cleaning devices (from hazardous solvents to other materials)</li> <li>● Change to aqueous cleaners (from hazardous solvents or other materials)</li> <li>● Modify containment procedures for cleaning units</li> <li>● Improve draining procedures</li> <li>● Redesign parts' racks to reduce dragout</li> <li>● Modify or install rinse systems</li> <li>● Improve rinse equipment design and/or operation</li> <li>● Other cleaning and degreasing modifications</li> </ul> <p><b><u>Surface Preparation and Finishing</u></b></p> <ul style="list-style-type: none"> <li>● Modify spray systems or equipment</li> <li>● Substitute coating materials used and/or improve application techniques</li> <li>● Change from spray to other system</li> <li>● Other surface preparation and finishing modifications</li> </ul> <p><b><u>Product Modifications</u></b></p> <ul style="list-style-type: none"> <li>● Change product specifications</li> <li>● Modify design or composition of product</li> <li>● Modify packaging</li> <li>● Other product modifications</li> </ul>
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**SOURCE REDUCTION / WASTE MINIMIZATION EXECUTIVE SUMMARY & CERTIFICATE OF COMPLETENESS & FOR SMALL QUANTITY GENERATORS\***

Date Plan Due	Circle either one: 1/1/96 1/1/97	EPA ID	_____	Executi
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Facility Name				TNRCC SW ID	-----
Facility Contact Person		Mailing Address		SIC Code	-----
Contact Phone				Number of Employees	
Facility Description					

Estimated amount of Hazardous Waste generated the fifth year, in tons

From your plan, list hazardous waste to be reduced  Hazardous Waste (In order of priority)	Source Reduction activities you plan to use to reduce generation of each hazardous waste listed. Place a check mark in the appropriate box.							
	Good Operating Practices	Inventory Control	Spill & Leak Prevention	Raw Material Modification	Process Modification	Cleaning & degreasing	Surface preparations & finishing	Product Modification
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Certificate of Completeness and Correctness**

**Certificate of Completeness: I certify that the Source Reduction and Waste Minimization Plan has been completed and meets the specified requirements of 30 TAC §§335.471-335.480, and that the information provided herein is true, correct and complete. I also certify that I am the person who has the authority to commit the corporate or company resources necessary to implement the plan.**

\_\_\_\_\_                      \_\_\_\_\_                      If this is a revision of a previously submitted report, check this box

Facility Owner or Corporate Officer                      Date

\*This form is only for SQG's who are not TRI reporters. If a facility is also a TRI reporter, see 30 TAC 335.474 for "LQG-type" Plan and Executive Summary Requirements.

*Please complete this form and return to:*

*Office of Pollution Prevention & Recycling, MC 112  
Texas Natural Resource Conservation Commission  
P.O. Box 13087  
Austin, TX 78711-3087  
If you have questions, please call (512) 239-3100*

***Optional Information for SQG Executive Summary Report:***

*If you wish to provide a discussion on any of the Optional Information sections listed below, please attach separate sheets as needed.*

- 4a. A discussion of the person's previous effort at the facility to reduce hazardous waste or the release of pollutants or contaminants through source reduction or waste minimization;*
- 4b. A discussion of the effect changes in environmental regulations have had on the achievement of the source reduction and waste minimization goals;*
- 4c. The effect that events the person could not control have had on the achievement of the source reduction and waste minimization goals; and*
- 4d. A discussion of the operational decisions the person has made that have affected the achievement of the source reduction and waste minimization goals.*

## **Example of a Completed Form**

# Appendix A

## Subchapter Q Rules

### §335.471. Definitions.

The words and terms used in this subchapter have the meanings given in the Waste Reduction Policy Act of 1991, Senate Bill 1099, or the regulations promulgated thereunder. The following words and terms, when used in this subchapter, shall have the following meanings, unless the context clearly indicates otherwise. Further, the following words and terms, as defined herein, shall only have application to this subchapter.

**Acute hazardous waste** - Hazardous waste listed by the Administrator of the United States Environmental Protection Agency (EPA) under the federal Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act of 1976 (42 U.S.C. §6901 et seq.), because the waste meets the criteria for listing hazardous waste identified in 40 Code of Federal Regulations, §261.11(a)(2).

**Board** - The Texas Air Control Board.

**Commission** - The Texas Water Commission.

**Committee** - The waste reduction advisory committee established by the Texas Solid Waste Disposal Act, Health and Safety Code Annotated, §361.0215.

**Conditionally exempt small-quantity generator** - A generator that does not accumulate more than 1,000 kilograms of hazardous waste at any one time on his facility and who generates less than 100 kilograms of hazardous waste in any given month.

**Environment** - Water, air, and land and the interrelationship that exists among and between water, air, land, and all living things.

**Facility** - All buildings, equipment, structures, and other stationary items located on a single site or on contiguous or adjacent sites that are owned or operated by a person who is subject to this subchapter or by a person who controls, is controlled by, or is under common control with a person subject to this subchapter.

**Generator and generator of hazardous waste** - Have the meaning assigned by the Texas Solid Waste Disposal Act, Health and Safety Code Annotated, §361.131.

**Large-quantity generator** - A generator that generates, through ongoing processes and operations at a facility:

(A) more than 1,000 kilograms of hazardous waste in a month; or

(B) more than one kilogram of acute hazardous waste in a month.

**Media and medium** - Air, water, and land into which waste is emitted, released, discharged, or disposed.

**Pollutant or contaminant** - Includes any element, substance, compound, disease-causing agent, or mixture that after release into the environment and on exposure, ingestion, inhalation, or assimilation into any organism, either directly from the environment or indirectly by ingestion through food chains, will or may reasonably be anticipated to cause death, disease, behavioral abnormalities, cancer, genetic mutation, physiological malfunctions, including malfunctions in reproduction, or physical deformations in the organism or its offspring. The term does not include petroleum, crude oil, or any fraction of crude oil that is not otherwise specifically listed or designated as a hazardous substance under §101(14)(A)-(F) of the environmental response law, nor does it include natural gas, natural gas liquids, liquefied natural gas, synthetic gas of pipeline quality, or mixtures of natural gas and synthetic gas.

**Release** - Any spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping, or disposing into the environment. The term does not include:

(A) a release that results in an exposure to a person solely within a workplace, concerning a claim that the person may assert against the person's employer;

(B) an emission from the engine exhaust of a motor vehicle, rolling stock, aircraft, vessel, or pipeline pumping station engine;

(C) a release of source, by-product, or special nuclear material from a nuclear incident, as those terms are defined by the Atomic Energy Act of 1954, as amended (42 U.S.C. §2011 et seq.), if the release is subject to requirements concerning financial protection established by the Nuclear Regulatory Commission under §170 of that Act;

(D) for the purposes of §104 of the federal Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. §9601 et seq.), or other response action, a release of source, by-product, or special nuclear material from a processing site designated under the Uranium Mill Tailings Radiation Control Act of 1978 (42 United States Code, §§7912 and 7942) §102(a)(1) or §302(a); and

(E) the normal application of fertilizer.

**Small quantity generator** - A generator that generates through ongoing processes and operation at a facility:

(A) equal to or less than 1,000 kilograms but more than or equal to 100 kilograms of hazardous waste in a month; or

(B) equal to or less than one kilogram of acute hazardous waste in a month.

**Source reduction** - Has the meaning assigned by the federal Pollution Prevention Act of 1990, Pub.L. 101-508, §6603, 104 Stat. 1388.

**Tons** - 2,000 pounds, also referred to as short tons.

**Toxic release inventory (TRI)** - A program which includes those chemicals on the list in Committee Print Number 99-169 of the United States Senate Committee on Environment and Public Works, titled "Toxic Chemicals Subject to the Emergency Planning and Community Right-To-Know Act of 1986 (EPCRA, 42 United States Code Annotated, §11023), 313" including any revised version of the list as may be made by the Administrator of the EPA.

**Waste minimization** - A practice that reduces the environmental or health hazards associated with hazardous wastes, pollutants, or contaminants. Examples may include reuse, recycling, neutralization, and detoxification.

### §335.472. Pollutants and Contaminants.

The following pollutants and contaminants are subject to source reduction and waste minimization planning.

(1) all hazardous wastes generated;

(2) all chemicals which exceed threshold reporting requirements pursuant to Emergency Planning and Community Right-to-Know Act of 1986, §313.

### §335.473. Applicability.

This subchapter applies to facilities which are required to develop a source reduction and waste minimization plan pursuant to the Waste Reduction Policy Act of 1991, Senate Bill 1099, or the regulations promulgated thereunder, including:

(1) all large quantity generators of hazardous waste;

(2) all generators other than large quantity generators and conditionally exempt small quantity generators as defined by Health and Safety Code, §361.431(3);

(3) persons subject to §313, Title III, Superfund Amendments and Reauthorization Act of 1986 (Emergency Planning and Community Right-to-Know Act (EPCRA), 42 United States Code, §11023). These TRI covered facilities would be required to develop source reduction and waste minimization plans for only the TRI listed chemicals that exceed threshold quantities established under EPCRA.

**§335.474. Source Reduction and Waste Minimization Plans.**

All persons identified under §335.473 of this title (relating to Applicability) shall prepare a five year (or more) source reduction and waste minimization plan which may be updated annually as appropriate according to the schedule listed in §335.475 (relating to Implementation Dates). Plans shall be updated as necessary to assure that there never exists a time period for which a plan is not in effect. Prior to completion of the plan and each succeeding plan, a new five-year (or more) plan shall be prepared. Plans prepared under paragraphs (1)-(3) of this section shall contain a separate component addressing source reduction activities and a separate component addressing waste minimization activities.

(1) With the exception of small quantity generators which are subject to paragraph (3) of this section, the plan shall include, at a minimum:

(A) an initial survey that identifies:

(i) for facilities described in §335.473(1), activities that generate hazardous waste; and

(ii) for facilities described in §335.473(3), activities that result in the release of pollutants or contaminants designated under §335.472 of this title (relating to Pollutants and Contaminants);

(B) based on the initial survey, a prioritized list of economically and technologically feasible source reduction and waste minimization projects;

(C) an explanation of source reduction or waste minimization projects to be undertaken, with a discussion of technical and economic considerations, and environmental and human health risks considered in selecting each project to be undertaken;

(D) an estimate of the type and amount of reduction anticipated;

(E) a schedule for the implementation of each source reduction and waste minimization project;

(F) source reduction and waste minimization goals for the entire facility, including incremental goals to aid in evaluating progress;

(G) an explanation of employee awareness and training programs to aid in accomplishing source reduction and waste minimization goals;

(H) certification by the owner of the facility, or, if the facility is owned by a corporation, by an officer of the corporation that owns the facility who has the authority to commit the corporation's resources to implement the plan, that the plan is complete and correct;

(I) identification of cases in which the implementation of a source reduction or waste minimization activity designed to reduce risk to human health or the environment may result in the release of a different pollutant or contaminant or may shift the release to another medium; and

(J) an executive summary of the plan which shall include at a minimum:

(i) a description of the facility which shall include:

(I) name of the facility;

(II) address;

(III) contact;

(IV) a general description of the facility; and

(V) Texas Air Control Board account number (TACB), Texas Water Commission (TWC) solid waste notice of registration number, TWC Wastewater permit number, United States Environmental Protection Agency (EPA) identification number (Resource Conservation and Recovery Act (RCRA) number), National Pollutant Discharge Elimination System (NPDES) permit number, and underground injection well code identification number.

(ii) a list of all hazardous wastes generated and the volume of each;

(iii) a list of all reportable TRI releases and the volume of each;

(iv) a prioritized list of pollutants and contaminants to be reduced;

(v) a statement of reduction goals;

(vi) an explanation of environmental and human health risks considered in determining reduction goals;

(vii) implementation milestones for individual project development;

(viii) an implementation schedule for future reduction goals; and

(ix) identification and description of cases in which the implementation of source reduction or waste minimization activity designed to reduce risk to human health or the environment may result in the release of a different pollutant or contaminant or may shift the release to another medium. Included in this description shall be a discussion of the change in characteristic of the normal waste stream or release and how it will be managed in that affected medium.

(2) The source reduction and waste minimization plan may also include:

(A) a discussion of the person's previous efforts at the facility to reduce risk to human health and the environment or to reduce the generation of hazardous waste or the release of pollutants or contaminants;

(B) a discussion of the effect changes in environmental regulations have had on the achievement of the source reduction and waste minimization goals;

(C) the effect that events the person could not control have had on the achievement of the source reduction and waste minimization goals;

(D) a description of projects that have reduced the generation of hazardous waste or the release of pollutants or contaminants; and

(E) a discussion of the operational decisions made at the facility that have affected the achievement of the source reduction or waste minimization goals or other risk reduction efforts.

(3) The plans of small quantity generators shall include, at a minimum:

(A) a description of the facility which shall include:

(i) name of the facility;

(ii) address;

(iii) contact;

(iv) general description of the facility; and

(v) TACB account number, TWC Solid Waste Notice of Registration number, TWC Wastewater Permit Number, EPA Identification number (RCRA number), NPDES permit number, and underground injection well code identification number.

(B) a list of all hazardous wastes generated and the volume of each;

(C) a list of all reportable TRI releases and the volume of each;

(D) a prioritized list of pollutants and contaminants to be reduced;

(E) a statement of reduction goals;

(F) information on environmental and human health risks, such as Material Safety Data Sheets or other available documentation, considered in determining reduction goals;

(G) implementation milestones for individual project development;

(H) an implementation schedule for future reduction goals; and

(I) identification and description of cases in which the implementation of a source reduction or waste minimization activity designed to reduce risk to human health or the environment may result in the release of a different pollutant or contaminant or may shift the release to another medium. Included in this description shall be a discussion of the change in characteristic of the normal waste stream or release and how it will be managed in that affected medium.

(J) certification by the owner of the facility, or, if the facility is owned by a corporation, by an officer of the corporation that owns the facility who has the authority to commit the corporation's resources to implement the plan, that the plan is complete and correct.

(K) an executive summary of the plan which shall include at a minimum:

(i) a description of the facility which shall include:

(I) name of facility;

(II) address;

(III) contact;

(IV) EPA ID, TNRCC solid waste notice of registration number;

(V) primary SIC code.

(ii) a projection of the amount of hazardous waste that the facility will generate (based on what is reported as hazardous waste under 30 TAC 335.9 ) at the end of the five year period that the plan

is in place.

- (iii) prioritized list of pollutants and contaminants to be reduced.
- (iv) a list of source reduction activities associated with reductions of pollutants identified under 335.474(3)(D).

(4) The executive summary may include:

- (A) a discussion of the person's previous effort at the facility to reduce hazardous waste or the release of pollutants or contaminants through source reduction or waste minimization;
- (B) a discussion of the effect changes in environmental regulations have had on the achievement of the source reduction and waste minimization goals;
- (C) the effect that events the person could not control have had on the achievement of the source reduction and waste minimization goals; and
- (D) a discussion of the operational decisions the person has made that have affected the achievement of the source reduction and waste minimization goals.

#### **§335.475. Implementation Dates.**

All facilities subject to this subchapter shall develop a source reduction and waste minimization plan. The implementation year shall be determined by the prior year's reported volumes of hazardous waste generated and/or total TRI releases. A facility once subject to this subchapter shall remain subject until it no longer meets the requirements of §335.473 of this title (relating to Applicability) or are exempted under §335.477 of this title (relating to Exemptions). Volumes for calculations will be based on total hazardous waste generated and/or total TRI releases. The executive summary shall be submitted to the commission and the board on the date the plan is required to be in place. Plan implementation will be according to the following schedule:

(1) The source reduction and waste minimization plan shall be in place, available for review, and shall be implemented no later than July 1, 1993 for:

- (A) hazardous waste generators reporting 5,000 tons or more; or
- (B) TRI facilities reporting 100 tons or more.

(2) The source reduction and waste minimization plan shall be in place, available for review, and shall be implemented no later than January 1, 1994 for:

- (A) hazardous waste generators reporting less than 5,000 tons but more than or equal to 500 tons; or
- (B) TRI facilities reporting less than 100 tons but more than or equal to 10 tons.

(3) The source reduction and waste minimization plan shall be in place, available for review, and shall be implemented no later than January 1, 1995 for:

- (A) hazardous waste generators reporting less than 500 tons but more than or equal to 15 tons; or
- (B) TRI facilities reporting less than 10 tons but more than or equal to 5 tons.

(4) The source reduction and waste minimization plan shall be in place, available for review, and shall be implemented no later than January 1, 1996 for:

- (A) hazardous waste generators reporting less than 15 tons but more than or equal to 5 tons; or
- (B) TRI facilities reporting less than 5 tons but more than or equal to 1 ton.

(5) The source reduction and waste minimization plan shall be in place, available for review, and shall be implemented no later than January 1, 1997 for:

- (A) hazardous waste generators reporting less than 5 tons but greater than 1.102 tons (1,000 kilograms); or
- (B) TRI facilities reporting less than 1 ton.

(6) After the effective date of this subchapter, any facility which becomes subject to the requirement to have a source reduction and waste minimization plan, either within 90 days prior to or at any time following the dates referenced in paragraph (1)-(5) of this section, shall have 90 days to have the plan in place and available for review.

#### **§335.476. Reports and Recordkeeping.**

All persons required to develop a source reduction and waste minimization plan for a facility under this subchapter shall submit to the commission and the board, concurrent with implementation of the plan under §335.475 of this title (relating to Implementation Dates), an initial executive summary of such plan and a copy of the certification of completeness and correctness in §335.474(1)(H) of this title (relating to Source Reduction and Waste Minimization Plans). Within 30 days of any revision of such plan, a revised executive summary including a copy of a new certificate of completeness and correctness shall be submitted. All owners and operators required to develop a plan under §335.473(1) and (3) (related to Applicability) shall also submit an annual report as defined below under paragraphs (1), (2), and (3) of this section according to the schedule outlined in paragraph (4) of this section. Persons required to develop a source reduction and waste minimization plan for a facility under §335.473(2) (related to Applicability) may meet the annual reporting requirements by submitting their annual waste summary required under 30 TAC 335.9 and by submitting their hazardous waste reduction goals as required under §335.474(K)(ii).

(1) The report shall detail the facility's progress in implementing the source reduction and waste minimization plan and include:

(A) an assessment of the progress toward the achievement of the facility source reduction goal and the facility waste minimization goal;

(B) a statement to include, for facilities described in §335.473(1) of this title (relating to Applicability), the amount of hazardous waste generated and, for facilities described in §335.473(3), the amount of the release of reportable pollutants or contaminants designated under the Texas Solid Waste Disposal Act, the Texas Health and Safety Code Annotated, §361.433(c) in the year preceding the report, and a comparison of those amounts with the amounts generated or released using 1987 as the base year.

(C) any modification to the plan.

(2) The report may include:

(A) a discussion of the person's previous effort at the facility to reduce hazardous waste or the release of pollutants or contaminants through source reduction or waste minimization;

(B) a discussion of the effect changes in environmental regulations have had on the achievement of the source reduction and waste minimization goals;

(C) the effect that events the person could not control have had on the achievement of the source reduction and waste minimization goals; and

(D) a discussion of the operational decisions the person has made that have affected the achievement of the source reduction and waste minimization goals.

(3) The report shall contain a separate component addressing source reduction activities and a separate component addressing waste minimization activities.

(4) The report and the executive summary of the plan shall be submitted according to the following schedule and annually thereafter.

(A) For all facilities meeting the specifications of §335.475(1) of this title (relating to Implementation Dates), the first report will be due on or before March 1, 1994. The report will cover calendar year 1993. Subsequent annual reports will be submitted on or before July 1 of each year.

(B) For all facilities meeting the specifications of §335.475(2), the first report will be due on or before July 1, 1995. The report will cover calendar year 1994.

(C) For all facilities meeting the specifications of §335.475(3), the first report will be due on or before July 1, 1996. The report will cover calendar year 1995.

(D) For all facilities meeting the specifications of §335.475(4), the first report will be due on or before July 1, 1997. The report will cover calendar year 1996.

(E) For all facilities meeting the specifications of §335.475(5), the first report will be due on or before July 1, 1998. The report will cover calendar year 1997.

(5) Base line data from the calendar year 1987 shall be used in developing each of the first reports referred to in paragraph (4) of this section.

(6) The report shall be submitted on forms furnished or approved by the executive directors of the commission and the board and shall contain at a minimum the information specified in paragraph (1) of this section. Upon written request by the facility, the executive directors may authorize a modification in the reporting period.

**§335.477. Exemptions.**

(a) This subchapter does not apply to:

(1) conditionally exempt small-quantity generators; and

(2) facilities regulated by the Railroad Commission of Texas under the Natural Resources Code, §§91.101 or §141.012.

(b) Owners and operators of facilities listed in §335.473 of this title (relating to Applicability), may apply on a case-by-case basis, to the executive directors of the commission and the board for an exemption from this subchapter. The executive directors of the commission and board may grant an exemption if the applicant demonstrates that sufficient reductions have been achieved. If an exemption is granted, it is valid only for the following year, but can be renewed, on an annual basis, by filing a new application. The executive directors' decision will be based upon the following standards and criteria for determining practical economic and technical completion of the plan:

(1) the facility has reduced the amount of pollutants and contaminants being generated or released by 90% since the base year;

(2) potential impact on human health and the environment of any remaining hazardous waste generated, or pollutant or contaminant released; and

(3) a demonstration that additional reductions are not economically and technically feasible.

**§335.478. Administrative Completeness.**

The commission or the board may review a source reduction and waste minimization plan or annual report to determine whether the plan or report complies with this subchapter.

**§335.479. Enforcement.**

Failure to have a source reduction and waste minimization plan in accordance with this subchapter or failure to submit a source reduction and waste minimization annual report in accordance with this subchapter is a violation.

**§335.480. Confidentiality.**

(a) A source reduction and waste minimization plan shall be maintained at each facility owned or operated by a person and/or generator who is subject to this subchapter and shall be available to commission or board personnel for inspection. The source reduction and waste minimization plan is not a public record for the purposes of Chapter 424, Acts of the 63rd Legislature, Regular Session, 1973 (Texas Civil Statutes, Article 6252-17a).

(b) The executive summary of the plan and the annual report are public records. On request, the person and/or generator shall make available to the public a copy of the executive summary of the plan or annual report.

(c) If an owner or operator of a facility for which a source reduction and waste minimization plan has been prepared shows to the satisfaction of the commission or board that an executive summary of the plan, annual report, or portion of a summary or report prepared under this subchapter would divulge a trade secret if made public, the commission or board shall classify as confidential the summary, report, or portion of the summary or report.

(d) To the extent that a plan, executive summary, annual report, or portion of a plan, summary, or annual report would otherwise qualify as a trade secret, an action by the commission or board or an employee of the commission or board does not affect its status as a trade secret.

(e) Information classified by the commission or board as confidential under this section is not a public record for purposes of Chapter 424, Acts of the 63rd Legislature, 1973 (Texas Civil Statutes, Article 6252-17a), and may not be used in a public hearing or disclosed to a person outside the commission or board unless a court decides that the information is necessary for the determination of an issue being decided at the public hearing.

Amendments to §335.476

Date Adopted: June 14, 1995

Date Filed with the Secretary of State: June 20, 1995

Date Effective: July 11, 1995

Amendments to §335.474 and §335.476

Date Adopted: November 29, 1995

Date Filed with the Secretary of State: December 4, 1995

Date Effective: December 25, 1995

**Appendix B**  
**TNRCC Publications Ordering Information**

# Appendix C

## EPA Pollution Prevention Guides

Numerous industry-specific and general pollution prevention guides are available through the EPA's Center for Environmental Research Information (CERI). Listed below are some technical guides, which can be ordered directly from CERI (phone: 513-569-7562, FAX: 513-569-7566). CERI also offers many additional topics and information, and a publication list can also be ordered from the above numbers. Justification on letterhead is required to order more than 9 publications. EPA's Pollution Prevention Information Clearinghouse (PPIC) also has many publications available. A complete listing of their publications can be ordered by contacting PPIC (phone: 202-260-1023, FAX: 202-260-0178). (Some of these documents can be directly down loaded from DOE's EPIC world wide web server:<http://146.138.5.107/epic.htm/>)

### Industry-Specific Pollution Prevention Guides:

<u>Title</u>	<u>EPA Document Number</u>
Auto Repair	EPA/625/7-91/013
Automotive Refinishing	EPA/625/7-91/016
Commercial Printing	EPA/625/7-90/008
Dye Manufacturing	EPA/741/B-92/001
Fabricated Metal	EPA/625/7-90/006
Fiberglass & Composite Plastics	EPA/625/7-91/014
Marine Maintenance and Repair	EPA/625/7-91/015
Mechanical Equipment Repair	EPA/625/R-92/008
Metal Fabricated Products	EPA/560/8-92/001A
Metal Finishing	EPA/625/R-92/011
Metal Casting and Heat Treating	EPA/625/R-92/009
Municipal Pretreatment Programs	EPA/625/R-93/006
Non-Agricultural Pesticide Users	EPA/625/R-93/009
Paint Manufacturing	EPA/625/7-90/005
Pesticide Formulations	EPA/625/7-90/004
Pharmaceutical	EPA/625/7-91/017
Photoprocessing	EPA/625/7-91/012
Printed Circuit Board Manufacturing	EPA/625/7-90/007
Research & Education	EPA/625/7-90/010
Selected Hospital Wastes	EPA/625/7-90/009
Wood Furniture Manufacturing	EPA/560/8-92/001C
Wood Treatment Plants	EPA/600/R-93/168

### General Pollution Prevention Guides:

Solvent Waste Reduction Alternatives	EPA/625/4-89/021
Facility Pollution Prevention Guide	EPA/600/R-92/088
Organic Coating Removal	EPA/625/R-93/015
Alternatives to Chlorinated Solvents for Cleaning and Degreasing	EPA/625/R-93/016
Cleaning and Degreasing Process Changes	EPA/625/R-93/017
Organic Coating Replacements	EPA/625/R-94/006
Alternative Metal Finishes	EPA/625/R-94/007
On-Site Solvent Recovery	EPA/600/R-94/026
Mercury Usage and Alternatives in Electrical and Electronics Industries	EPA/600/R-94/047
Evaluating the Potential for Safe Substitutes	EPA/600/R-94/178
Demonstration of Alternative Cleaning Systems	EPA/600/R-95/120