

Texas Commission on Environmental Quality

INTEROFFICE MEMORANDUM

To: Office of Chief Clerk **DATE:** May 11, 2023

From: Diane Goss
Staff Attorney
Environmental Law Division

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

Applicant: US Ecology Texas, Inc.
Proposed Permit No.: 50421
Program: Waste
Docket No.: TCEQ Docket No. 2023-0531-IHW

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

- Technical Summary and Executive Director's Preliminary Decision
- Draft Permit
- Compliance History Report

Technical Summary and Executive Director's Preliminary Decision

June 29, 2022

Description of Application

- Applicant:** US Ecology Texas, Inc.
Industrial Solid Waste Registration No. 87865
Proposed Hazardous Waste Permit No. 50421
EPA I.D. No. TXR000068601
- Location:** US Ecology Texas, Inc. (USET) is located at northwest side of the intersection of County Road 30 and US Hwy 77, on approximately fifty-five (55) acres, and approximately five (5) miles south of Robstown, Texas, in Nueces County, Texas. The site is within the drainage area of Segment Petronila Creek Above Tidal of the Nueces-Rio Grande Coastal Basin (*North Latitude 27°43'31.37", West Longitude 97°42'46.90"*).
- This facility is not located in an area affected by the Texas Coastal Management Program.
- General:** USET proposes to operate a commercial industrial and hazardous waste management facility which will store hazardous and nonhazardous wastes. Wastes will be generated on-site or received from off-site sources on a commercial basis. The wastes to be managed by the facility include a wide variety of hazardous, Class 1, Class 2, and Class 3 industrial solid wastes, solvents, other organic liquids, and waste oils.
- Request:** USET applied to the TCEQ for a permit for the construction of 2 container storage areas and 1 container storage building for the storage of hazardous and Class 1, Class 2, Class 3 nonhazardous industrial solid waste. TCEQ received the application dated December 22, 2021, on December 30, 2021.
- Authority:** The permit is required by 30 TAC Sections 335.2 and 335.43, and Section 3005(c) of the Hazardous and Solid Waste Amendments of 1984 (HSWA). A draft permit was prepared in accordance with applicable requirements of 30 TAC Chapters 335 and 305, which have been adopted under the authority of the Texas Health and Safety Code Ann., Chapter 361 (Vernon Supp.), and Section 5.103, Texas Water Code Ann. (Vernon Supp.). In addition, a portion of the prepared draft permit is under Federal authority which implements applicable requirements of HSWA for which the TCEQ is not authorized. The permit must be signed by the TCEQ and the U.S. Environmental Protection Agency (EPA) in order for the applicant to have a fully effective Resource Conservation and Recovery Act (RCRA) permit. The TCEQ and the EPA have entered into a Joint Permitting Agreement (JPA) whereby EPA accepts the applicant's information submitted through the State as a Federal application for purposes of implementing HSWA.

Technical Information

The proposed permit includes the following:

- A. Establishes general provisions for construction, operation, and closure of the subject facility units (30 TAC Chapter 335, Subchapter F and Chapter 350);
- B. Requires the permittee to establish and maintain financial assurance to provide for proper facility closure in the total amount of \$7,739,300.00 (2021 dollars) (30 TAC Section 335.179);
- C. Requires the permittee to control access to the facility (40 CFR 264.14);

- D. Specifies minimum physical conditions, training, routine inspections and emergency procedures for the facility units (30 TAC Sections 335.153 and 335.177, 40 CFR Part 264, Subparts B, C and D);
- E. Standard permit provisions and other requirements pertaining to the management of industrial solid waste, including hazardous industrial solid wastes (40 CFR Part 264, Subpart B);
- F. Land Disposal Restrictions Provision II.B.7 which will implement the applicable requirements of HSWA upon issuance of the permit by EPA (40 CFR Part 268);
- G. Requirements for performing a RCRA Facility Investigation and where necessary, associated corrective action (30 TAC Section 335.167, RCRA Sections 3004(u) and 3005, 40 CFR Section 264.101);
- H. The following is a brief description of waste management units and corresponding regulatory requirements encompassed by this permit:

Container storage area - design and operating requirements for the containment system; management, inspection and air emission requirements for the containers storing wastes; and closure requirements for the containers and containment system. (40 CFR Part 264, Subpart I)

Public Notice

The public notice issued in conjunction with the final draft permit satisfies the requirements of the Resource Conservation and Recovery Act (RCRA), as amended, 42 U.S.C. 6901 et seq. and 40 CFR 124.10. The TCEQ and EPA have entered into a joint permitting agreement whereby RCRA permits will be issued in Texas in accordance with the Texas Solid Waste Disposal Act, Texas Health and Safety Code Ann., Chapter 361, and with RCRA, as amended. If TCEQ and EPA decide to issue a final permit to this facility, the permit will implement both the requirements of RCRA as amended by the Hazardous and Solid Waste Amendments of 1984 (HSWA) and the federally authorized State requirements. However, the State of Texas has not received full HSWA authority. Therefore, if the draft permit contains HSWA requirements for which the TCEQ is not authorized, both the TCEQ and EPA must issue the permit in order for the applicant to have a fully effective RCRA permit. Any jointly issued permit provisions will be fully enforceable under State and Federal law. Areas in which the TCEQ is not 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 EPA in writing as follows: Chief, RCRA Permits and Solid Waste Section, EPA Region 6 - LCRRP, 1201 Elm Street, Suite 500, Dallas, Texas 75270-2102. EPA will accept hearing requests submitted to the TCEQ.

Opportunity for Hearing

Before a permit can be issued, extended, or renewed, the TCEQ will provide an opportunity for a hearing to the applicant and persons affected. If a hearing is requested, the Commission will determine whether to grant or deny the hearing requests. If the hearing requests are denied, the draft permit may be considered for issuance by the Commission or the executive director. If the hearing requests are granted, the hearings will be conducted by the State Office of Administrative Hearings. EPA will reach a decision on the HSWA portion of the joint permit based on the hearing record developed by the TCEQ. The EPA portion of the permit implementing nonauthorized HSWA provisions will become effective thirty (30) days after the date of issuance if changes were required.

Decisions regarding the permit provisions issued under State authority may be reconsidered in response to a Motion for Rehearing or a Motion for Reconsideration and by appeal to a District Court in Travis County. Decisions regarding the permit provisions issued under Federal

authority may be reconsidered in accordance with the procedures of 40 CFR 124.19.

Preliminary Decision

- General: The executive director made a preliminary decision that this proposed permit, if issued, meets all the statutory and regulatory requirements.
- Special: The proposed permit does not authorize variances or alternatives to required standards.

Additional Information

- A. Technical information:
Manisha Poudyal, Project Manager
Industrial and Hazardous Waste Permits Section
Waste Permits Division
Texas Commission on Environmental Quality
Mail Code MC 130
P. O. Box 13087
Austin, Texas 78711-3087
512/239-2335
- B. HSWA information:

Ms. Melissa Smith
Section Chief
RCRA, Brownfields, and Solid Waste Branch
U.S. Environmental Protection Agency
Region VI - LCRR
1201 Elm Street, Suite 500
Dallas, TX 75270-2102
smith.melissa@epa.gov
- C. Procedural and public hearing information:
Office of Public Interest Counsel
Texas Commission on Environmental Quality
Mail Code MC 103
P. O. Box 13087
Austin, Texas 78711-3087
512/239-6363

Prepared by:

Manisha Poudyal
Project Manager
Industrial and Hazardous Waste Permits Section
Waste Permits Division



Hazardous Waste Permit No. 50421

EPA ID No. TXR000068601

ISWR No. 87865

**Texas Commission on Environmental Quality
Austin, Texas**

Permit for Industrial Solid Waste
Management Site issued under provisions of
Texas Health and Safety Code ANN. Chapter
361 and Chapter 26 of the Texas Water Code

Name of Permittee: US Ecology Texas, Inc.
4364 County Road 30
Robstown, Texas 78380

Site Owner: US Ecology Texas, Inc.
4364 County Road 30
Robstown, Texas 78380

Registered Agent for Service: CT Corporation System
1999 Bryan Street, Suite 900
Dallas, Texas 75201-3136

Classification of Site:

Waste Classification:

Hazardous

Non-Hazardous:

Class 1 Industrial Solid Waste

Class 2 Industrial Solid Waste

Class 3 Industrial Solid Waste

Site Type:

On-site

Off-site

Permit Type:

Storage

All provisions in this permit stem from State and/or Federal authority. Those provisions marked with an asterisk (*) stem from Federal authority and will implement the applicable requirements of Hazardous and Solid Waste Amendments of 1984 (HSWA) for which the Texas Commission on Environmental Quality has not been authorized. Those provisions marked with a double asterisk (**) stem from federal authority only.

This permit is granted subject to the terms and conditions of the permit, rules of the Commission and other Orders of the Commission, and laws of the State of Texas. This permit does not exempt the permittee from compliance with the Texas Clean Air Act. This permit will be valid until canceled, amended, modified or revoked by the Commission, except that the authorization under the permit shall expire midnight, ten (10) years after the date of permit approval.

Issued Date:

For the Commission

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List of Attachments:

- A - Legal Description of Facility
- B - Facility Map
- C - Permit Application Revision Chronology
- D - List of Incorporated Application Materials
- E - List of Permitted Facility Units

Permit/Compliance Plan Acronyms

ACL	-	Alternate Concentration Limit
AAL	-	Attenuation Action Level(s)
ALR	-	Action Leakage Rate
AMP	-	Attenuation Monitoring Point
AOC	-	Area(s) of Concern
APA	-	Affected Property Assessment
APAR	-	Affected Property Assessment Report
APOE	-	Alternate Point of Exposure
Appendix VIII	-	40 CFR 261, Appendix VIII (Identification and Listing of Hazardous Waste - Hazardous Constituents)
ASTM	-	American Society for Testing and Materials
BGS	-	Below Ground Surface
BLRA	-	Baseline Risk Assessment
CAO	-	Corrective Action Observation
CAS	-	Corrective Action System
CCC	-	Coastal Coordination Council
CEMS	-	Continuous Emissions Monitoring System
CFR	-	Code of Federal Regulations
CMI	-	Corrective Measures Implementation
CMP	-	Texas Coastal Management Program
CMS	-	Corrective Measures Study
COC	-	Constituent(s) of Concern
EPA	-	United States Environmental Protection Agency
EPA SW-846	-	Test Methods for Evaluating Solid Waste: Physical/Chemical Methods, Third Edition, November 1986
GWPS	-	Groundwater Protection Standard
HSWA	-	Hazardous and Solid Waste Amendments of 1984
ICM	-	Interim Corrective Measures
LDR	-	Land Disposal Restrictions
MDL	-	Method Detection Limit
MQL	-	Method Quantitation Limit
MSL	-	Mean Sea Level
NAPL	-	Non-Aqueous Phase Liquid
NOR	-	Notice of Registration
PCB	-	Polychlorinated Biphenyl
PCL	-	Protective Concentration Level
PMZ	-	Plume Management Zone
POC	-	Point of Compliance
POE	-	Point of Exposure
ppm	-	Parts Per Million
ppmv	-	Parts Per Million by Volume
PQL	-	Practical Quantitation Limit
Psi	-	Pounds Per Square Inch
QA/QC	-	Quality Assurance/Quality Control
RACR	-	Response Action Completion Report
RAER	-	Response Action Effectiveness Report
RAP	-	Response Action Plan (for Action Leakage Rate in landfills)
RAP	-	Remedial Action Plan
RCRA	-	Resource Conservation and Recovery Act
RFA	-	RCRA Facility Assessment
RFI	-	RCRA Facility Investigation
RRR	-	TCEQ Risk Reduction Rules

RRS	-	Risk Reduction Standard
RSA	-	Remedy Standard A
RSB	-	Remedy Standard B
SR/WM	-	Source Reduction and Waste Minimization
SSI	-	Statistically Significant Increase
SWDA	-	Solid Waste Disposal Act
SWMU	-	Solid Waste Management Unit(s)
TAC	-	Texas Administrative Code
TCEQ	-	Texas Commission on Environmental Quality
TCEQ QAPP	-	“Quality Assurance Project Plan for Environmental Monitoring and Measurement Activities Relating to the Resource Conservation and Recovery Act and Underground Injection Control”
THC	-	Total Hydrocarbons
TRRP	-	Texas Risk Reduction Program

I. Facility Description

A. Size and Location of Site

A permit is issued to US Ecology Texas, Inc. (hereafter called the permittee), to manage a hazardous waste facility located at 4364 County Road 30 Robstown, in Nueces County, Texas, and within the drainage area of Segment Petronila Creek Above Tidal in the Nueces-Rio Grande Coastal Basin (North Latitude 27° 43'31.37", West Longitude 97°42'46.90"). The legal description of the facility submitted in Permit No. 50421 application dated December 22, 2021, is hereby made a part of this permit as "Attachment A." The hazardous waste management facility as delineated by the permittee's application map is hereby made a part of this permit as "Attachment B."

B. Incorporated Application Materials

This permit is based on, and the permittee shall follow the Part A and Part B Industrial & Hazardous Waste Application submittals, and the subsequent revisions to the permit and permit application that are listed in "Attachment C", and the Application Elements listed in "Attachment D", which are hereby approved subject to the terms of this permit and any other orders of the Texas Commission on Environmental Quality.

These materials are incorporated into this permit by reference as if fully set out herein. Any and all revisions to these elements shall become conditions of this permit upon the date of approval by the Commission.

II. General Facility Standards

A. Standard Permit Conditions

The permittee has a duty to comply with the Standard Permit Conditions under 30 Texas Administrative Code (TAC) Section 305.125. Moreover, the permittee has a duty to comply with the following permit conditions:

1. Modification of Permitted Facilities

The facility units and operational methods authorized are limited to those described herein and by the application submittals identified in Section I.B. All facility units and operational methods are subject to the terms and conditions of this permit and TCEQ rules. Prior to constructing or operating any facility units in a manner which differs from either the related plans and specifications contained in the permit application or the limitations, terms or conditions of this permit, the permittee must comply with the TCEQ permit amendment/modification rules as provided in 30 TAC Sections 305.62 and 305.69.

2. Duty to Comply

The permittee must comply with all the conditions of this permit, except that the permittee need not comply with the conditions of this permit to the extent and for the duration such noncompliance is authorized in an emergency order issued by the Commission. Any permit noncompliance, other than noncompliance authorized by an emergency order, constitutes a violation of the Resource Conservation and Recovery Act (RCRA) and is grounds for enforcement action; for permit termination, revocation and reissuance, or

modification; or for denial of a permit renewal application. [30 TAC Section 305.142]

3. Severability

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

4. Definitions

For purposes of this permit, terms used herein shall have the same meaning as those in 30 TAC Chapters 305, 335, and 350 unless this permit specifically provides otherwise; where terms are not defined in the regulations or the permit, the meaning associated with such terms shall be defined by a standard dictionary reference or the generally accepted scientific or industrial meaning of the term.

Application data - data used to complete the final application and any supplemental information

5. Permit Expiration

In order to continue a permitted activity after the expiration date of the permit the permittee shall submit a new permit application at least 180 days before the expiration date of the effective permit, unless permission for a later date has been granted by the Executive Director. Authorization to continue such activity will terminate upon the effective denial of said application.

6. Certification Requirements

For a new facility, the permittee may not commence storage, processing, or disposal of solid waste; and for a facility being modified, the permittee may not process, store or dispose of solid waste in the modified portion of the facility, except as provided in 30 TAC Section 305.69 (relating to Solid Waste Permit Modification at the Request of the Permittee) until the following has been accomplished [30 TAC Section 305.144]:

- a. The permittee has submitted to the Executive Director and the local Regional Office of the TCEQ, by certified mail or hand delivery, a letter signed by the permittee, and signed and sealed by a Texas Professional Engineer stating that the facility has been constructed or modified in compliance with the permit. If the certification is being provided to document proper closure of a permitted unit, or to certify installation or repair of a tank system, then the certification must be signed and sealed by an independent Texas licensed Professional Engineer. Required certification shall be in the following form:

"This is to certify that the following activity (specify activity, e.g., construction, installation, closure, etc., of an item) relating to the following item (specify the item, e.g., the particular facility, facility unit, unit component, subcomponent part, or ancillary component), authorized or required by TCEQ Permit No. 50421 has been completed, and that construction of said facility component has been performed in accordance

with and in compliance with good engineering practices and the design and construction specifications of Permit No. 50421.”

- b. A certification report has been submitted, with the certification described in Provision II.A.6.a., which is logically organized and describes in detail the tests, inspections, and measurements performed, their results, and all other bases for the conclusion that the facility unit, unit component, and/or closure have been constructed, installed and/or performed in conformance with the design and construction specifications of this permit and in compliance with this permit. The report shall describe each activity as it relates to each facility unit or component being certified including reference to all applicable permit provisions. The report shall contain the following items, at a minimum:
- (1) Scaled, as-built plan-view and cross-sectional drawings which accurately depict the facility unit and all unit components and subcomponents and which demonstrate compliance with the design and construction specifications approved and detailed in the terms of this permit;
 - (2) All necessary references to dimensions, elevations, slopes, construction materials, thickness and equipment; and
 - (3) For all drawings and specifications, the date, signature, and seal of a Professional Engineer who is licensed in the State of Texas.
- c. The Executive Director has inspected the modified or newly constructed facility and finds it is in compliance with the conditions of the permit; or if within fifteen (15) days of submission of the letter required by paragraph (a) of this section, the permittee has not received notice from the Executive Director of the intent to inspect, prior inspection is waived and the permittee may commence processing, storage, or disposal of solid waste.

*7. Land Disposal Restrictions

The permittee shall comply with the land disposal restrictions as found in 40 Code of Federal Regulations (CFR) 268 and any subsequent applicable requirements promulgated through the Federal Register. Requirements include modifying/amending the permittee's waste analysis plan to include analyses to determine compliance with applicable treatment standards or prohibition levels, pursuant to 40 CFR 268.7(c) and 264.13(a).

8. Dust Suppression

Pursuant to 40 CFR 266.23(b)/30 TAC Section 335.214(b), the permittee shall not use waste, used oil, or any other material which is contaminated with dioxin, polychlorinated biphenyls (PCBs), or any other hazardous waste (other than a waste identified solely on the basis of ignitability) for dust suppression or road treatment.

9. Permit Reopener

This permit shall be subject to review by the Executive Director five (5) years from the date of permit issuance or reissuance and shall be modified as necessary to assure that the facility continues to comply with currently applicable requirements of the Solid Waste Disposal Act (SWDA) and the rules

and regulations of the Commission. The permittee shall submit any information as may be reasonably required by the Executive Director to ascertain whether the facility continues to comply with currently applicable requirements of the SWDA and the rules and regulations of the Commission.

10. Texas Coastal Management Program

Reserved

11. Monitoring of Commercial Hazardous Waste Management Facility Operations

Within the first year after Commission initial action on this permit and any subsequent amendment, modification, transfer, extension, or renewal of this permit, the permittee shall provide notice to affected persons of the intent to have an independent annual environmental audit of the facility performed. The notice shall be issued in accordance with the requirements of 30 TAC Section 305.147(1). If an affected party requests the audit, then the permittee must follow the requirements of 30 TAC Sections 305.147(2)-(6), and (8), for selecting an independent inspector, paying for the notice and audit, submission of a written report, and determining the scope of the inspection.

12. Failure to Submit Relevant Facts in Permit Application

Where the permittee becomes aware that it failed to submit any relevant facts in a permit application or submitted incorrect information in a permit application or any report to the Executive Director, the permittee shall promptly submit the correct information or facts to the Executive Director. [30 TAC Section 305.125(19)]

13. Hazardous Waste Combustion Facility Provision

Reserved

14. Waste Management Fee Assessment, Fee Payment, and Records and Reporting

- a. If applicable, the permittee is subject to the assessment of fees for hazardous wastes which are stored, processed, disposed, or otherwise managed and for Class 1 industrial wastes which are disposed at a commercial facility. [30 TAC Section 335.325]
- b. As applicable and except as provided in Provision II.A.14.c., the permittee shall pay waste management fees monthly. Monthly fee payments shall be due by the 25th day following the end of the month for which payment is due. [30 TAC Section 335.328(b)]
- c. If required, the permittee owes waste management fees in an amount less than \$500 for a calendar month or less than \$1,500 for a calendar quarter, the permittee may file a quarterly report and pay a quarterly fee. [30 TAC Section 335.328(c)]
- d. If required, the permittee shall document the basis for the assessment of any applicable waste management fees, including any adjustment to or exemption from assessment. [30 TAC Section 335.329(b)(4)]
- e. If required, the permittee shall submit a monthly report of on-site waste management activities subject to the assessment of waste management fees

on forms furnished or approved by the Executive Director. This report shall be due by the 25th day following the end of the month (or quarter) for which a report is made. Monthly (or quarterly) reports shall be submitted, regardless of whether any storage, processing, or disposal was made during a particular month (or quarter), by preparing and submitting a summary indicating that no waste was managed during that month (or quarter). [30 TAC Section 335.329(b)(5)]

- f. As applicable, the permittee shall maintain the required records and reports in accordance with 30 TAC Sections 335.329(c) and (d).

15. Transfer of Ownership and/or Operational Control

The transfer of ownership and/or operational control of this permit is subject to the transfer requirements of 30 TAC Section 305.64 and permit modification requirements of 30 TAC Section 305.69. The new owner and/or operator seeking a transfer of ownership and/or operational control of this permit shall submit a Class 1¹ permit modification (with prior written approval by the Executive Director) at least 90 days prior to the scheduled transfer in accordance with 30 TAC Section 305.69(b)(2). Prior to the Executive Director issuing the permit modification transferring the permit, the new owner or operator shall provide a fully executed financial assurance mechanism satisfactory to the TCEQ Executive Director, for all existing units which have received waste and any corrective action required under this permit, in compliance with 30 TAC Chapter 37, Subchapter P. [30 TAC Section 305.64(g)]

B. Recordkeeping and Reporting Requirements

1. Monitoring and Records

- a. 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 and Recovery Act and Underground Injection Control" (TCEQ QAPP).
- b. 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 Appendix I of 40 CFR Part 261 or an equivalent method approved in writing prior to use by the Executive Director of the TCEQ. Laboratory methods shall be the latest version specified in current edition of Test Methods for Evaluating Solid Waste: Physical/Chemical Methods, SW-846 (EPA SW-846); Standard Methods for the Examination of Water and Wastewater; RCRA Groundwater Monitoring: Draft Technical Guidance, 1992, OSWER Directive 9950.1; or an equivalent method; as specified in the Waste Analysis Plan, Section IV of the Part B Application, and approved in writing prior to use by the Executive Director. [30 TAC Section 305.125(11)(A)]
- c. The permittee shall retain in an organized fashion and furnish to the Executive Director, upon request, records of all monitoring information, copies of all reports and records required by this permit, and the certification required by 40 CFR 264.73(b)(9), for a period of at least three (3)

years from the date of the sample, measurement, report, record, certification, or application. [30 TAC Section 305.125(11)(B)]

- d. Records of monitoring shall include the following [30 TAC Section 305.125(11)(C)]:
- (1) The date, time, and place of sample or measurement;
 - (2) The identity of individual who collected the sample or measurement;
 - (3) The dates analyses were performed;
 - (4) The identity of individual and laboratory who performed the analyses;
 - (5) The analytical techniques or methods used; and
 - (6) The results of such analyses or measurements.
- e. All engineering and geoscientific information submitted to the TCEQ shall be prepared by, or under the supervision of, a licensed professional engineer or licensed professional geoscientist, and shall be signed, sealed, and dated by qualified professionals as required by the Texas Engineering Practice Act and the Texas Geoscience Practice Act and the licensing and registration boards under these acts.

2. Operating Record

In addition to the recordkeeping and reporting requirements specified elsewhere in this permit, the permittee shall maintain a written operating record at the facility, in accordance with 40 CFR 264.73. These records will be made available to representatives of the TCEQ upon request.

3. Retention of Application Data

Throughout the terms of the permit, the permittee shall keep records of data used to complete the final application and any supplemental information. All copies of renewals, amendments, revisions and modifications must also be kept at the facility such that the most current documents are available for inspection at all times. All materials, including any related information, submitted to complete the application shall be retained, not just those materials which have been incorporated into the permit. [30 TAC Section 305.47]

4. Reporting of Noncompliance

The permittee shall report to the Executive Director of the TCEQ information regarding any noncompliance which may endanger human health or the environment. [30 TAC Section 305.125(9)]

- a. Report of such information shall be provided orally within twenty-four (24) hours from the time the permittee becomes aware of the noncompliance.
- b. A written submission of such information shall also be provided within five (5) days of the time the permittee becomes aware of the noncompliance. The written submission shall contain the following:
 - (1) A description of the noncompliance and its cause;

- (2) The potential danger to human health or safety, or the environment;
- (3) The period of noncompliance, including exact dates and times;
- (4) If the noncompliance has not been corrected, the anticipated time it is expected to continue; and
- (5) Steps taken or planned to reduce, eliminate, and prevent the recurrence of the noncompliance, and to mitigate its adverse effects.

5. Twenty-Four Hour Reporting

The following shall be included as information which must be reported orally within twenty-four (24) hours pursuant to 30 TAC Section 305.125(9) [30 TAC Section 305.145]:

- a. Information concerning release of any solid waste that may cause an endangerment to public drinking water supplies; and
- b. Any information of a release or discharge of solid waste, or of a fire or explosion which could threaten the environment or human health or safety, outside the facility. The description of the occurrence and its cause shall include:
 - (1) Name, address, and telephone number of the owner or operator;
 - (2) Name, address, and telephone number of the facility;
 - (3) Date, time, and type of incident;
 - (4) Name and quantity of material(s) involved;
 - (5) The extent of injuries, if any;
 - (6) An assessment of actual or potential hazards to the environment and human health or safety outside the facility, where this is applicable; and
 - (7) Estimated quantity and disposition of recovered material that resulted from the incident.

6. Notice Waiver

The Executive Director may waive the five (5) day written notice requirement specified in Provision II.B.4.b. in favor of a written report submitted to the Commission within fifteen (15) days of the time the permittee becomes aware of the noncompliance or condition. [30 TAC Section 305.145(b)]

7. Biennial Report

Reserved

8. Pollution Prevention

Facilities subject to 30 TAC Chapter 335, Subchapter Q - Pollution Prevention: Source Reduction and Waste Minimization must prepare a five (5) year Source Reduction and Waste Minimization Plan and submit a Source Reduction and Waste Minimization (SR/WM) Annual Report to the TCEQ Environmental Assistance Division. This report must be submitted annually on the dates specified in the rule.

9. Annual Detection Monitoring Report

Reserved

10. Manifest Discrepancy Report

If a significant discrepancy in a manifest is discovered, the permittee must attempt to reconcile the discrepancy. If not resolved within fifteen (15) days, the permittee must submit a report, describing the incident, to the Executive Director, as per the requirements of 30 TAC Section 335.12. A copy of the manifest must be included in the report.

11. Unmanifested Waste Report

A report must be submitted to the Executive Director within fifteen (15) days of receipt of unmanifested waste, as per the requirements of 30 TAC Section 335.15(3).

12. Monthly Summary

The permittee shall prepare a monthly report, of all manifests received during the month, summarizing the quantity, character, transporter identity, and the method of storage, processing and disposal of each hazardous waste or Class 1 waste shipment received, itemized by manifest document number. This monthly summary report shall be submitted to the TCEQ Registration and Reporting Section on or before the 25th day of each month for waste received during the previous month. [30 TAC Section 335.15(2)]

C. Incorporated Regulatory Requirements

1. State Regulations

The following TCEQ regulations are hereby made provisions and conditions of the permit to the extent applicable to the activities authorized by this permit.

- 30 TAC Chapter 37, Subchapter P: Financial Assurance for Hazardous and Nonhazardous Industrial Solid Waste Facilities;
- 30 TAC Chapter 305, Subchapter A: General Provisions;

- 30 TAC Chapter 305, Subchapter C: Application for Permit;
- 30 TAC Sections 305.61 - 305.69 (regarding amendments, renewals, transfers, corrections, revocation and suspension of permits);
- 30 TAC Sections 305.121 - 305.125 (regarding permit characteristics and conditions);
- 30 TAC Sections 305.127 - 305.129 (regarding permit conditions, signatories and variance procedures);
- 30 TAC Chapter 305, Subchapter G: Additional Conditions for Hazardous and Industrial Solid Waste Storage, Processing and Disposal Permits;
- 30 TAC Chapter 305, Subchapter I: Hazardous Waste Incinerator Permits;
- 30 TAC Chapter 305, Subchapter J: Permits for Land Treatment Demonstrations Using Field Tests or Laboratory Analyses;
- 30 TAC Chapter 305, Subchapter K: Research, Development and Demonstration Permits;
- 30 TAC Chapter 305, Subchapter Q: Permits for Boilers and Industrial Furnaces Burning Hazardous Waste;
- 30 TAC Chapter 335, Subchapter A: Industrial Solid Waste and Municipal Hazardous Waste in General;
- 30 TAC Chapter 335, Subchapter B: Hazardous Waste Management General Provisions;
- 30 TAC Section 335.152, Standards;
- 30 TAC Sections 335.153 - 335.155 (regarding reporting of emergency situations and additional reports required);
- 30 TAC Sections 335.156 - 335.167 (regarding applicability of groundwater monitoring programs and corrective action requirements);
- 30 TAC Sections 335.168 - 335.169 (regarding the design and operating requirements and closure and post-closure care of surface impoundments);
- 30 TAC Section 335.170 (regarding the design and operating requirements of waste piles);
- 30 TAC Sections 335.171 - 335.172 (regarding the design and operating requirements and closure and post-closure care of land treatment units);
- 30 TAC Sections 335.173 - 335.174 (regarding the design and operating requirements and closure and post-closure care of landfills);
- 30 TAC Sections 335.175 - 335.176 (regarding special requirements for containers and bulk and containerized waste);
- 30 TAC Sections 335.177 - 335.179 (regarding general performance standard, cost estimate for closure, and financial assurance);

- 30 TAC Section 335.221 (regarding hazardous waste burned for energy recovery);
- 30 TAC Sections 335.325, 335.328 and 335.329 (regarding waste management fee assessment, fee payment, and records and reports);
- 30 TAC Chapter 335, Subchapter Q: Pollution Prevention: Source Reduction and Waste Minimization; and
- 30 TAC Chapter 350, Texas Risk Reduction Program.

Issuance of this permit with incorporated rules in no way exempts the permittee from compliance with any other applicable state statute and/or Commission Rule.

2. Federal Regulations

The following provisions of 40 CFR Parts 264, 266 Subpart H, 266 Subpart M, and Part 268, adopted by reference by 30 TAC Section 335.152, 30 TAC Section 335.221(a), and 335 Subchapter O, are hereby made provisions and conditions of this permit, as applicable, to the extent consistent with the Texas Solid Waste Disposal Act, Texas Health and Safety Code Ann., Chapter 361 (Vernon), and the rules of the TCEQ:

- Subpart B -- General Facility Standards;
- Subpart C -- Preparedness and Prevention;
- Subpart D -- Contingency Plan and Emergency Procedures;
- Subpart E -- Manifest System, Recordkeeping, and Reporting;
- Subpart G -- Closure and Post-Closure;
- Subpart H -- Financial Requirements;
- Subpart I -- Use and Management of Containers;
- Subpart J -- Tank Systems;
- Subpart K -- Surface Impoundments;
- Subpart L -- Waste Piles;
- Subpart M -- Land Treatment;
- Subpart N -- Landfills;
- Subpart O -- Incinerators;
- Subpart X -- Miscellaneous Units;
- Subpart AA -- Air Emission Standards for Process Vents;
- Subpart BB -- Air Emission Standards for Equipment Leaks;
- Subpart CC -- Air Emission Standards for Tanks, Surface

Impoundments, and Containers;

- Subpart DD -- Containment Buildings;
- Subpart EE -- Hazardous Waste Munitions and Explosives Storage;
- 40 CFR Part 266 Subpart H -- Hazardous Waste Burned in Boilers and Industrial Furnaces; and
- 40 CFR Part 268 -- Land Disposal Restrictions (LDR).

III. Facility Management

A. Operation of Facility

The permittee shall construct, maintain, and operate the facility to minimize the possibility of a fire, explosion, or any unplanned, sudden or non-sudden release of hazardous waste constituents to air, soil, or surface water which could threaten human health or the environment, as required by 40 CFR 264.31. All equipment and structures used to manage hazardous waste at the facility shall be maintained in proper operating condition.

B. Personnel Training

The permittee shall ensure that all facility personnel involved with hazardous waste management successfully complete a training program as required by 40 CFR 264.16. The permittee shall maintain training documents and records, as required by 40 CFR 264.16(d) and (e).

C. Security

1. The permittee shall provide a twenty-four (24) hour surveillance system which continuously monitors and controls entry onto the active portion of the facility; or
2. The permittee shall provide and maintain an artificial or natural barrier which completely surrounds the active waste management portion(s) of the facility and shall have a means to control entry, at all times, through gates or other entrances to these same facility areas; and
3. The permittee shall post warning signs at all points of access to the active waste management portion(s) of the facility and along the natural and/or artificial barriers in sufficient numbers to be seen from any approach to that (those) portion(s) of the facility. The signs shall be printed so that they may be clearly read from a distance of at least twenty-five (25) feet, and shall state "Danger - Unauthorized Personnel Keep Out" in English and in an alternate language per 40 CFR 264.14(c), as applicable.

D. General Inspection Requirements

The permittee shall follow the inspection schedule contained in the permit application submittals identified in Section I.B. of this permit and as set out in Table III.D. - Inspection Schedule. The permittee shall remedy any deterioration or malfunction discovered by an inspection, as required by 40 CFR 264.15(c). Records of inspection shall be kept, as required by 40 CFR 264.15(d). Any remedial actions taken in response to facility inspections and the date of the remediation shall be included in the inspection records.

E. Contingency Plan

1. The permittee shall follow the Contingency Plan, developed in accordance with 40 CFR Part 264 Subpart D, and contained in the permit application submittals identified in Section I.B. of this permit. Copies of this plan shall be available to all employees involved in waste management at the facility.
2. The permittee shall immediately initiate clean-up procedures for removal of any spilled hazardous or industrial nonhazardous wastes and waste residues and shall take all steps necessary to prevent surface water or groundwater contamination as a result of any spills.
3. Collected hazardous or industrial nonhazardous wastes, spills, leaks, clean-up residues, and contaminated rainfall runoff, including contaminated stormwater from the drainage control system(s) associated with the permitted units, shall be removed promptly after the spillage and/or rainfall event in as timely a manner as is necessary to prevent overflow of the system by the following method(s):
 - a. Removal to an on-site authorized facility unit;
 - b. Removal to an authorized industrial solid waste management facility or authorized off-site facility; or
 - c. Discharge in accordance with a wastewater discharge permit.
4. The permittee shall ensure that any equipment or vehicles which have come in contact with waste in the loading/unloading, storage, processing, and/or disposal areas have been decontaminated prior to their movement into designated uncontaminated areas of the site property. At a minimum, all contaminated equipment shall be externally decontaminated and contaminated vehicles shall have their undercarriages and tires or tracks decontaminated to remove all waste residues and to prevent contamination of uncontaminated areas. All wash water generated shall be collected and disposed of in accordance with Provision III.E.3.
5. Preparedness and Prevention
 - a. At a minimum, the permittee shall equip the facility as set forth in Table III.E.3. - Emergency Equipment contained in the permit application identified in Section I.B. of this permit, as required by 40 CFR 264.32.
 - b. All sumps, pumps, fire- and spill-control equipment, decontamination equipment, and all other equipment and structures authorized or required through the Contingency Plan shall be tested and maintained, as necessary, to assure its proper operation in time of emergency, as required by 40 CFR 264.33.
 - c. The permittee shall maintain access to the communications or alarm system, as required by 40 CFR 264.34.
 - d. A trained emergency coordinator shall be available at all times in case of an emergency and will have the responsibility for coordinating all emergency response measures as required by 40 CFR 264.55 and 264.56. Emergency number(s) shall be posted in all waste management portions of the facility and all employees in those areas shall be trained in the location of those postings.

- e. For new facilities, the names, addresses, and phone numbers of all persons qualified to act as emergency coordinator in Table III.E.2. - Emergency Coordinators of the Part B application shall be supplied to the Executive Director at the time of certification required by Provision II.A.6., rather than at the time of application. [40 CFR 264.52(d)]

IV. Waste and Waste Analysis

A. Waste Analysis Plan

The permittee shall follow the Waste Analysis Plan, developed in accordance with 40 CFR 264.13 and the permit application identified in Section I.B. of this permit.

B. Authorized Wastes

1. The permittee is authorized to manage wastes listed in Table IV.B. - Wastes Managed in Permitted Units, subject to the limitations provided herein.
2. Hazardous and Non-hazardous Waste Received From Off-Site Sources

When authorized wastes include hazardous or non-hazardous waste from an off-site source (except where the permittee is also the generator), as described in the Part B application, Section IV, the permittee shall inform the generator in writing that the permittee has the appropriate permits and will accept the waste the generator is shipping. The permittee shall keep a copy of this written notice as part of the operating record. [40 CFR 264.12(b)]

3. The wastes authorized in Table IV.B. shall not contain any of the following unless authorized:
 - a. PCB waste, as defined by the Environmental Protection Agency (EPA) in regulations issued pursuant to the Toxic Substances Control Act under 40 CFR Part 761, unless the permittee is compliant with the federal requirements for PCB storage as specified in 40 CFR Part 761;
 - b. Radioactive materials/wastes unless the permittee is authorized to store and process these wastes in compliance with specific licensing and permitting requirements under Chapter 401 of the Texas Health and Safety Code. In accordance with 30 TAC Section 336.203, no person shall dispose of radioactive material unless that person has a license or an exemption from the Texas Commission on Environmental Quality (TCEQ) under Texas Health and Safety Code, Section 401.106(a);
 - c. Explosive material, as defined by the Department of Transportation under 49 CFR Part 173;
 - d. Dioxin-containing wastes, identified by EPA as F020, F021, F022, F023, F026, and F027 wastes in 40 CFR 261.31;
 - e. Ignitable compressed gases;
 - f. Garbage as defined in 30 TAC Section 330.3(56);
 - g. Municipal Solid Waste as defined in 30 TAC Section 330.3(90);
 - h. Putrescible Waste as defined in 30 TAC Section 330.3(122); or

- i. Special Waste from Health-Care Related Facilities subject to 25 TAC Part 1 or 30 TAC Chapter 330.
4. Prior to accepting any additional wastes not authorized in Table IV.B., the permittee shall follow the permit amendment or modification requirements listed in 30 TAC Sections 305.62 and 305.69.
5. The permittee may store wastes restricted under 40 CFR Part 268 solely for the purpose of accumulating quantities necessary to facilitate proper recovery, treatment, or disposal provided that it meets the requirements of 40 CFR 268.50(a)(2) including, but not limited to the following:
 - a. Clearly marking each container to identify its contents and the date each period of accumulation begins; and
 - b. Clearly marking each tank with a description of its contents, the quantity of each hazardous waste received, and the date each period of accumulation begins, or such information for each tank is recorded and maintained in the operating record at that facility.

C. Sampling and Analytical Methods

1. Table IV.C. - Sampling and Analytical Methods, shall be used in conjunction with the Waste Analysis Plan referenced in Section IV.A. of this permit, in performing all waste analyses.
2. The permittee shall ensure that all waste analyses utilized for waste identification or verification have been performed in accordance with methods specified in the current editions of EPA SW-846, American Society for Testing and Materials (ASTM) or other methods accepted by the TCEQ. The permittee shall have a Quality Assurance/Quality Control (QA/QC) program that is consistent with EPA SW-846 and the TCEQ QAPP.

Prior to first receipt of LDR wastes, the permittee shall perform corroborative sampling and analysis on the wastes for all applicable LDR constituents in accordance with 40 CFR Part 268. In lieu of corroborative sampling and analysis, the generator may provide a certification, including analytical results, to the permittee verifying the waste meets all applicable LDR standards. Such analysis by the permittee or certification by the generator shall be repeated at least annually. Records shall be maintained demonstrating compliance with the above requirements and shall be kept on site and available for review by TCEQ representatives.

V. Authorized Units and Operations

A. Authorized Units

1. The permittee is authorized to operate the permitted facility units listed in "Attachment E" in accordance with terms and conditions of this permit and subject to the limitations herein. All waste management activities not otherwise exempted from permitting under 30 TAC Section 335.2 shall be confined to the authorized facility units subject to permitting listed in "Attachment E." References hereinafter in this permit to "TCEQ Permit Unit No. ____" shall be to the authorized permitted facility units listed in "Attachment E." All authorized units must be clearly identified as numbered in "Attachment E." These units

must have signs indicating "TCEQ Permit Unit No. ____."

2. The permittee shall comply with 40 CFR 264.17, relating to general requirements for ignitable, reactive, or incompatible wastes.
3. The permittee shall prevent inundation of any permitted units and prevent any discharges of any waste or runoff of waste contaminated stormwater from permitted units. Additionally, each loading or unloading area, associated with a permitted hazardous or nonhazardous waste management unit, shall be provided with a drainage control system which will collect spills and precipitation in such a manner as to satisfy the following:
 - a. Preclude the release from the system of any collected spills, leaks or precipitation;
 - b. Minimize the amount of rainfall that is collected by the system; and
 - c. Prevent run-on into the system from other portions of the facility.
4. The permittee shall construct, operate, and maintain the facility to prevent washout of any hazardous waste by a 100-year flood, as required by 40 CFR 264.18(b)(1).

B. Container Storage Areas

1. Container storage areas and their management method are shown in Table V.B. - Container Storage Areas. The permittee is authorized to operate the facility container storage areas subject to the limitations contained herein.
2. Containers holding hazardous waste shall be managed in accordance with 40 CFR 264.171, Condition of containers; 40 CFR 264.172, Compatibility of waste with containers; and 40 CFR 264.173, Management of containers.
3. The permittee shall construct and maintain the containment systems for the container storage areas in accordance with the drawings and details included in the Part B Application identified in Section I.B. At a minimum, the containment system must meet the requirements of 40 CFR 264.175.
4. The permittee must comply with the requirements of 40 CFR Part 264, Subpart CC, as applicable.

C. Tanks and Tank Systems -Reserved

D. Surface Impoundments -Reserved

E. Waste Piles -Reserved

F. Land Treatment Units -Reserved

G. Landfills -Reserved

H. Incinerators -Reserved

I. Boilers/Industrial Furnaces -Reserved

J. Drip Pads -Reserved

- K. Miscellaneous Units -Reserved
- L. Containment Buildings -Reserved
- VI. Groundwater Detection Monitoring Reserved
- VII. Closure and Post-Closure Requirements
 - A. Facility Closure
 - 1. The permittee shall follow the closure plan, developed in accordance with 40 CFR Part 264 Subpart G for hazardous waste management units, and the approved Closure Plan for nonhazardous waste management units, and contained in the permit application submittals identified in Section I.B except as modified in Section VII of this permit.
In addition, facility closure shall commence:
 - a. Upon direction of the TCEQ for violation of the permit, TCEQ rules, or state statutes; or
 - b. Upon suspension, cancellation, or revocation of the terms and conditions of this permit concerning the authorization to receive, store, process, or dispose of waste materials; or
 - c. Upon abandonment of the site; or
 - d. Upon direction of the TCEQ for failure to secure and maintain an adequate bond or other financial assurance as required by Provision VII.B.1.
 - 2. Request for Permit Modification or Amendment
The permittee shall submit a written request for a permit modification or amendment to authorize a change in the approved closure Plan(s), in accordance with 40 CFR 264.112(c). The written request shall include a copy of the amended closure Plan(s) for approval by the Executive Director.
 - 3. Time Frames for Modification/Amendment Request Submittal
The permittee shall submit a written request for a permit modification or amendment in accordance with the time frames in 40 CFR 264.112(c)(3).
 - 4. Closure Notice and Certification Requirements
 - a. The permittee shall notify the Executive Director, in writing, at least sixty (60) days prior to the date on which he expects to begin partial or final closure of a surface impoundment, or landfill unit, or final closure of a facility with such a unit; or at least forty-five (45) days prior to the date on which he expects to begin partial or final closure of a facility with processing or storage tanks, container storage, or incinerator units; or at least forty-five (45) days prior to the date on which he expects to begin partial or final closure of a boiler or industrial furnace, whichever is earlier. A copy of the notice shall be submitted to the TCEQ Regional Office.
 - b. The permittee shall notify the TCEQ Regional Office at least ten (10) days

prior to any closure sampling activity required by the permit in order to afford regional personnel the opportunity to observe these events and collect samples.

5. Unless the Executive Director approves an extension to the closure period, as per the requirements of 40 CFR 264.113(b), the permittee must complete partial and final closure activities within 180 days after receiving the final known volume of hazardous wastes at the hazardous waste management unit or facility.
6. As per the requirements of 40 CFR 264.115, within sixty (60) days of completion of closure of each permitted hazardous waste surface impoundment, or landfill unit, and within sixty (60) days of the completion of final closure, the permittee shall submit to the Executive Director, by registered mail, with a copy to the TCEQ Regional Office, a certification that the hazardous waste management unit or facility, as applicable, has been closed in accordance with the specifications in the approved closure Plan and this permit. The certification, which shall be signed by the permittee and by a Professional Engineer licensed in Texas, must be in the form described in Provision II.A.6. A closure certification report shall be submitted with the required certifications which includes a summary of the activities conducted during closure and the results of all analyses performed. The certification report shall contain the information required by Provision II.A.6 and 30 TAC Section 350.32 (Texas Risk Reduction Program (TRRP) Remedy Standard A) and 30 TAC Section 350.33 (TRRP, Remedy Standard B) and 30 TAC Section 350.95 (response Action Completion Report (RACR), as applicable. Documentation supporting the licensed Professional Engineer's certification shall be furnished to the Executive Director upon request until the Executive Director releases the permittee from the financial assurance requirements for closure under 40 CFR 264.143(i).
7. For each disposal unit closed after permit issuance, the permittee shall submit documentation to demonstrate compliance with 40 CFR 264.116 (relating to survey plat) and 264.119 (relating to post-closure notices). Documentation to demonstrate compliance with survey plat requirements must be submitted to the TCEQ at the time of submission of the certification of closure. Documentation to show compliance with post-closure notices must be submitted to the TCEQ no later than sixty (60) days after certification of closure.
8. Final closure is considered complete when all hazardous waste management units at the facility have been closed in accordance with all applicable closure requirements so that hazardous waste management activities under 40 CFR Parts 264 and 265 are no longer conducted at the facility unless subject to the provisions in 40 CFR 262.34.
9. All units, sumps, pumps, piping and any other equipment or ancillary components which have come in contact with hazardous wastes shall either be decontaminated by removing all waste, waste residues, and sludges or be disposed of at an authorized unit at this facility or at an authorized off-site facility.
10. All equipment/structures and liners (i.e., debris), contaminated with hazardous waste, and intended for land disposal shall be treated in a manner which meets or exceeds the treatment standards for hazardous debris contained in 40 CFR 268.45 or removed and managed at an authorized industrial solid waste management facility. All contaminated dikes and soils intended for land

disposal shall be treated in a manner which meets or exceeds the treatment standards for hazardous soils contained in 40 CFR 268.49 or removed and managed at an authorized industrial solid waste management facility.

11. All hard-surfaced areas within the hazardous waste management unit areas shall be decontaminated and the wash water generated treated and/or disposed at an authorized unit at this facility or at an authorized off-site facility.
12. Verification of decontamination shall be performed by analyzing wash water, and as necessary, soil samples for the hazardous constituents which have been in contact with the particular item being decontaminated. In addition, the permittee shall perform visual inspections of the equipment/structures for visible evidence of contamination.
13. Unless it can be demonstrated that soil contamination has not occurred, soils shall be sampled and analyzed. Sufficiently detailed analyses of samples representative of soils remaining in non-hard-surfaced areas of the storage and processing facility area shall be performed to verify removal or decontamination of all waste and waste residues.
14. Soil and/or wash water samples shall be analyzed using laboratory methods specified in Provision II.B.1.b. Equivalent or modified methods must be specified in the closure plan and have written approval of the Executive Director prior to use. All data submitted to the TCEQ shall be in a manner consistent with the latest version of the TCEQ QAPP.
15. Decontamination shall be deemed complete when no visible evidence of contamination is observed and when the results from verification sampling and analyses for wash water and soil meet the following criteria:
 - a. Decontamination of hard-surfaced areas used for waste management (such as tank interiors, secondary containment structures, ancillary equipment, sumps, loading/unloading docks, etc.) shall be deemed complete when the concentration of each chemical of concern in the final rinsate sample(s) collected from the wash water is below TCEQ Texas Risk Reduction Program (TRRP), Remedy Standard A, Tier 1 Residential Class 1 Groundwater PCL; and
 - b. Unless it can be demonstrated that soil contamination has not occurred, underlying soils shall be decontaminated or removed to the TRRP Remedy Standard A, Residential PCL, for no further action. If the underlying soils are decontaminated or removed to the PCL for Remedy Standard A, Commercial/Industrial Land use, the permittee shall comply with the institutional controls requirements of 30 TAC Section 350.111, as required.

B. Financial Assurance for Closure

1. The permittee shall provide financial assurance for closure of all existing permitted units covered by this permit in an amount not less than as shown on Table VII.E.1 - Permitted Unit Closure Cost Summary. Financial assurance shall be secured and maintained in compliance with 30 TAC Chapter 37, Subchapter P; and 30 TAC Section 335.179. Financial assurance is subject to the following:
 - a. Adjustments to Financial Assurance Amount
 - (1) At least sixty (60) days prior to acceptance of waste in proposed

permitted units listed in Table VII.E.1 - Permitted Unit Closure Cost Summary, the permittee shall increase the amount of financial assurance required for closure by the amounts listed in Table VII.E.1. and shall submit additional financial assurance documentation.

- (2) The amount of financial assurance for closure of existing units, may be reduced by the amount listed in Table VII.E.1. - Permitted Unit Closure Cost Summary, upon certification of closure of an existing permitted unit, in accordance with Provisions VII.A.4 and VII.A.6, and upon written approval of the Executive Director.

b. Annual Inflation Adjustments

Financial assurance for closure, including any adjustments after permit issuance, shall be corrected for inflation according to the methods described by 30 TAC Sections 37.131 and 37.141.

- 2. The permittee shall submit to the Executive Director, upon request, such information as may be required to determine the adequacy of the financial assurance.

C. Storage, Processing, Combustion Unit and Land Treatment Unit Closure Requirements

The permittee shall close the storage, processing, combustion units, and Land Treatment units identified in Attachment E within 90 days after receiving the final volume of waste, or a later date approved by the Executive Director, in accordance with the closure plan incorporated in Section I.B, 40 CFR Part 264, Subpart G, 40 CFR 264.178 (container storage), 264.197 (tanks), 264.351 (incinerators), 266.102(e)(11), 266.102(a)(2)(vii), (boilers & industrial furnaces), and 264.280 (land treatment unit), as applicable and the Texas Risk Reduction Program of 30 TAC Chapter 350.

- D. Surface Impoundment Closure Requirement Reserved
- E. Landfill Closure and Certification Requirements Reserved
- F. Containment Buildings Closure Requirements Reserved
- G. Facility Post-Closure Care Requirements Reserved
- H. Financial Assurance for Post-Closure Reserved

VIII. Liability Requirements

A. Sudden and Nonsudden Accidental Occurrences

- 1. The permittee shall demonstrate continuous compliance with the requirements of 30 TAC Chapter 37 Subchapter P and 30 TAC Section 335.152(a)(6) to maintain liability coverage for sudden accidental occurrences of at least \$1 million per occurrence, with an annual aggregate of at least \$2 million, exclusive of legal defense cost.

2. The permittee also shall demonstrate continuous compliance with the 30 TAC Chapter 37, Subchapter P and 30 TAC Section 335.152(a)(6) requirements to have and maintain liability coverage for nonsudden accidental occurrences in the amount of at least \$3 million per occurrence, with an annual aggregate of at least \$6 million, exclusive of legal defense costs.
3. The permittee may combine the required per-occurrence coverage levels for sudden and nonsudden accidental occurrences into a single per-occurrence level, and combine the required annual aggregate coverage levels for sudden and nonsudden accidental occurrences into a single annual aggregate level. Owners or operators who combine coverage levels for sudden and nonsudden accidental occurrences shall maintain liability coverage in the amount of at least \$4 million per occurrence and \$8 million annual aggregate.

B. Incapacity of Owners or Operators, Guarantors, or Financial Institutions

The permittee shall comply with 30 TAC Section 37.71, regarding bankruptcy, whenever necessary.

IX. Corrective Action for Solid Waste Management Units

A. Notification of Release from Solid Waste Management Unit

If a solid waste management unit (SWMU) or area of contamination not previously addressed in the RCRA Facility Assessment (RFA), or any release of hazardous waste or hazardous constituents that may have occurred from any SWMU and/or Area of Concern (AOC), that is discovered subsequent to issuance of this permit, the permittee shall notify the Executive Director in writing within fifteen (15) days of the discovery. Within forty-five (45) days of such discovery, the permittee shall submit an RFA for that unit or release which shall be based on EPA's RCRA Facility Assessment Guidance, October 1986, NTIS PB 87-107769. If the RFA indicates a release or suspected release warrants further investigation, the permittee shall comply with the requirements of Section IX.B.

B. Corrective Action Obligations

The permittee shall conduct corrective action as necessary to protect human health and the environment for all releases of hazardous waste, hazardous constituents listed in Appendix VIII and/or 40 CFR Part 264, Appendix IX and/or other COCs from any SWMU and/or AOC according to 30 TAC Section 335.167. Corrective action shall consist of an Affected Property Assessment (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 reports according to 30 TAC Chapter 350.

In the case of SWMUs and/or AOCs that have been grandfathered under 30 TAC Chapter 335, Subchapters A and S, Risk Reduction Standards (RRS), corrective action shall consist of the RCRA Facility Investigation (RFI) and if necessary, Interim Corrective Measures (ICM), Baseline Risk Assessment (BLRA), Corrective Measures Study (CMS) 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, Subchapters A and S, provided the permittee complies with the notification and schedule requirements pursuant to 30 TAC Sections 335.8 and 350.2(m). If on the basis of the RFI/APA, it is determined that COCs have been or are being released into the environment, the permittee may

be required to conduct necessary ICMs and/or corrective actions.

Upon Executive Director's review of the Corrective Action Program obligations, the permittee may be required to perform any or all of the following:

1. Conduct investigation(s);
2. Provide additional information;
3. Conduct additional investigation(s);
4. Investigate an additional unit(s);
5. Proceed to the next task in the Corrective Action Program; and/or
6. Submit an application for a new compliance plan to implement corrective measures.

Any additional requirements must be completed within the time frame(s) specified by the Executive Director.

C. Units Requiring Investigation

There are no known units requiring an RFI at this facility at the time of this permit.

D. Variance from Investigation

The permittee may elect to certify that no hazardous waste or hazardous constituents listed in 40 CFR Part 261, Appendix VIII and/or 40 CFR Part 264, Appendix IX are or were present/managed in a unit listed in Section IX.C. in lieu of performing the investigation required in Sections IX.B. and E., provided that confirmation data is submitted for the current and past waste(s) managed in the respective unit. The permittee shall submit such information and certification(s) on a unit-by-unit basis in the time frame required in Section IX.E. for review and approval by the Executive Director of the TCEQ. If the permittee cannot demonstrate and certify that hazardous waste or hazardous constituents are not or were not present in a particular unit, the investigation required in Sections IX.B. and E. shall be performed for the unit and/or AOC.

E. RCRA Facility Investigation (RFI)/Affected assessment (APA)

Within sixty (60) days from the date of issuance of this permit the permittee shall submit a schedule for completion of the RFI(s)/APA for the SWMU(s) or AOC listed in Section IX.C. to the Executive Director for approval. Also, within sixty (60) days of approval of an RFA Report which recommends further investigation of a SWMU(s) or AOC in accordance with Section IX.A., the permittee shall submit a schedule for completion of the RFI(s)/APA to the Executive Director for approval. The permittee shall initiate the investigations in accordance with the approved schedule and guidance contained in the EPA publication EPA/520-R-94-004, OSWER Directive 9902.3-2A, RCRA Corrective Action Plan (Final), May 1994 and in accordance with state regulations referenced in Section IX.B. If the permittee elects to use an alternate investigation approach, Executive Director approval of the workplan will be required prior to initiation of investigation(s). The results of the RFI/APA must be appropriately documented in a report and submitted to the Executive Director for approval within the time frame established in the approved schedule. The Report shall be considered complete when the full nature and extent of the

contamination, the QA/QC procedures and the Data Quality Objectives are documented to the satisfaction of the Executive Director. The permittee shall propose or conduct Interim Corrective Measures (ICMs), as necessary, to protect human health and the environment.

F. Remedy Selection

Upon approval of the RFI Report/APA Report (APAR), if it is determined that there has been a release of COCs into the environment, which poses a potential risk to human health and the environment, then the permittee shall propose a remedy in accordance with the 30 TAC Chapter 335, Subchapters A and S, Risk Reduction Standards (if applicable), the TRRP rules, or as otherwise authorized by the Executive Director. This may require a BLRA and/or CMS Report to be submitted for review and approval within the time frame(s) specified by the Executive Director. For facilities that are grandfathered under 30 TAC Chapter 335, Subchapter S, this report shall address RRS requirements, and the applicable items contained in the EPA publications referenced in Section IX.E. or other guidance acceptable to the Executive Director. For projects conducted under TRRP, the risk assessment process shall be addressed in the APAR and the evaluation of corrective measures shall be conducted as part of the remedy standard selection process.

1. Corrective Measures Implementation (CMI)/Remedial Action Plan (RAP). The permittee shall submit a RAP within the time frame required by the Executive Director, not to exceed 180 days from the date of approval of the APAR. The RAP shall address all of the items for Corrective Measures Implementation (CMI) Workplans contained in the U.S. EPA publication EPA/520-R-94-004, OSWER Directive 9902.3-2A, RCRA Corrective Action Plan (Final), May 1994. If the RAP does not propose a permanent remedy, then a RAP shall be submitted as part of a new Compliance Plan application or as a modification/amendment application to an existing compliance plan. The RAP shall contain detailed final engineering design and 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 RAP, the permittee shall submit a RACR. Approval of the RACR places the SWMU in a status of conditional No Further Action, reflecting that the remedy is in place, controls must be maintained, and effectiveness must be monitored. To report the progress of the corrective measures, the permittee shall submit the Post-Response Action Care Report (PRACR) to the TCEQ in accordance with the schedule specified in the Compliance Plan to show the progress of actions taken.

If on the basis of the RFI and/or BLRA and/or CMS or APA, it is determined that there is a risk to human health and/or the environment, then the permittee shall submit for approval a CMI Work Plan(s) or propose a response action (TRRP) within 180 days of receipt of approval of the RFI and/or BLRA/CMS Report or APAR unless otherwise extended by the Executive Director. The CMI Workplan shall address all of the applicable items contained in the EPA publications referenced in Section IX.B. or other guidance acceptable to the Executive Director. Response actions, including TRRP Remedy Standard A or Risk Reduction Standard (RRS) No. 2, cannot be self-implemented as normally allowed by TRRP or RRS because under HSWA corrective action requires the CMI workplan to be reviewed prior to approval and public participation (see also Provision IX.F.2). For TRRP response actions, the permittee shall submit a RAP in accordance with schedules and requirements of 30 TAC Chapter 350. The

CMI Workplan or RAP shall contain detailed final proposed engineering design, monitoring plans and schedule to implement the selected remedy and assurances of financial responsibility for completing the corrective action. Upon completion of the response action, the permittee shall submit a CMI Report or RACR to the TCEQ for review and approval. The CMI Report shall address all the applicable items in the EPA publications EPA/520-R-94-004, OSWER Directive 9902.3-2A, RCRA Corrective Action Plan (Final), May 1994 or other guidance acceptable to the Executive Director. The RACR shall address all the applicable items in Title 30 TAC Chapter 350 and applicable guidance.

If the response action does not propose a permanent remedy (e.g., RRS No. 3 or Remedy Standard B), or the response action requires long-term groundwater monitoring in order to demonstrate attainment of a permanent remedy (e.g., monitored natural attenuation to demonstrate Remedy Standard A), the permittee must submit a CMI Workplan or RAP as part of a Compliance Plan application to establish corrective action and provide financial assurance to satisfy the requirements of 30 TAC Section 335.167. The Compliance Plan application must be submitted within 180 days of approval of the CMS/BLRA or APAR. The permittee may propose an alternative schedule to be approved by the Executive Director to incorporate several approved CMI Workplans or RAPs into a single Compliance Plan application when CMI Workplans or RAP schedules coincide. Implementation of the corrective measure(s) shall be addressed through issuance of a new Compliance Plan.

To report the progress of the corrective measures, the permittee shall submit to the TCEQ CMI Progress Reports or RAERs (TRRP) on a semi-annual basis, or schedule approved by the Executive Director in the CMI Workplan or RAP. For waste and contaminated media approved to remain in place above background or health-based concentration levels after completion of the corrective action program, the permittee shall record an instrument in the county deed records for the facility to specifically identify the areas of contamination exceeding background or health-based values. The deed certification shall follow the requirements of 30 TAC Sections 335.560 and 335.569 or 30 TAC Section 350.111, where applicable. The permittee shall within ninety (90) days of approval for the final corrective action submit to the Executive Director for review and approval the required proof of deed notice.

2. Public Notice

a. The permittee shall conduct public notice when:

- (1) CMI Work Plan or RAP is submitted to the Executive Director, in accordance with Provision IX.F.1., which contains the proposed final corrective measure for SWMU(s) and/or AOC(s) from which a release has occurred, and with proposed institutional control (as applicable). This process occurs through the submittal of an application for a new Compliance Plan; or
- (2) If on the basis of the RFI/BLRA or APAR required by Sections IX.E. and IX.F., it is determined the release from SWMU(s) and/or AOC(s) meets the performance standards under RRR or TRRP such that no remedy is needed, there is no risk to the human health and/or the environment, and the permittee seeks approval of no further action determination by the Executive Director. This process occurs through the corrective action process.

- b. No public notice is required when it is determined based on the results of the RFA required by Section IX.A., or the RFI or APAR required by Section IX.E., that no release occurred from a SWMU and/or AOC. The purpose of the public notice is to give the members of the public the opportunity to submit written comments on the proposed corrective measure(s) or proposed no further action determination.

G. Compliance Plan Reserved

X. Air Emission Standards

A. General Conditions

- 1. Emissions from this facility must not cause or contribute to a condition of "air pollution" as defined in Section 382.003 of the Texas Health and Safety Code Ann. or violate Section 382.085 of the Texas Health and Safety Code Ann. If the Executive Director of the TCEQ determines that such a condition or violation occurs, the permittee shall implement additional abatement measures as necessary to control or prevent the condition or violation.
- 2. The permittee shall include in the Biennial Report, required in Provision II.B.7., a statement that hazardous waste management units or associated ancillary equipment at this facility are not subject to any of the requirements in Provision X.B. and X.C., if these requirements are not applicable to any hazardous waste management units or associated ancillary equipment at this facility. If at any time any hazardous waste management units or associated ancillary equipment become subject to the requirements in Provision X.B. and X.C., the permittee must immediately comply with these requirements.

B. Process Vents

The permittee must comply with the requirements of 30 TAC Section 335.152(a) (17)/40 CFR Part 264 Subpart AA, as applicable.

C. Equipment Leaks

The permittee must comply with the requirements of 30 TAC Section 335.152(a) (18)/40 CFR Part 264, Subpart BB, as applicable.

XI. Compliance Plan Reserved

Table III.D. – Inspection Schedule

<i>Facility Unit(s) and Basic Elements</i>	<i>Possible Error, Malfunction, or Deterioration</i>	<i>Frequency of Inspection¹</i>
Security Fence: Active	Unauthorized entry; Damage or vandalism to site fencing; Improperly secured and/or monitored gates.	Daily
Security Fence: Post-Closure	Unauthorized entry; Damage or vandalism to site fencing; Improperly secured and/or monitored gates.	Quarterly
Safety Signs: Active	Missing, damaged or vandalized signs that read “Danger-Unauthorized Personnel Keep Out”.	Daily
Safety Signs: Post-Closure	Missing, damaged or vandalized signs that read “Danger-Unauthorized Personnel Keep Out”.	Quarterly
Two-way Radios	Inoperable radios; Radios unavailable for emergency communication	Daily
Fire Extinguishers, Safety Showers, Eyewash Stations	Inoperable equipment; Equipment unavailable for emergency use.	Monthly
Personal Protective Equipment (PPE), First Aid Supplies; Decontamination, Spill Control and Response Equipment	Inadequate supply of equipment; Equipment inoperable or damaged.	Monthly
Containers	Poor condition of containers (e.g severe rusting, apparent structural defects, leaking); Open containers; Improperly labeled containers; Inadequate aisle space	Weekly
Container Storage Building	Poor condition of containers (e.g. severe rusting, apparent structural defects, leaking); Open containers; Improperly labeled containers; Inadequate aisle space. Gaps, cracks, or structural defects in containment system base; Spilled or leaked waste and accumulated precipitation in secondary containment; Spilled or leaked waste in loading/unloading areas; Signs of hazardous waste release surrounding building (i.e. wet spots, dead vegetation)	Weekly

¹ Daily- Every working day
 Working Day- Day when hazardous waste is being actively managed
 Weekly- A calendar week
 Monthly- A calendar month
 Quarterly- Based on the division of the calendar year

Table IV.B. - Wastes Managed In Permitted Units

No.	Waste	EPA Hazardous Waste Numbers	TCEQ Waste Form Codes and Classification Codes
1	Old chemicals lab pack	Any characteristic or listed waste code or combination from 40 CFR 261 may apply	001; H, 1, 2
2	Debris only lab packs	"	002; H, 1, 2
3	Mixed lab packs	"	003; H, 1, 2
4	Acute hazardous waste lab packs	"	004; H
5	Other lab packs	"	009; H, 1, 2
6	Aqueous waste with low solvents	"	101; H, 1, 2
7	Aqueous waste with low toxic organics	"	102; H, 1, 2
8	Spent acid with metals	"	103; H, 1
9	Spent acid without metals	"	104; H, 1
10	Acidic aqueous waste	"	105; H, 1
11	Caustic solution with metals but no cyanide	"	106; H, 1
12	Caustic solution with metals and cyanides	"	107; H, 1
13	Caustic solutions with cyanides but no metals	"	108; H, 1
14	Spent caustic	"	109; H, 1, 2
15	Caustic aqueous waste	"	110; H, 1, 2
16	Aqueous waste with reactive sulfides	"	111; H
17	Aqueous waste with other reactives	"	112; H, 1
18	Other aqueous waste with high dissolved solids	"	113; H, 1, 2
19	Other aqueous waste with low dissolved solids	"	114; H, 1, 2
20	Scrubber water	"	115; H, 1, 2

No.	Waste	EPA Hazardous Waste Numbers	TCEQ Waste Form Codes and Classification Codes
21	Leachate	Any characteristic or listed waste code or combination from 40 CFR 261 may apply	116; H, 1, 2
22	Waste liquid mercury	"	117; H, 1, 2
23	Other inorganic liquids	"	119; H, 1, 2
24	Nonhazardous photographic chemical waste (inorganic)	"	198; 1, 2
25	Brine solution with high dissolved solids	"	199; H, 1, 2
26	Concentrated solvent-water solution	"	201; H, 1
27	Halogenated solvent	"	202; H, 1
28	Non-halogenated solvent	"	203; H, 1
29	Halogenated/non-halogenated solvent	"	204; H, 1
30	Oil-water emulsion mixture	"	205; H, 1, 2
31	Waste oil	"	206; H, 1, 2
32	Concentrated aqueous solutions of other organics	"	207; H, 1, 2
33	Concentrated phenolics	"	208; H, 1
34	Organic paint, ink, lacquer, or varnish	"	209; H, 1
35	Adhesives or epoxies	"	210; H, 1
36	Paint thinner or petroleum distillates	"	211; H, 1
37	Reactive or polymerizable organic liquids	"	212; H, 1
38	Other organic liquids	"	219; H, 1
39	Ethylene glycol based antifreeze	"	296; H, 1
40	Non hazardous photographic chemical waste (organic)	"	299; 1

No.	Waste	EPA Hazardous Waste Numbers	TCEQ Waste Form Codes and Classification Codes
41	Soil contaminated with organics	Any characteristic or listed waste code or combination from 40 CFR 261 may apply	301; H, 1, 2
42	Soil contaminated with inorganics only	"	302; H, 1, 2, 3
43	Ash, slag, or other residue from incineration of waste	"	303; H, 1, 2, 3
44	Other dry ash, slag, or thermal residue	"	304; H, 1, 2, 3
45	Dry lime or metal hydroxide solids not chemically fixed	"	305; H, 1, 2
46	Dry lime or metal hydroxide chemically fixed	"	306; H, 1, 2, 3
47	Metal scale, filings or scrap	"	307; H, 1, 2, 3
48	Empty or crushed metal drums or containers	"	308; H, 1, 2, 3
49	Batteries or battery parts, casings, cores	"	309; H, 1, 2
50	Spent solid filters or adsorbents	"	310; H, 1, 2, 3
51	Asbestos solids and debris	"	311; H, 1, 2
52	Metal-cyanide salts/chemicals	"	312; H, 1, 2
53	Reactive cyanide salts/chemicals	"	313; H, 1
54	Reactive sulfide salts/chemicals	"	314; H, 1
55	Other reactive salts and chemicals	"	315; H, 1
56	Other metal salts/chemicals	"	316; H, 1, 2
57	Other waste inorganic solids	"	319; H, 1, 2, 3
58	Empty or crushed glass containers	"	388; H, 1, 2, 3
59	Non hazardous sandblasting waste	"	389; 1, 2, 3
60	Non hazardous concrete/cement/construction debris	"	390; 1, 2, 3

No.	Waste	EPA Hazardous Waste Numbers	TCEQ Waste Form Codes and Classification Codes
61	Non hazardous dewatered wastewater treatment sludge	Any characteristic or listed waste code or combination from 40 CFR 261 may apply	391; 1, 2, 3
62	Non hazardous dewatered pollution control device sludge	"	392; 1, 2, 3
63	Catalyst waste	"	393; H, 1, 2
64	Non hazardous solids containing greater than or equal to 50 ppm and less than 500 ppm PCBs	"	394; 1, 2, 3
65	Non hazardous solids containing greater than or equal to 500 ppm PCBs	"	395; 1, 2, 3
66	Non hazardous electrical equipment/devices containing greater than or equal to 50 ppm and less than 500 ppm PCBs	"	396; 1, 2, 3
67	Non hazardous electrical equipment/devices containing greater than or equal to 500 ppm PCBs	"	397; 1, 2, 3
68	Non hazardous soils containing greater than or equal to 50 ppm and less than 500 ppm PCBs	"	398; 1, 2, 3
69	Non hazardous soils containing greater than or equal to 500 ppm PCBs	"	399; 1, 2, 3
70	Halogenated pesticide solid	"	401; H, 1, 2
71	Non-halogenated pesticide solid	"	402; H, 1, 2
72	Solid resins or polymerized organics	"	403; H, 1, 2
73	Spent carbon	"	404; H, 1, 2, 3
74	Reactive organic solids	"	405; H, 1, 2

No.	Waste	EPA Hazardous Waste Numbers	TCEQ Waste Form Codes and Classification Codes
75	Empty fiber or plastic containers	Any characteristic or listed waste code or combination from 40 CFR 261 may apply	406; H, 1, 2, 3
76	Other halogenated organic solids	"	407; H, 1, 2
77	Other non-halogenated organic solids	"	409; H, 1, 2
78	Wood debris	"	488; H, 1, 2, 3
79	Petroleum contaminated solids	"	489; H, 1, 2
80	Sand blasting wastes	"	490; H, 1, 2, 3
81	Dewatered biological treatment sludge	"	491; H, 1, 2, 3
82	Dewatered sewage or other untreated biological sludge	"	492; H, 1, 2
83	Catalyst waste	"	493; H, 1, 2
84	Solids containing greater than or equal to 50 ppm and less than 500 ppm PCBs	"	494; H, 1, 2, 3
85	Solids containing greater than or equal to 500 ppm PCBs	"	495; H, 1, 2, 3
86	Electrical equipment/devices containing greater than or equal to 50 ppm and less than 500 ppm PCBs	"	496; H, 1, 2, 3
87	Electrical equipment/devices containing greater than or equal to 500 ppm PCBs	"	497; H, 1, 2, 3
88	Soil containing greater than or equal to 50 ppm and less than 500 ppm PCBs	"	498; H, 1, 2, 3
89	Soils containing greater than or equal to 500 ppm PCBs	"	499; H, 1, 2, 3
90	Lime sludge without metals	"	501; H, 1, 2
91	Lime sludge with metals/ metal hydroxide sludge	"	502; H, 1

No.	Waste	EPA Hazardous Waste Numbers	TCEQ Waste Form Codes and Classification Codes
92	Wastewater treatment sludge with toxic organics	Any characteristic or listed waste code or combination from 40 CFR 261 may apply	503; H, 1
93	Other wastewater treatment sludge	"	504; H, 1, 2, 3
94	Untreated plating sludge without cyanides	"	505; H, 1, 2
95	Untreated plating sludge with cyanides	"	506; H, 1
96	Other sludge with cyanides	"	507; H, 1
97	Sludge with reactive sulfides	"	508; H
98	Sludge with other reactives	"	509; H, 1
99	Degreasing sludge with metal scale or filings	"	510; H, 1, 2
100	Air pollution control device sludge (e.g., fly ash, wet scrubber sludge)	"	511; H, 1, 2
101	Sediment or lagoon dragout contaminated with organics	"	512; H, 1, 2
102	Sediment or lagoon dragout contaminated with inorganics only	"	513; H, 1, 2
103	Drilling mud	"	514; H, 1, 2
104	Chloride or other brine sludge	"	516; H, 1, 2
105	Other inorganic sludges	"	519; H, 1, 2
106	Catalyst waste	"	597; H, 1, 2
107	Non hazardous sludges containing greater than or equal to 50 ppm and less than 500 ppm PCBs	"	598; 1, 2, 3
108	Non hazardous sludges containing greater than or equal to 500 ppm PCBs	"	599; 1, 2, 3

No.	Waste	EPA Hazardous Waste Numbers	TCEQ Waste Form Codes and Classification Codes
109	Still bottoms of halogenated solvents or other organic liquids	"	601; H, 1
110	Still bottoms of non-halogenated solvents or other organic liquids	"	602; H, 1
111	Oily sludge	"	603; H, 1, 2
112	Organic paint or ink sludge	"	604; H, 1, 2
113	Reactive or polymerizable organics	"	605; H, 1
114	Resins, tars, or tarry sludge	"	606; H, 1, 2
116	Biological treatment sludge	"	607; H, 1, 2
117	Other organic sludges	"	609; H, 1, 2
118	Petroleum contaminated sludges other than still bottoms and oily sludges	"	695; H, 1, 2
119	Grease	"	696; H, 1, 2
120	Catalyst waste	"	697; H, 1, 2
121	Non hazardous sludges containing greater than or equal to 50 ppm and less than 500 ppm PCBs	"	698; 1, 2, 3
122	Non hazardous sludges containing greater than or equal to 500 ppm PCBs	"	699; 1, 2, 3
123	Supplemental Plant Production Refuse	"	902; 2
124	Plant Trash/Production Refuse	"	999; 2
125	Gas cylinders	"	701; 801; H, 1, 2

Table IV.C. - Sampling and Analytical Methods

Waste No. ¹	Sampling Location	Sampling Method ²	Frequency	Parameter	Test Method ²	Desired Accuracy Level ³
Lab Packs: Nos. 1 - 5	Staging areas	Visual	Every load, or technical reviewer's discretion	Inspection/ confirmation of waste profile	SW-846, ASTM, or Standard Methods, as needed to confirm waste profile	Method Detection Limit as applicable
Inorganic Liquids: Nos. 6 - 25	Sampling rack, staging areas	Open Tube, Coliwasa, Dipper	Every load, or technical reviewer's discretion	Free Liquids pH Reactivity TCLP Metals Cyanides (total and amenable) Total Metals Sulfides Unconfined Compressive Strength	SW-846 Method 9095B; SW-846 Method 9040C/9045D/90 41A; SW-846 Methods 9014 & 9034; SW-846 Method 1311/7473/3015; SW-846 Method 9013/9010C/9014 and Methods OIA-1677 & SM4500CN; SW-846 Method 3051A/6010D SW-846 Method 9034, SM4500S2-E ASTM D 2166 (or equivalent USEPA, Standard Methods or ASTM methods appropriate to parameter)	Method Detection Limit as applicable
					SW-846 Method 9095B; SW-846 Method 9040C/9045D/90	

<p>Organic Liquids: Nos. 26 -40</p>	<p>Sampling rack, staging areas</p>	<p>Open Tube, Coliwasa, Dipper</p>	<p>Every load, or technical reviewer's discretion</p>	<p>Free Liquids pH Reactivity Organics Cyanides (total and amenable) Sulfides Oil & Grease Unconfined Compressive Strength</p>	<p>41A; SW-846 Methods 9014 & 9034 EPA 625/624 or SW-846 Method 5035A/5030C/35 50C/3546/8260D/ 8270E; SW-846 Method 9013/9010C/9014 and Methods 01A-1677 & SM4500CN SW-846 Method 9034, SM4500S2-E SW-846 Method 1664 ASTM D 2166 (or equivalent USEPA, Standard Methods or ASTM methods appropriate to parameter)</p>	<p>Method Detection Limit as applicable</p>
<p>Inorganic</p>			<p>Every load, or</p>	<p>Free Liquids pH Reactivity</p>	<p>SW-846 Method 9095B; SW-846 Method 9040C/9045D/90 41A; SW-846 Methods 9014 & 9034 SW-846 Method 1311/7473/3015A SW-846 Method 9013/9010C/9014</p>	<p>Method</p>

<p>Solids: Nos. 41 - 69</p>	<p>Sampling rack, staging areas</p>	<p>Sampling Trier, Trowel, Scoop, Spoon, Dipper</p>	<p>technical reviewer's discretion</p>	<p>TCLP Metals Cyanides (total and amenable) Total Metals Sulfides</p>	<p>and Methods 01A-1677 & SM4500CN; SW-846 Method 3051A/6010D SW-846 Method 9034, SM4500S2-E (or equivalent USEPA, Standard Methods or ASTM methods appropriate to parameter)</p>	<p>Detection Limit as applicable</p>
<p>Organic Solids: Nos. 70 - 89</p>	<p>Sampling rack, staging areas</p>	<p>Sampling Trier, Trowel, Scoop, Spoon, Dipper</p>	<p>Every load, or technical reviewer's discretion</p>	<p>Free Liquids pH Reactivity Organics Cyanides (total and amenable) Sulfides Oil & Grease</p>	<p>SW-846 Method 9095B SW-846 Method 9040C/9045D/90 41A; SW-846 Methods 9014 & 9034 EPA 625/624 or SW-846 Method 5035A/5030C/35 50C/3546/8260D/ 8270E SW-846 Method 9013/9010C/9014 and Methods 01A-1677 & SM4500CN SW-846 Method 9034, SM4500S2-E SW-846 Method 1664 (or equivalent USEPA, Standard Methods</p>	<p>Method Detection Limit as applicable</p>

					or ASTM methods appropriate to parameter)	
Inorganic Sludges: Nos. 90 - 108	Sampling rack, staging areas	Sampling Trier, Trowel, Scoop, Spoon, Dipper	Every load, or technical reviewer's discretion	Free Liquids pH Reactivity TCLP Metals Cyanides (total and amenable) Total Metals Sulfides Unconfined Compressive Strength	SW-846 Method 9095B; SW-846 Method 9040C/9045D/9041A; SW-846 Methods 9014 & 9034 SW-846 Method 1311/7473/3015A SW-846 Method 9013/9010C/9014 and Methods 01A-1677 & SM4500CN SW-846 Method 3051A/6010D SW-846 Method 9034, SM4500S2-E ASTM D 2166 (or equivalent USEPA, Standard Methods or ASTM methods appropriate to parameter)	Method Detection Limit as applicable
				Free Liquids	SW-846 Method 9095B SW-846 Method 9040C//9045D/9041A SW-846 Methods 9014 & 9034 EPA 625/624 or SW-846 Method 5035A/5030C/35	

<p>Organic Sludges: Nos. 109 - 122</p>	<p>Sampling rack, staging areas</p>	<p>Open Tube, Dipper</p>	<p>Every load, or technical reviewer's discretion</p>	<p>pH Reactivity Organics Cyanides (total and amenable) Sulfides Oil & Grease Unconfined Compressive Strength</p>	<p>50C/3546/8260D/8270E SW-846 Method 9013/9010C/9014 and Methods 01A-1677 & SM4500CN SW-846 Method 9034, SM4500S2-E SW-846 Method 1664 ASTM D 2166 (or equivalent USEPA, Standard Methods or ASTM methods appropriate to parameter)</p>	<p>Method Detection Limit as applicable</p>
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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.

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)	Unit Status
1	Uncovered Container Storage Area #1	001	1-124	12,000 cubic yards	610 ft x 155 ft	Not Applicable	Ignitable and Incompatible waste	Proposed
2	Uncovered Container Storage Area #2	002	1-124	10,800 cubic yards	430 ft x 190 ft	Not Applicable	Ignitable and Incompatible waste	Proposed
3	Container Storage Building	003	1-125	163,240 gallons	240 x 135 ft building	85,560 gallons	Ignitable and Incompatible waste	Proposed

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

Existing Unit Closure Cost Estimate		
Unit		Cost
Total Existing Unit Closure Cost Estimate ¹	Year	2021

Proposed Unit Closure Cost Estimate	
Unit	Cost
Uncovered Container Storage Area #1	\$4,007,100.00
Uncovered Container Storage Area #2	\$3,607,700.00
Container Storage Building	\$124,500.00
Total Proposed Unit Closure Cost Estimate Footnote	\$7,739,300.00

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.

Attachment A – Legal Description of Facility



SURVEY DIVISION – TBPELS Firm No. 10194688

“EXHIBIT A”

METES AND BOUNDS DESCRIPTION

FOR

A 55.06-acre tract of land, known as the “Rail Site”, comprised of a portion of a called 146.353-acre tract described as “Exhibit A” in a deed to U.S. Ecology Texas, LP as recorded in Document No. 2005052202, Official Records, Nueces County, Texas, all of a called 40.171-acre tract described as “Exhibit B” in the above mentioned deed, and a portion of Lot 8, Block 3 of the Ruegg Industrial Park Unit 1 Subdivision, a map of which is recorded in Volume 52, Page 160, Map Records, Nueces County, Texas, all being out of the south one-half of Section 45 of “Map B” of the George H. Paul Subdivision of the Driscoll Lands, a map of which is recorded in Volume 1, Pages 2-3, Map Records, Nueces County, Texas, and being out of the Joaquin Lopez de Herrera Grant, Abstract No. 607, in Nueces County, Texas, said 55.06-acre tract being more particularly described with bearings based on the Texas State Plane Coordinate System of 1983 (NAD 83), South Zone (4205), with metes and bounds as follows;

BEGINNING: At a 5/8" iron rod found, X = 1,240,803.59, Y = 17,155,912.80, on the northwest right-of-way line of Missouri Pacific Railroad (100' wide r.o.w.), for the northeast corner of said 146.353-acre tract and the southeast corner of a called 74.00-acre tract known as “Tract No. 2” described in a deed to Randall R. Renken as recorded in Document No. 2012027347, Official Records, Nueces County, Texas, and for the northeast corner of the herein described tract, from which a TXDOT disk in concrete found at the intersection of F.M. 2826 bears N 35°24'39" E, 3,197.63 feet;

THENCE: S 35°24'39" W, with the northwest right-of-way line of said M.P.R.R., at 48.34 feet pass a 1/2" iron rod found online, at 870.35 feet pass the northeast corner of said 40.171-acre tract, at 2,456.91 feet pass the northeast corner of said Lot 8, in all a distance of 3,207.06 feet to a 5/8" iron rod with cap set at the intersection of said M.P.R.R. and County Road 30 (60' wide r.o.w.), for the southeast corner of the herein described tract;

THENCE: S 89°28'42" W, with the north right-of-way line of said County Road 30, same being the south line of said Lot 8, Block 3, a distance of 397.93 feet to a 5/8" iron rod with cap set for the southwest corner of the herein described tract;

THENCE: N 00°31'18" W, across said Lot 8 and with the east line of said 40.171-acre tract at 608.62 feet pass the north line of said Lot 8, in all a distance of 960.00 feet to a 5/8" iron rod with cap set for the most westerly northwest corner of said 40.171-acre tract and for an exterior corner of the herein described tract;

THENCE: N 35°20'07" E, with the northwest line of said 40.171-acre tract, at 1,150.00 feet pass the northwest corner of said 40.171-acre tract, in all a distance of 1,272.33 feet to a 5/8" iron rod with cap set for an exterior corner of the herein described tract;

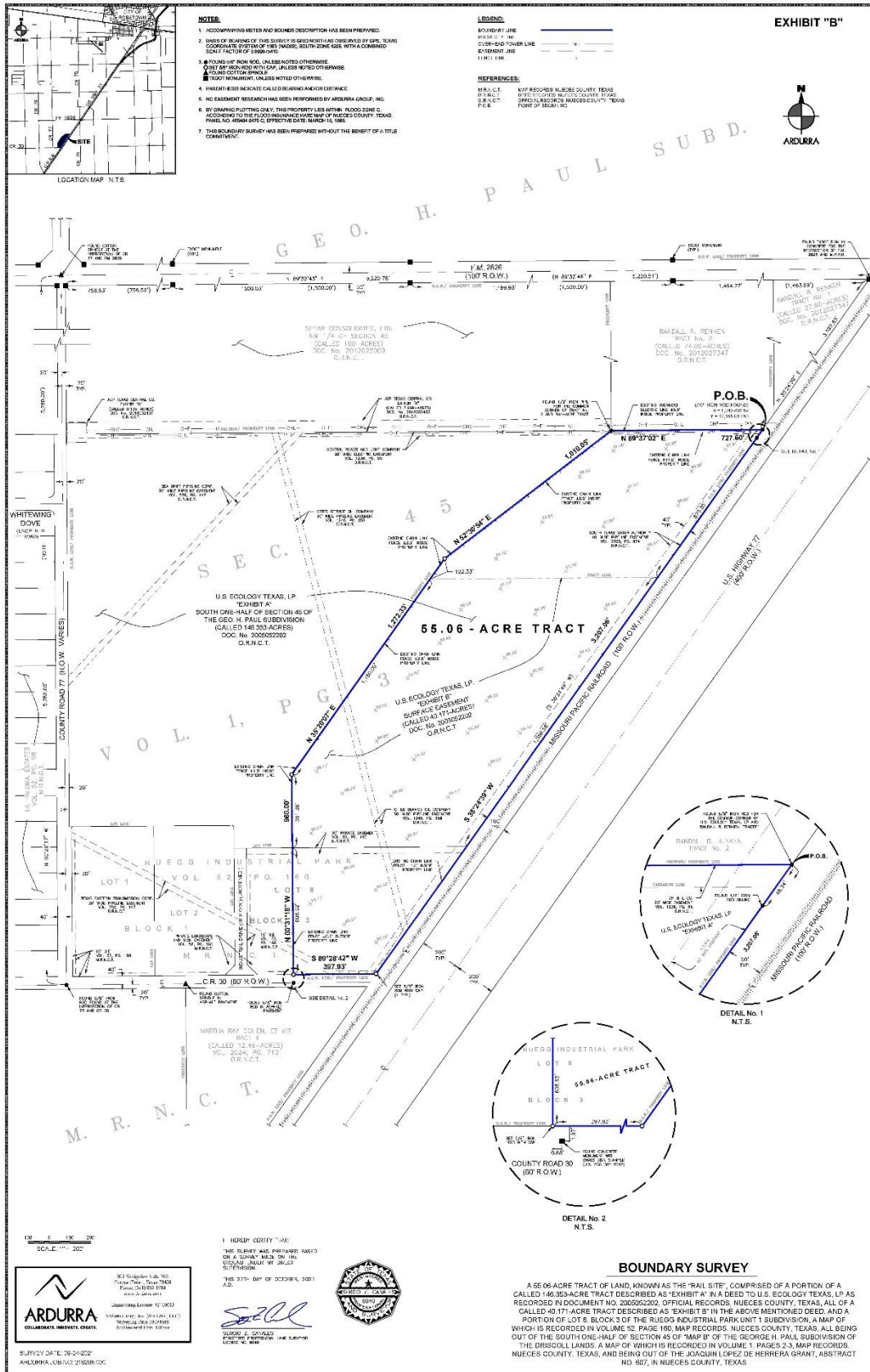
THENCE: N 52°30'54" E, across said 146.353-acre tract, a distance of 1,010.05 feet to a 1/2" iron pipe found for the common corner of said “Tract No. 2”, a called 160.00-acre tract described in a deed to Spear Consolidated, LTD. as recorded in Document No. 2012022009, Official Records, Nueces County, Texas, and for the northwest corner of the herein described tract;

THENCE: N 89°37'02" E, with the south line of said “Tract No. 2”, a distance of 727.60 feet to the **POINT OF BEGINNING** and containing 55.06-acres of land, more or less. Said tract being described in accordance with an actual survey made on the ground and a survey map prepared by Ardurra Group, Inc.

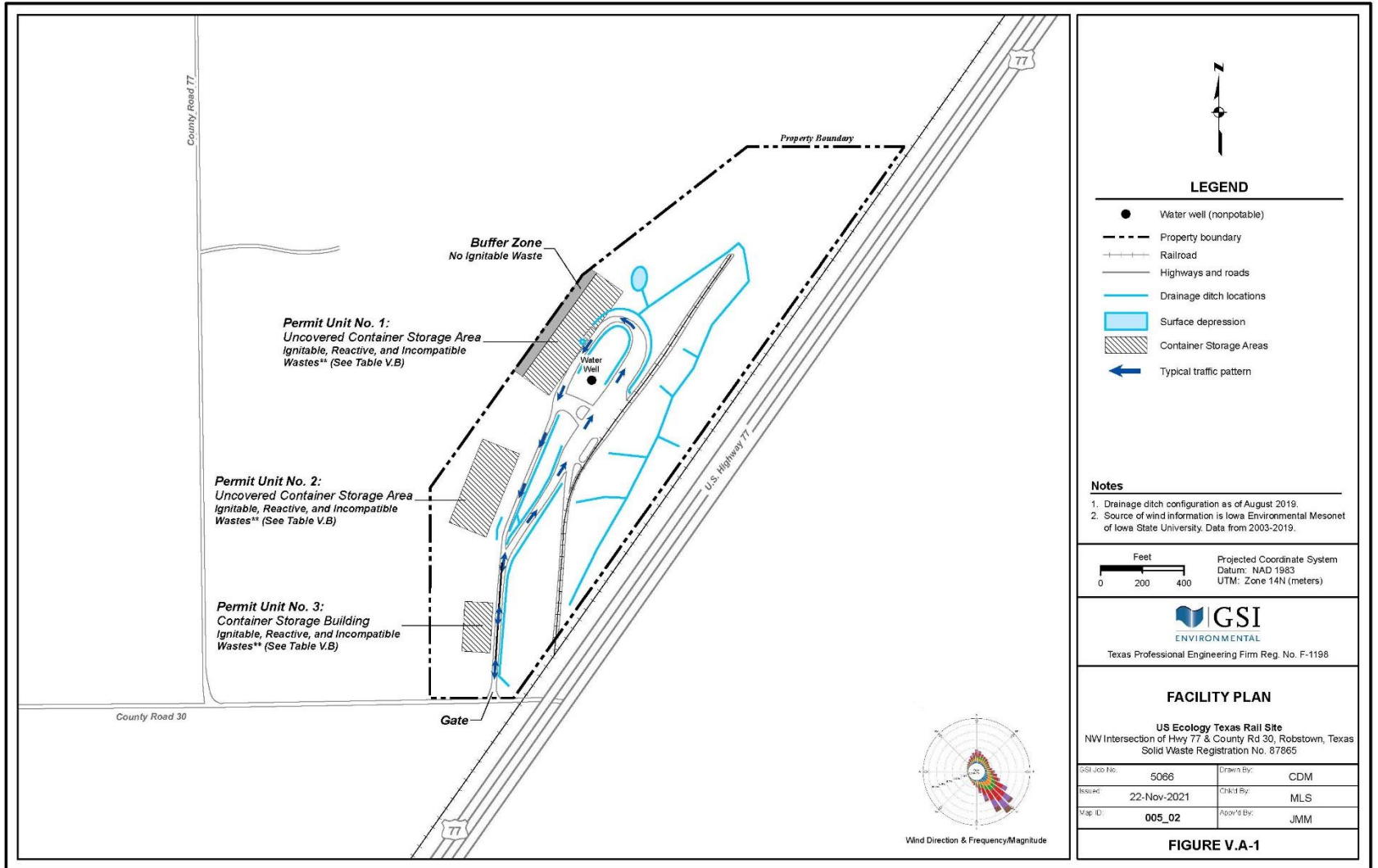
SERGIO Z. CANALES
REGISTERED PROFESSIONAL LAND SURVEYOR
LICENSE NO. 6040



Attachment A - Legal Description of Facility



Attachment B - Facility Map



LEGEND

- Water well (nonpotable)
- - - Property boundary
- Railroad
- Highways and roads
- Drainage ditch locations
- Surface depression
- Container Storage Areas
- ← Typical traffic pattern

Notes

1. Drainage ditch configuration as of August 2019.
2. Source of wind information is Iowa Environmental Mesonet of Iowa State University. Data from 2003-2019.

Feet
 0 200 400
 Projected Coordinate System
 Datum: NAD 1983
 UTM: Zone 14N (meters)

GSI
 ENVIRONMENTAL
 Texas Professional Engineering Firm Reg. No. F-1198

FACILITY PLAN
 US Ecology Texas Rail Site
 NW Intersection of Hwy 77 & County Rd 30, Robstown, Texas
 Solid Waste Registration No. 87865

SSI Job No.	5066	Drawn By:	CDM
Revised:	22-Nov-2021	Checked By:	MLS
Map ID:	005_02	Approved By:	JMM

FIGURE V.A-1

Attachment C - Permit Application Revision Chronology

Classification	Revision No. ¹	Application Date ²	Purpose
New Application	0	December 22, 2021	Application for new Permit No. 50421
New Application	1	January 24, 2022	Administrative NOD Response
New Application	2	May 5, 2022	Technical NOD response

¹ Start from Revision 0 using the new permit or permit renewal Application Date, and sequentially increase the revision numbers for each subsequent submittal.
² Use the application signature page date as the Application Date.

Attachment D - List of Incorporated Application Materials

The following is a list of Part A and Part B Industrial and Hazardous Waste Application elements which are incorporated into all Industrial and Hazardous Waste permits by reference as per Section I.B.

TCEQ Part A Application Form

- I. General Information
- II. Facility Background Information
- III. Wastes and Waste Management
- IV. Index of Attachments

TCEQ Part B Application Form

- I. General Information
 - A. General Information
 - B. TCEQ Core Data Form (Form 10400)
 - C. Signature Page
 - D. Interim Status Land Disposal Unit(s) Certification

Table I - General Information
Table I.1 - Description of Proposed Application Changes
- II. Facility Siting Criteria
 - A. Requirements for Storage or Processing Facilities, Land Treatment Facilities, Waste Piles, Storage Surface Impoundments, and Landfills
 - B. Additional Requirements for Land Treatment Facilities - RESERVED
 - C. Additional Requirements for Waste Piles - RESERVED
 - D. Additional Requirements for Storage Surface Impoundments - RESERVED
 - E. Additional Requirements for Landfills (and Surface Impoundments Closed as Landfills with Wastes in Place) - RESERVED
 - F. Flooding
 - G. Additional Information Requirements - RESERVED

Table II - Facility Siting Criteria Information
- III. Facility Management
 - A. Compliance History and Applicant Experience
 - B. Personnel Training Plan
 - C. Security
 - D. Inspection Schedule
 - E. Contingency Plan
 - F. Emergency Response Plan

Table III.D. - Inspection Schedule
Table III.E.1. - Arrangements with Local Authorities
Table III.E.2. - Emergency Coordinators
Table III.E.3. - Emergency Equipment
- IV. Wastes And Waste Analysis

Attachment D - List of Incorporated Application Materials

- A. Waste Management Information
- B. Wastes Managed In Permitted Units
- C. Sampling and Analytical Methods
- D. Waste Analysis Plan

Table IV.A. - Waste Management Information

Table IV.B. - Wastes Managed in Permitted Units

Table IV.C. - Sampling and Analytical Methods

V. Engineering Reports

- A. General Engineering Reports
- B. Container Storage Areas
- C. Tanks and Tank Systems - RESERVED
- D. Surface Impoundments - RESERVED
- E. Waste Piles - RESERVED
- F. Land Treatment Units - RESERVED
- G. Landfills - RESERVED
- H. Incinerators - RESERVED
- I. Boilers and Industrial Furnaces - RESERVED
- J. Drip Pads - RESERVED
- K. Miscellaneous Units - RESERVED
- L. Containment Buildings - RESERVED

Table V.A. Facility Waste Management Handling Units

Table V.B. - Container Storage Areas

VI. Geology Report

- A. Geology and Topography
- B. Facility Groundwater - RESERVED
- C. Exemption from Groundwater Monitoring for an Entire Facility - RESERVED
- D. Unsaturated Zone Monitoring - RESERVED

Table VI.A.1. - Major Geologic Formations

VII. Closure And Post-Closure Plans

- A. Closure
- B. Closure Cost Estimate
- C. Post-closure - RESERVED
- D. Post-closure Cost Estimate - RESERVED
- E. Closure and Post-Closure Cost Summary

Table VII.A. - Unit Closure

Table VII.B. - Unit Closure Cost Estimate

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

VIII. Financial Assurance

- A. Financial Assurance Information Requirements for all Applicants
- B. Applicant Financial Disclosure Statements for a new permit, permit amendment, or

Attachment D - List of Incorporated Application Materials

- permit modification, or permit renewal
- C. Applicants Requesting Facility Expansion, Capacity Expansion, or New Construction
Information for Applicants Subject to Financial Capability Requirements
Table VIII. B. - Estimated Capital Costs
- IX. Releases From Solid Waste Units and Corrective Action
 - A. Preliminary Review Checklists
For Applications for a New Hazardous Waste Permit
Preliminary Review Facility Checklist
Preliminary Review Unit Checklist
Appendices to Preliminary Review (PR)
- X. Air Emission Standards
 - A. Process Vents - RESERVED
 - B. Equipment Leaks - RESERVED
 - C. Tanks, Surface Impoundments, and Containers
 - D. "One - Stop" Permits - RESERVEDTable X.C. - Tanks, Surface Impoundments, and Containers Subject to Air Emission Controls
- XI. Compliance Plan
 - A. Site Specific Information - RESERVED
 - B. Groundwater Protection Standard (GWPS) - RESERVED
 - C. Compliance Monitoring Program - RESERVED
 - D. Corrective Action Program - RESERVED
 - E. Cost Estimates for Financial Assurance - RESERVED
- XII. Hazardous Waste Permit Application Fee
 - Table XII.A. - Hazardous Waste Units (For Application Fee Calculations)
 - Table XII.B. - Hazardous Waste Permit Application Fee Worksheet
- XIII. Confidential Material - RESERVED

Attachment E - List of Permitted Facility Units

Authorized Permitted Units

TCEQ Permit Unit No. ¹	Unit Name	NOR No. ¹	Unit Description	Capacity	Unit Status ²
1	Uncovered Container Storage Area #1	001	Area consists of 2.17 acres (94,550 sq feet) with a 50-ft buffer zone from the property boundary	12,000 cubic yards	Proposed
2	Uncovered Container Storage Area #2	002	Area consists of 1.88 acres (81,700 sq feet) with a 50-ft buffer zone from the property boundary	10,800 cubic yards	Proposed
3	Container Storage Building	003	Area consists of 0.74 acres (32,400 sq feet) with a 50-ft buffer zone from the property boundary	163,240 gallons	Proposed

Historical Permitted Units No Longer Subject to this Permit⁴

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

¹Permitted 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.

²Unit Status options: Active, Closed, Inactive (built but not managing waste), Proposed (not yet built), Never Built, Transferred, Post-Closure.

³If 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.

⁴The historical units are closed and/or no longer subject to RCRA permit requirements and [is/are] included in this table for informational purposes.



Compliance History Report

Compliance History Report for CN603247974, RN105175145, Rating Year 2021 which includes Compliance History (CH) components from September 1, 2016, through August 31, 2021.

Customer, Respondent, or Owner/Operator: CN603247974, US Ecology Texas, Inc. **Classification:** SATISFACTORY **Rating:** 28.57

Regulated Entity: RN105175145, US ECOLOGY TEXAS RAIL SITE **Classification:** UNCLASSIFIED **Rating:** -----

Complexity Points: 5 **Repeat Violator:** NO

CH Group: 11 - Waste Management (Excluding Landfills)

Location: 4364 COUNTY ROAD 30 ROBSTOWN, TX 78380, NUECES COUNTY

TCEQ Region: REGION 14 - CORPUS CHRISTI

ID Number(s):

INDUSTRIAL AND HAZARDOUS WASTE EPA ID

TXR000068601

INDUSTRIAL AND HAZARDOUS WASTE PERMIT 50421

INDUSTRIAL AND HAZARDOUS WASTE SOLID WASTE

REGISTRATION # (SWR) 87865

AIR NEW SOURCE PERMITS REGISTRATION 155226

Compliance History Period: September 01, 2016 to August 31, 2021 **Rating Year:** 2021 **Rating Date:** 09/01/2021

Date Compliance History Report Prepared: July 15, 2022

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

Component Period Selected: July 15, 2017 to July 15, 2022

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

Name: Ms. Manisha Poudyal

Phone: (512) 239-2286

Site and Owner/Operator History:

- 1) Has the site been in existence and/or operation for the full five year compliance period? YES
- 2) Has there been a (known) change in ownership/operator of the site during the compliance period? NO

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

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

N/A

B. Criminal convictions:

N/A

C. Chronic excessive emissions events:

N/A

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

N/A

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

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

N/A

F. Environmental audits:

N/A

G. Type of environmental management systems (EMSs):

N/A

H. Voluntary on-site compliance assessment dates:

N/A

I. Participation in a voluntary pollution reduction program:

N/A

J. Early compliance:

N/A

Sites Outside of Texas:

N/A