

TCEQ DOCKET NO. 2023-1590-WDW

APPLICATION BY	§	BEFORE THE
US ECOLOGY WINNIE, LLC	§	
FOR UIC PERMIT NOS. WDW344,	§	TEXAS COMMISSION ON
WDW345, WDW346, WDW347,	§	
WDW348, WDW349 AND WDW350	§	ENVIRONMENTAL QUALITY

EXECUTIVE DIRECTOR'S RESPONSE TO HEARING REQUESTS

I. INTRODUCTION

The Executive Director of the Texas Commission on Environmental Quality (TCEQ or Commission) files this Response to Hearing Request (Response) on the application by US Ecology Winnie, LLC. (US Ecology or Applicant) for renewal and major amendment of seven nonhazardous commercial Class I Underground Injection Control (UIC) Permits Nos. WDW344, WDW345, WDW346, WDW347, WDW348, WDW349 and WDW350. The Office of the Chief Clerk received two timely hearing requests on behalf of two individuals and one business organization, Bruce Pipkin, Grayson Pipkin, and Pipkin Ranch Holdings, LP (The Pipkins), from attorneys, Mark Sparks and David Tuckfield.

The Executive Director recommends that the Commission find that Bruce Pipkin, Grayson Pipkin, and Pipkin Ranch Holdings, LP are affected persons and grant their hearing requests as required by Tex. Water Code §5.556(c)

Attached for the Commission's consideration is a Geographic Information Systems (GIS) map created by the Executive Director that depicts the US Ecology Winnie facility and tracts of property owned by Grayson Eden Pipkin and Bruce Fletcher Pipkin and by Pipkin Ranch Holdings, LLC upon which the requestors' base their hearing request. (Attachment A). The Draft Permit, Technical Summary and Executive Director's Preliminary Decision, and Executive Director's Response to Public Comment are available in TCEQ Office of the Chief Clerk and will be filed for the Commission's consideration as Agenda backup materials on behalf of the Executive Director.

II. DESCRIPTION OF FACILITY AND APPLICATION

US Ecology operates an existing commercial nonhazardous UIC facility located at 26400 Wilber Road, Winnie, Texas 77665 in Jefferson County. US Ecology disposes nonhazardous industrial solid waste and nonhazardous municipal solid waste, received from off-site on a commercial basis and generated on-site, by injection in three constructed UIC wells, WDW344, WDW345 and WDW346. Wastes disposed via injection include nonhazardous municipal landfill leachate, aqueous nonhazardous Classes 1, 2, and 3 industrial solid waste and contaminated groundwater and rainwater. Four of seven permitted injection wells, WDW347, WDW348, WDW349, and WDW350 have not been installed.

The application, if granted, would authorize the continued operation of Class I injection wells WDW344, WDW345, and WDW346 which are installed, and the construction and operation of permitted Class I injection wells WDW347, WDW348, WDW349, and WDW350. Waste that would continue to be authorized for disposal by injection include water-based injection fluid generated from physical processing and chemical treatment of commingled Class 1, 2, and 3 nonhazardous industrial wastes, nonhazardous municipal landfill leachate, contaminated groundwater, contaminated rainwater, and wastes generated from well construction, cleaning, servicing, and closure. The Application also requests to lower the base of the injection zone to 4,000 feet below ground level (BGL) for all permits, to lower the top of the injection zone for injection well WDW346 from 952 feet BGL to 1,076 feet BGL, and to change the Maximum Allowable Surface Injection Pressure (MASIP) for five of the injection wells, WDW346, WDW347, WDW348, WDW349, and WDW350, to allow a range of maximum pressures based upon the varying specific gravity of the injected fluids.

The Executive Director has prepared draft permits that would authorize the continued disposal by injection of nonhazardous industrial solid wastes and nonhazardous municipal solid wastes and revised the injection zones and MASIP as requested. The proposed permits are required by the Injection Well Act, Texas Water Code §27.011 and the Solid Waste Disposal Act, §361.061 of the Texas Health & Safety Code. The draft permits have been prepared in accordance with applicable requirements of Title 30 Tex. Admin. Code (30 TAC) Chapters 37, 281, 305, 331, and 335 which have been adopted under the authority of the Texas Water Code, Chapters 5 and 27 and Texas Health and Safety Code, Chapter 361.

III. PROCEDURAL BACKGROUND

The TCEQ received this Application on May 28, 2019, and declared it administratively complete on August 13, 2019. The Notice of Receipt of Application and Intent to Obtain a Nonhazardous Waste UIC Permit Renewal was published in English on September 7, 2019, in the *Beaumont Enterprise* in Jefferson County, Texas.

The Executive Director completed the technical review of the Application on March 9, 2023, and prepared draft permits. The Notice of Application and Preliminary Decision for Nonhazardous Waste UIC Permit Renewal and Amendment was published in English on April 12, 2023, in the *Beaumont Enterprise* in Jefferson County, Texas. The public comment period ended on May 12, 2023.

This Application was filed on or after September 1, 2015; therefore, this Application is subject to the procedural requirements adopted pursuant to House Bill 801, 76th Legislature (1999) and Senate Bill 709, 84th Legislature (2015), both implemented by the Commission in its rules in 30 TAC Chapters 39, 50, and 55.

IV. FACILITY HISTORY

On February 2, 1999, the TCEQ's predecessor agency, the Texas Natural Resource Conservation Commission (TNRCC), initially granted an application from NID, L.P. for seven UIC Permits, Nos. WDW344, WDW345, WDW346, WDW347, WDW348, WDW349 and WDW350.

On February 20, 2003, TNRCC granted NID, L.P.'s application for a major amendment of the seven permits.

On December 21, 2007, TCEQ granted a request to transfer the seven permits from NID, L.P. to Newpark Environmental Services, LLC (Newpark).

On November 20, 2009, TCEQ granted Newpark's application for a ten-year renewal of the seven permits.

On August 20, 2014, TCEQ granted a request to change the name of the permittee of the seven permits from Newpark Environmental Services, LLC to Ecoserv Environmental Services, LLC.

On November 21, 2017, TCEQ granted Ecoserv Environmental Services' application for a minor amendment of the seven permits.

On December 12, 2018, TCEQ granted a request to transfer the seven permits from Ecoserv Environmental Services, LLC to Ecoserv Industrial Disposal, LLC.

On May 17, 2019, TCEQ granted a request to change the name of the permittee of the seven permits from Ecoserv Industrial Disposal, LLC to US Ecology Winnie, LLC.

V. EVALUATION OF HEARING REQUESTS

House Bill 801 established statutory procedures for public participation in certain environmental permitting proceedings, specifically regarding public notice and public comment, and the Commission's consideration of hearing requests. The Commission implemented HB 801 by adopting procedural rules in 30 Tex. Admin. Code Chapters 39, 50, and 55. Senate Bill 709 revised the requirements for submitting public comment and the Commission's consideration of hearing requests. This application was declared administratively complete on February 1, 2022; therefore, it is subject to the procedural requirements adopted pursuant to HB 801 and SB 709.

A. Legal Authority to Respond to Hearing Requests

"The executive director, the public interest counsel, and the applicant may submit written Responses to [hearing] requests"¹

"Responses to hearing requests must specifically address:

(1) Whether the requestor is an affected person;

¹ 30 TAC §55.209(d).

- (2) Which issues raised in the hearing request are disputed;
- (3) Whether the dispute involves questions of fact or of law;
- (4) Whether the issues were raised during the public comment period;
- (5) Whether the hearing request is based on issues raised solely in a public comment withdrawn by the commenter in writing by filing a withdrawal letter with the chief clerk prior to the filing of the Executive Director's Response to Comment;
- (6) Whether the issues are relevant and material to the decision on the application; and
- (7) A maximum expected duration for the contested case hearing.”²

B. Hearing Request Requirements

For the Commission to consider a hearing request, the Commission must first determine whether the request meets certain requirements.

“A request for a contested case hearing by an affected person must be in writing, filed with the chief clerk within the time provided, [based only on the requestor's timely comments, and] may not be based on an issue that was raised solely in a public comment withdrawn by the commenter in writing by filing a withdrawal letter with the chief clerk prior to the filing of the Executive Director's Response to Comment”³

“A hearing request must substantially comply with the following:

- (1) Give the name, address, daytime telephone number, and where possible, fax number of the person who files the request. If the request is made by a group or association, the request must identify one person by name, address, daytime telephone number, and where possible, fax number, who shall be responsible for receiving all official communications and documents for the group;
- (2) Identify the person's personal justiciable interest affected by the application, including a brief, but specific, written statement explaining in plain language the requestor's location and distance relative to the proposed facility or activity that is the subject of the application and how and why the requestor believes he or she will be adversely affected by the proposed facility or activity in a manner not common to members of the general public;
- (3) Request a contested case hearing;”⁴

² 30 Tex. Admin. Code §55.209(e).

³ 30 Tex. Admin. Code §55.201(c).

⁴ 30 Tex. Admin. Code §55.201(d).

- (4) (B) “List all relevant and material disputed issues of fact that were raised by the requestor during the public comment period and that are the basis of the hearing request. To facilitate the Commission’s determination of the number and scope of issues to be referred to hearing, the requestor should, to the extent possible, specify any of the executive director’s responses to the requestor’s comments that the requestor disputes, the factual basis of the dispute, and list any disputed issues of law; and
- (5) Provide any other information specified in the public notice of application.”⁵

C. Requirement that Requestor be an Affected Person

In order to grant a contested case hearing, the Commission must determine that a requestor is an affected person.

- (a) “For any application, an affected person is one who has a personal justiciable interest related to a legal right, duty, privilege, power, or economic interest affected by the application. An interest common to members of the general public does not qualify as a personal justiciable interest.
- (b) Governmental entities, including local governments and public agencies, with authority under state law over issues raised by the application may be considered affected persons.
- (c) In determining whether a person is an affected person, all factors shall be considered, including, but not limited to, the following:
- (1) Whether the interest claimed is one protected by the law under which the application will be considered;
- (2) Distance restrictions or other limitations imposed by law on the affected interest;
- (3) Whether a reasonable relationship exists between the interest claimed and the activity regulated;
- (4) Likely impact of the regulated activity on the health and safety of the person, and on the use of property of the person;
- (5) Likely impact of the regulated activity on use of the impacted natural resource by the person; and
- (6) Whether the requestor timely submitted comments on the application that were not withdrawn; and

⁵ *Id.*

- (7) For governmental entities, their statutory authority over or interest in the issues relevant to the application.⁶
- (d) [In making this determination,] the commission may also consider the following:
- (1) The merits of the underlying application and supporting documentation in the commission's administrative record, including whether the application meets the requirements for permit issuance;
 - (2) The analysis and opinions of the executive director; and
 - (3) Any other expert reports, affidavits, opinions, or data submitted by the executive director, the applicant, or hearing requestor."⁷

D. Referral to the State Office of Administrative Hearings

"When the commission grants a request for a contested case hearing, the commission shall issue an order specifying the number and scope of the issues to be referred to state office of administrative hearings (SOAH) for a hearing."⁸ "The commission may not refer an issue to SOAH for a contested case hearing unless the commission determines that the issue: (1) involves a disputed question of fact or a mixed question of law and fact; (2) was raised during the public comment period ... by an affected person ...; and (3) is relevant and material to the decision on the application."⁹

VI. ANALYSIS OF THE REQUEST

The Executive Director has analyzed the hearing requests to determine whether the requests comply with Commission rules, whether The Pipkins qualify as affected persons, which issues, if any, may be referred to SOAH, and the appropriate duration of a hearing.

The Pipkins' requests for hearing were submitted in writing to the Chief Clerk, via regular mail, facsimile and TCEQ portal upload during the public comment period and during the hearing request period and requested a contested case hearing.

The Pipkins' requests for hearing identify a justiciable interest that is not shared in common with members of the general public because the requestors allege that the injection activities will impair a legal right, specifically, their property rights in property located immediately adjacent to the US Ecology facility. (See GIS map at attachment A).

⁶ 30 Tex. Admin. Code §55.203.

⁷ 30 Tex. Admin. Code §55.203.

⁸ 30 Tex. Admin. Code §50.115(b).

⁹ 30 Tex. Admin. Code §50.115(c).

The Pipkins' requests for hearing claim an interest that is protected by the law under which the application is considered. Specifically, Tex. Water Code §27.051(a)(2) provides that "[t]he commission may grant an application in whole or part and may issue the permit if it finds: ... that no existing rights, including and not limited to mineral rights, will be impaired." The requestors assert that their property rights, the right to use the pore space on their property, are being impaired by US Ecology's current waste disposal activities, specifically, by the injected waste plume migrating onto the requestors' property. The requestors assert that their property rights, the right to use the pore space on their property, will be impaired by US Ecology's future continuing waste disposal activities, specifically, by the injected waste plume migrating onto the requestors' property. because the requestors have entered a lease with Chevron USA, Inc, to inject carbon dioxide into the pore space on their property.

A reasonable relationship exists between the requestor's interest and the regulated activity.

There are no applicable distance limits or restrictions and the requestors' property is located adjacent to or in the immediate proximity of the facility.

The hearing requests did not allege that the regulated activity would impact the requestor's health or safety.

The requests raise a mixed issue of fact and law by alleging that the regulated activity would impair the requestors' existing property rights described as use of their subsurface property for the storage of Carbon dioxide by Chevron USA, Inc.

The requests do not claim an impact to a natural resource.

Parts of the requests are based on timely public comments.

A. Whether the Hearing Request Complied with 30 Tex. Admin. Code §§55.201 (c) and (d) and 55.203.

1. Grayson Eden Pipkin

The Executive Director reviewed the factors in 30 Tex. Admin. Code §§55.201(c) and (d) and 55.203 for determining whether a requestor is an affected person and recommends the Commission find that Grayson Eden Pipkin is an affected person. Grayson Eden Pipkin's requests were in writing, provided the required contact information, was timely received on April 16, 2023, during the public comment period and on August 17, 2023, during the hearing request period, and raised a mixed issue of fact and law that is relevant and material to the Commission's consideration of the Application.

The Executive Director recommends that the Commission find that Grayson Eden Pipkin is an affected person.

2. Bruce Fletcher Pipkin

The Executive Director reviewed the factors in 30 Tex. Admin. Code §§55.201(c) and (d) and 55.203 for determining if a requestor is an affected person and recommends the Commission find that Bruce Fletcher Pipkin is an affected person. Bruce Fletcher Pipkin's requests were in writing, provided the required contact information, was timely received on April 16, 2023, during the public comment period and on August 17, 2023, during the hearing request period, and raised a mixed issue of fact and law that is relevant and material to the Commission's consideration of the Application.

The Executive Director recommends that the Commission find that Bruce Fletcher Pipkin is an affected person.

3. Pipkin Ranch Holdings, LP

The Executive Director reviewed the factors in 30 Tex. Admin. Code §§55.201(c) and (d), 55.203 and 55.205 for determining if a requestor is an affected person and recommends the Commission find that Pipkin Ranch Holdings, LP is an affected person. Pipkin Ranch Holdings, LP's requests were in writing, provided the required contact information, was timely received on April 16, 2023, during the public comment period and on August 17, 2023, during the hearing request period, and raised a mixed issue of fact and law that is relevant and material to the Commission's consideration of the Application.

The Executive Director recommends that the Commission find that Pipkin Ranch Holdings, LP is an affected person.

B. Whether the Issues Raised May be Referred to SOAH for a Contested Case Hearing.

If the Commission finds that The Pipkins are affected persons and grants the hearing request, the Executive Director recommends that the Commission refer the following issue to SOAH for a Contested Case Hearing.

Issue No. 3. Whether no existing rights, including and not limited to mineral rights, will be impaired in accordance with Tex. Water Code §27.051(a)(2).

C. Issues raised during the comment period. The public comment, public meeting request and hearing request received on behalf of the Pipkins during the public comment period raised the following issues, 1 through 5.

1) Whether US Ecology intends to increase the pore space for injection by 4000 feet.

Pore space per se is not a consideration or an application requirement for a Class I injection well. However, the application does request to increase the vertical

extent of the injection zone for each permitted injection well and to the extent that the receiving formation may be described as pore space, this comment is not a disputed issue. (Executive Director's Response to Public (RTC) Comment No. 1).

2) Bruce Pipkin, Grayson Pipkin, and Pipkin Ranch Holdings, LP own approximately 1800 acres adjacent to the US Ecology Winnie facility, they have entered a contact with Chevron USA, Inc to sell the right for Chevron to inject carbon dioxide into the sub-surface pore space of their property for agreed consideration, and they have not entered a contract with the Applicant.

This comment is not disputed and is therefore, not a disputed issue. (RTC Comment No. 2).

3) Whether the waste plume injected by US Ecology has migrated through the subsurface onto the Pipkins' property because the US Ecology facility is located on fewer than 200 acres of property, the Applicant has disposed of waste via injection, and the Applicant plans to dispose additional waste by injection in the future.

Whether the waste plume has migrated to or beneath property adjacent to the facility or property owned by Bruce Pipkin, Grayson Pipkin, or Pipkin Ranch Holdings, LP is not presently known and is not a consideration or an application requirement for a Class I injection well. Additionally, the exact location or the extent and direction of the migration of the existing waste plume from US Ecology's disposal by injection activities is not known with certainty because it is not an application requirement. Therefore, the Executive Director does not dispute this assertion as a possibility.

The purpose of the federal and Texas' underground injection control (UIC) program is to prevent the injection of fluid that would cause a movement of fluid that would pollute underground sources of drinking water (USDW), fresh water, or usable quality water. Generally, the fate and transport of an injected waste plume must be modelled and confidently predicted for the purpose of identifying artificial penetrations, fractures and fissures that could serve as vertical conduits for injected waste that could result in pollution of USDWs. An applicant for a Class I injection well is required to use of analytical and numerical models that utilize conservative parameters to define the area of review and review the public records of artificial penetrations within the area of review. The conservative modeling in US Ecology's application results in an area of review that extends onto the requestor's property. Therefore, the application also includes a survey of the known artificial penetrations within the area of review that could serve as conduits for injected waste to reach USDWs. The Application conservatively identified and the modelled area of review in the application does extend onto the requestors' properties.

Whether the waste plume has migrated onto the requestors' properties or will migrate onto the requestors' properties is not a *disputed* issue of fact or law that the Executive Director has considered or that the Commission must consider when determining whether to grant the application. (RTC Comment No. 3).

4) Whether no existing rights, including and not limited to mineral rights, will be impaired in accordance with Tex. Water Code §27.051(a)(2).

This issue is a mixed issue of fact and law that the requestors raised during the public comment period and that is a required finding. The requestors commented that “[t]he permits will cause a loss of the use and enjoyment of the requestors’ property because the value of the injections by Chevron will be reduced due to space being occupied by the Applicant’s injected waste.” (RTC Comment No. 2).

5) Whether US Ecology is committing negligence, gross negligence, trespass, subsurface trespass, public nuisance, private nuisance, tortious interference with a contract, and unjust enrichment “through” UIC permit Nos. WDW344 -WDW350.

This issue raises matters of law. The allegations raised are appropriately addressed in civil court as civil causes of action and these civil causes of action are outside of the Commission’s jurisdiction. The venue for a claim of trespass is the County District Court in the county where the alleged trespass occurred or is occurring. Additionally, the Injection Well Act expressly states that a permit issued under the Act does not relieve a person of any civil liability. (Tex. Water Code §27.104). Further, a permit issued by the Commission “does not convey any property rights of any sort, nor any exclusive privilege, and does not become a vested right in the permittee.” (30 TAC §305.125(16) and UIC Permit Nos. WDW344 through WDW350, Section XII.D). Finally, the issuance of a permit by the Commission “does not authorize any injury to persons or property or an invasion of other property rights, or any infringement of state or local law or regulations.” (*Id.* at Section XII.E).

The matters of law raised in this comment are not relevant or material to the Commission’s consideration of the application. (RTC Comment No. 4).

D. Issues raised after close of the public comment period. The hearing request received on behalf of the Pipkins after the close of the public comment period during the hearing request period raised issues 1 through 5 and the following issues, 6 through 13.

6) Whether the Applicant correctly identified the proposed injection interval in accordance with 30 TAC §§331.62, 331.63, and 331.121.

This issue is an issue of fact that is relevant and material to the Commission’s consideration of the application. However, the requestors did not raise this issue during the public comment period.

7) Whether the Applicant correctly identified, and has a legal right to use, the “facility” as the term is defined in 30 TAC §335.1(69).

This issue raises a mixed matter of fact and law. The issue is a matter of law because it proposes a new changed meaning of the term of art “facility” by proposing that the tract or tracts of real property on which an injected waste plume would

migrate and come to be located on in the future would constitute the tract or tracts of real property that are included in the facility definition. Additionally, the requestors did not raise this issue during the public comment period.

8) Whether the Applicant has a legal right to inject waste that will occupy pore space not owned by the Applicant.

This issue raises matter of law that was raised during the public comment period and that is not relevant and material to the Commission's consideration of the application and is outside of the Commission's jurisdiction. (RTC Comments No. 1, 2 and 4).

9) Whether the application contains an adequate review of all current and potential future artificial penetrations within the area of review that could provide a conduit for upward fluid migration. (30 TAC §§ 331.62, 331.63 and 331.121(c)(4)).

This issue raises a matter of fact. The issue of adequately identifying *existing* artificial penetrations is relevant and material to the Commission's consideration of the application. Identifying *future* artificial penetrations is not an application requirement for a Class I injection well and is not relevant and material to the Commission's consideration of the application. Additionally, the requestors did not raise this issue during the public comment period.

10) Whether the Applicant demonstrated that the injection zone and interval are isolated from base of the USDW by impermeable strata in accordance with 30 TAC §331.121(a)(4)(A)-(C).

This issue raises a matter of fact that is relevant and material to the Commission's consideration of the application. However, the requestors did not raise this issue during the public comment period.

11) Whether the application failed to adequately identify the facility, identify the owner(s) of the facility, depict the boundaries of or provide a legal description of the tracts of land on which the facility is located.

This issue raises mixed matter of fact and law. Whether the Application accurately identifies the facility, and accurately depicts the facility owner(s) and boundaries and provides a proper legal description of the facility is relevant and material to the Commission's consideration of the Application. The issue raises a matter of law by proposing a new changed meaning of the term of art "facility" in 30 TAC §335.1(69) that would include the subsurface formation(s) where US Ecology's injected waste plume has migrated as part of US Ecology's UIC facility. Additionally, the requestors did not raise this issue during the public comment period.

12) Whether US Ecology owns or has made a good faith claim to, or has the consent of the owner to utilize, or has an option to acquire, or has the authority to acquire through eminent domain, the property or portions of the property where the

waste injection well will be constructed in accordance with Tex. Water Code §27.051(a)(7).

This Injection Well Act requirement is not applicable to US Ecology's Application because it is only applicable to a hazardous waste injection well and US Ecology's existing and proposed injection wells are presently authorized and would be authorized if the draft permits were granted, to dispose of only nonhazardous waste by injection. Further, this issue raises matter of law because it proposes a new changed meaning of "the property where a hazardous waste injection well will be constructed" by proposing that the tract or tracts of real property on which an injected waste plume would migrate and come to be located on in the future would constitute the tract or tracts of real property where a waste injection well would be constructed. Additionally, the requestors did not raise this issue during the public comment period.

13) Whether the application included a complete and accurate mailing list of the facility owner(s), facility mineral interest owner(s), adjacent landowners, and adjacent mineral interest owners cross-referenced to map depicts the parcels of land that constitute the facility and that are adjacent to the facility.

This issue raises mixed matters of fact and law. The fact issues raised, whether the Application includes a complete and accurate mailing list cross-referenced to map, are relevant and material to the Commission's consideration of the Application. The issues raise a matter of law because the requestors propose a new changed meaning of the term of art "facility" that would include the tract or tracts of real property on which an injected waste plume would migrate and come to be located in the future. Additionally, the requestors did not raise this issue during the public comment period.

VII. CONTESTED CASE HEARING DURATION

If the Commission finds that The Pipkins are affected persons and grants the hearing request on this Application, the Executive Director recommends a hearing duration of six months from the date of the preliminary hearing to the presentation of a proposal for decision to the Commission.

VIII. EXECUTIVE DIRECTOR'S RECOMMENDATION

The Executive Director recommends the following actions by the Commission:

1. The Executive Director recommends the Commission grant the Hearing Requests of Grayson Eden Pipkin, Bruce Fletcher Pipkin and Pipkin Ranch Holdings, LLC.
2. If the Commission finds that the Pipkins are affected persons and grants the hearing requests on this Application, establish a hearing duration of six months from the date of the preliminary hearing to the presentation of the proposal for decision to the Commission.
2. If the Commission refers the Application to SOAH, refer Issue No. 3.

Respectfully submitted,

Texas Commission on Environmental Quality

Kelly Keel
Executive Director

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REPRESENTING THE EXECUTIVE DIRECTOR
OF THE TEXAS COMMISSION
ON ENVIRONMENTAL QUALITY

**ATTACHMENT A – GEOGRAPHIC INFORMATION SYSTEMS MAP DEPICTING
FACILITY LOCATION AND LOCATIONS OF REQUESTORS' REAL PROPERTY**

Hearing Request Agenda TCEQ Docket No. 2023-1590-WDW
Application by US Ecology Winnie, LLC for Permit Nos.
WDW344, WDW345, WDW346, WDW347, WDW348, WDW349, and WDW350
Map Requested by TCEQ Office of Legal Services
for Commissioners' Agenda



Protecting Texas by
Reducing and
Preventing Pollution

Texas Commission on Environmental Quality
GIS Team (Mail Code 197)
P.O. Box 13087
Austin, Texas 78711-3087
Date: 1/29/2024
CRF 0093269
Cartographer: jstalsby



FACILITY

● US Ecology Winnie Facility

□ Facility Boundary

HEARING REQUESTORS' PROPERTY

Three parcels owned by
Grayson Eden Pipkin &
Bruce Fletcher Pipkin,
140461, 140444 and
386511.

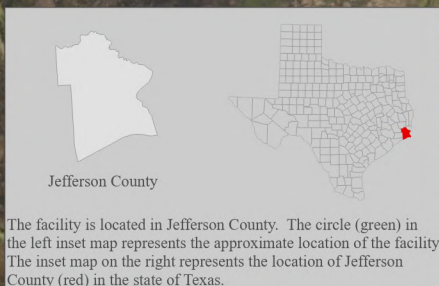


Two parcels owned by
Pipkin Ranch Holdings, LP,
140445 and 140460



Source: The location of the facility was provided by the TCEQ Office of Legal Services (OLS). OLS obtained the site location information from the applicant and the requestor information from the requestor.

This map was generated by the Information Resources Division of the Texas Commission on Environmental Quality. This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. For more information concerning this map, contact the Information Resource Division at (512) 239-0800.



Jefferson County

The facility is located in Jefferson County. The circle (green) in the left inset map represents the approximate location of the facility. The inset map on the right represents the location of Jefferson County (red) in the state of Texas.

0 0.5 1 Miles

CERTIFICATE OF SERVICE

I certify that, on January 29, 2024, the “Executive Director’s Response to Hearing Requests” received on the application by US Ecology Winnie, LLC. for renewal and major amendment of seven nonhazardous commercial Class I Underground Injection Control Permits Nos. WDW344, WDW345, WDW346, WDW347, WDW348, WDW349 and WDW350 was filed with the TCEQ’s Office of the Chief Clerk and that a complete copy was served to all persons listed on the attached mailing list via the methods indicated.



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SERVICE LIST

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