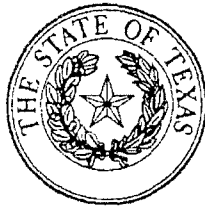


TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



AN INTERIM ORDER concerning the application of US Ecology Winnie, LLC for amendments and renewals of UIC Permit Nos. WDW344, WDW345, WDW346, WDW347, WDW348, WDW349, and WDW350; TCEQ Docket No. 2023-1590-WDW.

On February 21, 2024, the Texas Commission on Environmental Quality (Commission) considered during its open meeting requests for hearing filed by Grayson Eden Pipkin, Bruce Fletcher Pipkin, and Pipkin Ranch Holdings, LP concerning the application of US Ecology Winnie, LLC (Applicant) for amendments and renewals of Underground Injection Control (UIC) Permit Nos. WDW344, WDW345, WDW346, WDW347, WDW348, WDW349, and WDW350. The amendments and renewals pertain to the disposal by injection of nonhazardous industrial and municipal wastes via seven UIC wells at a commercial nonhazardous UIC facility located at 26400 Wilber Road, Winnie, Jefferson County, Texas. The requests for hearing were evaluated under the requirements in the applicable statutes and Commission rules, including 30 Texas Administrative Code Chapter 55. The Commission also considered the responses to the requests for hearing filed by the Executive Director, Office of Public Interest Counsel, and Applicant; the requesters' timely reply; all timely public comment; and the Executive Director's Response to Public Comment.

After evaluation of all relevant filings, the Commission determined that Grayson Eden Pipkin, Bruce Fletcher Pipkin, and Pipkin Ranch Holdings, LP are affected persons and granted

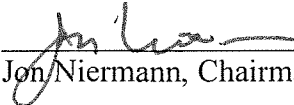
their requests for hearing. The Commission next determined whether the requests for hearing raised disputed issues of fact or mixed questions of fact and law that were raised by an affected person during the comment period, and which are relevant and material to the decision on the application. The Commission determined that the following issue met those requirements and directed that it be referred to SOAH for contested case hearing: Whether any existing rights, including, but not limited to, mineral rights, will be impaired by US Ecology's injection of industrial and municipal nonhazardous waste in accordance with Texas Water Code § 27.051(a)(2). Finally, the Commission specified that the maximum duration of the contested case hearing shall be 180 days from the date of the preliminary hearing until the proposal for decision is issued by SOAH.

NOW, THEREFORE, BE IT ORDERED BY THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY that:

- 1) The hearing requests of Grayson Eden Pipkin, Bruce Fletcher Pipkin, and Pipkin Ranch Holdings, LP are hereby GRANTED;
- 2) The following issue is referred to SOAH for a contested case hearing on the application: Whether any existing rights, including, but not limited to, mineral rights, will be impaired by US Ecology's injection of industrial and municipal nonhazardous waste in accordance with Texas Water Code § 27.051(a)(2);
- 3) All issues not identified as being referred to SOAH in Ordering Provision No. 2 are hereby DENIED;
- 4) The maximum duration of the hearing is set at 180 days from the date of the preliminary hearing until the date the proposal for decision is issued by SOAH; and

- 5) If any provision, sentence, clause, or phrase of this Order is for any reason held to be invalid, the invalidity of any portion shall not affect the validity of the remaining portions of the Order.

TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY



Jon Niermann, Chairman

2/27/24

Date Signed