



TCEQ REGULATORY GUIDANCE

Critical Infrastructure Division
RG-517c • May 2023

Waste Management for Authorized Facilities: Responding to a Disaster

This guidance will assist you with responding to damage from a government declared disaster such as a hurricane, flood, tornado, or other disaster. This information will help you understand relevant environmental rules and decide on a reasonable course of action to follow.

If you have any questions, please contact the [TCEQ regional office that serves you](#).¹

For information about other types of disasters, i.e.; spills, wildfires, and other environmental emergencies or situations, go to the [TCEQ emergency response webpage](#).²

Municipal Solid Waste Facilities (MSW):

Can MSW facilities make changes such as extending operating hours or expanding capacity to address impacts from a declared disaster?

Your authorized MSW facility may request to temporarily extend operating and waste acceptance-hours, increase daily acceptance rate limits, authorize storage activities or increase storage limits, or change other operational limits when appropriate to the disaster. These requests are prioritized during emergencies.

To contact the MSW Permits Section call 512-239-2335 or email MSWPER@tceq.texas.gov.

What do I need from TCEQ to stage debris for removal from impacted communities?

TCEQ may authorize temporary debris management sites (TDMS). The sites must also have local government approval and may not be located in the 100-year floodplain or within wetlands. Other restrictions apply, as found on the [Request for Approval form](#) (TCEQ-20660).³

¹ www.tceq.texas.gov/goto/region/

² www.tceq.texas.gov/response

³ www.tceq.texas.gov/goto/temp-debris-form

Authorizations are for 90 days but may be renewed. Contact the [regional office that serves you](#).⁴

Petroleum Storage Tank Facilities:

Do I need to submit a construction notification for a damaged or dislodged petroleum storage tank?

If you, as an owner or operator, cannot meet pre-construction notification requirements of [Title 30, Texas Administrative Code, Subsection 334.6\(c\)\(2\)\(E\)](#)⁵ for removing or repairing a tank because of damage from a disaster, provide notification to TCEQ as soon as feasible after the removal or repair occurs.

The [State of Texas Environmental Electronic Reporting System \(STEERS\)](#)⁶ provides the quickest means of submitting a construction notification. Additionally, you can obtain an approval letter for the notification as soon as you complete the submission in STEERS. See our [Guide to Creating an Account in STEERS E-Permitting \(RG-531a\)](#)⁷ for help.

You may instead send the [Underground and Aboveground Storage Tank Construction Notification Form](#) (TCEQ-00495)⁸ by fax to 512-239-3398 or mail to:

PST Registration Team, MC-138
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, TX 78711-3087

Industrial and Hazardous Waste Facilities:

How should I manage industrial or hazardous waste resulting from a disaster?

During a disaster, continue to manage industrial and hazardous waste according to state and federal regulations. State and federal disaster declarations may temporarily suspend or alter regulatory requirements. Keep any industrial and hazardous waste generated by the disaster separate from other wastes and debris.

Contain and clean up any spills of industrial or hazardous waste or other hazardous materials as soon as it is safe and practical to do so. If your facility does not have authorization to treat or dispose of industrial or hazardous waste, use a registered transporter to ship the waste off-site. Send any hazardous waste to an authorized hazardous waste management facility for disposal.

⁴ www.tceq.texas.gov/goto/region

⁵ [texreg.sos.state.tx.us/public/readtac\\$ext.ViewTAC?tac_view=4&ti=30&pt=1&ch=334](http://texreg.sos.state.tx.us/public/readtac$ext.ViewTAC?tac_view=4&ti=30&pt=1&ch=334)

⁶ www3.tceq.texas.gov/steers/

⁷ www.tceq.texas.gov/downloads/assistance/publications/rg-531a.pdf

⁸ www.tceq.texas.gov/goto/PST-form

If the generating facility has the ability and authorization to manage industrial or hazardous waste on-site, they may do so within the limits of their authorization, state and federal regulations, and disaster declarations.

How do I obtain an EPA ID and Texas Waste Codes for industrial or hazardous waste from a disaster?

Unregistered or inactive generators must notify TCEQ of their episodic waste generation activity due to a disaster using the [Unregistered/Inactive Episodic Generator Notification form](#) (TCEQ-00757)⁹ and [form instructions](#)¹⁰. TCEQ will issue temporary Texas registration numbers, Texas waste codes, and an EPA ID number for unregistered/inactive episodic generators who submit form TCEQ-00757. Temporary waste codes are valid for only the specified waste and the episodic event noted on the form. See our [Episodic Waste Generation](#)¹¹ webpage for more information.

Registered generators can add waste streams using either [STEERS](#)¹² or Parts F & G of the [Notification for Hazardous or Industrial Waste Management form](#) (TCEQ-00002)¹³ and [form instructions](#)¹⁴.) Registered hazardous waste generators who do not have an EPA ID should contact the IHW Registration Team at wasteval@tceq.texas.gov or 512-239-6413 for assistance.

Can I get an extension to temporarily store hazardous waste on-site until it can be transported or processed?

Under non-disaster conditions, [Title 40 Code of Federal Regulations 262.16\(b\) and 262.17\(a\)](#)¹⁵ as adopted in 30 TAC Section 335.53 provide conditions for exemption and timeframes under which a registered hazardous waste generator may store or process on-site generated waste in tanks or containers using the following guidelines:

- Large quantity generators — 90 days
- Small quantity generators — 180 days

TCEQ's executive director may grant an extension of up to 30 days if hazardous wastes must remain on-site for longer than these standard time-frames due to unforeseen, temporary, and uncontrollable circumstances. The episodic waste generation regulations do not allow for extensions on the 60-day time limit for episodic events. A disaster declaration may change or remove these requirements.

⁹ tceq.texas.gov/downloads/permitting/waste-registration/forms/iHW/00757.pdf

¹⁰ tceq.texas.gov/downloads/permitting/waste-registration/forms/iHW/00757inst.pdf

¹¹ tceq.texas.gov/permitting/registration/iHW/episodic

¹² www3.tceq.texas.gov/steers/

¹³ tceq.texas.gov/downloads/permitting/waste-registration/forms/iHW/00002.pdf

¹⁴ tceq.texas.gov/downloads/permitting/waste-registration/forms/iHW/00002inst.pdf

¹⁵ www.ecfr.gov/current/title-40/chapter-I/subchapter-I/part-262

To request an extension, submit the [Request for 30-Day Extension to Store Hazardous Waste Without a Permit form](#) (TCEQ-00319)¹⁶ via email to IHWPER@tceq.texas.gov or by mail to:

Industrial and Hazardous Waste Permits Section, MC 130
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

¹⁶ tceq.texas.gov/downloads/permitting/waste-permits/iHW/forms/tceq-0319-30dayextension.pdf