

From: [Jacqueline Cullather](mailto:Jacqueline.Cullather@tceq.texas.gov)
To: [OCE](mailto:OCE@tceq.texas.gov)
Subject: FW: Regulatory Relief for COVID-19 waste shipment to the Clean Harbors Deer Park, Texas Regulated Hazardous Waste Incineration Facility
Date: Friday, March 20, 2020 10:21:42 AM

From: Jonathan Walling <jonathan.walling@tceq.texas.gov>
Sent: Thursday, March 19, 2020 4:47 PM
To: RETALLICK, PHILLIP G <[REDACTED]>
Subject: Regulatory Relief for COVID-19 waste shipment to the Clean Harbors Deer Park, Texas Regulated Hazardous Waste Incineration Facility

Good afternoon, Mr. Retallick

Until further notice, Clean Harbors Deer Park Incineration Facility is approved to receive shipments of COVID-19 medical waste labeled as COVID-19 waste in USDOT approved shipping containers and waive other labeling requirements under Title 30 Texas Administrative Code, Chapter 326, Section 326.21. Additionally, the requirement for Clean Harbors to transport and accept COVID-19 waste and maintain a temperature of 45 degrees Fahrenheit or less for longer than 72 hours during post-collection storage period is also waived. This approval is contingent on Clean Harbors incinerating this waste within 24 hours of initial receipt. In addition, Clean Harbors must also maintain adequate records to document the activity to include identifying specific waste shipments.

The TCEQ will revisit this issue at the appropriate time and reserves the right to withdraw this approval, as needed and if conditions change.

Regards,

Jonathan Walling, Area Director
Coastal & East Texas Area

From: Ramiro Garcia <ramiro.garcia@tceq.texas.gov>
Sent: Thursday, March 19, 2020 8:59 AM
To: RETALLICK, PHILLIP G <[REDACTED]> OCE <OCE@tceq.texas.gov>
Cc: Jonathan Walling <jonathan.walling@tceq.texas.gov>; Cynthia Gandee <Cynthia.Gandee@tceq.texas.gov>; Tracy Miller <tracy.miller@tceq.texas.gov>; Susan Johnson <susan.johnson@tceq.texas.gov>; Jayme Sadlier <jayme.sadlier@tceq.texas.gov>; Monica Aplin <Monica.Aplin@tceq.texas.gov>; Jacqueline Cullather <Jacqueline.Cullather@tceq.texas.gov>
Subject: RE: Regulatory Relief for COVID-19 waste shipment to the Clean Harbors Deer Park, Texas Regulated Hazardous Waste Incineration Facility

Good morning Mr. Retallick,

This email confirms receipt of your correspondence. We are reviewing your request and will have an

answer to you soon.

I hope you are well.

Kindest regards,

Ramiro Garcia, Jr.
Deputy
Office of Compliance & Enforcement
TCEQ

From: RETALLICK, PHILLIP G <[REDACTED]>
Sent: Thursday, March 19, 2020 8:49 AM
To: OCE <OCE@tceq.texas.gov>
Cc: Ramiro Garcia <ramiro.garcia@tceq.texas.gov>
Subject: Regulatory Relief for COVID-19 waste shipment to the Clean Harbors Deer Park, Texas Regulated Hazardous Waste Incineration Facility

Good Morning,

We would like to request that the Texas Commission for Environmental Quality waive its medical waste regulatory requirement to transport COVID-19 waste containers in refrigerated trailers should the in-transit time be greater than 72 hours. There is a critical national shortage of refrigerated trailers that can be allocated to specialized shipments such as COVID-19 waste shipments. Refrigerated trailers are being solely dedicated to moving food stuffs to keep food distribution centers and retail food markets stocked for consumers.

We would also like to further request that TCEQ's medical waste container labeling requirements be modified to allow shipments of COVID-19 waste that is classified as non-USDOT regulated environmentally hazardous substance and labeled on the drum as COVID-19 waste.

Our Deer Park Facility will be receiving shipments of COVID-19 waste, in USDOT approved shipping containers, from Federal and State directed decontamination projects, Healthcare Facilities and Drive-Thru Testing Centers, nationally, for high priority incineration of these COVID-19 waste containers. Expedited management of COVID-19 wastes can occur if we can employ a more generic shipping description as noted above. Each drum will be labeled as COVID-19 waste and the USDOT Bill of Lading will describe the shipment as as Environmentally Hazardous Substance (COVID-19 Waste). Again, this waste will be given high priority status for incineration at our Deer Park Facility.

These are extraordinary and times and consequently we want to employ the most expeditious yet protective standards to assist government at all levels with their response to this unprecedented national emergency.

We are happy to get on a phone call to describe the requested relief, in greater detail.

Thank You and Please Take Care!

Phil Retallick

Phillip G. Retallick
Senior Vice President, Compliance and Regulatory Affairs
Clean Harbors Environmental Services, Incorporated

[128B Frontage Road](#)

[Lexington, SC 29073](#)

Office: [803-520-2929](#)

Cell: [803-600-5305](#)

Fax: [803-358-0420](#)

Email: 