# Audit Handbook

TM Deer Park Services LLC
2525 Independence Parkway South, Deer Park, Texas 77536

October 27, 2020

**TM DEER PARK SERVICES LLC**
**AUDIT HANDBOOK**

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**TM DEER PARK SERVICES LLC**
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# 1.0 GENERAL INFORMATION

| | |
|---|---|
| Facility Name | TM Deer Park Services LLC |
| Physical Address | 2525 Independence Parkway South<br>Deer Park, Texas 77536 |
| EPA Identification No. | TXD000719518 |
| TCEQ Solid Waste Registration No. | 32299 |
| Facility Phone No. | (281) 930-2525 |
| Facility Fax No. | (281) 930-2535 |

TM Deer Park Services LLC offers hazardous and non-hazardous waste treatment, storage, and disposal services centered on the facility's three on-site deepwells.

# 2.0 FACILITY AUTHORIZATIONS

## 2.1 Permits

See Permit Table 2.1 for a list of existing permits and expiration dates. Attachment 2.1 contains the cover pages for the permits listed in Table 2.1. If a permit is undergoing renewal with the authorizing agency, a copy of the transmittal letter for the renewal application can be found in Attachment 2.1, also.

## 2.2 Facility History

The facility was first established as a trucking terminal by Robertson Tank Lines and later purchased by DSI Transportation (DSI) in 1978. The site was purchased by The GNI Group (GNI in 1987.

Waste disposal activities began onsite in 1980 with the permitting and construction (completed 1981) of the first deep injection well, WDW-169. The second well, WDW-249, was drilled in 1992 and completed construction in April 1993. The UIC permit for WDW-249 was issued in 1987. The no-migration petition for wells WDW-169 and WDW-249 was applied for in 1988 and granted in April 1990. Interim status under RCRA was granted by rule. The Part B permit application was submitted in 1983, resubmitted in 1985, and granted on August 26, 1992. The RCRA permit was renewed in May 2003 and July 2014. A UIC permit for third well, WDW-422, was issued in 2009. WDW-422 was drilled and completed in 2018. The no-migration petition for WDW-422 was granted on August 15, 2019.

GNI, while operating a profitable business on a day-to-day basis, went into bankruptcy as a result of financial leveraging to purchase the site. Texas Molecular purchased the assets of GNI after they had been in bankruptcy for about a year. Texas Molecular conducted a due diligence study in the form of a Phase I environmental site assessment, and some of the individuals purchasing the site were on the Board of Directors of The GNI Group, and thus had knowledge of the potential for environmental liabilities that might exist at the site prior to acquiring the GNI assets.

In conjunction with the Part B permit issuance in 1992, a RCRA Facility Investigation (RFI) was begun onsite. The RCRA Facility Assessment (RFA), Phase I of the RFI process, which was completed in September 1999, identified seven solid waste management units (WSMUs) onsite. These were basically associated with the wearing of concrete around small sumps onsite. Phase II of the RFI process involved closure of the SWMUs. The required SWMUs were closed in accordance with state Risk Reduction Standard (RRS) No. 2, which specifies that contaminants allowed to remain in place must not exceed health-based cleanup levels. The Texas Natural Resources Conservation Commission (TNRCC) now the Texas Commission on Environmental Quality (TCEQ) issued a letter to the site dated July 18, 2000 indicating that closure had met RRS No. 2.

### 2.3 Authorizing Agency Contacts

TCEQ
IHW Permits Section (MC-130)
Attn: Mr. Chris Shaw
P.O. Box 13087
Austin, Texas 78711

(512) 239-2349

TCEQ – Region 12
Attn: Alma Jefferson, Waste Section Manager
5425 Polk St, Ste H
Houston TX 77023-1452

(713) 767-3500

## 3.0 SITE DESCRIPTION

### 3.1 Facility Location

TMDP is located on a 10.6 acre site at 2525 Independence Parkway South (formerly Battleground Road) in Deer Park, Texas.

### 3.2 Land Use

The area is heavily industrialized and the nearest neighborhood lies approximately three (3) miles to the South.

### 3.3 Flood Zone

The facility is outside the One-Hundred year floodplain. The nearest body of water is the Houston Ship Channel which is approximately one (1) mile to the Northwest.

### 3.4 Security

The facility is enclosed by a six (6) or eight (8) foot security fence. Facility gates are locked when not in use. Entrance to the facility is through a gate that is guarded twenty-four hours per day, seven (7) days per week. The exit gate is monitored by Security and Operations personnel remotely through a closed-circuit video camera.

## 4.0 WASTE MANAGEMENT SERVICES

### 4.1 Staffing

TMDPS has approximately 45 full time employees. The technical support staff is composed of chemists, biologists, environmental scientists, engineers as well as other disciplines commensurate with a quality waste management organization.

### 4.2 Waste Management Options

Current facility operations consist of storage in tanks and containers, filtration, and deepwell disposal. TMDP receives waste at the facility largely in tanker trucks; roll-off containers and drums can also be accepted. TMDP handles a variety of aqueous and water-soluble wastes including strong acids and caustics. The facility can also handle liquids with higher solids content through its filter press system. Waste acceptance is discussed further in Section 5.0.

Disposal of received wastes is via the facility's three on-site Class 1 injection wells. The deepwells are over 7,000 feet deep and are exempt from the land ban regulations (see Attachment 2.1). The deepwells are required to undergo Mechanical Integrity Testing (MIT) annually which consists of reservoir pressure fall-off, radioactive tracer, and annulus pressure testing. Approval of the latest MIT reports by the TCEQ can be found in Attachment 4.1.

### 4.3 Transportation

Transporters hauling wastes to TMDP are pre-approved before entry into the site, provided they have the proper registrations and insurance coverage. Transportation companies can be approved by submitting an Inbound Transporter Qualification Form (see Attachment 4.2).

### 4.4 Storage Facilities

Presently there is approximately 2.6 million gallons of permitted bulk liquid storage capacity of which 2.1 million gallons is in service. In addition, our permit allows us to store up to 6,972 drums.

## 5.0 WASTE STREAM APPROVAL & RECEIPT

### 5.1 Waste Analysis Plan

A copy of the facility's Waste Analysis Plan (WAP) can be found in Attachment 5.1. Sections 5.1 through 5.5 of this handbook summarizes the WAP.

### 5.2 Waste Approval

If an inquiry from a potential client indicates that the waste stream is potentially acceptable by the facility, the customer typically provides a pre-acceptance sample along with relevant paperwork to TMDP. Relevant paperwork includes a waste profile, at a minimum. For hazardous wastes, a Land Disposal Restriction Notification (LDRN) may also be submitted for review prior to approval. TMDP's waste profile document and LDRN can be found in Attachment 5.2.

The pre-acceptance sample is analyzed by the TMDP on-site laboratory to confirm compliance with safety and regulatory requirements, and to determine waste handling procedures.

TMDP reviews the waste profile form and any supporting documents (*e.g.,* laboratory analysis, safety data sheets, etc.) for technical adequacy. The review addresses: i) environmental and permit compliance; ii) treatability and handling; and iii) health and safety issues. Errors or omissions discovered during the review process are resolved through contact with the customer.

### 5.3 Scheduling & Shipping

Once a stream is approved and a Sales and Pricing Agreement is executed, the customer may contact our customer service department for scheduling. At the time of shipment, the generator is required by law to present a properly completed manifest or shipping paper, and possibly a LDRN (40 CFR 262 Subpart A and 40 CFR 268.7), depending on the waste's regulatory classification.

### 5.4 Waste Receipt & Analysis

Upon receipt, a computer database and tracking system is utilized to confirm the load and assure regulatory compliance. A fingerprint analysis of the truckload of waste is run and compared against the profiled characteristics for any discrepancies. TMDP will resolve discrepancies with the customer. Once confirmed, the truck or drum is accepted for processing. The EPA codes are tracked through the subsequent processes and disposal.

### 5.5 Waste Residuals

Residual solids and media are sent off-site for disposal or further waste management at a RCRA-permitted facility. Liquid organics are typically sent for fuel blending. A list of TMDP-audited and approved off-site facilities is included as Attachment 5.3.

## 6.0 COMPLIANCE & SAFETY PERFORMANCE

### 6.1 Employee Training Program

Training Programs are developed by the TMDP Environmental, Health, and Safety (EHS) Department. All operations and maintenance personnel receive a minimum of twenty-four (24) hours HAZWOPER training. An annual eight (8) hour HAZWOPER refresher course is mandatory and safety meetings are held daily. All staff receive annual environmental training which covers facility permits and associated plans. Operators attend industrial fire school annually. The training programs are developed and conducted by the facility's Environmental and Safety professionals, or by third-party contractors. The programs are constantly updated and are tailored specifically to TMDP's needs.

### 6.2 Safety & Industrial Hygiene

The EHS Department has developed and implemented programs designed to provide maximum protection for company employees. Personnel monitoring and medical surveillance programs, along with sound work practices, ensure a safe working environment. Daily safety meetings reinforce training and awareness. TMDP's latest experience moderator rate (EMR) and last three years' OSHA 300A logs can be found in Attachments 6.1 and 6.2, respectively.

### 6.3 Inspections

As a RCRA facility, TMDP has an extensive internal inspection/audit program. Inspections are conducted daily, weekly, monthly, quarterly and annually by facility staff or the EHS Department.

### 6.4 Contingency Plan

A TCEQ-approved Contingency Plan has been developed in the event an emergency is declared. Local authorities including police, fire fighters, and other potential responders have been provided with a copy of the plan.

### 6.5 Regulatory Investigations

As a highly-regulated facility, TMDP is investigated regularly by regulatory agencies, such as the TCEQ. A copy of investigation findings from all regulatory agencies from the last five years can be found in Attachment 6.3. The TCEQ's Compliance Rating for the facility is currently 0.15. A rating of 0 to 0.1 is considered "high" performance, 0.1 to 55 is considered "satisfactory" performance, and over 55 is considered "unsatisfactory."

## 7.0 FINANCIAL RESPONSIBILITY

### 7.1 Insurance

In addition to general liability, automobile liability and worker's compensation, TMDP maintains maximum coverage for environmental impairment liability insurance. An

example certificate of insurance and the endorsement for liability coverage is included as Attachment 7.1.

## 7.2 Financial Assurance

RCRA and UIC Closure Cost estimates are reviewed when the facility adds or removes units. The latest closure plan can be found in Attachment 7.2. TMDP has established a Surety Bond to provide financial responsibility for facility closure. See Attachment 7.3 for the facility's current financial assurance documentation.

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**TABLES**

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Table 2.1 Permit Table

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**TABLE 2.1**
**PERMIT TABLE**

| PERMIT NAME | PERMIT NUMBER | EXP. DATE | AUTHORITY |
|---|---|---|---|
| UIC Deepwell (Active) | WDW-169 | 5/28/2019[1] | TCEQ |
| UIC Deepwell (Active) | WDW-249 | 5/28/2019[1] | TCEQ |
| UIC Deepwell (Active) | WDW-422 | 5/28/2019[1] | TCEQ |
| Industrial & Hazardous Waste (RCRA) | 50058 | 07/23/2024 | TCEQ |
| State Facility Registration | 32299 | ---------- | TCEQ |
| RCRA ID Number | TXD000719518 | ---------- | US EPA Region 6 |
| LDR No Migration Exemption | ---------- | 12/31/2030 | US EPA Region 6 |
| Standard Air Permit-Thermal Oxidizer | 49822 | 10/17/2021 | TCEQ |
| Storm Water | TXR05D055 | 12/31/2021 | TCEQ |
| Public Water System Registration | 1012699 | ---------- | TCEQ |
| Water Well 5106 | 208263 | 1/31/2021 | Harris-Galveston Subsidence District |
| Operational Permit for Hazardous Materials | 2004290077-HM-001 | 7/6/2021 | Harris County Fire Marshal's Office |

NOTE: The following information is offered as verification of permit authority and may not include permit details. Complete permit files may be reviewed in our office.

[1] Renewal application submitted to the TCEQ on November 20, 2018; is currently undergoing technical review.

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**ATTACHMENTS**

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| | |
|---|---|
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# ATTACHMENT 2.1
# PERMIT COVER SHEETS

Permit No. WDW169

Texas Commission on
Environmental Quality
Austin, Texas

Permit To Conduct
Class I Underground Injection
under Provisions of Texas Water Code,
Chapters 26 & 27, and Texas Health and
Safety Code Ann. Chapter 361

I. Permittee

TM Deer Park Services Limited Partnership
P.O. Box 1914
Deer Park, TX 77536

II. Type of Permit

Initial_____Renewal_X___Amended__X_
Commercial__X___Noncommercial__X_
Hazardous___X_Nonhazardous_X____
Onsite_X___Offsite__X_
Authorizing Disposal of Waste from Captured Facility_____
Authorizing Disposal of Waste from Off-site Facilities Owned by Owner/Operator___

III. Nature of Business

Commercial hazardous and non-hazardous waste storage, processing, and disposal facility.

CONTINUED on Pages 2 through 6

The permittee is authorized to conduct injection in accordance with limitations, requirements, and other conditions set forth herein. This permit is granted subject to the rules and orders of the Commission, and the laws of the State of Texas. The permit will be in effect for ten years from the date of approval or until amended or revoked by the Commission. If this permit is appealed and the permittee does not commence any action authorized by this permit during judicial review, the term will not begin until judicial review is concluded.

ISSUED: MAY 28 2009

For The Commission

Permit No. WDW249

# Texas Commission on Environmental Quality
Austin, Texas

Permit To Conduct
Class I Underground Injection
under Provisions of Texas Water Code,
Chapters 26 & 27, and Texas Health and
Safety Code Ann. Chapter 361

I. Permittee

TM Deer Park Services Limited Partnership
P.O. Box 1914
Deer Park, TX 77536

II. Type of Permit

Initial_____Renewal_X___Amended__X_
Commercial__X___Noncommercial__X_
Hazardous___X_Nonhazardous_X___
Onsite_X___Offsite__X_
Authorizing Disposal of Waste from Captured Facility_____
Authorizing Disposal of Waste from Off-site Facilities Owned by Owner/Operator___

III. Nature of Business

Commercial hazardous and non-hazardous waste storage, processing, and disposal facility.

CONTINUED on Pages 2 through 6

The permittee is authorized to conduct injection in accordance with limitations, requirements, and other conditions set forth herein. This permit is granted subject to the rules and orders of the Commission, and the laws of the State of Texas. The permit will be in effect for ten years from the date of approval or until amended or revoked by the Commission. If this permit is appealed and the permittee does not commence any action authorized by this permit during judicial review, the term will not begin until judicial review is concluded.

ISSUED: MAY 28 2009

For The Commission

Permit No. WDW422

# Texas Commission on Environmental Quality
Austin, Texas

Permit To Conduct
Class I Underground Injection
under Provisions of Texas Water Code,
Chapters 26 & 27, and Texas Health and
Safety Code Ann. Chapter 361

I. Permittee

TM Deer Park Services Limited Partnership
P.O. Box 1914
Deer Park, TX 77536

II. Type of Permit

Initial X Renewal ___ Amended ___
Commercial X Noncommercial X
Hazardous X Nonhazardous X
Onsite X Offsite X
Authorizing Disposal of Waste from Captured Facility ___
Authorizing Disposal of Waste from Off-site Facilities Owned by Owner/Operator ___

III. Nature of Business

Commercial hazardous and non-hazardous waste storage, processing, and disposal facility.

CONTINUED on Pages 2 through 6

The permittee is authorized to conduct injection in accordance with limitations, requirements, and other conditions set forth herein. This permit is granted subject to the rules and orders of the Commission, and the laws of the State of Texas. The permit will be in effect for ten years from the date of approval or until amended or revoked by the Commission. If this permit is appealed and the permittee does not commence any action authorized by this permit during judicial review, the term will not begin until judicial review is concluded.

ISSUED: MAY 28 2009

For The Commission

Hazardous Waste Permit No. 50058
EPA ID. No. TX000719518
ISWR No. 32299

This permit supersedes and replaces
Hazardous Waste Permit No. 50058
Issued May 23, 2003

# 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: TM Deer Park Services Limited Partnership
2525 Independence Parkway South
Deer Park, Texas 77536

Site Owner: TM Deer Park Services Limited Partnership
2525 Independence Parkway South
Deer Park, Texas 77536

Registered Agent for Service: N/A

Classification of Site: Hazardous and Nonhazardous Class 1 and Class 2 industrial solid waste on-site/off-site storage, processing, and disposal, commercial facility.

The permittee is authorized to manage wastes in accordance with the limitations, requirements, and other conditions set forth herein. This permit is granted subject to the 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 to store, process and dispose of wastes shall expire midnight, ten (10) years after the date of renewal permit approval. This permit was originally issued on August 27, 1992. This permit was renewed on May 23. 2003.

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 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.

Issued Date: July 23, 2014

For the Commission

# Central Registry

## Detail of: Industrial and Hazardous Waste Solid Waste Registration 32299

For: TM DEER PARK SERVICES (RN100209568)
2525 INDEPENDENCE RD, DEER PARK

Solid Waste Registration Status: ACTIVE

Held by: TM MOLECULAR LIMITED PARTNERSHIP (CN603919184)
OWNER Since 04/23/2004 View Compliance History

Mailing Address: Not on file

TM DEER PARK SERVICES LIMITED PARTNERSHIP (CN601421829)
OWNER OPERATOR Since 03/21/2002 View Compliance History

Mailing Address: PO BOX 1914 DEER PARK, TX 77536-1914

### Facility Information

Registration Number: 32299
Status: Active
Site Name: TM DEER PARK SERVICES
Company Name:
Site Street Address: 2525 BATTLEGROUND RD, DEER PARK, TX, 77536
Site Location: 2525 Battleground Rd, Deer Park, TX
County: HARRIS
EPA Number: TXD000719518
Hazardous Waste Permit: 50050
Registration Type: Generator and Receiver
Generator Type: Industrial
SIC Code:
NAICS Code:

| | | | |
|---|---|---|---|
| View Annual Waste Summary (2010) (2009) (2008) | | | |
| View Waste Receipt Report | Year | Month | View |
| View Waste Management Units | | View Waste | |

## ☑ E.P.A. Identification

Disposal Systems, Inc.

EPA

### ACKNOWLEDGEMENT OF NOTIFICATION OF HAZARDOUS WASTE ACTIVITY

This is to acknowledge that you have filed a Notification of Hazardous Waste Activity for the installation located at the address shown in the box below to comply with Section 3010 of the Resource Conservation and Recovery Act *(RCRA)*. Your EPA Identification Number for that installation appears in the box below. The EPA Identification Number must be included on all shipping manifests for transporting hazardous wastes; on all Annual Reports that generators of hazardous waste, and owners and operators of hazardous waste treatment, storage and disposal facilities must file with EPA; on all applications for a Federal Hazardous Waste Permit; and other hazardous waste management reports and documents required under Subtitle C of RCRA.

EPA I.D. NUMBER → TXD000719518

Disposal Systems Inc.
P.O. Box 1914
Deer Park, Texas 77536

INSTALLATION ADDRESS → 2525 Battleground Road
Deer Park, Texas

EPA Form 8700-12A (4-80)

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 6
1445 ROSS AVENUE, SUITE 1200
DALLAS TX 75202-2733

DEC 13 2017

CERTIFIED MAIL 7014 0150 0000 2452 5424 RETURN RECEIPT REQUESTED

Ms. Christina Perez
EHS Manager
TM Deer Park Services Limited Partnership
Deer Park Site
P.O. Box 1914
Deer Park, TX 77536-1914

RE: TM Deer Park Services (TMDPS) Limited Partnership
Petition Reissuance Final Approval Decision for WDW-169 and WDW-249

Dear Ms. Perez:

The land disposal restrictions prohibit the injection of hazardous waste unless a petitioner can demonstrate to EPA, to a reasonable degree of certainty, that there will be no migration of hazardous constituents from the injection zone for as long as the wastes remain hazardous. The land disposal restrictions for injection wells codified in 40 CFR Part 148 provide the standards and procedures by which petitions to dispose of an otherwise prohibited waste by injection will be reviewed and by which exemptions pursuant to these petitions will be granted or denied. Part 148 also provides for the reissuance of an exemption if the reissuance complies with the above-mentioned standards.

A letter dated September 29, 2017, informed TMDPS that EPA was proposing to approve its petition reissuance request for an exemption to the land disposal restrictions. The public comment period associated with this decision began on October 11, 2017, and closed on November 27, 2017, and no comments were received.

Based on a detailed technical review of the petition reissuance request and support documents, EPA has determined that this information for the TMDPS site meets the requirements of 40 CFR Part 148 by demonstrating that, to a reasonable degree of certainty, there will be no migration of hazardous constituents from the injection zone for 10,000 years.

The following are conditions of this land disposal restrictions exemption reissuance.

Petition Reissuance Final Approval Conditions

This final approval of a petition for reissuance of an exemption to allow the injection of restricted hazardous wastes is subject to the following conditions, which are necessary to assure that the standard in 40 CFR §148.20(a) is met. Noncompliance with any of these conditions is grounds for termination of the exemption in accordance with 40 CFR §148.24(a)(1). This exemption is applicable to the TMDPS injection wells WDW-169 and WDW-249, located at the Deer Park site in Deer Park, Texas.

1. Injection of restricted waste shall be limited to the following injection zone:

| Well | Depth of Injection Zone |
|---|---|
| WDW-169 | 4231' - 7368'[1] |
| WDW-249 | 4250' - 7380'[2] |

([1]WDW-169 Injection Zone and Injection Intervals depths are referenced to Kelly Bushing (KB) depths (13.4' above ground level) on WDW-169's Dresser Atlas Dual Induction Focused Log BHC Acoustilog Gamma Ray log dated 6/27/86)
([2]WDW-249 Injection Zone and Injection Intervals depths are referenced to Kelly Bushing (KB) depths (26.5' above ground level) on WDW-249's Schlumberger Phasor Induction-SFL Density-Neutron Gamma Ray log dated 12/30/92 and 1/12/93)

The injection interval shall be defined by the following correlative log depths:

| Well | Injection Intervals | Depth of Injection Interval |
|---|---|---|
| WDW-169 | Upper and Middle Frio Sands | 5531' - 6670'[1] |
| | Lower Frio Sand | 6866' - 7368'[1] |
| WDW-249 | Upper and Middle Frio Sands | 5550' - 6700'[2] |
| | Lower Frio Sand | 6880' - 7380'[2] |

([1]WDW-169 Injection Zone and Injection Intervals depths are referenced to Kelly Bushing (KB) depths (13.4' above ground level) on WDW-169's Dresser Atlas Dual Induction Focused Log BHC Acoustilog Gamma Ray log dated 6/27/86)
([2]WDW-249 Injection Zone and Injection Intervals depths are referenced to Kelly Bushing (KB) depths (26.5' above ground level) on WDW-249's Schlumberger Phasor Induction-SFL Density-Neutron Gamma Ray log dated 12/30/92 and 1/12/93)

2. For WDW-169 and WDW-249, the cumulative monthly volume injected into each of the injection intervals shall not exceed that calculated as follows:

Upper and Middle Frio Sands: (175 gpm)(1440 minutes/day)(number of days in that month)[1]
Lower Frio Sand: (450 gpm)(1440 minutes/day)(number of days in that month)

([1]The Upper and Middle Frio Sands are limited to a 2 year operational life and may not be used as a TMDPS injection interval if they are in use as an injection interval by the offset Vopak facility)

3. The facility shall cease injection into WDW-169 and WDW-249 by December 31, 2030. Additionally, the Upper and Middle Frio Sands injection interval is limited to a 2 year total operational life and may not be used by TMDPS as an injection interval when the interval is in use as an active injection interval by the offset Vopak facility.

4. The facility shall also cease injection into the Upper and Middle Frio Sands injection interval when a cumulative injection volume limit of 183,960,000 gallons is reached.

5. The characteristics of the injected waste stream shall at all times conform to those discussed in Sections 3.5 through 3.5.5.3 of the 2007 Petition Reissuance document. The density of the waste

stream injected into each interval shall remain within the range of 0.950 g/cm$^3$ to 1.250 g/cm$^3$ measured at 68$^0$F and 1 atmosphere equivalent to a specific gravity range of 0.950 to 1.250 measured at 68$^0$F and 1 atmosphere with a reference temperature of 4$^0$C.

For the purpose of the above calculation, each day's density or specific gravity value shall be obtained by at least one representative grab sample for each active injection interval.

6. The approval for injection is limited to the following hazardous wastes:

D001, D002, D003, D004, D005, D006, D007, D008, D009, D010, D011, D012, D013, D014, D015, D016, D017, D018, D019, D020, D021, D022, D023, D024, D025, D026, D027, D028, D029, D030, D031, D032, D033, D034, D035, D036, D037, D038, D039, D040, D041, D042, D043

F001, F002, F003, F004, F005, F006, F007, F008, F009, F010, F011, F012, F019, F020, F021, F022, F023, F024, F025, F026, F027, F028, F032, F034, F035, F037, F038, F039 (for constituents listed in Table 3-5.1-I)

K001, K002, K003, K004, K005, K006, K007, K008, K009, K010, K011, K013, K014, K015, K016, K017, K018, K019, K020, K021, K022, K023, K024, K025, K026, K027, K028, K029, K030, K031, K032, K033, K034, K035, K036, K037, K038, K039, K040, K041, K042, K043, K044, K045, K046, K047, K048, K049, K050, K051, K052, K060, K061, K062, K069, K071, K073, K083, K084, K085, K086, K087, K088, K093, K094, K095, K096, K097, K098, K099, K100, K101, K102, K103, K104, K105, K106, K107, K108, K109, K110, K111, K112, K113, K114, K115, K116, K117, K118, K123, K124, K125, K126, K131, K132, K136, K141, K142, K143, K144, K145, K147, K148, K149, K150, K151, K156, K157, K158, K159, K161, K169, K170, K171, K172, K174, K175, K176, K177, K178, K181

P001, P002, P003, P004, P005, P006, P007, P008, P009, P010, P011, P012, P013, P014, P015, P016, P017, P018, P020, P021, P022, P023, P024, P026, P027, P028, P029, P030, P031, P033, P034, P036, P037, P038, P039, P040, P041, P042, P043, P044, P045, P046, P047, P048, P049, P050, P051, P054, P056, P057, P058, P059, P060, P062, P063, P064, P065, P066, P067, P068, P069, P070, P071, P072, P073, P074, P075, P076, P077, P078, P081, P082, P084, P085, P087, P088, P089, P092, P093, P094, P095, P096, P097, P098, P099, P101, P102, P103, P104, P105, P106, P108, P109, P110, P111, P112, P113, P114, P115, P116, P118, P119, P120, P121, P122, P123, P127, P128, P185, P188, P189, P190, P191, P192, P194, P196, P197, P198, P199, P201, P202, P203, P204, P205

U001, U002, U003, U004, U005, U006, U007, U008, U009, U010, U011, U012, U014, U015, U016, U017, U018, U019, U020, U021, U022, U023, U024, U025, U026, U027, U028, U029, U030, U031, U032, U033, U034, U035, U036, U037, U038, U039, U041, U042, U043, U044, U045, U046, U047, U048, U049, U050, U051, U052, U053, U055, U056, U057, U058, U059, U060, U061, U062, U063, U064, U066, U067, U068, U069, U070, U071, U072, U073, U074, U075, U076, U077, U078, U079, U080, U081, U082, U083, U084, U085, U086, U087, U088, U089, U090, U091, U092, U093, U094, U095, U096, U097, U098, U099, U101, U102, U103, U105, U106, U107, U108, U109, U110, U111, U112, U113, U114, U115, U116, U117, U118, U119, U120, U121, U122, U123,

U124, U125, U126, U127, U128, U129, U130, U131, U132, U133, U134, U135, U136, U137, U138, U140, U141, U142, U143, U144, U145, U146, U147, U148, U149, U150, U151, U152, U153, U154, U155, U156, U157, U158, U159, U160, U161, U162, U163, U164, U165, U166, U167, U168, U169, U170, U171, U172, U173, U174, U176, U177, U178, U179, U180, U181, U182, U183, U184, U185, U186, U187, U188, U189, U190, U191, U192, U193, U194, U196, U197, U200, U201, U203, U204, U205, U206, U207, U208, U209, U210, U211, U213, U214, U215, U216, U217, U218, U219, U220, U221, U222, U223, U225, U226, U227, U228, U234, U235, U236, U237, U238, U239, U240, U243, U244, U246, U247, U248, U249, U271, U278, U279, U280, U328, U353, U359, U364, U367, U372, U373, U387, U389, U394, U395, U404, U409, U410, U411

7. The facility must petition for approval to inject additional hazardous wastes which are not included in Condition No. 6, above. The facility must also petition for approval to increase the concentration of any waste which would necessitate the recalculation of the limiting concentration reduction factor and the extent of the waste plume. Petition reissuances and modifications should be made pursuant to §148.20 (e) or (f).

8. TMDPS shall annually submit to EPA the results of a bottomhole pressure survey for WDW-169 and WDW-249. This survey shall be performed after shutting in each well for a period of time sufficient to allow the pressure in the injection interval to reach equilibrium, in accordance with 40 CFR §146.68(e)(1). The annual report should include a comparison of reservoir parameters determined from the falloff test with parameters used in the approved no migration petition. This should include a comparison of the current year's test results for the static and flowing bottomhole pressures with the values demonstrated in the approved petition reissuance and a comparison of the test results for transmissibility [Kh/μ (mD-ft/cP)] with the transmissibilities used in the approved petition reissuance demonstration for the pressure buildup and 10,000 year plume modeling.

9. TMDPS shall also annually submit to EPA a radioactive tracer survey and annulus pressure test for WDW-169 and WDW-249.

10. TMDPS shall notify EPA in the event that WDW-169 or WDW-249 loses mechanical integrity, prior to any well work on WDW-169 or WDW-249, or if TMDPS plans to plug WDW-169 or WDW-249. If any well work or plugging is being planned, TMDPS shall also submit the procedures to EPA for review prior to commencing any work.

11. Upon the expiration, cancellation, reissuance, or modifications of the Texas Commission on Environmental Quality Underground Injection Control permit for WDW-169 or WDW-249, this exemption is subject to review. A new demonstration may be required if information shows that the basis for granting the exemption is no longer valid under 40 CFR §148.23 and §148.24.

In addition to the above conditions, this final approval of a petition for reissuance of an exemption is contingent on the validity of the information submitted in the TMDPS petition reissuance request for an exemption to the land disposal restrictions. This final reissuance decision is subject to termination when any of the conditions occur which are listed in 40 CFR §148.24, including noncompliance, misrepresentation of relevant facts, or a determination that new information shows that the basis for approval is no longer valid.

If you have any questions or comments, please call Brian Graves at (214) 665-7193 or email him at graves.brian@epa.gov.

Sincerely yours,

for William K. Honker, P.E.
Director
Water Division

ecc: Mr. Frank Harris, TMDPS
Ms. Lorrie Council, TCEQ
Mr. Richard Heitzenrater, TCEQ Region 14

RECEIVED AUG 29 2019

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 6
1201 ELM STREET, SUITE 500
DALLAS, TX 75270

FILE COPY
B-III.3

August 15, 2019

CERTIFIED MAIL 7007 3020 0000 1523 1335 RETURN RECEIPT REQUESTED

Ms. Christina Perez
EHS Manager
TM Deer Park Services Limited Partnership
Deer Park Site
P.O. Box 1914
Deer Park, TX 77536-1914

RE: TM Deer Park Services (TMDPS) Limited Partnership
Petition Reissuance Approval Decision to add WDW-422

Dear Ms. Perez:

The land disposal restrictions prohibit the injection of hazardous waste unless a petitioner can demonstrate to EPA, to a reasonable degree of certainty, that there will be no migration of hazardous constituents from the injection zone for as long as the wastes remain hazardous. The land disposal restrictions for injection wells codified in 40 CFR Part 148 provide the standards and procedures by which petitions to dispose of an otherwise prohibited waste by injection will be reviewed and by which exemptions pursuant to these petitions will be granted or denied. Part 148 also provides for the reissuance of an exemption if the reissuance complies with the above-mentioned standards.

A letter dated May 29, 2019, informed TMDPS that EPA was proposing to approve its petition reissuance request for an exemption to the land disposal restrictions. The public comment period associated with this decision began on June 19, 2019, and closed on August 12, 2019, and no comments were received.

Based on a detailed technical review of the petition reissuance request and support documents, EPA has determined that this information for the TMDPS site meets the requirements of 40 CFR Part 148 by demonstrating that, to a reasonable degree of certainty, there will be no migration of hazardous constituents from the injection zone for 10,000 years.

The following are conditions of this land disposal restrictions exemption.

Petition Reissuance Approval Conditions

This approval of a petition for reissuance of an exemption to allow the injection of restricted hazardous wastes is subject to the following conditions, which are necessary to assure that the standard in 40 CFR §148.20(a) is met. Noncompliance with any of these conditions is grounds for termination of the exemption in accordance with 40 CFR §148.24(a)(1). This exemption is applicable to the TMDPS injection wells: WDW-169, WDW-249, and WDW-422, located at its Deer Park, TX facility.


Recycled/Recyclable • Printed with Vegetable Oil Based Inks on Recycled Paper (Minimum 50% Postconsumer content)

1. Injection of restricted waste shall be limited to the following injection zone and intervals:

| Well | Depth of Injection Zone | Injection Interval | Depth of Injection Interval |
|---|---|---|---|
| WDW-169 | 4231' - 7368'[1] | Upper and Middle Frio Sands | 5531' - 6670'[1] |
| | | Lower Frio Sand | 6866' - 7368'[1] |
| WDW-249 | 4250' - 7380'[2] | Upper and Middle Frio Sands | 5550' - 6700'[2] |
| | | Lower Frio Sand | 6880' - 7380'[2] |
| WDW-422 | 4250' - 7380'[3] | Lower Frio Sand | 6880' - 7380'[3] |

([1]WDW-169 depths are referenced to Kelly Bushing (KB) depths (13.4' above ground level) on WDW-169's Dresser Atlas Dual Induction Focused Log BHC Acoustilog Gamma Ray log dated 6/27/86)
([2]WDW-249 depths are referenced to Kelly Bushing (KB) depths (26.5' above ground level) on WDW-249's Schlumberger Phase Induction-SFL Density Neutron Gamma Ray log dated 12/30/92 and 1/12/93)
([3]WDW-422 depths are referenced to Kelly Bushing (KB) depths (19' above ground level) on WDW-422's Halliburton Array Induction Spectral Density Dual Spaced Neutron Gamma Ray Log dated 4/2/18)

2. For WDW-169, WDW-249, and WDW-422, the combined cumulative monthly volume injected into the injection intervals shall not exceed that calculated as follows:

Upper and Middle Frio Sands: (175 gpm)(1440 minutes/day)(number of days in that month)[1]
Lower Frio Sand: (450 gpm)(1440 minutes/day)(number of days in that month)

([1]The Upper and Middle Frio Sands are limited to a 2 year operational life and may not be used by TMDPS as an injection interval if they are in use as an injection interval by the offset Vopak facility. The 2017 reissuance demonstration remains in place for this reissuance, so this injection interval pertains only to WDW-169 and WDW-249)

3. The facility shall cease injection into WDW-169, WDW-249, and WDW-422 by December 31, 2030. Additionally, the Upper and Middle Frio Sands injection interval is limited to a 2 year total operational life and may not be used by TMDPS as an injection interval when the interval is in use an active injection interval by the offset Vopak facility.

4. The facility shall also cease injection into the Upper and Middle Frio Sands injection interval when a cumulative injection volume limit of 183,960,000 gallons is reached.

5. The characteristics of the injected waste stream shall for WDW-169, WDW-249, and WDW-422 shall at all times conform to those discussed in Sections 3.5 through 3.5.5.3 of the 2017 Petition Reissuance document for WDW-169 and WDW-249. The density of the waste stream injected into each interval shall remain within the range of 0.950 g/cm$^3$ to 1.250 g/cm$^3$ measured at 68$^0$F and 1 atmosphere and equivalent to a specific gravity range of 0.950 to 1.250 measured at 68$^0$F and 1 atmosphere with a reference temperature of 4$^0$C.

6. This approval for injection is limited to the following hazardous wastes:

D001-D043; F001-F012; F019-F028; F032, F034, F035, F037-F039 (for constituents listed in Table 3-5.1-I of the 2017 Petition Reissuance Document); K001-K011; K013-K052; K060-K062; K069, K071, K073, K083-K088; K093-K118; K123-K126; K131, K132, K136, K141-K145; K147-K151; K156-K159; K161, K169-K172; K174-K178; K181, P001-P018; P020-P024; P026-P031; P033, P034, P036-P051; P054, P056-P060; P062-P078; P081, P082, P084, P085, P087-P089; P092-P099; P101-P106; P108-P116; P118-P123; P127, P128, P185, P188-P192; P194, P196-P199; P201-P205; U001-U012; U014-U039; U041-U053; U055-U064; U066-U099; U101-U103; U105-U138; U140-U174; U176-U194; U196, U197, U200, U201, U203-U211; U213-U223; U225-U228; U234-U240; U243, U244, U246-U249; U271, U278-U280; U328, U353, U359, U364, U367, U372, U373, U387, U389, U394, U395, U404, U409-U411.

7. The facility must petition for approval to inject additional hazardous wastes which are not included in Condition No. 6, above. The facility must also petition for approval to increase the concentration of any waste which would necessitate the recalculation of the limiting concentration reduction factor and the extent of the waste plume. Petition reissuances and modifications should be made pursuant to 40 CFR §148.20 (e) or (f).

8. TMDPS shall annually submit to EPA the results of a bottomhole pressure survey for WDW-169, WDW-249, and WDW-422. These surveys shall be performed after shutting in each well for a period sufficient to allow the pressure in the injection interval to reach equilibrium, in accordance with 40 CFR §146.68(e)(1). The annual report should include a comparison of reservoir parameters determined from the falloff test with parameters used in the approved no migration petition reissuance. This should include a comparison of the current year's test results for the static and flowing bottomhole pressures with the values demonstrated in the approved petition reissuance and a comparison of the test results for transmissibility [Kh/μ (mD-ft/cP)] with the transmissibilities used in the approved petition reissuance demonstration for the pressure buildup and 10,000 year plume modeling.

9. TMDPS shall also annually submit to EPA a radioactive tracer survey and annulus pressure test for WDW-169, WDW-249, and WDW-422.

10. TMDPS shall notify EPA if WDW-169, WDW-249, or WDW-422 loses mechanical integrity, prior to any well work on WDW-169, WDW-249, or WDW-422, or if TMDPS plans to plug WDW-169, WDW-249, or WDW-422. If any well work or plugging is being planned, TMDPS shall also submit the procedures to EPA for review prior to commencing any work.

11. Upon the expiration, cancellation, reissuance, or modifications of the Texas Commission on Environmental Quality Underground Injection Control permit for WDW-169, WDW-249, or WDW-422, this exemption is subject to review. A new demonstration may be required if information shows that the basis for granting the exemption is no longer valid under 40 CFR §148.23 and §148.24.

In addition to the above conditions, this approval of a petition for reissuance of an exemption is contingent on the validity of the information submitted in the TMDPS petition reissuance request for an exemption to the land disposal restrictions. This reissuance decision is subject to termination when any of the conditions occur which are listed in 40 CFR §148.24, including noncompliance, misrepresentation of relevant facts, or a determination that new information shows that the basis for approval is no longer valid.

If you have any questions or comments, please call Brian Graves at (214) 665-7193 or email him at graves.brian@epa.gov.

Sincerely,

Charles W. Maguire
Director
Water Division

ecc: Mr. Frank Harris, TMDPS
Ms. Lorrie Council, TCEQ
Mr. Richard Heitzenrater, TCEQ Region 14

Bryan W. Shaw, Ph.D., *Chairman*
Buddy Garcia, *Commissioner*
Carlos Rubinstein, *Commissioner*
Mark R. Vickery, P.G., *Executive Director*

D.1 FILE

# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

October 17, 2011

MR FRANK HARRIS
VICE PRESIDENT OPERATIONS
TM DEER PARK SERVICES LIMITED SERVICES
PO BOX 1914
DEER PARK TX 77536-1914

| | |
|---|---|
| Standard Permit Registration Number: | 49822 Renewal Date: October 17, 2021 |
| Location: | 2525 Independence Pkwy S Deer Park Texas |
| City/County: | Deer Park, Harris County |
| Project Description/Unit: | Thermal Oxidizer Unit |
| Regulated Entity Number: | RN100209568 |
| Customer Reference Number: | CN601421829 |
| New or Existing Site: | Existing |
| Affected Permit (if applicable): | None |
| Standard Permit Type: | Pollution Control Project |

TM Deer Park Services Limited Partnership has renewed the emissions associated with the Thermal Oxidizer Unit under the standard permit listed above as authorized by the Commissioners pursuant to Title 30 Texas Administrative Code § 116.602 (30 TAC § 116.602). Emissions are listed on the attached table. For rule information see www.tceq.texas.gov/permitting/air/nav/standard.html. You are reminded that 30 TAC § 116.615 requires that any construction or change authorized by this standard permit should be consolidated into the affected facilities' permit(s) at the next amendment or renewal.

No planned MSS emissions have been represented or reviewed for this registration and none will be authorized.

As of July 1, 2008, all analytical data generated by a mobile or stationary laboratory in support of compliance with air permits must be obtained from a NELAC (National Environmental Laboratory Accreditation Conference) accredited laboratory under the Texas Laboratory Accreditation Program or meet one of several exemptions. Specific information concerning which laboratories must be accredited and which are exempt may be found in 30 TAC § 25.4 and § 25.6.

For additional information regarding the laboratory accreditation program and a list of accredited laboratories and their fields of accreditation, please see the following Web site:

www.tceq.texas.gov/compliance/compliance_support/qa/env_lab_accreditation.html

For questions regarding the accreditation program, you may contact the Texas Laboratory Accreditation Program at (512) 239-3754 or by email at labprgms@tceq.texas.gov.

The company is also reminded that these facilities may be subject to and must comply with other state and federal air quality requirements.

# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

## Texas Pollutant Discharge Elimination System
## Storm Water Multi-Sector General Permit

The Notice of Intent (NOI) for the facility listed below was received on November 16, 2016 . The intent to discharge stormwater associated with industrial activity under the terms and conditions imposed by the Texas Pollutant Discharge Elimination System (TPDES) stormwater multi-sector general permit TXR050000 is acknowledged. Your facility's TPDES multi-sector stormwater general permit authorization number is:

**TXR05DO55**
Coverage Effective : November 18, 2016
Sector : K Primary SIC Code: 4953

TCEQ's stormwater multi-sector general permit requires certain stormwater pollution prevention and control measures, possible monitoring and reporting, and periodic inspections. Among the conditions and requirements of this permit, you must have prepared and implemented a stormwater pollution prevention plan (SWP3) that is tailored to your industrial site. As a facility authorized to discharge under the stormwater multi-sector general permit, all terms and conditions must be complied with to maintain coverage and avoid possible penalties.

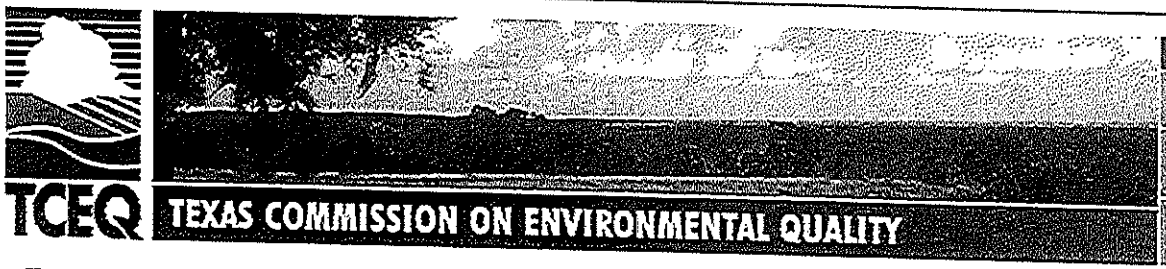
Project/Site Information:
RN100209568
TM DEER PARK SERVICES
2525 INDEPENDENCE PARKWAY SOUTH
DEER PARK, TX 77536-1914
HARRIS COUNTY

Operator:
CN601421829
TM DEER PARK SERVICES LIMITED PARTNERSHIP
PO BOX 1914
DEER PARK, TX 77536-1914

The general permit and all authorizations expire on August 14, 2021, unless otherwise amended. If you have any questions related to processing you may contact the Stormwater Processing Center by **email at SWPERMIT@tceq.texas.gov or by telephone at (512) 239-3700**. For technical issues, you may contact the stormwater technical staff by email at swgp@tceq.texas.gov or by telephone at (512) 239-4671. Also, you may obtain information on the TCEQ web site at http://www2.tceq.texas.gov/wq_dpa/index.cfm. A copy of this document should be kept with your SWP3.

Issued Date: September 20, 2017

FOR THE COMMISSION






# Public Water Systems Details/Data Sheet for TEXAS MOLECULAR (1012699)

Affiliations | Site Visits | Documents | Violations | Sources | Sold Source | Entry Points | Plants

## Responsible Party

Organization: TM DEER PARK SERVICES LIMITED PARTNERSHI
Address: PO BOX 1914
DEER PARK, TX 77536-1914
Individual: CASEY BOROWSKI

Occurences were successfully retrieved.

## Customers

| Reference Number | Name | Role |
|---|---|---|
| CN601421829 | TM DEER PARK SERVICES LIMITED PARTNERSHIP | RESPONSIBLE PARTY |
| CN600792089 | TM TECHNICAL SERVICES LLC | OWNER OPERATOR |
| CN601177165 | DISPOSAL SYSTEMS INC | OWNER |

# WATER WELL PERMIT

**Harris-Galveston Subsidence District**
1660 West Bay Area Blvd.
Friendswood, Texas 77546-2640
Phone: (281) 486-1105 Fax: (281) 218-3700

**I. PERMITTEE :** TM Deer Park Services Limited Partnership
Attn: Christina Perez
C/O:
P.O. Box 1914
Deer Park, Texas 77536

**PERMIT NO. : 208263**

**II. LOCATION OF WELL :**

LATITUDE 29° 44' 12"
LONGITUDE 95° 5' 32"

**III. WELL NO. :** 5106 **Well Owner:** TM Deer Park Services Limited Partnership

The authorized withdrawal below is the TOTAL COMBINED amount that may be withdrawn from the following wells:

5106

**IV. PERMIT TERM :** February 1, 2020 **THROUGH** January 31, 2021

**V. AUTHORIZED WITHDRAWAL:**

Only that which is required without being wasteful during the permit term, but not to exceed **1.6** million gallons (combined total for all wells listed above).

Any pumpage in excess of the amount authorized in this permit is a violation of the District's rules. Applications for an amendment to increase authorized withdrawal must be submitted prior to exceeding the permitted amount.

**VI. SPECIAL PROVISIONS :**

8

SUBJECT TO CONDITIONS AND REQUIREMENTS ON ATTACHED PAGE

APPROVED THIS 11th DAY OF December, 2019
**Harris-Galveston Subsidence District**

BY: _____
General Manager

# Harris County Fire Marshal's Office

7701 Wilshire Place Dr. Houston, TX 77040 Office: (713) 274-1700

## OPERATIONAL PERMIT FOR HAZARDOUS MATERIALS

| | | | |
|---|---|---|---|
| **Date Issued:** | 07/06/2020 | **Start Date:** | 07/06/2020 |
| **Issued To:** | TM Deer Park Services LLC | **End Date:** | 07/06/2021 |
| **Owner/Tenant:** | TM Deer Park Services LLC | **Project Name:** | TMDP Hazardous Material Operational Permit |
| **Mailing Address:** | 2525 Independance PKWY, Deer Park , TX, 77571 | **Operational Permit No:** | 2004290077-HM-001 |
| **Owner's Contact:** | Gilbert Valdez | **Permit Type:** | Commercial |
| **Owner's Email:** | gvaldez@texasmolecular.com | | |
| **Owner's Phone:** | (713) 504-0443 | | |

## Property Information

| | | | | | |
|---|---|---|---|---|---|
| **Address:** | 2525 Independence Pkwy | **Bldg:** | | **Suite:** | **Trailer:** |
| **City:** | DEER PARK | **States:** | TX | **Zip:** | 77571 |

## REQUIRED INSPECTION(S)

**IT IS YOUR RESPONSIBILITY TO CALL FOR ALL REQUIRED INSPECTIONS**

| | |
|---|---|
| 1 | FMO Operational Inspection 5 ($260) |

## SPECIAL REQUIREMENT(S)

| | |
|---|---|
| 1 | Special Instructions - Issued permits shall be kept on the premises designated therein at all times and shall be readily available for inspection by the fire code official. |

Inspection Line: 713-274-1730

HCFMO FIRE MARSHAL

All operations shall be conducted in a safe and compliant manner as set forth in the adopted fire code of Harris County with amendments. The Applicant hereby acknowledges and agrees to be strictly bound to Commissioners' Court of Harris County in ensuring that all provisions, conditions and requirements attached to the issuance of the operational permit(s) under the Regulations of Harris County, Texas for fire safety and operations, will be faithfully and fully complied with. The permit applicant understands and agrees that the County Fire Code Official may make scheduled or unscheduled inspections of the property upon the application for or the issuance of this permit. If the permit applicant is a corporation, partnership or other legal entity other than a natural person, then the undersigned acting as the authorized representative of said entity will be responsible for ensuring the entity's compliance with all provisions, conditions and requirements of the Operational Permit. I have carefully reviewed this application and my answers to all questions. To the best of my knowledge, the answers are all true and correct.

**TM DEER PARK SERVICES LLC**
**AUDIT HANDBOOK**

# ATTACHMENT 4.1
# ANNUAL MECHANICAL INTEGRITY REPORT APPROVAL

Jon Niermann, *Chairman*
Emily Lindley, *Commissioner*
Bobby Janecka, *Commissioner*
Toby Baker, *Executive Director*

# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

March 16, 2020

Ms. Christina Perez
EHS Manager
TM Deer Park Services, LP
P.O. Box 1914
Deer Park, Texas 77536

Re: Approval of 2020 Mechanical Integrity Testing and Reservoir Pressure Testing for:
TM Deer Park Services, LP, Deer Park (Harris County), Texas
Regulated Entity No.: 100209568; TCEQ ID No.: WDW-169 & WDW-249; Investigation No.: 1633075

Dear Ms. Perez:

This is to acknowledge receipt of the report entitled "2020 Annual Mechanical Integrity and Reservoir Pressure Testing of WDW-169 & WDW-249" prepared by Strata Technologies, LLC dated February 11, 2020. It has been determined from review of the MIT report, that mechanical integrity of this well was confirmed, in accordance with 30 TAC § 331.43(a), by an annulus pressure test and a radioactive tracer survey conducted on WDW-169 on January 14, 2020. Please keep a copy of this letter with the waste disposal well records so that it may be available for review by TCEQ staff during investigations.

We also acknowledge receipt of the reservoir pressure testing report included with the MIT report. You may be contacted by our staff, or the U.S. Environmental Protection Agency Region 6, if there are any questions or comments on the static bottom hole pressure testing.

If you have any questions regarding this matter, please contact Ms. Elizabeth Murphey at the Corpus Christi Region Office at (361) 825-3124.

Sincerely,

Timothy C. Perdue. CHMM
Waste Section Manager
Corpus Christi Region Office

TCP/EM/mjc

cc: Mr. Jose Torres, EPA Region 6
Ms. Alma Jefferson, Waste Section Manager, TCEQ - Region 12, Houston
Mr. Mike Johnson, Technical Manager, Strata Technologies, LLC

Jon Niermann, *Chairman*
Emily Lindley, *Commissioner*
Bobby Janecka, *Commissioner*
Toby Baker, *Executive Director*

# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

October 18, 2019

Ms. Christina Perez
EHS Manager
TM Deer Park Services, LP
P.O. Box 1914
Deer Park, Texas 77536

Re: Approval of 2019 Mechanical Integrity Testing and Reservoir Pressure Testing for:
TM Deer Park Services, LP, Deer Park (Harris County), Texas
Regulated Entity No.: 100209568; TCEQ ID No.: WDW-422; Investigation No.: 1598940

Dear Ms. Perez:

This is to acknowledge receipt of the report entitled "2019 Annual Mechanical Integrity and Reservoir Pressure Testing of WDW-422" prepared by Strata Technologies, LLC dated September 7, 2019. It has been determined from review of the MIT report, that mechanical integrity of this well was confirmed, in accordance with 30 TAC § 331.43(a), by an annulus pressure test and a radioactive tracer survey conducted on WDW-422 on August 13, 2019. Please keep a copy of this letter with the waste disposal well records so that it may be available for review by TCEQ staff during investigations.

We also acknowledge receipt of the reservoir pressure testing report included with the MIT report. You may be contacted by our staff, or the U.S. Environmental Protection Agency Region 6, if there are any questions or comments on the static bottom hole pressure testing.

If you have any questions regarding this matter please contact Ms. Elizabeth Murphey at the Corpus Christi Region Office at (361) 825-3124.

Sincerely,

Timothy C. Perdue. CHMM
Waste Section Manager
Corpus Christi Region Office

TCP/EM/mjc

cc: Mr. Jose Torres, EPA Region 6, 6WQ-SG
Ms. Alma Jefferson, Waste Section Manager, TCEQ - Region 12, Houston
Mr. Mike Johnson, Technical Manager, Strata Technologies, LLC

**TM DEER PARK SERVICES LLC**
**AUDIT HANDBOOK**

# ATTACHMENT 4.2
# INBOUND TRANSPORTER QUALIFICATION FORM

Clear Form

# TM Deer Park Services LLC
# Inbound Transporter Qualification Form

## I. Requirements

A. Return form in Section II. Transporter Information; and

B. Submit the following to cperez@texasmolecular.com:

| **Insurance Requirements** | |
|---|---|
| **Type** | **Minimum Limits of Liability** |
| Commercial General Liability | $ 1,000,000 - Each Occurrence |
| | $ 2,000,000 - General Aggregate |
| Automobile Liability | $ 1,000,000 - Combined Single Limit; **or**<br>$ 5,000,000 - Combined Single Limit<br>(if Excess/Umbrella is not met) |
| Excess/Umbrella Liability | $ 4,000,000 - Aggregate |
| Worker's Compensation & Employer's Liability | $ 1,000,000 - Each Accident |
| | $ 1,000,000 - Disease Policy Limit |
| **Additional Special Provisions:** | |
| 1) Additional insured in favor of **Texas Molecular Holdings LLC, TM Deer Park Services LLC,** and **TM Chemicals LLC** (for General Liability and Automobile). | |
| 2) Waiver of Subrogation in favor of **Texas Molecular Holdings LLC, TM Deer Park Services LLC,** and **TM Chemicals LLC** (for General Liability, Automobile, and Worker's Compensation). | |
| 3) *Requested, but not required:* Alternative Employer Endorsement in favor of **Texas Molecular Holdings LLC, TMDeer Park Services LLC, and TM Chemicals LLC** (for Worker's Compensation). | |

## II. Transporter Information:

| | |
|---|---|
| Company Name: | |
| DBA Name: | |
| Physical Address: | |
| Mailing Address: | |
| City, State, Zip: | |
| 24-Hr/Dispatch Phone: | |
| Contact Name: | |
| Texas Solid Waste Registration No.:<br>(required if hauling hazardous and/or Class 1 non-hazardous wastes) | |
| EPA Identification No.:<br>(required if hauling hazardous waste) | |

## III. Approval (for TM use only)

| | |
|---|---|
| Transporter Code Assigned:<br>(required if hauling waste) | |
| Insurance Expires: | |
| Approved to Haul:<br>(select all that apply) | ☐ Hazardous ☐ Class 1 ☐ Class 2 ☐ Product |
| Approval/Date: | |

**TM DEER PARK SERVICES LLC**
**AUDIT HANDBOOK**

# ATTACHMENT 5.1
# WASTE ANALYSIS PLAN

GSI Job No. 3769

GSI ENVIRONMENTAL

# ATTACHMENT IV.1
# WASTE ANALYSIS PLAN

## RCRA Permit Renewal Application

RCRA Permit No. HW-50058-001
TM Deer Park Services Limited Partnership, Deer Park, Texas

# ATTACHMENT IV.1
# WASTE ANALYSIS PLAN

## RCRA Permit Renewal Application

RCRA Permit No. HW-50058-001
TM Deer Park Services Limited Partnership, Deer Park, Texas

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# 1.0 INTRODUCTION

## 1.1 Scope of WAP

This waste analysis plan (WAP) describes how TM Deer Park Services Limited Partnership (TMDPS) analyzes wastes to be managed in permitted hazardous waste management units. The plan addresses waste characterization for wastes received from off-site as well as wastes generated at TMDPS.

This WAP has been developed to comply with 40 CFR 264.13, as adopted by the TCEQ in 30 TAC 335.152(a)(1). The WAP is used to obtain information needed to treat, store, or dispose of wastes in accordance with applicable state and federal requirements and permit provisions. The WAP also addresses important safety considerations. Certain wastes when improperly mixed with others may produce hazardous situations through heat generation, fires, explosions, or release of toxic substances. For example, reactive materials may release toxic gases on acidification. Proper waste analysis, characterization, and handling allow for safe waste management and facility operations.

## 1.2 Facility Overview

TMDPS offers treatment, storage, and disposal services to generators of hazardous and non-hazardous waste and wastewaters. Disposal of aqueous waste via injection well is the only on-site disposal activity. Other wastes, either in bulk or containers (e.g., inorganic solids, organic solids, liquid organics, etc.), are consolidated, solidified or stabilized as appropriate and sent off-site to authorized facilities for further management or disposal.

TMDPS handles a wide variety of wastes that are liquid, semi-solid, or solid, as listed in Table IV.B of the RCRA permit application. TMDPS primarily manages wastes generated off-site, as follows:

- Acids and bases (pH 0-14);
- Pesticides;
- Metals;
- High chemical oxygen demand/total organic carbon (COD/TOC);
- EPA waste code D001 (Flammable);
- EPA waste code D002 (Corrosive);
- EPA waste code D003 (Cyanides and Sulfides); and
- Other EPA waste codes (see Tables IV.B and IV.B.1).

TMDPS is **not** authorized by the current RCRA permit to manage the following wastes:

- *Polychlorinated biphenyls (PCBs) ≥50 ppm*, as defined by the EPA in regulations issued pursuant to the Toxic Substances Control Act (40 CFR Part 761), unless TMDPS is compliant with the federal requirements for PCB storage specified in 40 CFR Part 761;
- *Radioactive wastes,* unless TMDPS becomes authorized to store, process and dispose of radioactive wastes in compliance with specific licensing and permitting

requirements under Chapter 401 of the Texas Health and Safety Code and any other rules of state or federal authorities;

- *Explosive material,* as defined by the Department of Transportation (DOT) under 40 CFR Part 173;
- *Municipal garbage;* or
- *Special Waste* from Health-care Related Facilities subject to 25 TAC Chapter 1 or 30 TAC Chapter 330.

### 1.3 WAP Organization

Sections 2.0 – 4.0 focus on wastes received from off-site generators. Section 5.0 describes wastes generated on site from facility operations.

## 2.0 OFF-SITE GENERATED WASTES

### 2.1 Waste Evaluation (Profiling) for New Waste Streams

The purpose of waste evaluation is to determine whether wastes are acceptable (i.e., allowable under the permit) and to ensure safe and proper handling practices are used during processing. This waste evaluation (profiling) process applies to new waste streams.

#### 2.1.1 Pre-Acceptance Sample

If an inquiry from a potential client indicates the feasibility of managing a new waste, then the customer (i.e., generator or authorized agent) typically provides a pre-acceptance sample along with relevant paperwork to TMDPS.

The pre-acceptance sample is analyzed by the TMDPS on-site laboratory to confirm compliance with safety and regulatory requirements and to determine waste handling procedures. A pre-acceptance sample is typically required for all bulk streams. However, in some cases sufficient information is already available regarding the waste and/or the matrix of the waste such that no pre-acceptance sample is needed for analysis. In addition, a pre-acceptance sample may not be required for waste streams that will be shipped in small volumes, such as drums or totes.

Paperwork submitted by the customer along with the pre-acceptance sample includes, at a minimum, a waste profile (see Figure IV.1). For hazardous wastes, a Land Disposal Restriction (LDR; see Figure IV.2) Notification may also be submitted for review prior to approval. Note that the forms provided on Figures IV.1 and IV.2 are examples only and may be updated as needed in the future.

The waste profile form provides detailed information on the waste stream's chemical and physical properties, generating process, and state/EPA waste codes. On this form, the customer also certifies that the information is correct, complete, and accurate and that waste details are based on analysis of a representative sample or use of process knowledge, per EPA guidelines.

2.1.2 TMDPS Review

TMDPS reviews the waste profile form and any supporting documents (e.g., laboratory analyses, material safety data sheets, etc.) for technical adequacy. The review addresses i) environmental/permit compliance; ii) treatability/handling; and iii) health and safety issues.

Errors or omissions discovered during the review process are resolved through contact with the customer by phone, letter, or other means. This contact is typically coordinated by a member of the Sales/Customer Service Department.

2.1.3 Waste Stream Approval

If final approval for waste acceptance is granted, unique customer and waste stream identification numbers are issued for tracking purposes. The identification numbers are maintained in a database. Waste profile forms and supporting information are maintained in the facility operating record (see Section 4.0).

2.1.4 Shipping

After the waste profile and supporting information is accepted by TMDPS, the customer may schedule shipments.

## 2.2 Waste Stream Verification

TMDPS receives off-site generated waste in bulk containers (e.g., tanker trucks, vacuum trucks, railcars, roll-off boxes, vacuum boxes, etc.) and smaller containers (e.g., drums, totes, etc.). TMDPS requires the customer to submit a properly completed manifest or shipping papers and land disposal notification forms along with the waste shipment as specified by regulation (40 CFR 264 Subpart E, 40 CFR 268).

Wastes may also be piped directly or transferred from co-located or adjacent facilities (e.g., TM Chemicals). Such wastes follow the same procedures for tracking and management as wastes delivered through other means. Wastes piped directly may be received with alternate documentation. Alternate documentation may include, for example, work orders or Land Disposal Restriction Notifications (LDRNs).

As required by 40 CFR 264.13(a)(4), TMDPS inspects and, if necessary, analyzes each hazardous waste movement received at the facility to verify that the waste matches the identity of the waste specified on the accompanying manifest or shipping paper. As further specified in 40 CFR 264.13(c), this WAP describes inspection and analysis procedures for each movement of hazardous waste received at the facility, as follows:

- *Waste Identity, 40 CFR 264.13(c)(1):* Procedures used to determine the identity of each movement of waste managed at the facility are described below in Sections 2.2.1 - Waste Receipt and 2.2.2 - Paperwork and Waste Inspection.

- *Waste Sampling 40 CFR 264.13(c)(2):* Sampling methods employed to obtain a representative sample of the waste to be identified are described below in Sections 2.2.3 - Fingerprinting and 3.0 - Sampling and Analysis.

The following process is used to ensure that only approved wastes are accepted by the facility.

### 2.2.1 Waste Receipt

When waste arrives at TMDPS, but prior to off-loading, records in the computer database and tracking system are checked to confirm that the waste has been approved for acceptance (see Section 2.1.3).

### 2.2.2 Paperwork and Waste Inspection

TMDPS staff check the paperwork (i.e., manifest or shipping papers) accompanying the waste shipment to make sure that paperwork matches the waste being delivered, in accordance with 40 CFR 264.13(a)(4). Shipments of hazardous waste may also be accompanied by a Land Disposal Restriction Notification Form (see Figure IV.2), if applicable under 40 CFR 268.7.

After the paperwork has been reviewed, the load is visually inspected to verify that the identity of the waste is consistent with previous information provided to TMDPS. For shipments in containers (e.g., drums), each container is inspected to confirm the condition. If a container holding hazardous waste is compromised (e.g., severe rusting, apparent structural defects, leaking), the waste is transferred to a container in good condition which is compatible with the waste to be stored (40 CFR 264.171).

### 2.2.3 Fingerprinting

A sample is collected for waste "fingerprinting," i.e., inspection and analysis as required by 40 CFR 264.13(a)(4). Fingerprint parameter selection is described in Section 3.2.2. Table IV.C summarizes fingerprint parameters, sampling methods, and sampling frequencies.

The results of the fingerprint sample are compared to the database and waste description developed during the waste profiling process. If fingerprint results indicate minor differences from the waste description (e.g., pH marginally higher or lower than anticipated), the waste may be accepted based on the review of a person qualified to ensure that the waste can be managed within the conditions of the permit. Qualified individuals include lead operators, their supervisors, or the environmental manager. Other discrepancies, if any, are directed to the customer service representative for resolution with the customer. If discrepancies cannot be resolved, the load is rejected.

### 2.2.4 Waste Acceptance

After the paperwork, inspection, and fingerprint steps are completed, the shipment is accepted for processing. Any identified discrepancies are resolved prior to waste acceptance for bulk loads received for disposal via injection well so that waste management is consistent with the properties included in the waste profile.

TMDPS staff sign the manifest acknowledging receipt of the shipment. The manifest is maintained in the facility operating record. The waste tracking database is also updated.

For bulk waste, the general storage location for the waste stream is assigned during the profile approval process (see Section 2.1). The specific storage location for containerized wastes depends on compatibility and storage capacity at the time of receipt. Additional testing may be done to ensure compatibility prior to further processing. For example, the compatibility of drummed waste with material in a processing tank may be verified by testing small quantities (i.e., samples) of mixtures of the materials. If an adverse reaction is observed (e.g., generation of hydrogen sulfide ($H_2S$) or hydrogen cyanide (HCN) as measured with Draeger tubes, heat generation, or gas generation as evidenced by bubbling or popping), the person conducting the test will contact his or her supervisor. Results of the testing will be taken into account when considering options for waste management in order to prevent adverse reactions.

Special precautions are taken for ignitable, reactive, or incompatible wastes, in accordance with 40 CFR 264.17. These wastes are segregated and managed to prevent reactions which may, for example, produce uncontrolled toxic mists, fumes, dusts, or gases in sufficient quantities to threaten human health or the environment.

### 2.3 Waste Profile Re-evaluation

Waste profiles are re-evaluated whenever the generator has notified TMDPS of a change in the waste or TMDPS has reason to believe the waste has changed.

## 3.0 SAMPLING AND ANALYSIS

### 3.1 Sampling Methods

The methods and equipment used for sampling vary with the form, consistency, and location of the waste materials to be sampled. Methods used by TMDPS to obtain representative samples and sampling frequencies are summarized on Table IV.C. The list of sampling methods has been developed to be consistent with requirements of 40 CFR 261 Appendix I and USEPA SW-846. The following table summarizes the basic sampling equipment selection criteria:

| | Waste Location or Container | | | | |
|---|---|---|---|---|---|
| **Waste Type** | **Drum** | **Closed-bed Truck or Tanker Truck** | **Shallow tanks or bins** | **Storage tanks or bins** | **Pipe** |
| Free-flowing liquids and slurries | COLIWASA (or top, middle, bottom composite) or dipper | COLIWASA (or top, middle, bottom composite) or dipper | COLIWASA (or top, middle, bottom composite) or dipper | Bomb sampler or sampling port/valve outlet | Dipper or sampling port |
| Sludges | COLIWASA, sampling trier, thief, trowel, scoop | COLIWASA, sampling trier, thief, trowel, scoop | COLIWASA, sampling trier, thief, trowel, scoop | COLIWASA, sampling trier, thief, trowel, scoop or sampling port/valve outlet | n/a |

| | Waste Location or Container | | | | |
|---|---|---|---|---|---|
| **Waste Type** | **Drum** | **Closed-bed Truck or Tanker Truck** | **Shallow tanks or bins** | **Storage tanks or bins** | **Pipe** |
| Moist powders or granules | Sampling trier, thief, trowel, scoop | Sampling trier, thief, trowel, scoop | n/a | n/a | n/a |
| Dry powders or granules | Sampling trier, thief, trowel, scoop | Sampling trier, thief, trowel, scoop | n/a | n/a | n/a |
| Sand or packed powders and granules | Sampling trier, thief, trowel, scoop | Sampling trier, thief, trowel, scoop | n/a | n/a | n/a |
| Large-grained solids | Sampling trier, thief, trowel, scoop | Sampling trier, thief, trowel, scoop | n/a | n/a | n/a |

Notes:
1. This table summarizes the primary waste types and location types at the TMDPS facility. In the event that a different combination is necessary, TMDPS will use a sampling method consistent with USEPA SW-846 or other appropriate guidance.
2. Exceptions to these sampling methods apply to certain operating conditions and miscellaneous special wastes such as chemical waste from a laboratory (organic waste under pressure, highly odoriferous, lab packs, etc.), in which case a grab or other type of sample will be collected at a valve outlet or other sampling point, as appropriate. An exception may also apply in the case of a waste having significant safety concerns. In such cases, determination of the hazardous waste codes will not be based upon sampling and analyses, but rather on process knowledge and/or published data, such as material safety data sheets.

## 3.2 Analytical/Testing Procedures and Parameters

### 3.2.1 Laboratory Guidelines

Laboratory analyses are conducted to aid in waste characterization and determine appropriate management methods. The analyses follow guidelines, including QA/QC measures, from published method specifications such as:

- *Test Methods for Evaluating Solid Waste, Physical/Chemical Methods*, USEPA Publication SW846, 1987, as revised;
- *Standard Methods for the Evaluation of Wastes and Waste Water*, 18$^{th}$ edition, 1992, as revised;
- *Methods for Chemical Analysis of Water and Wastes*. USEPA Publication 600/4-79-020, 1979;
- *ASTM Standard Test Methods* (e.g., Flash Point by Penske-Martens Closed Tester, American Society for Testing and Materials, Philadelphia);
- *HAZCAT Chemical Identification System*; or
- *Other:* Alternate standard methods generally accepted by the industry may also be employed for laboratory analyses.

### 3.2.2 Waste Fingerprinting

Fingerprinting is a screening tool to confirm that waste received from off-site is as expected (i.e., conforms to the description developed during waste profiling). Each load

is sampled and results are compared to the waste profile. Key parameters for fingerprint analysis and rationale for analysis are as follows:

| Test | Rationale |
|---|---|
| *pH* | • Determine whether the waste is acidic (pH <7), basic (pH > 7), or neutral (pH 7). If the waste profile specifies the pH as a single value, a pH range of +/- 3 units in shipped wastes is acceptable unless the value results in a change in the classification of the waste to or from EPA waste code D002.<br>• Determine compatibility, processing, and safety requirements.<br>• Not applicable to certain types of wastes (e.g., solids). |
| *Flash Point* | • Verify waste characterization.<br>• Not applicable to certain types of wastes (e.g., solids). |
| *Filtration* | • Help determine the level of processing that may be needed prior to disposal via injection well (i.e., to ensure solids can be removed before injection to avoid plugging the well). |
| *Reactivity* | • Help determine processing and safety requirements. Cyanide and sulfide waste streams are tested for reactivity and for HCN or $H_2S$ in the headspace gas of the waste container.<br>• Cyanide and sulfide waste streams do not need to be analyzed for reactivity for hazardous waste classification if the pH is less than 2 (40 CFR 261.23(a)(5)). |
| *Screening for Cyanides* | • Determine whether the waste will produce hydrogen cyanide when mixed with other wastes or water (i.e., compatibility testing). |
| *Screening for Sulfides* | • Determine whether the waste will produce hydrogen sulfide when mixed with other wastes or water (i.e., compatibility testing). |
| *Compatibility* | • Avoid hazardous reactions. |
| *Insoluble Organics* | • Help determine processing requirements. Insoluble organics may be separated and sent off-site for management or rejected. |
| *Insoluble Solids* | • Help determine processing requirements. Insoluble solids may be separated and sent for alternate disposal, either incineration, stabilization and off-site disposal (landfill) or rejected. |

The specific parameters analyzed will depend on the type of waste being evaluated (see Table IV.C). Parameter selection is based on i) the physical state of the waste (e.g., pH testing does not apply to solids), ii) the analyses needed to confirm that the wastes match the waste profile, and iii) safety considerations. Supplemental testing (e.g., Specific Gravity, Heating Value) may be done at the discretion of Operations personnel, for example, to evaluate treatment and handling needs.

## 4.0 RECORDKEEPING

TMDPS maintains documentation such as waste profiles and manifests in the facility operating record. This documentation may be maintained in an electronic format. TMDPS also maintains an electronic database which tracks waste movement in the facility.

## 5.0 TMDPS-GENERATED WASTES

Wastes may also be generated on site during facility operations (e.g., treatment residues). For wastes generated on site, TMDPS completes a hazardous waste determination in accordance with 40 CFR 262.11 and 40 CFR 264.13(c) at the point of waste generation. The waste determination includes an evaluation of the following factors:

1. *Regulatory Exclusions:* Determination of whether the waste is excluded from regulation per 40 CFR 261.4.
2. *Listed Wastes:* Determination of whether the waste meets the description of a listed hazardous waste under 40 CFR Part 261 Subpart D.
3. *Characteristic Wastes:* Determination of whether the waste meets the definitions of characteristic hazardous waste per 40 CFR Part 261 Subpart C.

The waste classification is done by i) obtaining a chemical analysis of a representative sample of the waste, or ii) using process knowledge to identify hazardous constituents that may be present in the waste, or iii) reviewing existing published or documented data, or iv) using a combination of waste identification methods (40 CFR 262.11).

Waste classification is repeated as necessary to ensure that it is accurate and up to date per 40 CFR 264.13(a)(3).

Sampling, if performed to comply with 40 CFR 264.13(a)(4), is done as described in Section 3.1. Laboratory analyses may be conducted on wastes generated on site or wastes to be disposed off-site, as follows:

| Test | Rationale |
|---|---|
| *Toxicity Characteristic Leaching Procedure* | • Determine whether the waste is characteristically hazardous. |
| *Total concentrations of organic constituents* | • Specified in Land Disposal Restrictions per 40 CFR 268.40 and 268.48. |

Types of records maintained for on-site generated hazardous waste include:

- *Signed Manifests:* Copies are retained at least three years from the date of waste acceptance by the initial transporter [40 CFR 262.40(a)].
- *Biennial Reports and Exception Reports*: Copies are retained at least three years from the due date of the report [40 CFR 262.40(b)].
- *Test results, waste analysis, or other hazardous waste determinations:* Copies are retained at least three years from the date the waste is last sent to on- or off-site treatment, storage, or disposal [40 CFR 262.40(c)].
- *Land disposal restriction documentation:* Copies of notices, certifications, and waste analysis data are retained at least three years from the date the waste is last sent for on- or off-site treatment, storage or disposal [40 CFR 268.7(a)(8)].

## Table IV.C. - Sampling and Analytical Methods[4]

| Waste No.[1] | Sampling Location | Sampling Method | Frequency | Parameter[4] | Test Method | Desired Accuracy Level |
|---|---|---|---|---|---|---|
| ***Liquids and Emulsions:*** **a-d, g-j, m-u** | **From the arriving transport vehicle at the designated sampling area or on the unloading pad** ***or*** **From the consolidation tank or container after bulking at the point of consolidation, in the designated sampling area or in the container storage areas** | **See Note 2.** | **Per Note 3** ***or*** **As necessary after filling tank or container** | • **pH** | • **USEPA SW846 Method 9040[5]** ***or*** • **USEPA SW846 Method 9041[5]** | • **+/- 0.1 units** • **+/- 1 unit** |
| | | | | • **Flash Point** | • **ASTM D3278-78[5]** | • **</>140° F** |
| | | | | • **Filterability** | • **Introduce waste to benchtop filter to determine filtration time relative to water.** | • **No numerical criteria or regulatory requirement; used by facility for proper operation of injection well.** |
| | | | | • **Reactivity** | • **Lower pH with acid and observe reaction** | • **No numerical criteria specified by regulation** |
| | | | | • **Compatibility** | • **Carefully combine wastes and observe reaction** | • **No numerical criteria specified by regulation.** |
| | | | | • **Percent Insoluble Organics** | • **Centrifuge and note organics** | • **No numerical criteria or regulatory requirement; used by facility for proper operation of injection well.** |
| | | | | • **Percent Insoluble Solids** | • **ASTM D6050 [5]** | • **No numerical criteria or regulatory requirement; used by facility for proper operation of injection well.** |

## Table IV.C. - Sampling and Analytical Methods[4]

| Waste No.[1] | Sampling Location | Sampling Method | Frequency | Parameter[4] | Test Method | Desired Accuracy Level |
|---|---|---|---|---|---|---|
| ***Sludges:*** **e-f, k-l, v-x** | **From the arriving transport vehicle at the designated sampling area or on the unloading pad** ***or*** **From the consolidation tank or container after bulking at the point of consolidation, in the designated sampling area or in the container storage areas** | **See Note 2.** | **Per Note 3** ***or*** **As necessary after filling tank or container** | • **pH** | • **USEPA SW846 Method 9040[5]** ***or*** • **USEPA SW846 Method 9041[5]** | • **+/- 0.1 units** • **+/- 1 unit** |
| | | | | • **Flash Point** | • **ASTM D3278-78[5]** | • **</>140° F** |
| | | | | • **Reactivity** | • **Lower pH with acid and observe reaction** | • **No numerical criteria specified by regulation** |
| | | | | • **Compatibility** | • **Carefully combine wastes and observe reaction** | • **No numerical criteria specified by regulation** |
| | | | | • **Percent Insoluble Organics** | • **Centrifuge and note solids** | • **No numerical criteria or regulatory requirement; used by facility for waste management** |
| | | | | • **Percent Insoluble Solids** | • **ASTM D6050[5]** | • **No numerical criteria or regulatory requirement; used by facility for waste management** |
| ***Non-Hazardous Solids:*** **aa** | **From the arriving transport vehicle at the designated sampling area or on the unloading pad** ***or*** **From the consolidation tank or container after bulking at the point of consolidation, in the designated sampling area or in the container storage areas** | **See Note 2.** | **Per Note 3** ***or*** **As necessary after filling tank or container** | • **Toxicity Characteristic Leaching Procedure or Total organic concentrations** | • **USEPA SW846 Method 1311[5]** | • **Reg. Limits per 40 CFR 261.24 Table 1** |
| | | | | • **Reactivity** | • **Lower pH with acid and observe reaction** | • **No numerical criteria specified by regulation** |
| | | | | • **Compatibility** | • **Carefully combine wastes and observe reaction** | • **No numerical criteria specified by regulation** |

## Table IV.C. - Sampling and Analytical Methods[4]

| Waste No.[1] | Sampling Location | Sampling Method | Frequency | Parameter[4] | Test Method | Desired Accuracy Level |
|---|---|---|---|---|---|---|
| ***Hazardous Solids:*** **y-z** | **From the arriving transport vehicle at the designated sampling area or on the unloading pad** ***or*** **From the consolidation tank or container after bulking at the point of consolidation, in the designated sampling area or in the container storage areas** | **See Note 2.** | **Per Note 3** ***or*** **As necessary after filling tank or container** | • **Toxicity Characteristic Leaching Procedure or Total organic concentrations** | • **USEPA SW846 Method 1311[5]** | • **Reg. Limits per 40 CFR 261.24 Table 1** |
| | | | | • **Reactivity** | • **Lower pH with acid and observe reaction** | • **No numerical criteria specified by regulation** |
| | | | | • **Compatibility** | • **Carefully combine wastes and observe reaction** | • **No numerical criteria specified by regulation** |
| ***Debris:*** **bb-cc** | **From the arriving transport vehicle at the designated sampling area or on the unloading pad** ***or*** **In the designated sampling area or in the container storage areas** | **See Note 2.** | **Per Note 3** ***or*** **As necessary after filling tank or container** | • **Visual inspection** | • **N/A** | • **No numerical criteria or regulatory requirement; used by facility for proper waste characterization** |

[1] from Table IV.B, first column

[2] **See Section 3.1 - Sampling Methods in Attachment IV.1 - Waste Analysis Plan.**

[3] **Loads received from off-site are sampled as described below:**

- ***Drums:*** **At least 10% of the drums are sampled from each load for a given waste stream (i.e., if there are less than 10 drums per shipment, then at least one drum is sampled per waste stream).**
- ***Bulk Waste:*** **5% of multiple shipments of a single waste stream from a single operator or source will be sampled. If there are less than 20 truckloads of a single waste stream from a single operator or source, at least one truck will be sampled.**

[4] **Analyses may be conducted as needed for wastes received from off-site, wastes generated on-site, or wastes to be shipped off-site.**

[5] **An equivalent method may be used from USEPA SW846, Standard Methods, ASTM Methods, or Industry Accepted Standards, as appropriate to parameter.**

[6] **N/A = Not applicable.**

**TM DEER PARK SERVICES LLC**
**AUDIT HANDBOOK**

# ATTACHMENT 5.2
# WASTE PROFILE DOCUMENT AND LAND DISPOSAL RESTRICTION NOTIFICATION

# TM Deer Park Services Limited Partnership
## WASTE PROFILE

**TMDP Profile/WS# :** _____

**P.O. Box 1914 • 2525 Independence Parkway South • Deer Park, TX 77536-1914 • Phone: 281/930-2525 • Fax: 281/930-2535**

**I. CUSTOMER/GENERATOR INFORMATION:**

Customer Name _____ Generator Name _____

Billing Address _____ Physical Address _____

_____ _____

Contact _____ Mailing Address _____

Phone _____ _____

Fax _____ 24-Hour Contact _____

E-MAIL _____ 24-Hour Phone _____

**II. WASTE GENERATION DATA:**

Waste Name: _____

Describe the process that generates this waste: _____

_____

Annual Volume: _____ ☐ lbs ☐ tons ☐ gals ☐ drums Container Size/Type: _____ Shipping Frequency: _____ per _____

EPA ID No. ☐☐☐☐☐☐☐☐☐☐☐☐ State ID No. ☐☐☐☐☐☐ State Waste Code ☐☐☐☐☐☐☐☐ SIC# ☐☐☐☐

**III. RCRA DATA:**

Is waste hazardous per RCRA? ☐ Yes ☐ No If yes, please attach completed Land Disposal Restriction Notification Form.

EPA Hazardous _____ _____ _____ _____ _____ _____ _____ _____ _____

Waste Codes: _____ _____ _____ _____ _____ _____ _____ _____ _____

**IV. WASTE PROPERTIES:**

(A) pH Range: _____ to _____

(B) Specific Gravity: _____ to _____

(C) Appearance (e.g. yellow, clear, turbid, etc.): _____

(D) Physical State: ☐ Solid ☐ Liquid ☐ Semi-Solid

(E) Odor: ☐ Strong ☐ Mild ☐ None

(F) Describe Odor (acrid, rancid, etc.): _____

(G) Flash Point: _____ ☐ ° F ☐ ° C ☐ Closed Cup ☐ Open Cup

(H) Vapor Pressure: _____ (PSI)

(I) Settled Solids (by vol.): _____ to _____ %

(J) Insoluble Constituents (by vol.): _____ to _____ %

(K) Dry Weight Factor: _____

Mark if any of the following pertain to this waste:

☐ Pyrophoric ☐ Pesticides ☐ PCBs > 50 ppm
☐ Hydrophobic ☐ Dioxins ☐ Universal
☐ Biological ☐ Carcinogens ☐ Lab Pack
☐ Explosives ☐ Sulfides ☐ NESHAP-Regulated
☐ Radioactive ☐ Organics (Part____, Subpart____)

Does the waste liberate any gases above PEL into the headspace?

| | Yes | No | AMOUNT |
|---|---|---|---|
| Hydrogen Cyanide | ☐ | ☐ | _____ |
| Hydrogen Sulfide | ☐ | ☐ | _____ |
| Sulfur Dioxide | ☐ | ☐ | _____ |
| Other Toxic Gas | ☐ | ☐ | _____ |

Specify: _____

**V. SHIPPING INFORMATION:**

DOT Shipping Name: _____

DOT Hazard Class: _____ UN/NA Number: _____ Packing Group: _____ Reportable Qty. (Lbs): _____

Required personnel protective equipment & procedures: _____

_____

Other comments or hazards including effects on human health in the event of a release: _____

_____

**VI. COMPONENTS:** Account for 100% of the waste components. Include metals, UHCs, TRI-reportable chemicals, etc.

| CAS # (Optional) | Constituent | Range | Unit | CAS # (Optional) | Constituent | Range | Unit |
|---|---|---|---|---|---|---|---|
| | | - | | | | - | |
| | | - | | | | - | |
| | | - | | | | - | |
| | | - | | | | - | |
| | | - | | | | - | |
| | | - | | | | - | |
| | | - | | | | - | |
| | | - | | | | - | |
| | | - | | | | - | |
| | | - | | | | - | |

Specific constituents of concern: ☐ Check here if the following constituents do not apply to the waste described in this document.

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| 79-06-1 | Acrylamide | N/A - | | 7446-27-7 | Lead phosphate | N/A - | |
| 309-00-02 | Aldrin | N/A - | | 628-86-4 | Mercury fulminate | N/A - | |
| 20859-73-8 | Aluminum phosphide | N/A - | | 56-49-5 | 3-Methylcholanthrene | N/A - | |
| 7778-39-4 | Arsenic acid | N/A - | | 79-46-9 | 2-Nitropropane | N/A - | |
| 1303-28-2 | Arsenic pentoxide | N/A - | | 924-16-3 | N-Nitrosodi-n-butylamine | N/A - | |
| 1327-53-3 | Arsenic trioxide | N/A - | | 1116-54-7 | N-Nitrosodiethanolamine | N/A - | |
| 92-87-5 | Benzidine | N/A - | | 55-18-5 | N-Nitrosodiethylamine | N/A - | |
| 98-07-7 | Benzotrichloride | N/A - | | 62-75-9 | N-Nitrosodimethylamine | N/A - | |
| 31984-6 | alpha-BHC | N/A - | | 10595-95-6 | N-Nitrosomethylethylamine | N/A - | |
| 319-85-7 | beta-BHC | N/A - | | 684-93-5 | N-Nitroso-N-methylurea | N/A - | |
| 107-30-2 | Chloromethylmethyl ether | N/A - | | 930-55-2 | N-Nitrosopyrrolidine | N/A - | |
| 111-44-4 | sym-Dichloroethyl ether | N/A - | | 7803-51-2 | Phosphine | N/A - | |
| 542-88-1 | sym-Dichloromethyl ether | N/A - | | 50-55-2 | Reserpine | N/A - | |
| 60-57-1 | Dieldrin | N/A - | | 1314-80-3 | Sulphur phosphide | N/A - | |
| 56-53-1 | Diethylstilbesterol | N/A - | | 78-00-2 | Tetraethyl lead | N/A - | |
| 122-66-7 | 1,2-Diphenylhydrazine | N/A - | | 1314-32-5 | Thallic oxide | N/A - | |
| 621-64-7 | Di-n-propylnitrosamine | N/A - | | 6533-73-9 | Thallium carbonate | N/A - | |
| | Dioxins | N/A - | | 7791-12-0 | Thallium chloride | N/A - | |
| 298-04-4 | Disulfoton | N/A - | | 10102-45-1 | Thallium nitrate | N/A - | |
| 115-29-7 | Endosulfan | N/A - | | 12039-52-0 | Thallium selenite | N/A - | |
| 33213-6-5 | Endosulfan II | N/A - | | 7446-18-6 | Thallium sulfate | N/A - | |
| | Endrin metabolites | N/A - | | 62-56-6 | Thiourea | N/A - | |
| 106-93-4 | Ethylene dibromide | N/A - | | 137-26-8 | Thiram | N/A - | |
| 76-44-8 | Heptachlor | N/A - | | 99-35-4 | 1,3,5-Trinitrobenzene | N/A - | |
| 302-01-2 | Hydrazine | N/A - | | 1314-84-7 | Zinc phosphide | N/A - | |
| 7439-92-1 | Lead | N/A - | | | | | |

Waste characterization determined by: ☐ Process Knowledge ☐ Waste Analysis (Provide copy) ☐ MSDS/SDS(s) (Provide copy)

**VII. Certification**

I hereby certify and warrant that the information supplied on this form, and any attachments, represents a complete and accurate identification and description of this waste material, its constituents and its known or suspected hazards. I further certify and warrant that this information is the result of an analysis of a representative sample of the waste obtained and analyzed in accordance with testing procedures of the U.S. Environmental Protection Agency or by the application of knowledge of the process generating the waste materials per EPA Guidelines.

PRINTED NAME:_____ SIGNATURE: _____ DATE: _____

# TM Deer Park Services Limited Partnership

**LAND DISPOSAL RESTRICTION (LDR) NOTIFICATION**

| | |
|---|---|
| **Generator Name:** | |
| **TMDP Profile/WS #:** | |
| **Manifest Number:** | |

| EPA Waste Code(s) | Wastewater (WW)/ Non-wastewater (NW) | Subcategory / Constituent(s) of Concern[1] | Treatment Status Code |
|---|---|---|---|
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| *The following are the underlying hazardous constituents (UHCs)[2] applicable to the waste listed above:* | | | |
| | | | |

**TREATMENT STATUS CODES**: Use the following codes for each EPA Waste Code applicable to the waste.

**A.** **REQUIRES TREATMENT**: The untreated waste identified above is subject to the LDRs. The constituents of concern for F001-F005 and F039 wastes are listed above[1] and the UHCs (see 40 CFR 268.2(i))[2] in characteristic wastes are also listed above.

A1. **Debris:** The waste is a debris to be treated with the alternative treatment technologies provided by and to comply with 268.45, the contaminants subject to treatment are listed above.

A2. **Soil:** *This contaminated soil [DOES/DOES NOT] contain listed hazardous waste and [DOES/DOES NOT] exhibit a characteristic of hazardous waste and is subject to the soil treatment standards as provided by 268.49(c) or the universal treatment standards. The constituents subject to treatment are listed above.*

**B.** **MEETS TREATMENT STANDARDS**: *I certify under penalty of law that I personally have examined and am familiar with the waste through analysis and testing or through knowledge of the waste to support this certification that the waste complies with the treatment standards specified in 40 CFR Part 268 subpart D. I believe that the information I submitted is true, accurate and complete. I am aware that there are significant penalties for submitting a false certification, including the possibility of fine and imprisonment.*

B1. **Soil***: This contaminated soil [DOES/DOES NOT] contain listed hazardous waste and [DOES/DOES NOT] exhibit a characteristic of hazardous waste and complies with the soil treatment standards as provided by 268.49(c) or the universal treatment standards. The constituents subject to treatment are listed above.*

**C.** **TREATED TO MEET TREATMENT STANDARDS**: *I certify under penalty of law that I personally have examined and am familiar with the waste through analysis and testing or through knowledge of the waste to support this certification that the waste complies with the treatment standards specified in 40 CFR Part 268 subpart D. I believe that the information I submitted is true, accurate and complete. I am aware that there are significant penalties for submitting a false certification, including the possibility of fine and imprisonment.*

C1. **Soil***: This contaminated soil [DOES/DOES NOT] contain listed hazardous waste and [DOES/DOES NOT] exhibit a characteristic of hazardous waste and complies with the soil treatment standards as provided by 268.49(c) or the universal treatment standards. The constituents subject to treatment are listed above.*

**D.** **SUBJECT TO EXEMPTION**: The waste identified above is not prohibited from land disposal because the waste qualifies for one of the following exemptions:

D1. A case-by-case extension under 40 CFR Section 268.5 (date waste is subject to prohibition: _____)

D2. A national or case-by-case capacity variance (date waste is subject to prohibition: _____)

D3. Disposal in a no-migration unit under 40 CFR Section 268.6.

D4. D001 (<10% TOC), D002 or D012-D043 waste treated in Class I Injection Well, Clean Water Act (CWA) System or CWA-equivalent system.

**E.** **NON-RESTRICTED:** The waste identified above is not restricted from land disposal.

**F.** **LAB PACKS**:

F1. **Direct land disposal:** *The waste identified above meets the requirements of 264.316 and may be directly disposed in a hazardous waste landfill.*

F2. **Incineration:** *I certify under penalty of law that I personally have examined and am familiar with the waste and that the lab pack contains only wastes that have not been excluded under appendix IV to 40 CFR part 268 and that this lab pack will be sent to a combustion facility in compliance with the alternative treatment standards for lab packs at 40 CFR 268.42(c). I am aware that there are significant penalties for submitting a false certification, including the possibility of fine or imprisonment.*

By my signature below, the generator acknowledges that this is being submitted to TM Deer Park Services Limited Partnership (TMDP) pursuant to applicable federal regulations, including 40 CFR §268.7, and that TMDP and its representatives may rely on the statements and information presented on this form. The generator hereby attests to the applicable certifications set forth in italics above, and I represent that the statements and information on this form, to the best of my knowledge and belief, are true, accurate and complete in all respects.

Signature: _____ Title _____ Date _____

Printed Name:

*(Rev. 9-19-2012)*

# TM DEER PARK SERVICES LLC
# AUDIT HANDBOOK

## ATTACHMENT 5.3
## OFFSITE FACILITIES

**TM DEER PARK SERVICES LLC**
**AUDIT HANDBOOK**

**ATTACHMENT 5.3**
**OFFSITE FACILITIES**

- **Subtitle C Hazardous Landfill**
  - US Ecology Texas, Inc. – Robstown, Texas
  - CWM – Sulphur, Louisiana

- **Class 1 Non-Hazardous Landfill**
  - CWM - Coastal Plains RDF – Alvin, Texas

- **Class 2 Non-Hazardous Landfill**
  - CWM – Baytown Landfill, Baytown, Texas
  - Republic McCarty Landfill – McCarty, Texas

- **Subtitle C Hazardous Incinerators**: Solids & Liquids
  - Veolia Environmental Services – Port Arthur, Texas
  - Clean Harbors – Deer Park, Texas

- **Cement Kiln**: Liquid Fuels
  - Cadence Chemicals/Ash Grove Cement – Foreman, Arkansas
  - Systech – Fredonia, Kansas

- **Cement Kiln**: Solid Fuels
  - Rineco – Benton, Arkansas

- **Fuel Blending**: Drums and Bulk
  - Rineco – Benton, Arkansas

- **Lamp/Battery Recycling**
  - Lamp Environmental Inc. – Hammond, Louisiana

- **Desorber**
  - U.S. Ecology Texas – Robstown, Texas

**TM DEER PARK SERVICES LLC**
**AUDIT HANDBOOK**

# ATTACHMENT 6.1
# EXPERIENCE MODERATOR RATE

February 18, 2020

Texas Molecular Holdings, LLC.
P.O. Box 1914
Deer Park, TX 77536

**Re: Experience Modifier**

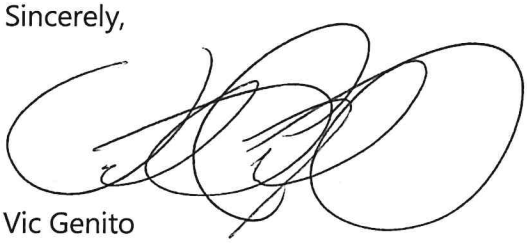
To Whom It May Concern:

This letter will confirm the current Experience Modifier for Texas Molecular and all entities/ divisions for 2019 is as follows:

| Rating Effective Date: | Experience Modifier: |
|---|---|
| 9/19/2019 | 0.69 |

If you have any questions regarding the above, please do not hesitate to contact us.

Sincerely,



Vic Genito
Account Manager
Lockton Companies, LLC.

LOCKTON

3657 Briarpark Drive, Suite 700 | Houston, TX 77042-5264
713.458.5200 | FAX: 713.458.5299
lockton.com

**TM DEER PARK SERVICES LLC**
**AUDIT HANDBOOK**

**ATTACHMENT 6.2**
**OSHA 300A LOGS**

# OSHA's Form 300A (Rev. 01/2004)

## Summary of Work-Related Injuries and Illnesses

**Note: You can type input into this form and save it.**
Because the forms in this recordkeeping package are "fillable/writable" PDF documents, you can type into the input form fields and then save your inputs using the free Adobe PDF Reader.

Year 20 19

**U.S. Department of Labor**
**Occupational Safety and Health Administration**

Form approved OMB no. 1218-0176

*All establishments covered by Part 1904 must complete this Summary page, even if no work-related injuries or illnesses occurred during the year. Remember to review the Log to verify that the entries are complete and accurate before completing this summary.*

*Using the Log, count the individual entries you made for each category. Then write the totals below, making sure you've added the entries from every page of the Log. If you had no cases, write "0."*

*Employees, former employees, and their representatives have the right to review the OSHA Form 300 in its entirety. They also have limited access to the OSHA Form 301 or its equivalent. See 29 CFR Part 1904.35, in OSHA's recordkeeping rule, for further details on the access provisions for these forms.*

### Number of Cases

| Total number of deaths | Total number of cases with days away from work | Total number of cases with job transfer or restriction | Total number of other recordable cases |
|---|---|---|---|
| 0 | 0 | 0 | 0 |
| (G) | (H) | (I) | (J) |

### Number of Days

| Total number of days away from work | Total number of days of job transfer or restriction |
|---|---|
| | |
| (K) | (L) |

### Injury and Illness Types

| Total number of . . . | (M) | | |
|---|---|---|---|
| (1) Injuries | 0 | (4) Poisonings | 0 |
| (2) Skin disorders | 0 | (5) Hearing loss | 0 |
| (3) Respiratory conditions | 0 | (6) All other illnesses | 0 |

**Post this Summary page from February 1 to April 30 of the year following the year covered by the form.**

Public reporting burden for this collection of information is estimated to average 50 minutes per response, including time to review the instructions, search and gather the data needed, and complete and review the collection of information. Persons are not required to respond to the collection of information unless it displays a currently valid OMB control number. If you have any comments about these estimates or any other aspects of this data collection, contact: US Department of Labor, OSHA Office of Statistical Analysis, Room N-3644, 200 Constitution Avenue, NW, Washington, DC 20210. Do not send the completed forms to this office.

### Establishment information

Your establishment name: TM Deer Park Services LP

Street: 2525 Independence Parkway S

City: Deer Park State: TX Zip: 77536

Industry description (*e.g., Manufacture of motor truck trailers*)
Hazardous Waste Treatment, Storage, and Disposal Facility

Standard Industrial Classification (SIC), if known (*e.g., 3715*)
4953

OR

North American Industrial Classification (NAICS), if known (e.g., 336212)
562211

### Employment information *(If you don't have these figures, see the Worksheet on the next page to estimate.)*

Annual average number of employees: 51

Total hours worked by all employees last year: 102504

### Sign here

**Knowingly falsifying this document may result in a fine.**

I certify that I have examined this document and that to the best of my knowledge the entries are true, accurate, and complete.

Company executive: Kirk Edwards Title: VP - Operations

Phone 281 - 930 - 2543 Date 1 / 30 / 20

Save Input

# OSHA's Form 300A (Rev. 01/2004)

# Summary of Work-Related Injuries and Illnesses

**Note: You can type input into this form and save it.**
Because the forms in this recordkeeping package are "fillable/writable" PDF documents, you can type into the input form fields and then save your inputs using the free Adobe PDF Reader.

Year 20 18

**U.S. Department of Labor**
**Occupational Safety and Health Administration**

Form approved OMB no. 1218-0176

*All establishments covered by Part 1904 must complete this Summary page, even if no work-related injuries or illnesses occurred during the year. Remember to review the Log to verify that the entries are complete and accurate before completing this summary.*

*Using the Log, count the individual entries you made for each category. Then write the totals below, making sure you've added the entries from every page of the Log. If you had no cases, write "0."*

*Employees, former employees, and their representatives have the right to review the OSHA Form 300 in its entirety. They also have limited access to the OSHA Form 301 or its equivalent. See 29 CFR Part 1904.35, in OSHA's recordkeeping rule, for further details on the access provisions for these forms.*

## Number of Cases

| Total number of deaths | Total number of cases with days away from work | Total number of cases with job transfer or restriction | Total number of other recordable cases |
|---|---|---|---|
| 0 | 0 | 0 | 1 |
| (G) | (H) | (I) | (J) |

## Number of Days

| Total number of days away from work | Total number of days of job transfer or restriction |
|---|---|
| | |
| (K) | (L) |

## Injury and Illness Types

| Total number of . . . | (M) | | |
|---|---|---|---|
| (1) Injuries | 1 | (4) Poisonings | 0 |
| (2) Skin disorders | 0 | (5) Hearing loss | 0 |
| (3) Respiratory conditions | 0 | (6) All other illnesses | 0 |

**Post this Summary page from February 1 to April 30 of the year following the year covered by the form.**

Public reporting burden for this collection of information is estimated to average 50 minutes per response, including time to review the instructions, search and gather the data needed, and complete and review the collection of information. Persons are not required to respond to the collection of information unless it displays a currently valid OMB control number. If you have any comments about these estimates or any other aspects of this data collection, contact: US Department of Labor, OSHA Office of Statistical Analysis, Room N-3644, 200 Constitution Avenue, NW, Washington, DC 20210. Do not send the completed forms to this office.

## Establishment information

Your establishment name: TM Deer Park Services LP

Street: 2525 Independence Parkway S

City: Deer Park State: TX Zip: 77536

Industry description (*e.g., Manufacture of motor truck trailers*)
Hazardous Waste Treatment, Storage, and Disposal Facility

Standard Industrial Classification (SIC), if known (*e.g., 3715*)
4593

OR

North American Industrial Classification (NAICS), if known (e.g., 336212)
562211

## Employment information

*(If you don't have these figures, see the Worksheet on the next page to estimate.)*

Annual average number of employees: 44

Total hours worked by all employees last year: 96363

## Sign here

**Knowingly falsifying this document may result in a fine.**

I certify that I have examined this document and that to the best of my knowledge the entries are true, accurate, and complete.

Company executive

CEO
Title

Phone 281 - 930 - 2519 Date 1 / 22 / 2019

Save Input

OSHA's Form 300A (Rev. 01/2004)

# Summary of Work-Related Injuries and Illnesses

**Note: You can type input into this form and save it.**
Because the forms in this recordkeeping package are "fillable/writable" PDF documents, you can type into the input form fields and then save your inputs using the free Adobe PDF Reader.

Year 20 17

**U.S. Department of Labor**
Occupational Safety and Health Administration

Form approved OMB no. 1218-0176

*All establishments covered by Part 1904 must complete this Summary page, even if no work-related injuries or illnesses occurred during the year. Remember to review the Log to verify that the entries are complete and accurate before completing this summary.*

*Using the Log, count the individual entries you made for each category. Then write the totals below, making sure you've added the entries from every page of the Log. If you had no cases, write "0."*

*Employees, former employees, and their representatives have the right to review the OSHA Form 300 in its entirety. They also have limited access to the OSHA Form 301 or its equivalent. See 29 CFR Part 1904.35, in OSHA's recordkeeping rule, for further details on the access provisions for these forms.*

## Number of Cases

| Total number of deaths | Total number of cases with days away from work | Total number of cases with job transfer or restriction | Total number of other recordable cases |
|---|---|---|---|
| 0 | 0 | 1 | 0 |
| (G) | (H) | (I) | (J) |

## Number of Days

| Total number of days away from work | Total number of days of job transfer or restriction |
|---|---|
| | 4 |
| (K) | (L) |

## Injury and Illness Types

| Total number of . . . | (M) | | |
|---|---|---|---|
| (1) Injuries | 1 | (4) Poisonings | 0 |
| (2) Skin disorders | 0 | (5) Hearing loss | 0 |
| (3) Respiratory conditions | 0 | (6) All other illnesses | 0 |

**Establishment information**

Your establishment name: TM Deer Park Services LP

Street: 2525 Independence Parkway S

City: Deer Park State: TX Zip: 77536

Industry description (*e.g., Manufacture of motor truck trailers*)
Hazardous Waste Treatment, Storage, and Disposal Facility

Standard Industrial Classification (SIC), if known (*e.g., 3715*)
4593
OR

North American Industrial Classification (NAICS), if known (e.g., 336212)
562211

**Employment information** (*If you don't have these figures, see the Worksheet on the next page to estimate.*)

Annual average number of employees: 45

Total hours worked by all employees last year: 89116

**Sign here**

**Knowingly falsifying this document may result in a fine.**

I certify that I have examined this document and that to the best of my knowledge the entries are true, accurate, and complete.

Company executive: [signature] Title: CEO

Phone 281 - 930 - 2519 Date 01 / 31 / 18

***Post this Summary page from February 1 to April 30 of the year following the year covered by the form.***

Public reporting burden for this collection of information is estimated to average 50 minutes per response, including time to review the instructions, search and gather the data needed, and complete and review the collection of information. Persons are not required to respond to the collection of information unless it displays a currently valid OMB control number. If you have any comments about these estimates or any other aspects of this data collection, contact: US Department of Labor, OSHA Office of Statistical Analysis, Room N-3644, 200 Constitution Avenue, NW, Washington, DC 20210. Do not send the completed forms to this office.

# TM DEER PARK SERVICES LLC
# AUDIT HANDBOOK

## ATTACHMENT 6.3
## REGULATORY INVESTIGATIONS

Jon Niermann, *Chairman*
Emily Lindley, *Commissioner*
Bobby Janecka, *Commissioner*
Toby Baker, *Executive Director*

# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

December 12, 2019

**CERTIFIED MAIL# 91 7199 9991 7038 7442 6166**
**RETURN RECEIPT REQUESTED**

Ms. Christina Perez, Director of Environmental, Health, and Safety
TM Deer Park Services Limited Partnership
P.O. Box 1914
Deer Park, Texas 77536

Re: Notice of Violation for the Compliance Evaluation Investigation at:
TM Deer Park Services, 2525 Independence Rd., Deer Park (Harris County), Texas
TCEQ SWR No.: 32299; Permit No.: 50058; EPA ID No.: TXD000719518

Dear Ms. Perez:

On November 6 and 7, 2019, Ms. Eresha DeSilva and Ms. Nicole Weist of the Texas Commission on Environmental Quality (TCEQ) Houston Region Office conducted an investigation of the above-referenced regulated entity to evaluate compliance with applicable requirements for industrial solid waste. Enclosed is a summary which lists the investigation findings. During the investigation, a concern was noted which was an alleged violation that has been resolved as an Area of Concern based on subsequent corrective action. In addition, an alleged violation and additional issue were identified. Based on the information you have provided, the TCEQ has adequate document to indicate that corrective action has been taken for the alleged violation and additional issue. Therefore, no further action is required.

In the listing of the alleged violation, we have cited applicable requirements, including TCEQ rules. Please note that both the rules themselves and the agency brochure entitled *Obtaining TCEQ Rules* (GI 032) are located on our agency website at http://www.tceq.texas.gov for your reference. If you would like a hard copy of this brochure mailed to you, you may call and request one from either the Houston Region Office at (713) 767-3500 or the Central Office Publications Ordering Team at 512-239-0028. Copies of applicable federal regulations may be obtained by calling Environmental Protection Agency's Publications at (800) 490-9198.

The TCEQ appreciates your assistance in this matter. Please note that the Legislature has granted TCEQ enforcement powers which we may exercise to ensure compliance with environmental regulatory requirements. We anticipate that you will resolve the alleged violation as required in order to protect the State's environment. If you have additional information that we are unaware of, you have the opportunity to contest the violation documented in this notice. Should you choose to do so, you must notify the Houston Region Office within 10 days from the date of this letter. At that time, Ms. Alma L. Jefferson, Waste Section Manager, will schedule a violation review meeting to be conducted within 21 days from the date of this letter. However, please be advised that if you decide to participate in the violation review process, the TCEQ may still require you to adhere to the compliance schedule included in the attached Summary of Investigation Findings until an official decision is made regarding the status of any or all of the contested violations.

If you or members of your staff have any questions, please feel free to contact Ms. DeSilva in the Houston Region Office at (713) 422-8950.

Sincerely,

Carlos R. Romo, Team Leader
Waste Section
Houston Region Office

CRR/ED/na

Enclosure: Summary of Investigation Findings

# Summary of Investigation Findings

**TM DEER PARK SERVICES**
**2525 INDEPENDENCE RD**
**DEER PARK, HARRIS COUNTY, TX 77536**

**Investigation # 1611159**
**Investigation Date: 11/06/2019**

**Additional ID(s):** 50058
32299
TXD000719518
P00177

## ALLEGED VIOLATION(S) NOTED AND RESOLVED

**Track No:** 735623

**30 TAC Chapter 335.152(a)(19)**
**40 CFR Chapter 264.1057(c)(1)**

**PERMIT 50058, Permit Provision X.C.**

**Alleged Violation:**

Investigation: 1611159 Comment Date: 12/09/2019

Failure to monitor valves in gas/vapor or light liquid service, for which leaks are not detected, within the first month of every succeeding quarter.

During the investigation, it was observed that the facility's valves in gas/vapor or light liquid service are monitored quarterly but not in the first month of each quarter based on Subpart BB monitoring data reviewed for 2018 and 2019.

**Recommended Corrective Action:** The facility shall ensure that valves subject to Subpart BB quarterly monitoring are monitored within the first month of the quarter. Submit documentation to the TCEQ Houston Region Office demonstrating compliance.

**Resolution:** TM submitted documentation on November 25, 2019 indicating that Think Environmental, the contractor handling leak detection monitoring for Subpart BB components, has updated the quarterly monitoring schedule for Subpart BB valves to the first month of each quarter in the LeakDAS database. Based on the documentation reviewed, this alleged violation is resolved.

**Track No:** 735624

**30 TAC Chapter 335.6(c)**

**PERMIT 50058, Permit Provision II.C.1.I.**

**Alleged Violation:**

Investigation: 1611159 Comment Date: 12/09/2019

Failure to update the Notice of Registration (NOR). Any person who generates hazardous waste shall notify the executive director of such activity using electronic notification software. Any person who provides notification shall have the continuing obligation to immediately document any changes or additional information. The following changes are required:

a) Update unit statuses for waste management units (WMUs) with NOR Nos. 8, 34, 41, and 58 from "not yet built" to "active"
b) Add hazardous waste streams to "wastes currently managed at unit" to NOR No. 167
c) Update regulatory status for NOR Nos. 109 and 111, which are identified as regulatory status code "13" for "RCRA permit exempt – accumulation time for SQG and CESQG" in the State of Texas Environmental Electronic Reporting System (STEERS)
d) Inactivate NOR No. 182

**Recommended Corrective Action:** The facility shall update the NOR through STEERS. For updates that cannot be made through STEERS, submit a letter to the TCEQ Registration and Reporting Section (P.O. Box 13087, Mail Code 129, Austin, Texas 78711-3087). Provide the NOR update documentation from STEERS and the letter with mail certification to the TCEQ Houston Region Office to demonstrate compliance.

**Resolution:** TM submitted documentation on November 6, 7, and 13, 2019 to show that updates to the NOR have been made in STEERS or sent to the TCEQ Registration and Reporting Section. Some updates are also reflected in the NOR last updated on November 14, 2019. Based on the documentation reviewed, this alleged violation is resolved as an Area of Concern.

## ADDITIONAL ISSUES

| Description | Additional Comments |
|---|---|
| Item #3 | The following additional issue was noted during the investigation and subsequently addressed based on corrective actions performed by the facility.<br><br>During the investigation, it was noted that the daily and monthly inspection documentation for respirators/gas masks, as required by Industrial Hazardous Waste Permit No. 50058 Table III.D. - Inspection Schedule, was not being consistently completed. Inspections for respirators/gas masks were recorded on daily monitor bump test and respirator inspection sheets for each employee; however, respirator condition and/or operator initials were not consistently documented on the inspection sheets.<br><br>The facility is requested to implement training to ensure that information on the respirator/gas mask inspections are being completed consistently.<br><br>TM submitted documentation on November 22 and 25, 2019, which included a copy of the criteria reviewed for filling out inspection sheets and sign-in sheets showing training has been implemented. Based on the documentation reviewed, this additional issue has been adequately addressed. |

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Jon Niermann, *Chairman*
Emily Lindley, *Commissioner*
Bobby Janecka, *Commissioner*
Toby Baker, *Executive Director*

# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

November 21, 2019

Ms. Christina Perez, Director of Environmental, Health, and Safety
TM Deer Park Services Limited Partnership
P.O. Box 1914
Deer Park, Texas 77536

Re: Underground Injection Control Investigation at:
TM Deer Park Services, 2525 Independence Rd., Deer Park (Harris County), Texas
TCEQ SWR No.: 32299; Permit Nos.: WDW169, WDW 249, and WDW422;
EPA ID No.: TXD000719518

Dear Ms. Perez:

On November 6 and 7, 2019, Ms. Eresha DeSilva and Ms. Nicole Weist of the Texas Commission on Environmental Quality (TCEQ) Houston Region Office conducted an investigation of the above-referenced regulated entity to evaluate compliance with applicable requirements for underground injection control. No violations are being alleged as a result of the investigation.

The TCEQ appreciates your assistance in this matter and your compliance efforts to ensure protection of the State's environment. If you or members of your staff have any questions regarding these matters, please feel free to contact Ms. DeSilva in the Houston Region Office at (713) 422-8950.

Sincerely,

Carlos R. Romo, Team Leader
Waste Section
Houston Region Office

CRR/ED/na

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Jon Niermann, *Chairman*
Emily Lindley, *Commissioner*
Bobby Janecka, *Commissioner*
Toby Baker, *Executive Director*

# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

November 21, 2019

Ms. Christina Perez, Director of Environmental, Health, and Safety
TM Deer Park Services Limited Partnership
P.O. Box 1914
Deer Park, Texas 77536

Re: Tier II On-Site Investigation at:
TM Deer Park Services, 2525 Independence Rd., Deer Park (Harris County), Texas
TCEQ SWR No.: 32299; Permit No.: 50058; EPA ID No.: TXD000719518

Dear Ms. Perez:

On November 6, 2019, Ms. Eresha DeSilva and Ms. Nicole Weist of the Texas Commission on Environmental Quality (TCEQ) Houston Region Office conducted an investigation of the above-referenced regulated entity to evaluate compliance with applicable requirements for Tier II chemical reporting. No violations are being alleged as a result of the investigation.

The TCEQ appreciates your assistance in this matter and your compliance efforts to ensure protection of the State's environment. If you or members of your staff have any questions regarding these matters, please feel free to contact Ms. DeSilva in the Houston Region Office at (713) 422-8950.

Sincerely,

Carlos R. Romo, Team Leader
Waste Section
Houston Region Office

CRR/ED/na

Bryan W. Shaw, Ph.D., P.E., *Chairman*
Jon Niermann, *Commissioner*
Emily Lindley, *Commissioner*
Toby Baker, *Executive Director*

# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

August 30, 2018

Mr. Chris Lobue, CEO
TM Deer Park Services, Limited Partnership
P.O. Box 1914
Deer Park, Texas 77536

Re: Compliance Evaluation Investigation at:
TM Deer Park Services, 2525 Independence Rd., Deer Park (Harris County), Texas 77536
TCEQ SWR No.: 32299, Permit Nos.: 50058, EPA ID No.: TXD000719518

Dear Mr. Lobue:

On May 9 and 11, 2018, Ms. Katie Phillips, Ms. Nadine Balmaceda, Mr. Casimir Onwuka and Ms. Nicole Weist of the Texas Commission on Environmental Quality (TCEQ) Houston Region Office conducted an investigation of the above-referenced regulated entity to evaluate compliance with applicable requirements for industrial solid waste. Enclosed is a summary which lists the investigation findings.

During the investigation, a concern was noted which was an alleged violation that has been resolved as an Area of Concern based on subsequent corrective action. In addition, a certain additional issue was identified and subsequently addressed. No further response from you is necessary concerning this investigation.

The TCEQ appreciates your assistance in this matter and your compliance efforts to ensure protection of the State's environment. If you or members of your staff have any questions regarding these matters, please feel free to contact Ms. Phillips in the Houston Region Office at (713) 767-3628.

Sincerely,

Alma L. Jefferson

Alma L. Jefferson, Team Leader
Waste Section
Houston Region Office

ALJ/KMP/rsv

Enclosure: *Summary of Investigation Findings*

cc: Ms. Christina Perez, Environmental Manager, P.O. Box 1914, Deer Park, Texas 77536

# Summary of Investigation Findings

**TM DEER PARK SERVICES**
**2525 INDEPENDENCE RD**
**DEER PARK, HARRIS COUNTY, TX 77536**

**Investigation # 1490145**
**Investigation Date: 05/09/2018**

**Additional ID(s):** 50058
32299
TXD000719518

## AREA OF CONCERN

**Track No:** 689755
**30 TAC Chapter 335.6(c)**

**Alleged Violation:**
Investigation: 1490145 Comment Date: 08/29/2018

The facility failed to update the Notice of Registration (NOR) as follows:
a) inactivate waste stream (WS) 2001319H
b) associate a WS to waste management unit (WMU) 185

**Recommended Corrective Action:** The facility was requested to provide documentation to indicate that the NOR has been amended to the TCEQ Houston Region Office to verify compliance.

**Resolution:** This alleged violation was resolved as an area of concern based on documentation received from the facility on May 9 and 11, 2018 indicating the NOR was updated.

## ADDITIONAL ISSUES

| Description | Additional Comments |
|---|---|
| Item #1 | During the site walkthrough, it was noted that two pumps were leaking oil.<br><br>The facility personnel were requested to provide documentation that the pumps were repaired to the TCEQ Houston Region Office to verify compliance.<br><br>This additional issue was addressed based on documentation submitted to the TCEQ Houston Region Office on May 14, 2018 indicating the pumps have been repaired. |

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Bryan W. Shaw, Ph.D., P.E., *Chairman*
Jon Niermann, *Commissioner*
Emily Lindley, *Commissioner*
Toby Baker, *Executive Director*

# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

August 29, 2018

Mr. Chris Lobue, CEO
TM Deer Park Services, Limited Partnership
P.O. Box 1914
Deer Park, Texas 77536

Re: Underground Injection Control Investigation at:
TM Deer Park Services, 2525 Independence Rd., Deer Park (Harris County), Texas 77536
TCEQ SWR No.: 32299, Permit Nos.: WDW169, WDW 249, WDW422, EPA ID No.: TXD000719518

Dear Mr. Lobue:

On May 11, 2018, Ms. Katie Phillips, Mr. Casimir Onwuka and Ms. Nicole Weist of the Texas Commission on Environmental Quality (TCEQ) Houston Region Office conducted an investigation of the above-referenced regulated entity to evaluate compliance with applicable requirements for underground injection control. No violations are being alleged as a result of the investigation.

The TCEQ appreciates your assistance in this matter and your compliance efforts to ensure protection of the State's environment. If you or members of your staff have any questions regarding these matters, please feel free to contact Ms. Phillips in the Houston Region Office at (713) 767-3628.

Sincerely,

Alma L. Jefferson

Alma L. Jefferson, Team Leader
Waste Section
Houston Region Office

ALJ/KMP/rsv

cc: Ms. Christina Perez, Environmental Manager, P.O. Box 1914, Deer Park, Texas 77536

Bryan W. Shaw, Ph.D., P.E., *Chairman*
Toby Baker, *Commissioner*
Jon Niermann, *Commissioner*
Richard A. Hyde, P.E., *Executive Director*

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# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

November 17, 2016

Frank Marine, President
Texas Molecular
Post Office Box 1914
Deer Park, Texas 77536-1914

Re: Comprehensive Compliance Investigation at:
Texas Molecular, 2525 Independence Parkway South, Deer Park, Harris County, Texas
Regulated Entity No.: 102170024; TCEQ ID No.: 1012699; Investigation No.: 1358634

Dear Mr. Marine:

On September 22, 2016, Ms. Dawn Olivo, of the Texas Commission on Environmental Quality (TCEQ) Houston Region Office, conducted an investigation of the above-referenced facility to evaluate compliance with the applicable requirements for public water supply systems. No violations are being alleged as a result of the investigation. In addition, please be advised that a violation could be issued upon further review of your system's records or self-reported documentation.

The TCEQ appreciates your assistance in this matter and your compliance efforts to ensure protection of the State's environment. If you or members of your staff have any questions regarding these matters, please feel free to contact Ms. Olivo, in the Houston Region Office at (713) 767-3650.

Sincerely,

Latrichia Spikes

Latrichia Spikes, Team Leader
Public Water Supply
Houston Region Office

LS/DO/dp

cc: Harris County Public Health and Environmental Services

Christina Perez, Environmental Manager, Texas Molecular, Post Office Box 1914, Deer Park, Texas 77536-1914

Bryan W. Shaw, Ph.D., P.E., *Chairman*
Toby Baker, *Commissioner*
Jon Niermann, *Commissioner*
Richard A. Hyde, P.E., *Executive Director*

# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

May 6, 2016

Mr. Frank Marine, President
TM Deer Park Services LP
P.O. Box 1914
Deer Park, Texas 77536

Re: Compliance Evaluation Investigation at:
TM Deer Park Services, 2525 Independence Pkwy S, Deer Park (Harris County), Texas 77536
TCEQ SWR No.: 32299, Permit No.: 50058, EPA ID No.: TXD000719518

Dear Mr. Marine:

On February 29 through March 7, 2016, Ms. Reyna L. Loosmore and Mr. Roland Thomas of the Texas Commission on Environmental Quality (TCEQ) Houston Region Office conducted an investigation of the above-referenced regulated entity to evaluate compliance with applicable requirements for industrial solid waste. Enclosed is a summary which lists the investigation findings.

During the investigation, some concerns were noted which were alleged violations that have been resolved as Areas of Concern and one (1) additional issue was addressed based on subsequent corrective action. No further response from you is necessary concerning this investigation.

The TCEQ appreciates your assistance in this matter and your compliance efforts to ensure protection of the State's environment. If you or members of your staff have any questions regarding these matters, please feel free to contact Ms. Loosmore in the Houston Region Office at (713) 767-3706.

Sincerely,

Alma L. Jefferson

Alma L. Jefferson, Team Leader
Waste Section
Houston Region Office

ALW/RLL/rsv

Enclosure: Summary of Investigation Findings

# Summary of Investigation Findings

**TM DEER PARK SERVICES**
**2525 INDEPENDENCE RD**
**DEER PARK, HARRIS COUNTY, TX 77536**

**Investigation # 1315130**
**Investigation Date: 02/29/2016**

**Additional ID(s):** 50058
32299
TXD000719518

## AREA OF CONCERN

**Track No:** 601978
**30 TAC Chapter 335.6(c)**

**PERMIT Permit Provision (PP) II.C.1.I**

**Alleged Violation:**
Investigation: 1315130 Comment Date: 04/21/2016

The facility failed to update its Notice of Registration (NOR) as required.

**Recommended Corrective Action:** The facility representatives were requested to make the following revisions using the State of Texas Environmental Electronic Reporting System (STEERS) and/or by submitting a request to the TCEQ, Industrial and Hazardous Waste Registration Team, Mail Code 129, P.O. Box 13087, Austin, Texas 78711-3087 and copy the TCEQ Houston Region Office:

Update waste stream (WS) 4001003H EPA form code from W001 - lab packs with no acute hazardous waste to W004 - lab packs containing acute hazardous wastes

**Resolution:** This alleged violation was resolved as an area of concern based on documentation received from the facility on February 29, 2016, indicating that the facility has completed the updates to their NOR as required.

**Track No:** 601979
**30 TAC Chapter 335.10(c)(1)**

**PERMIT Permit Provision (PP) II.C.1.I.**

**Alleged Violation:**
Investigation: 1315130 Comment Date: 04/21/2016

The facility failed to properly complete waste manifests. During the review of the October 2015 outbound manifests, it was noted that a manifest utilized the EPA ID No. for a Class 1 waste shipment instead of the Texas Solid Waste Registration (SWR) No.

When Class 1 waste is itemized on the manifest, use the TCEQ SWR number in place of the EPA identification number and the Texas waste code in place of the EPA waste code.

**Recommended Corrective Action:** TM is requested to correct the manifest with the appropriate requested corrections, notify the designated receiving facility, and copy the TCEQ Houston Region Office to verify compliance.

**Resolution:** This alleged violation was resolved as an area of concern based on documentation received from the facility on February 29, 2016, indicating that the manifest had been corrected.

## ADDITIONAL ISSUES

**Description** **Additional Comments**

| | |
|---|---|
| Has this equipment been marked as required by the Subpart BB Regulations? | During the site walk-through of the facility, it was noted that identification tags could not be read or identified as they had been painted over during maintenance activities onsite.<br><br>Each piece of equipment to which subpart BB applies shall be marked in such a manner that it can be distinguished readily from other pieces of equipment.<br><br>TM is requested to establish procedures onsite in order to maintain all tags clearly identified.<br><br>This additional issue was addressed based on documentation received from the facility on March 17, 2016, indicating that conversations had been held with staff responsible for painting equipment about the importance of not painting over the equipment tags. Additionally, the tags noted with paint have been cleaned and rendered legible. |

RECEIVED APR 07 2016

Bryan W. Shaw, Ph.D., P.E., *Chairman*
Toby Baker, *Commissioner*
Jon Niermann, *Commissioner*
Richard A. Hyde, P.E., *Executive Director*

# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

March 31, 2016

Mr. Frank Marine, President
TM Deer Park Services LP
P.O. Box 1914
Deer Park, Texas 77536

Re: Underground Injection Control Investigation at:
TM Deer Park Services, 2525 Independence Pkwy S, Deer Park (Harris County), Texas 77536
TCEQ SWR No.:32299, EPA ID No.: TXD000719518

Dear Mr. Marine:

On February 29 through March 1, 2016, Ms. Reyna L. Loosmore and Mr. Roland Thomas of the Texas Commission on Environmental Quality (TCEQ) Houston Region Office conducted an investigation of the above-referenced regulated entity to evaluate compliance with applicable requirements for underground injection control. No violations are being alleged as a result of the investigation.

The TCEQ appreciates your assistance in this matter and your compliance efforts to ensure protection of the State's environment. If you or members of your staff have any questions regarding these matters, please feel free to contact Ms. Loosmore in the Houston Region Office at (713) 767-3706.

Sincerely,

Alma L. Jefferson

Alma L. Jefferson, Team Leader
Waste Section
Houston Region Office

ALJ/RLL/rsv



printed on recycled paper using vegetable-based ink

**TM DEER PARK SERVICES LLC**
**AUDIT HANDBOOK**

# ATTACHMENT 7.1
# INSURANCE DOCUMENTS

# CERTIFICATE OF LIABILITY INSURANCE

9/19/2021

DATE (MM/DD/YYYY) 9/18/2020

**THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.**

**IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).**

| | |
|---|---|
| **PRODUCER** LOCKTON COMPANIES<br>3657 BRIARPARK DRIVE, SUITE 700<br>HOUSTON TX 77042<br>866-260-3538 | **CONTACT NAME:**<br>**PHONE (A/C, No, Ext):** **FAX (A/C, No):**<br>**E-MAIL ADDRESS:** |
| | **INSURER(S) AFFORDING COVERAGE** — **NAIC #** |
| | **INSURER A :** Ascot Specialty Insurance Company |
| **INSURED** 1401513<br>TM Deer Park Services, LLC<br>Texas Molecular Holdings, LLC<br>2525 Independence Parkway S.<br>Deer Park TX 77536 | **INSURER B :** Progressive County Mutual Insurance Co — 29203<br>**INSURER C :** Texas Mutual Insurance Company — 22945<br>**INSURER D :** Argonaut Insurance Company — 19801<br>**INSURER E :**<br>**INSURER F :** |

**COVERAGES** **CERTIFICATE NUMBER:** 13673769 **REVISION NUMBER:** XXXXXXX

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

| INSR LTR | TYPE OF INSURANCE | ADDL INSD | SUBR WVD | POLICY NUMBER | POLICY EFF (MM/DD/YYYY) | POLICY EXP (MM/DD/YYYY) | LIMITS | |
|---|---|---|---|---|---|---|---|---|
| A | **COMMERCIAL GENERAL LIABILITY**<br>CLAIMS-MADE [X] OCCUR<br>[X] Hired&Non-Owned Auto<br>GEN'L AGGREGATE LIMIT APPLIES PER:<br>POLICY [ ] PRO-JECT [ ] LOC<br>OTHER: | Y | Y | ENPL2010000256-01 | 9/19/2020 | 9/19/2021 | EACH OCCURRENCE<br>DAMAGE TO RENTED PREMISES (Ea occurrence)<br>MED EXP (Any one person)<br>PERSONAL & ADV INJURY<br>GENERAL AGGREGATE<br>PRODUCTS - COMP/OP AGG<br> | $ 1,000,000<br>$ 500,000<br>$ 25,000<br>$ 1,000,000<br>$ 2,000,000<br>$ 2,000,000<br>$ |
| B | **AUTOMOBILE LIABILITY**<br>ANY AUTO<br>OWNED AUTOS ONLY [ ] SCHEDULED AUTOS [X]<br>HIRED AUTOS ONLY [ ] NON-OWNED AUTOS ONLY [ ] | Y | Y | 02644661-0 | 9/19/2020 | 9/19/2021 | COMBINED SINGLE LIMIT (Ea accident)<br>BODILY INJURY (Per person)<br>BODILY INJURY (Per accident)<br>PROPERTY DAMAGE (Per accident)<br> | $ 1,000,000<br>$ XXXXXXX<br>$ XXXXXXX<br>$ XXXXXXX<br>$ XXXXXXX |
| A | **UMBRELLA LIAB** [X] OCCUR<br>[X] **EXCESS LIAB** [ ] CLAIMS-MADE<br>DED [ ] RETENTION $ | Y | Y | ENXL2010000257-01 | 9/19/2020 | 9/19/2021 | EACH OCCURRENCE<br>AGGREGATE<br> | $ 10,000,000<br>$ 10,000,000<br>$ XXXXXXX |
| C<br>D | **WORKERS COMPENSATION AND EMPLOYERS' LIABILITY**<br>ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? Y / N [N]<br>**(Mandatory in NH)**<br>If yes, describe under DESCRIPTION OF OPERATIONS below | N / A | Y | 0001192474(TX)<br>92-866-829260-4 (LA) | 9/19/2020<br>9/19/2020 | 9/19/2021<br>9/19/2021 | [X] PER STATUTE [ ] OTH-ER<br>E.L. EACH ACCIDENT<br>E.L. DISEASE - EA EMPLOYEE<br>E.L. DISEASE - POLICY LIMIT | <br>$ 1,000,000<br>$ 1,000,000<br>$ 1,000,000 |
| A | Pollution Legal Liability | Y | Y | ENPL2010000256-01 | 9/19/2020 | 9/19/2021 | $1,000,000 per Occurrence<br>$100,000 Deductible | |

**DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)**

**CERTIFICATE HOLDER**

**13673769**
For Information Purposes Only
P. O. Box 1914
Deer Park TX 77536

**CANCELLATION** See Attachment

**SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.**

**AUTHORIZED REPRESENTATIVE**

**© 1988-2015 ACORD CORPORATION. All rights reserved.**

All policies (except Workers' Compensation/EL) include a blanket automatic additional insured endorsement [provision] that confers additional insured status to the certificate holder only if there is a written contract between the named insured and the certificate holder that requires the named insured to name the certificate holder as an additional insured. In the absence of such a contractual obligation on the part of the named insured, the certificate holder is not an additional insured under the policy.

All policies include a blanket automatic waiver of subrogation endorsement [provision] that provides this feature only when there is a written contract between the named insured and the certificate holder that requires it. In the absence of such a contractual obligation on the part of the named insured, the waiver of subrogation feature does not apply.

All policies (except Workers' Compensation/EL) contain a special endorsement with "primary and noncontributory" wording.

**TM DEER PARK SERVICES LLC**
**AUDIT HANDBOOK**

**ATTACHMENT 7.2**
**CLOSURE PLAN**

GSI Job No. 3769

GSI ENVIRONMENTAL

# ATTACHMENT VII.1
# CLOSURE PLAN

## RCRA Permit Renewal Application

RCRA Permit No. HW-50058-001
TM Deer Park Services Limited Partnership, Deer Park, Texas

**ATTACHMENT VII.1**
**CLOSURE PLAN**

**RCRA Permit Renewal Application**

RCRA Permit No. HW-50058-001
TM Deer Park Services Limited Partnership, Deer Park, Texas

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## 1.0 INTRODUCTION

This plan addresses the closure of hazardous waste management units at the TM Deer Park Services Limited Partnership (TMDPS) facility. Closure refers to the process of permanently removing from service a waste management unit or an entire facility. This plan has been developed to comply with the Federal (40 CFR Part 264 Subpart G) and State (30 TAC 335.8 and Subchapter F, and 30 TAC 350) requirements as well as applicable technical guidance.

The TMDPS facility includes hazardous waste treatment and storage operations conducted under the following permit and registration numbers:

| | |
|---|---|
| TCEQ Solid Waste Registration No. | 32299 |
| TCEQ Hazardous Waste Permit No. | HW-50058-001 |
| EPA Identification No. | TXD000719518 |

Units subject to this closure plan include Container Storage Areas (CSAs; i.e., permitted Storage Treatment areas), tanks, and associated containment areas (Storage Treatment areas not permitted; see Table VII.A). General closure standards applicable to all units are described in Section 2.0 of this closure plan. Procedures specific to each type of unit are described in Section 3.0.

## 2.0 GENERAL REQUIREMENTS

### 2.1 Closure Performance Standards

By implementing the closure procedures described below, individual waste management units or the entire facility will be closed in a manner that minimizes the need for care after closure and ensures that the unit(s) will not pose a future threat to human health and the environment, as required by 40 CFR 264.111.

To achieve this performance standard, closures will involve removal and disposal of wastes and waste residues from each unit, decontamination of the unit and associated equipment, and verification of decontamination. Attainment of closure standards will be documented in reports discussed further below.

### 2.2 Partial and Final Closures

Circumstances which may prompt closure of an individual waste management unit (i.e., partial closures) may include i) modification to facility operations; or ii) the end of the useful service life of the unit.

Final facility closure will be implemented after all individual hazardous waste management units are taken out of service. Although it is anticipated that individual unit closures will occur periodically throughout the operating life of the facility, the closure cost estimate (Section 5.0) has been based on the assumption that the maximum inventory of hazardous wastes is present at the time of facility closure.

## 2.3 Schedule

Operation and subsequent closure of individual permitted units will depend upon actual TMDPS waste management needs and requirements; therefore, no date has been set for the closures. An estimated schedule prepared in accordance with the time limits specified in 40 CFR 264.112, 113, 115, and TCEQ guidance is provided below. This schedule will be followed for unit closures as well as final facility closure.

| Time from Final Waste Receipt | Closure Task Description |
|---|---|
| 10 to 45 days prior to final waste receipt and initiation of closure activities | Provide written notice to TCEQ Region and Central Office of intent to close unit:<br>• Unit Closure: Provide notice at least 10 days prior to closure activities [TCEQ, 2009a]. A schedule for confirmation sampling will either be included with the notice or will be submitted separately.<br>• Final Facility Closure: Provide notice at least 45 days prior to final waste receipt [40 CFR 264.112(d)]. |
| 0 days | Discontinue receipt of hazardous waste and commence closure. |
| 90 days | Remove and dispose of waste at authorized on-site or off-site facility [40 CFR 264.113(a)]. |
| 120 days | Complete decontamination process. |
| 180 days | Complete closure activities [40 CFR 264.113(b)]. |
| 240 days | Submit closure certification to the TCEQ. Closure certification reports will be submitted for final facility closure [40 CFR 264.115] as well as for individual unit closures. |

Although not anticipated, the closure process may require longer than the 90 day period allowed in 40 CFR Subpart G for waste inventory removal or the 180 day period allowed for completion of closure activities. If a longer period is required, an extension request will be submitted to the TCEQ.

# 3.0 CLOSURE PROCEDURES

## 3.1 Container Storage Areas

Closure of permitted CSAs will be conducted in accordance with 40 CFR 264.178, as adopted by 30 TAC 335.152(a)(7), as well as 30 TAC 350, if necessary, and appropriate technical guidance. To ensure that closures are completed in accordance with the closure plan, the activities will be supervised by TMDPS and reviewed by an independent professional engineer registered in Texas.

The overall schedule for closure is provided in Section 2.3 above. Specific steps include the following:

- *Notification:* Notification of the intent to close the unit will be submitted to the TCEQ.

- *Waste Removal and Disposal:* Hazardous wastes remaining in the unit at the time of closure will be removed and disposed in accordance with applicable regulations including Land Disposal Restrictions (LDR) referenced in 40 CFR Part 268. Visible

waste residues from secondary containment structures will be removed after all bulk or containerized wastes are removed.

Hazardous wastes may be disposed in a permitted on-site injection well. Wastes or waste residues that cannot be managed on-site will be removed from the facility by truck or rail, and will be disposed at authorized off-site facilities.

- *Decontamination:* Equipment used for removal, storage, and transport of hazardous waste during closure will be decontaminated. The wash water generated during the decontamination process will be treated and/or disposed in the on-site injection well or at another authorized facility.

- *Verification of Decontamination:* At the end of the decontamination process, rinsate samples will be collected. The samples will be analyzed and results evaluated as described in Section 4.0 below. The decontamination process will be repeated, as needed, until the verification samples meet regulatory requirements. As noted in Section 2.3 (Schedule), the TCEQ Region Office will be provided initial notice of the closure activities including verification sampling.

- *Inspection:* After closure activities are completed, the CSA will be visually inspected for evidence of contamination or cracks or gaps that could constitute pathways for release of hazardous waste or waste constituents to the environment. Facility operating records will be reviewed to determine whether releases occurred during the operating life of the unit. Evidence of a potential release will consist of records in the facility operating record or other visual evidence that a spill has occurred and has not been cleaned up in accordance with applicable regulatory or permit requirements. If evidence of a potential release is identified, TMDPS will conduct follow-up actions in accordance with 30 TAC 327 or 30 TAC 350, as appropriate.

- *Closure Certification:* A report describing the closure activities will be prepared and submitted to the TCEQ in accordance with the schedule in Section 2.3.

### 3.2 Tanks

Tank closures will be conducted in accordance with 40 CFR 264.197, as adopted by 30 TAC 335.152(a)(8), as well as 30 TAC 350, if necessary, and appropriate technical guidance. To ensure that closures are completed in accordance with the closure plan, the activities will be supervised by TMDPS and reviewed by an independent professional engineer registered in the State of Texas.

The overall schedule for closure is provided in Section 2.3 above. Specific steps include the following:

- *Notification:* Notification of the intent to close the unit will be submitted to the TCEQ.

- *Waste Removal and Disposal:* At the time of closure, hazardous waste receipt will be discontinued. The contents of the tank(s) and associated piping will be removed and the system flushed of remaining waste materials. Waste fluids remaining in the tanks and appurtenances will be removed for disposal either by i) pumping to a permitted on-site injection well or ii) transport to a permitted off-site disposal facility. Any waste solids collected in the tank(s) will be removed. These solids may be

i) treated on-site to meet applicable requirements of 40 CFR Part 268 and sent off-site to an authorized disposal facility, or ii) sent off-site for treatment, if necessary, and authorized disposal.

- *Decontamination:* On the basis of operating plans at the time of closure, equipment for the tank(s) will be managed in one of the following ways: i) decontamination and retention in service; ii) decontamination, demolition, and salvage; or iii) demolition and disposal. Various components of the tank system may be managed in different ways (e.g., some items may be salvaged and others disposed). The tank(s), piping, and appurtenances will be decontaminated by steam cleaning, pressure washing, or other appropriate methods. Pumps, piping, and other mechanical equipment will be flushed and salvaged or left in place. The decontamination process will typically involve a triple-rinse of the tanks and appurtenances using water or another solvent, if necessary.

  Equipment used during closure operations will be decontaminated by pressure washing, steam cleaning, or other appropriate methods.

  The rinsate generated during the decontamination process may be disposed in a permitted on-site injection well. Wastes or waste residues that cannot be managed on-site will be disposed at an authorized off-site facility. Wastes (e.g., solids) to be land disposed will be treated as necessary to meet applicable Land Disposal Restrictions per 40 CFR Part 268.

- *Verification of Decontamination:* At the end of the decontamination process, rinsate samples will be collected. The samples will be analyzed and results evaluated as described in Section 4.0 below. The decontamination process will be repeated as needed until the verification samples meet regulatory requirements. As noted in Section 2.3 (Schedule), the TCEQ Region Office will be provided initial notice of the closure activities including verification sampling.

- *Inspection:* After completion of the tank cleaning process, the tank area will be visually inspected for evidence of contamination or cracks or gaps that could constitute pathways for release of hazardous waste or waste constituents to the environment. Facility operating records will be reviewed to determine whether releases occurred during the operating life of the unit. Evidence of a potential release will consist of records in the facility operating record or other visual evidence that a spill has occurred and has not been cleaned up in accordance with applicable regulatory or permit requirements. If evidence of a potential release is identified, TMDPS will conduct follow-up actions in accordance with 30 TAC 327 or 30 TAC 350, as appropriate.

- *Closure Certification:* A report describing the closure activities will be prepared and submitted to the TCEQ in accordance with the schedule in Section 2.3.

### 3.3 Containment Areas

Containment areas (Storage Treatment areas) at the TMDPS facility provide secondary containment for hazardous waste management units, which may include permitted and permit-exempt units. The containment areas will be closed after all waste management activities within the areas have been discontinued and the units closed.

The closure process will follow the timeline outlined in Section 2.3. Specific steps include the following:

- *Notification:* Notification of the intent to close will be submitted to the TCEQ.

- *Decontamination:* Hard-surfaced areas will be decontaminated by steam cleaning, pressure washing, or other appropriate methods. Equipment used to clean the containment areas will also be decontaminated. The rinsate generated during the decontamination process may be disposed in a permitted on-site injection well. Wastes or waste residues that cannot be managed on-site will be disposed at an authorized off-site facility. Wastes (e.g., solids) to be land disposed will be treated as necessary to meet applicable Land Disposal Restrictions per 40 CFR Part 268.

- *Verification of Decontamination:* At the end of the decontamination process, rinsate samples will be collected. The samples will be analyzed and results evaluated as described in Section 4.0 below. The decontamination process will be repeated, as needed, until the verification samples meet regulatory requirements. As noted in Section 2.3 (Schedule), the TCEQ Region Office is provided initial notice of the closure activities including verification sampling.

- *Inspection:* After completion of the cleaning process, the area will be visually inspected for evidence of contamination or cracks or gaps that could constitute pathways for release of hazardous waste or waste constituents to the environment. Facility operating records will be reviewed to determine whether releases occurred during the operating life of the unit from unit(s) formerly situated within the containment area or from the containment area itself. Evidence of a potential release will consist of records in the facility operating record or other visual evidence that a spill has occurred and has not been cleaned up in accordance with applicable regulatory or permit requirements. If evidence of a potential release is identified, TMDPS will conduct follow-up actions in accordance with 30 TAC 327 or 30 TAC 350, as appropriate.

- *Closure Certification:* A report describing the closure activities will be prepared and submitted to the TCEQ in accordance with the schedule in Section 2.3. Reports concerning containment areas may be combined with unit-specific closure reports.

## 4.0 ATTAINMENT OF CLOSURE STANDARDS

Samples, such as rinsate samples, will be collected to verify whether the CSA, tank, or containment area has been adequately decontaminated during the closure process. Because of the potentially broad spectrum of wastes managed over the lifetime of a unit at TMDPS, indicator parameters have been selected to evaluate the adequacy of decontamination. Therefore, rinsate samples will be analyzed for the following: i) pH (if relevant to the material stored); ii) RCRA metals (if relevant to the material stored); and iii) Total Petroleum Hydrocarbons (TPH) by Method TX1005. TPH by Method TX1005 will be used to provide concentrations of total hydrocarbon boiling point ranges, typically between C6 and C28. These ranges correspond to TCEQ-calculated, risk-based criteria which will be used to determine whether the closure standard has been met.

Decontamination will be considered complete when no visible evidence of contamination is observed and when the results from verification sampling and analysis indicate that concentrations of applicable chemicals of concern (COCs) are below Remedy Standard A Protective Concentration Levels (PCLs) as specified in the Texas Risk Reduction Program rules (TRRP; 30 TAC 350). Institutional controls such as deed recordation will be implemented as required under TRRP in the event that concentrations of COCs are evaluated with respect to Standard A commercial/industrial PCLs, rather than residential PCLs.

## 5.0 CLOSURE COST ESTIMATES

### 5.1 Basis for Closure Cost Estimates

For the purpose of preparing financial assurance documentation, cost estimates have been prepared for CSAs, tanks, containment areas, and the Stabilization Building on the TMDPS facility (see Tables VII.B.1 through VII.B.4, respectively). Third-party unit rates for labor and equipment, transportation, waste disposal, laboratory analyses, and certification are provided on Table VII.B.5. Closure costs for all units are summarized on Table VII.E.1. Calculations and assumptions for the cost estimates are provided below.

### 5.2 Assumptions

In accordance with TCEQ guidance (e.g., TCEQ, 2009b and 2011a), closure costs have been estimated based on a scenario of facility abandonment at full permitted capacity (i.e., a scenario that would make closure the most expensive). This scenario assumes that no operable on-site equipment is available, all wastes are shipped and disposed off-site, and that the closure activities are conducted by a third party. Unit rates for closure activities, including labor and equipment for waste removal, transport, and disposal, have been obtained from contractors utilized by TMDPS for such work (see Table VII.B.5). Conservative assumptions used for preparing the closure cost estimates are as follows.

#### 5.2.1 Container Storage Areas

For closure cost estimates, CSAs have been assumed to be storing the maximum permitted volume of waste at the time of closure. For most waste streams, the waste has been assumed to be present in drums which are removed from the unit for disposal off-site without removing the waste from the drums. However, for characteristic and listed sludges and solids which are stored in larger containers, the waste will be bulked into roll-off boxes prior to off-site management.

Off-site management includes the following options for wastes removed from CSAs: i) incineration, ii) injection well, iii) burning of fuels, iv) landfilling of hazardous wastes, and v) landfilling of non-hazardous wastes. The percentage of each type of waste to be disposed by each of these options at the time of facility closure was estimated by reviewing disposal practices for the past five years at TMDPS (see Table VII.B.1). The volume of decontamination rinsate to be disposed has been estimated as the volume corresponding to a depth of 0.05 ft over the entire area of the unit. Decontamination rinsate will be transported off-site for disposal in a permitted injection well.

### 5.2.2 Tanks

For closure cost estimates, tanks have been assumed to be storing the maximum permitted volume of waste at the time of closure. Of the waste volume in the tank, 98% is assumed to be liquid and 2% is assumed to be sludge; however, the sludge volume is assumed to be no greater than 5,000 gallons. The volume of decontamination rinsate is equal to 5% of the tank volume. Liquid tank contents and decontamination rinsate will be transported off-site for disposal in a permitted injection well and sludge will be transported off-site for stabilization and disposal in a permitted landfill.

### 5.2.3 Containment Areas

Wastes will have been removed from tanks within each containment area at the time of closure; therefore, no waste will need to be removed from the containment areas. Each containment area will be decontaminated by rinsing with a volume of water estimated as the volume corresponding to a depth of 0.05 ft over the entire area of the unit. Decontamination rinsate will be transported off-site for disposal in a permitted injection well.

### 5.2.4 Stabilization Building

Mixing tanks MT-1 and MT-2 are located within the Stabilization Building. The tanks are in-ground tanks which do not require secondary containment; however, the area surrounding the tanks within the Stabilization Building and the adjacent access area will require closure. The area will be decontaminated by rinsing with a volume of water estimated as the volume corresponding to a depth of 0.05 ft over the entire area of the Stabilization Building, exclusive of the area occupied by the tanks which will already have been closed. Decontamination rinsate will be transported off-site for disposal in a permitted injection well.

## 6.0 REFERENCES

TCEQ, 2009a, TRRP Compatibility with RCRA, RG-366/TRRP-03, Revised March 2009.

TCEQ, 2009b, Technical Guideline No. 10, Topic: Closure and Post-Closure Cost Estimates, Issued 12 October 1984, Revised 1 November 2004, Reviewed 9 June 2009.

TCEQ, 2011a, Closure of Waste-Management Units Subject to TRRP, RG-366/TRRP-2A, Remediation Division, July 2011.

TCEQ, 2011b, TCEQ Part B Application Form TCEQ-00376, Revised 18 August 2011.

**Table VII.A. - Unit Closure**

**For each unit** to be permitted, list the facility components to be decontaminated, the possible methods of decontamination, and the possible methods of disposal of wastes and waste residues generated during unit closure:

**Container Storage Areas:**

| Equipment of HWM Unit | Possible Methods of Decontamination[1] | Possible Methods of Disposal[1] |
|---|---|---|
| **Site equipment** | **Steam clean, pressure wash** | **Injection Well, Stabilization/Landfill, Fuel Blend, Incineration** |
| **Storage Treatment Area III** | **Steam clean, pressure wash** | **Injection Well, Stabilization/Landfill, Fuel Blend, Incineration** |
| **Storage Treatment Area IV** | **Steam clean, pressure wash** | **Injection Well, Stabilization/Landfill, Fuel Blend, Incineration** |
| **Storage Treatment Area VII** | **Steam clean, pressure wash** | **Injection Well, Stabilization/Landfill, Fuel Blend, Incineration** |
| **Storage Treatment Area VII A** | **Steam clean, pressure wash** | **Injection Well, Stabilization/Landfill, Fuel Blend, Incineration** |
| **Storage Treatment Area VII B** | **Steam clean, pressure wash** | **Injection Well, Stabilization/Landfill, Fuel Blend, Incineration** |
| **Storage Treatment Area IX** | **Steam clean, pressure wash** | **Injection Well, Stabilization/Landfill, Fuel Blend, Incineration** |
| **Storage Treatment Area XIV** | **Steam clean, pressure wash** | **Injection Well, Stabilization/Landfill, Fuel Blend, Incineration** |

**Tanks:**

| Equipment of HWM Unit | Possible Methods of Decontamination[1] | Possible Methods of Disposal[1] |
|---|---|---|
| **Tank ancillary equipment** | **Steam clean, Pressure wash** | **Injection Well, Stabilization/Landfill, Fuel Blend, Incineration** |
| **Tank interiors** | **Steam clean, Pressure wash** | **Injection Well, Stabilization/Landfill, Fuel Blend, Incineration** |
| **Site equipment** | **Steam clean, Pressure wash** | **Injection Well, Stabilization/Landfill, Fuel Blend, Incineration** |
| **T-3** | **Steam clean, Pressure wash** | **Injection Well, Stabilization/Landfill, Fuel Blend, Incineration** |
| **T-4** | **Steam clean, Pressure wash** | **Injection Well, Stabilization/Landfill, Fuel Blend, Incineration** |
| **T-5** | **Steam clean, Pressure wash** | **Injection Well, Stabilization/Landfill, Fuel Blend, Incineration** |
| **T-6** | **Steam clean, Pressure wash** | **Injection Well, Stabilization/Landfill, Fuel Blend, Incineration** |
| **T-7** | **Steam clean, Pressure wash** | **Injection Well, Stabilization/Landfill, Fuel Blend, Incineration** |
| **T-8** | **Steam clean, Pressure wash** | **Injection Well, Stabilization/Landfill, Fuel Blend, Incineration** |
| **T-16** | **Steam clean, Pressure wash** | **Injection Well, Stabilization/Landfill, Fuel Blend, Incineration** |

**Table VII.A. - Unit Closure**

**Tanks (continued):**

| Equipment of HWM Unit | Possible Methods of Decontamination[1] | Possible Methods of Disposal[1] |
|---|---|---|
| **T-19A** | **Steam clean, Pressure wash** | **Injection Well, Stabilization/Landfill, Fuel Blend, Incineration** |
| **T-21** | **Steam clean, Pressure wash** | **Injection Well, Stabilization/Landfill, Fuel Blend, Incineration** |
| **T-26** | **Steam clean, Pressure wash** | **Injection Well, Stabilization/Landfill, Fuel Blend, Incineration** |
| **T-27** | **Steam clean, Pressure wash** | **Injection Well, Stabilization/Landfill, Fuel Blend, Incineration** |
| **T-28** | **Steam clean, Pressure wash** | **Injection Well, Stabilization/Landfill, Fuel Blend, Incineration** |
| **T-29** | **Steam clean, Pressure wash** | **Injection Well, Stabilization/Landfill, Fuel Blend, Incineration** |
| **T-30** | **Steam clean, Pressure wash** | **Injection Well, Stabilization/Landfill, Fuel Blend, Incineration** |
| **T-31** | **Steam clean, Pressure wash** | **Injection Well, Stabilization/Landfill, Fuel Blend, Incineration** |
| **T-32** | **Steam clean, Pressure wash** | **Injection Well, Stabilization/Landfill, Fuel Blend, Incineration** |
| **T-33** | **Steam clean, Pressure wash** | **Injection Well, Stabilization/Landfill, Fuel Blend, Incineration** |
| **T-34** | **Steam clean, Pressure wash** | **Injection Well, Stabilization/Landfill, Fuel Blend, Incineration** |
| **T-42** | **Steam clean, Pressure wash** | **Injection Well, Stabilization/Landfill, Fuel Blend, Incineration** |
| **T-43** | **Steam clean, Pressure wash** | **Injection Well, Stabilization/Landfill, Fuel Blend, Incineration** |
| **T-44** | **Steam clean, Pressure wash** | **Injection Well, Stabilization/Landfill, Fuel Blend, Incineration** |
| **T-45** | **Steam clean, Pressure wash** | **Injection Well, Stabilization/Landfill, Fuel Blend, Incineration** |
| **T-46** | **Steam clean, Pressure wash** | **Injection Well, Stabilization/Landfill, Fuel Blend, Incineration** |
| **T-55** | **Steam clean, Pressure wash** | **Injection Well, Stabilization/Landfill, Fuel Blend, Incineration** |
| **T-56** | **Steam clean, Pressure wash** | **Injection Well, Stabilization/Landfill, Fuel Blend, Incineration** |
| **T-57** | **Steam clean, Pressure wash** | **Injection Well, Stabilization/Landfill, Fuel Blend, Incineration** |
| **T-58** | **Steam clean, Pressure wash** | **Injection Well, Stabilization/Landfill, Fuel Blend, Incineration** |
| **T-59** | **Steam clean, Pressure wash** | **Injection Well, Stabilization/Landfill, Fuel Blend, Incineration** |

**Table VII.A. - Unit Closure**

**Tanks (continued):**

| Equipment of HWM Unit | Possible Methods of Decontamination[1] | Possible Methods of Disposal[1] |
|---|---|---|
| **T-71** | **Steam clean, Pressure wash** | **Injection Well, Stabilization/Landfill, Fuel Blend, Incineration** |
| **T-75** | **Steam clean, Pressure wash** | **Injection Well, Stabilization/Landfill, Fuel Blend, Incineration** |
| **T-76** | **Steam clean, Pressure wash** | **Injection Well, Stabilization/Landfill, Fuel Blend, Incineration** |
| **T-100** | **Steam clean, Pressure wash** | **Injection Well, Stabilization/Landfill, Fuel Blend, Incineration** |
| **T-101** | **Steam clean, Pressure wash** | **Injection Well, Stabilization/Landfill, Fuel Blend, Incineration** |
| **T-102** | **Steam clean, Pressure wash** | **Injection Well, Stabilization/Landfill, Fuel Blend, Incineration** |
| **T-103** | **Steam clean, Pressure wash** | **Injection Well, Stabilization/Landfill, Fuel Blend, Incineration** |
| **T-104** | **Steam clean, Pressure wash** | **Injection Well, Stabilization/Landfill, Fuel Blend, Incineration** |
| **T-105** | **Steam clean, Pressure wash** | **Injection Well, Stabilization/Landfill, Fuel Blend, Incineration** |
| **T-106** | **Steam clean, Pressure wash** | **Injection Well, Stabilization/Landfill, Fuel Blend, Incineration** |
| **T-107** | **Steam clean, Pressure wash** | **Injection Well, Stabilization/Landfill, Fuel Blend, Incineration** |
| **T-108** | **Steam clean, Pressure wash** | **Injection Well, Stabilization/Landfill, Fuel Blend, Incineration** |
| **T-109** | **Steam clean, Pressure wash** | **Injection Well, Stabilization/Landfill, Fuel Blend, Incineration** |
| **T-110** | **Steam clean, Pressure wash** | **Injection Well, Stabilization/Landfill, Fuel Blend, Incineration** |
| **T-111** | **Steam clean, Pressure wash** | **Injection Well, Stabilization/Landfill, Fuel Blend, Incineration** |
| **T-112** | **Steam clean, Pressure wash** | **Injection Well, Stabilization/Landfill, Fuel Blend, Incineration** |
| **T-113** | **Steam clean, Pressure wash** | **Injection Well, Stabilization/Landfill, Fuel Blend, Incineration** |
| **T-501** | **Steam clean, Pressure wash** | **Injection Well, Stabilization/Landfill, Fuel Blend, Incineration** |
| **T-1301** | **Steam clean, Pressure wash** | **Injection Well, Stabilization/Landfill, Fuel Blend, Incineration** |
| **MT-1** | **Steam clean, Pressure wash** | **Injection Well, Stabilization/Landfill, Fuel Blend, Incineration** |
| **MT-2** | **Steam clean, Pressure wash** | **Injection Well, Stabilization/Landfill, Fuel Blend, Incineration** |

**Table VII.A. - Unit Closure**

**Containment Areas:**

| Equipment of HWM Unit | Possible Methods of Decontamination[1] | Possible Methods of Disposal[1] |
|---|---|---|
| **Storage Treatment Area I** | **Steam clean, Pressure wash** | **Injection Well** |
| **Storage Treatment Area II North** | **Steam clean, Pressure wash** | **Injection Well** |
| **Storage Treatment Area II South** | **Steam clean, Pressure wash** | **Injection Well** |
| **Storage Treatment Area V** | **Steam clean, Pressure wash** | **Injection Well** |
| **Storage Treatment Area VI** | **Steam clean, Pressure wash** | **Injection Well** |
| **Storage Treatment Area VIII North** | **Steam clean, Pressure wash** | **Injection Well** |
| **Storage Treatment Area VIII South** | **Steam clean, Pressure wash** | **Injection Well** |
| **Storage Treatment Area XIII** | **Steam clean, Pressure wash** | **Injection Well** |

**Other Areas:**

| Equipment of HWM Unit | Possible Methods of Decontamination[1] | Possible Methods of Disposal[1] |
|---|---|---|
| **Stabilization Building** | **Steam clean, Pressure wash** | **Injection Well** |

[1]Applicants may list more than one appropriate method.

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

| Existing Unit Closure Cost Estimate | | |
|---|---|---|
| **Unit** | **Permit Unit No.** | **Cost[2]** |
| **Container Storage Areas** | | |
| Container Storage Area STA III | 121 | $128,800 |
| Container Storage Area STA IV | 122 | $28,400 |
| Container Storage Area STA VII | 123 | $149,200 |
| Container Storage Area STA VIIA | 124 | $66,700 |
| Container Storage Area STA VIIB | 125 | $148,400 |
| Container Storage Area STA IX | 126 | $313,500 |
| Container Storage Area STA XIV | 130 | $2,400 |
| **Tanks** | | |
| Tank T-3 | 1 | $44,200 |
| Tank T-4 | 2 | $44,200 |
| Tank T-5 | 3 | $40,900 |
| Tank T-6 | 4 | $40,900 |
| Tank T-7 | 5 | $23,700 |
| Tank T-8 | 6 | $23,700 |
| Tank T-16 | 8 | $24,000 |
| Tank T-19A | 10 | $9,700 |
| Tank T-26 | 14 | $19,300 |
| Tank T-27 | 15 | $7,400 |
| Tank T-28 | 16 | $25,500 |
| Tank T-29 | 17 | $25,500 |
| Tank T-30 | 18 | $25,500 |
| Tank T-31 | 19 | $23,700 |
| Tank T-32 | 20 | $56,000 |
| Tank T-33 | 21 | $56,000 |
| Tank T-34 | 22 | $56,000 |
| Tank T-44 | 29 | $13,000 |
| Tank T-45 | 30 | $12,000 |
| Tank T-46 | 31 | $13,100 |
| Tank T-56 | 33 | $56,000 |
| Tank T-57 | 34 | $13,500 |
| Tank T-58 | 35 | $23,700 |
| Tank T-59 | 36 | $56,000 |
| Tank T-100 | 44 | $25,500 |
| Tank T-101 | 45 | $23,700 |
| Tank T-102 | 46 | $23,700 |
| Tank T-103 | 47 | $23,700 |
| Tank T-104 | 48 | $56,000 |
| Tank T-105 | 49 | $25,500 |

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

| Existing Unit Closure Cost Estimate | | |
|---|---|---|
| **Unit** | **Permit Unit No.** | **Cost[2]** |
| **Tanks (continued)** | | |
| Tank T-106 | 50 | $25,500 |
| Tank T-107 | 51 | $23,700 |
| Tank T-108 | 52 | $23,700 |
| Tank T-109 | 53 | $56,000 |
| Tank T-110 | 54 | $23,700 |
| Tank T-111 | 55 | $23,700 |
| Tank T-112 | 56 | $23,700 |
| Tank T-113 | 57 | $23,700 |
| Tank T-501 | 142 | $4,100 |
| Tank T-1301 | 9 | $10,300 |
| Tank MT-1 | 140 | $6,700 |
| Tank MT-2 | 141 | $6,700 |
| **Secondary Containment** | | |
| Secondary Containment Area STA I | NA | $3,400 |
| Secondary Containment Area STA IIN | NA | $2,700 |
| Secondary Containment Area STA IIS | NA | $1,900 |
| Secondary Containment Area STA V | NA | $1,500 |
| Secondary Containment Area STA VI | NA | $2,200 |
| Secondary Containment Area STA VIIIN | NA | $2,400 |
| Secondary Containment Area STA VIIIS | NA | $2,200 |
| Secondary Containment Area STA XIII | NA | $1,600 |
| **Other** | | |
| Stabilization Building | NA | $2,300 |
| **Total Existing Unit Closure Cost Estimate** | | $2,129,927 (2016 dollars)[1] |

| Proposed Unit Closure Cost Estimate | | |
|---|---|---|
| **Unit** | **Permit Unit No.** | **Cost** |
| **Tanks** | | |
| Tank T-21 | 12 | $17,400 |
| Tank T-42 | 27 | $12,100 |
| Tank T-43 | 28 | $12,100 |
| Tank T-55 | 32 | $17,700 |
| Tank T-71 | 38 | $17,700 |
| Tank T-75 | 42 | $2,000 |
| Tank T-76 | 43 | $2,000 |
| **Total Proposed Unit Closure Cost Estimate** | | $85,378 (2016 dollars)[1] |

[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.

[2] Closure costs for individual permitted and proposed units are presented in 2012 dollars; however, the total closure cost estimates have been updated to 2016 dollars using the "Most Recent Annual Inflation Factors" published by TCEQ at https://www.tceq.texas.gov/adminservices/financial-assurance/revenue/annual_inflation_factors.html.

**TM DEER PARK SERVICES LLC**
**AUDIT HANDBOOK**

# ATTACHMENT 7.3
# FINANCIAL ASSURANCE

March 10, 2020

Executive Director
Texas Commission on Environmental Quality
Attn: Mark Stoebner, MC-184
12100 Park 35 Circle
Austin, TX 78753

Re: Surety Bond Guaranteeing Performance No. SUR0041434
TM Deer Park Services LLC

Dear Mr. Stoebner:

This letter is being provided to the TCEQ to fulfill the requirements of 30 TAC §37.221(a). Please find attached an updated Surety Bond Rider effective date of March 9, 2020, updating the original surety bond sent to you on October 29, 2018. The rider was requested to increase funds adjusted to reflect the inflationary increase of 1.8% to adjust to 2020 dollars.

Issuing Institution: Argonaut Insurance Company
Surety's Bond No: SUR0041434
Date: October 22, 2018
Facilities covered by the subject Surety Bond are as follows:

**RCRA Facility Permit**

TM Deer Park Services LLC
SWR No. 32299
Permit No. 50058
Facility Address: 2525 Independence Pkwy S, Deer Park, Texas 77536
Mailing Address: P.O. Box 1914, Deer Park, Texas 77536

The amount of funds assured by the subject Surety Bond for the above RCRA facility for closure costs is $2,258,062.

**Underground Injection Control (UIC) Permits**

TM Deer Park Services LLC
Permit Nos. WDW-169, WDW-249, and WDW-422
Facility Address: 2525 Independence Pkwy S, Deer Park, Texas 77536
Mailing Address: P.O. Box 1914, Deer Park, Texas 77536

The amount of funds assured by the subject Surety Bond for the above UIC facilities for closure/post-closure costs is $1,041,000. Please note that the renewal applications for the above-referenced permits are currently undergoing technical review and TMDP is anticipating

their renewal in the coming months. The amount of funds presented here is from the renewal application dated November 20, 2018 as recently updated on January 23, 2020.

The total of all cost estimates listed above that are guaranteed by the subject Surety Bond is $3,299,062.

If you have any questions do not hesitate to contact myself at 281-930-2593 or Mr. Kyle McClellen at 281-930-2511.

Sincerely,

Christina Perez
Director – EHS

Enclosure

# SURETY BOND RIDER

**To be attached and form a part of**

**Type of Bond:** PERFORMANCE BOND

**Bond No.:** SUR0041434

**Dated effective:** 10/22/2018
(MONTH, DAY, YEAR)

**executed by:** TM DEER PARK SERVICES LIMITED PARTNERSHIP, **as Principal,**
(PRINCIPAL)

**and by:** ARGONAUT INSURANCE COMPANY, **as Surety,**
(SURETY)

**and in favor of :** TEXAS COMMISSION ON ENVIRONMENTAL QUALITY.
(OBLIGEE)

**In consideration of the mutual agreements herein contained the Principal and the Surety hereby consent to changing**

| INFORMATION | FROM | TO |
|---|---|---|
| Permit number, name, physical and mailing addresses, and closure, post closure, or corrective action amounts(s) for each facility guaranteed by this bond (indicate closure, post closure, or corrective action amounts separately for each | WDW No. 169, Closure: $219,197<br>WDW No. 249, Closure: $219,197<br>WDW No. 422, Closure: $219,197<br>SWR No. 32299, Closure: $2,218,136<br><br>Total penal sum of bond: $2,875,727<br><br>Principal:<br>TM Deer Park Services Limited Partnership | WDW No. 169, Closure-Post Closure: $335,000<br>WDW No. 249, Closure-Post Closure: $353,000<br>WDW No. 422, Closure-Post Closure: $353,000<br>SWR No. 32299, Closure: $2,258,062<br><br>Total penal sum of bond: $3,299,062<br><br>Principal:<br>TM Deer Park Services LLC |

**Nothing herein contained shall vary, alter or extend any provision or condition of this bond except as herein expressly stated.**

**This rider is effective** 03/09/2020
(MONTH, DAY, YEAR)

**Signed and Sealed** 03/05/2020
(MONTH, DAY, YEAR)

**TM DEER PARK SERVICES LLC**
**PRINCIPAL**

BY: _____
KYLE McCLELLEN, VP-ADMINISTRATION

**ARGONAUT INSURANCE COMPANY**
**SURETY**

BY: _____
**Mary Ann Garcia,** ATTORNEY-IN-FACT

# Argonaut Insurance Company

Bond Number: SUR0041434

## Deliveries Only: 225 W. Washington, 24th Floor
## Chicago, IL 60606
## United States Postal Service: P.O. Box 469011, San Antonio, TX 78246

# POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That the Argonaut Insurance Company, a Corporation duly organized and existing under the laws of the State of Illinois and having its principal office in the County of Cook, Illinois does hereby nominate, constitute and appoint:

Mary Ann Garcia

Their true and lawful agent(s) and attorney(s)-in-fact, each in their separate capacity if more than one is named above, to make, execute, seal and deliver for and on its behalf as surety, and as its act and deed any and all bonds, contracts, agreements of indemnity and other undertakings in suretyship provided, however, that the penal sum of any one such instrument executed hereunder shall not exceed the sum of:

$85,000,000.00

This Power of Attorney is granted and is signed and sealed under and by the authority of the following Resolution adopted by the Board of Directors of Argonaut Insurance Company:

"RESOLVED, That the President, Senior Vice President, Vice President, Assistant Vice President, Secretary, Treasurer and each of them hereby is authorized to execute powers of attorney, and such authority can be executed by use of facsimile signature, which may be attested or acknowledged by any officer or attorney, of the Company, qualifying the attorney or attorneys named in the given power of attorney, to execute in behalf of, and acknowledge as the act and deed of the Argonaut Insurance Company, all bond undertakings and contracts of suretyship, and to affix the corporate seal thereto."

IN WITNESS WHEREOF, Argonaut Insurance Company has caused its official seal to be hereunto affixed and these presents to be signed by its duly authorized officer on the 8th day of May, 2017.

ARGONAUT INSURANCE COMPANY CORPORATE SEAL 1948 ILLINOIS

Argonaut Insurance Company

by: _____

Joshua C. Betz, Senior Vice President

STATE OF TEXAS
COUNTY OF HARRIS SS:

On this 8th day of May, 2017 A.D., before me, a Notary Public of the State of Texas, in and for the County of Harris, duly commissioned and qualified, came THE ABOVE OFFICER OF THE COMPANY, to me personally known to be the individual and officer described in, and who executed the preceding instrument, and he acknowledged the execution of same, and being by me duly sworn, deposed and said that he is the officer of the said Company aforesaid, and that the seal affixed to the preceding instrument is the Corporate Seal of said Company, and the said Corporate Seal and his signature as officer were duly affixed and subscribed to the said instrument by the authority and direction of the said corporation, and that Resolution adopted by the Board of Directors of said Company, referred to in the preceding instrument is now in force.

IN TESTIMONY WHEREOF, I have hereunto set my hand, and affixed my Official Seal at the County of Harris, the day and year first above written.

KATHLEEN M. MEEKS
Notary Public, State of Texas
Comm. Expires 07-15-2021
Notary ID 557992-8

_____
(Notary Public)

I, the undersigned Officer of the Argonaut Insurance Company, Illinois Corporation, do hereby certify that the original POWER OF ATTORNEY of which the foregoing is a full, true and correct copy is still in full force and effect and has not been revoked.

IN WITNESS WHEREOF, I have hereunto set my hand, and affixed the Seal of said Company, on the 5th day of March, 2020.

ARGONAUT INSURANCE COMPANY CORPORATE SEAL 1948 ILLINOIS

_____
James Bluzard, Vice President-Surety

**IF YOU HAVE QUESTIONS ON AUTHENTICITY OF THIS DOCUMENT CALL (210) 321 - 8400.**

ARGO POWER OF ATTORNEY

# IMPORTANT NOTICE

TO OBTAIN INFORMATION OR MAKE A COMPLAINT: YOU MAY CONTACT THE TEXAS DEPARTMENT OF INSURANCE TO OBTAIN INFORMATION ON COMPLANIES COVERAGES, RIGHTS OR COMPLAINTS AT:

1-800-252-3439

YOU MAY WRITE THE TEXAS DEPARTMENT OF INSURANCE:

P.O. BOX 149104
AUSTIN, TX 78714-9104
FAX # (512)475-1007

# PREMIUM OR CLAIM DISPUTES

SHOULD YOU HAVE A DISPUTE CONCERNING YOUR PREMIUM OR ABOUT A CLAIM YOU SHOULD CONTACT THE AGENT OR COMPANY FIRST. IF THE DISPUTE IS NOT RESOLVED, YOU MAY CONTACT THE TEXAS DEPARTMENT OF INSURANCE.

# ATTACH THIS NOTICE TO YOUR POLICY

THIS NOTICE IS FOR INFORMATION ONLY AND DOES NOT BECOME A PART OR CONDITION OF THE ATTACHED DOCUMENT.