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## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

November 30, 2010

Mr. Rafael Castillo  
City Manager, City of Fort Stockton  
P. O. Box 1000  
Fort Stockton, Texas 79735

Re: City of Fort Stockton Type V Liquid Waste Processing Facility - Pecos County  
Municipal Solid Waste (MSW) – Registration No. 43028  
Registration Application – Second Technical Notice of Deficiency (NOD)  
Tracking No. 14453853; RN101613297/CN600373310

Dear Mr. Castillo:

The MSW Permits Section has completed a technical review of the referenced registration application for which the preliminary review was completed on June 24, 2010, and the first technical review was completed on August 6, 2010. The referenced application is for a new Type V Liquid Waste Processing Facility located at the City of Fort Stockton's permitted Wastewater Treatment Plant (WWTP). Additional information is necessary to comply with the requirements of Title 30 Texas Administrative Code (30 TAC) Chapter 305 and Chapter 330. The information requested below must be provided prior to further application review. When making revisions to maps, drawings, and figures which are replicated throughout the application, each map, drawing, and figure must be revised throughout the application.

1. Part II, Texas Historical Review: In accordance with 30 TAC Section (§)330.61(n), please submit a review letter from the Texas Historical Commission documenting compliance with the Natural Resources Code, Chapter 191, Texas Antiquities Code. As this is an existing facility co-located with the city's WWTP and landfill, the documentation may be that which was used in permitting those facilities.
2. Part II, Unsuitable Areas: Please revise this section to reference 30 TAC §330.559 (relating to Unstable Areas)
3. Part III, General Facility Design: It is indicated that the solids from the settling tank are transferred to the WWTP sludge transfer box, where they are handled as part of the WWTP sludge. Please clarify the function of the sludge transfer box and indicate if material from the liquid waste processing facility is further processed in the sludge transfer box. If the sludge transfer box is used to store processed liquid waste that is intended for disposal in a MSW landfill, provisions for the testing of the waste prior to disposal in the transfer box should be included in the registration. Such testing should include the Paint Filter Test (United States Environmental Protection Agency (EPA) Method 9095) and any testing required by 30 TAC §330.203 and §330.205.

4. Part III, Appendix 1.2, Site Layout Map: It is unclear from the provided figure how processed liquid waste is transferred from the settling tank to the sludge pump. In addition, it is unclear how recovered oil and grease is transferred from the recovery tank to the off-site processor. Please revise the site layout map in Appendix 1.2 and elsewhere as needed to display all piping and equipment used at the liquid waste processing facility.
5. Part IV, Training Requirements: In the bulleted list of topics for training, it is stated "Hazardous waste and PCB waste detection and control (waste screening), if applicable", and "Properties of methane gas and safety procedures for methane gas, if applicable." Please verify if these topics for training are applicable at this site. If they are, please remove the phrase "if applicable". Otherwise, please identify them as being non applicable.
6. Part IV, Contaminated Water Management: It is stated "Contaminated water will not be discharged without specific written authorization." Please revise this sentence to state that in accordance with 30 TAC §330.207(e) Off-site discharge of contaminated waters shall be made only after approval under the Texas Pollutant Discharge Elimination System authority.
7. Part IV, Recordkeeping Requirements: It is indicated that the Site Operating Record (SOR) will be maintained at the facility or an alternate location. Based on the site layout map, it does not appear that the facility has the ability to store records on-site. Please note that per 30 TAC §330.219(a), items in the SOR may be stored at an alternative location. Please indicate the specific location where the SOR will be maintained.
8. Part IV, Materials Along the Route to the Site and Control of Accidental Spillage: It is stated "these records will be kept on-site for at least three years." Please be advised that any records considered part of the SOR should be maintained in the SOR for the life of the facility. Please indicate if any records regarding materials along the route to the site and the control of accidental spillage are part of the SOR.

The identified items of concern must be addressed prior to our determining the registration application technically complete. Rule citations are from 30 TAC, Chapter 330. It is recommended that the response to this Second Notice of Deficiency be in the following format to ensure that the response to each and every item of concern is identified:

- 1) A dated cover letter transmitting the revised registration application should accompany the revised application;
- 2) Each item of concern should be addressed in the transmittal letter and the applicant's response to the item should be immediately following the item of concern;
- 3) The applicant should indicate where in the revised registration application the revisions have been made by reference to part, section, and page number; and
- 4) Please include an original certification statement with the revision, in accordance with 30 TAC §305.44. The certification statement should indicate the name, title, and address of the responsible official.

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Please submit an original and three (3) copies of your application revisions within 27 days of the date of this letter. Your response must be in a form that allows for the replacement of application pages with the revised pages. According to 30 TAC Section 330.57(g)(6), revisions must have a revision date and note that the sheet is revised in the header or footer of each revised sheet or page. The revised text must be marked to highlight the revision. Failure to submit a satisfactory response to each of the noted deficiencies may result in the application being returned due to technical deficiencies.

Please submit pages 1 and 2 of the Part I application form indicating a notice of deficiency response for the registration application. In accordance with 30 TAC §§281.5(1) and 305.44, please include a new original signature page, page 10, of the Part I application form as part of your response. Along with the original signature, the certification statement should indicate the name, title, and address of the responsible official.

To facilitate our review, your response should include the tracking number that is referenced above. Failure to submit the requested information will result in the application being returned to the applicant.

If you have any questions, please contact me at (512) 239-6234. When addressing written correspondence, please use mail code MC 124.

Sincerely,



Charles Brown, Environmental Permit Specialist  
Municipal Solid Waste Permits Section  
Waste Permits Division  
Texas Commission on Environmental Quality

CBB/sm

cc: Mr. Grant A. Jackson, P.E., Naismith Engineering, Inc., Corpus Christi