



HAZARDOUS WASTE PERMIT NO. 50343  
EPA ID. NO. TXD000820266  
ISWR NO. 31547

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 (Vernon)

Name of Permittee: Union Pacific Railroad Company  
1416 Dodge Street  
Omaha, Nebraska 68179

Site Owner: Union Pacific Railroad Company  
1416 Dodge Street  
Omaha, Nebraska 68179

Registered Agent for Service: Rick Walton  
General Solicitor  
Union Pacific Railroad Company  
808 Travis Street, Suite 620  
Houston, Texas 77002

Classification of Site: Hazardous industrial solid waste post-closure care.

The permittee is authorized to conduct post closure care 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 authorization to manage wastes shall expire midnight, 10 years after the date of renewal permit approval. This permit was originally issued on June 20, 1994.

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: JUN 10 2005

TCEQ-0080 (Rev. 10-09-03)

A handwritten signature in black ink, appearing to be "Rick Walton", written over a horizontal line.

For The Commission

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- A - LEGAL DESCRIPTION OF FACILITY
- B - FACILITY MAP
- C - LIST OF INCORPORATED APPLICATION MATERIALS
- D - LIST OF PERMITTED FACILITY UNITS

PERMIT SECTION I. - FACILITY DESCRIPTION

A. SIZE AND LOCATION OF SITE

A permit is issued to Union Pacific Railroad Company (hereafter called the permittee), to operate a hazardous waste post closure care facility located approximately one mile from the intersection of Interstate 10 and Waco Street, on the south side of Liberty Road, in Harris County, Texas, drainage area of Segment 1007 in the San Jacinto River Basin (North Latitude 29° 47' 14", West Longitude 95° 19' 13"). The legal description of the facility submitted in Hazardous Waste Permit No. HW-50343 application dated December 22, 2003 is hereby made a part of this permit as "Attachment A". The hazardous waste management facility as delineated by the permittee's application map is hereby made a part of this permit as "Attachment B".

B. INCORPORATED APPLICATION MATERIALS

This permit is based on, and the permittee shall follow the Part A and Part B Industrial and Hazardous Waste Application submittal dated December 22, 2003, revised May 19, 2004, and September 2, 2004, and the Application Elements listed in "Attachment C", which are hereby approved subject to the terms of this permit and any other orders of the Texas Commission on Environmental Quality (TCEQ). These materials are incorporated into this permit by reference as if fully set out herein. Any and all revisions to these elements shall become conditions of this permit upon the date of approval by the Commission.

PERMIT SECTION II. - GENERAL FACILITY STANDARDS

A. STANDARD PERMIT CONDITIONS

The permittee has a duty to comply with the Standard Permit Conditions under 30 TAC Section 305.125. Moreover, the permittee has a duty to comply with the following permit conditions:

1. Modification of Permitted Facilities

The facility units authorized are limited to those described herein and by the application submittals identified in Provision I.B. (Permit Application). All facility units are subject to the terms and conditions of this permit and TCEQ rules. Prior to managing any facility units in a manner which differs from either the related plans and specifications contained in the permit application or the limitations, terms or conditions of this permit, the permittee must comply with the TCEQ permit amendment/modification rules as provided in 30 TAC Sections 305.62 and 305.69.

2. Duty to Comply

[30 TAC 305.142] The permittee must comply with all the conditions of this permit, except that the permittee need not comply with the conditions of this permit to the extent and for the duration such noncompliance is authorized in an emergency order issued by the Commission. Any permit noncompliance, other than noncompliance authorized by an emergency order, constitutes a violation of RCRA and is grounds for enforcement action;

[II.A.2.]

for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application.

3. Severability

The provisions of this permit are severable, and if any provision of this permit or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit shall not be affected thereby.

4. Definitions

For purposes of this permit, terms used herein shall have the same meaning as those in 30 TAC Chapters 305 and 335, unless this permit specifically provides otherwise; where terms are not defined in the regulations or the permit, the meaning associated with such terms shall be defined by a standard dictionary reference or the generally accepted scientific or industrial meaning of the term.

Application data - data used to complete the final application and any supplemental information.

5. Permit Expiration

In order to continue a permitted activity after the expiration date of the permit the permittee shall submit a new permit application at least 180 days before the expiration date of the effective permit, unless permission for a later date has been granted by the Executive Director. Authorization to continue such activity will terminate upon the effective denial of said application.

6. Certification Requirements

[30 TAC Section 305.144] For a facility being modified, the permittee may not make modifications to the facility except as provided in 30 TAC Section 305.69 (relating to Solid Waste Permit Modification at the Request of the Permittee) until the following has been accomplished:

- a. The permittee has submitted to the Executive Director and the local Regional Office of the TCEQ, by certified mail or hand delivery, a letter signed by the permittee, and signed and sealed by a Texas Licensed Professional Engineer stating that the facility has been constructed or modified in compliance with the permit. If the certification is being provided to document proper closure of a permitted unit, then the certification must be signed and sealed by an independent Texas Licensed Professional Engineer. Required certification shall be in the following form:

[II.A.6.a]

"This is to certify that the following activity (Specify activity, e.g., installation, closure, etc., of an item) relating to the following item (Specify the item, e.g., the particular facility, facility unit, unit component, subcomponent part, or ancillary component), authorized or required by TCEQ Hazardous Waste Permit No. 50343 has been completed, and that construction of said facility component has been performed in accordance with and in compliance with good engineering practices and the design and construction specifications of Hazardous Waste Permit No. 50343."

- b. A certification report has been submitted, with the certification described in Provision II.A.6., which is logically organized and describes in detail the tests, inspections, and measurements performed, their results, and all other bases for the conclusion that the facility unit, unit component, and/or closure have been, installed and/or performed in conformance with the design and specifications of this permit and in compliance with this permit. The report shall describe each activity as it relates to each facility unit or component being certified including reference to all applicable permit provisions. The report shall contain the following items, at a minimum:
  - (1) Scaled, as-built plan-view and cross-sectional drawings which accurately depict the facility unit and all unit components and subcomponents and which demonstrate compliance with the design and construction specifications approved and detailed in the terms of this permit;
  - (2) All necessary references to dimensions, elevations, slopes, construction materials, thickness and equipment; and
  - (3) For all drawings and specifications, the date, signature, and seal of a Professional Engineer who is licensed in the State of Texas.
- c. The Executive Director has inspected the modified or newly constructed facility and finds it is in compliance with the conditions of the permit; or if within 15 days of submission of the letter required by paragraph (a) of this section, the permittee has not received notice from the Executive Director of the intent to inspect, prior inspection is waived and the permittee may commence the activity.

\* 7. Land Disposal Restrictions

The permittee shall comply with the land disposal restrictions as found in 40 CFR 268 and any subsequent applicable requirements promulgated through the Federal Register. Requirements include modifying/amending the permittee's waste analysis plan to include analyses to determine compliance with applicable treatment standards or prohibition levels, pursuant to 40 CFR 268.7(c) and 264.13(a).

[II.A.]

8. Permit Reopener

This permit shall be subject to review by the Executive Director five (5) years from the date of permit issuance or reissuance and shall be modified as necessary to assure that the facility continues to comply with currently applicable requirements of the Solid Waste Disposal Act (SWDA) and the rules and regulations of the Commission. The permittee shall submit any information as may be reasonably required by the Executive Director to ascertain whether the facility continues to comply with currently applicable requirements of the SWDA and the rules and regulations of the Commission.

9. Dust Suppression

Pursuant to 40 CFR 266.23(b)/30 TAC 335.214(b), the permittee shall not use waste, used oil, or any other material which is contaminated with dioxin, polychlorinated biphenyls (PCBs), or any other hazardous waste (other than a waste identified solely on the basis of ignitability) for dust suppression or road treatment.

10. Texas Coastal Management Program - (Not Applicable)

B. RECORD KEEPING AND REPORTING REQUIREMENTS

1. Monitoring and Records

- a. All data submitted to the TCEQ shall be in a manner consistent with the latest version of the Quality Assurance Project Plan for the Texas Natural Resources Conservation Commission for Environmental Monitoring and Measurement Activities Relating to the Resource Conservation and Recovery Act (TCEQ QAPP).
- b. [30 TAC Section 305.125(11)(A)] Monitoring samples and measurements shall be taken at times and in a manner so as to be representative of the monitored activity. The method used to obtain a representative sample of the material to be analyzed shall be the appropriate method from Appendix I of 40 CFR Part 261 or an equivalent method approved by the Executive Director of the TCEQ. Laboratory methods shall be those specified in *Test Methods for Evaluating Solid Waste: Physical/Chemical Methods*, SW-846, 1987, as revised; *Standard Methods for the Examination of Water and Wastewater*, Fifteenth Edition, 1980, and 1981 supplement, or current adopted edition; *RCRA Ground-Water Monitoring: Draft Technical Guidance*, 1992, OSWER Directive 9950.1, or an equivalent method, as specified in the Waste Analysis Plan, Section of the Part B Application, and as approved by the Executive Director.



[II.B.]

2. Operating Record

In addition to the recordkeeping and reporting requirements specified elsewhere in this permit, the permittee shall maintain a written operating record at the facility, in accordance with 40 CFR 264.73. These records will be made available to representatives of the TCEQ upon request.

3. Retention of Application Data

[30 TAC Section 305.47] A permittee shall keep records throughout the term of the permit of data used to complete the final application and any supplemental information. All copies of renewals, amendments, revisions and modifications must be kept at the offices of Union Pacific Railroad in Spring, Texas such that the most current documents are available for inspection at all times. All materials, including any related information, submitted to complete the application shall be retained, not just those materials which have been incorporated into the permit.

4. Reporting of Noncompliance

The permittee shall report to the Executive Director of the TCEQ information regarding any noncompliance which may endanger human health or the environment. [30 TAC Section 305.125(9)]

- a. Report of such information shall be provided orally within 24 hours from the time the permittee becomes aware of the noncompliance.
- b. A written submission of such information shall also be provided within five days of the time the permittee becomes aware of the noncompliance. The written submission shall contain the following:
  - (1) a description of the noncompliance and its cause;
  - (2) the potential danger to human health or safety, or the environment;
  - (3) the period of noncompliance, including exact dates and times;
  - (4) if the noncompliance has not been corrected, the anticipated time it is expected to continue; and
  - (5) steps taken or planned to reduce, eliminate, and prevent the recurrence of the noncompliance, and to mitigate its adverse effects.

[II.B.]

5. Twenty-Four Hour Reporting

The following shall be included as information which must be reported orally within 24 hours pursuant to Title 30 TAC Section 305.125(9): [30 TAC Section 305.145]

- a. Information concerning release of any solid waste that may cause an endangerment to public drinking water supplies;
- b. Any information of a release or discharge of solid waste, or of a fire or explosion which could threaten the environment or human health or safety, outside the facility. The description of the occurrence and its cause shall include:
  - (1) name, address, and telephone number of the owner or operator;
  - (2) name, address, and telephone number of the facility;
  - (3) date, time, and type of incident;
  - (4) name and quantity of material(s) involved;
  - (5) the extent of injuries, if any;
  - (6) an assessment of actual or potential hazards to the environment and human health or safety outside the facility, where this is applicable; and
  - (7) estimated quantity and disposition of recovered material that resulted from the incident.

6. Notice Waiver

[30 TAC Section 305.145(b)] The Executive Director may waive the five-day written notice requirement specified in Provision B.4.b. (Reporting of Noncompliance) in favor of a written report submitted to the Commission within 15 days of the time the permittee becomes aware of the noncompliance or condition.

7. Biennial Report

The permittee shall prepare and submit to the Executive Director a Biennial Report. One copy of the report shall be submitted to the TCEQ Industrial and Hazardous Waste Permits Section and an additional copy shall be submitted to the appropriate TCEQ Regional Office by March 1st of each even numbered year for the preceding odd numbered year's activities. This report shall include, at a minimum, all information and records required by 40 CFR 264.75

[II.B.]

8. Pollution Prevention

Facilities subject to 30 TAC Chapter 335, Subchapter Q - Pollution Prevention: Source Reduction and Waste Minimization, must prepare a five year Source Reduction and Waste Minimization Plan and submit a Source Reduction and Waste Minimization Annual Report (SR/WM Annual Report) to the TCEQ Office of Pollution Prevention and Recycling. This report must be submitted annually on the dates specified in the rule.

9. Waste Minimization

The permittee shall annually certify, by January 25th for the previous calendar year, the following information, [40 CFR 264.73(b)(9)]:

- a. that the permittee has a program in place to reduce the volume and toxicity of all hazardous wastes which are generated by the permittee's facility operation to the degree determined to be economically practicable; and
- b. that the proposed method of treatment, storage, or disposal is that practicable method currently available to the permittee which minimizes the present and future threat to human health and the environment. This waste minimization certification is to be included in the facility operating records until closure.

10. Annual Detection Monitoring Report - (Reserved)

11. Manifest Discrepancy Report - (Not Applicable)

12. Unmanifested Waste Report - (Not Applicable)

13. Monthly Summary - (Not Applicable)

C. INCORPORATED REGULATORY REQUIREMENTS

1. State Regulations

The following TCEQ regulations are hereby made provisions and conditions of this permit. Issuance of this permit with incorporated rules in no way exempts the permittee from compliance with any other applicable state statute and/or Commission Rule.

- a. 30 TAC Chapter 37, Subchapter P;
- b. 30 TAC Chapter 305, Subchapter A: General Provisions;
- c. 30 TAC Chapter 305, Subchapter C: Application for Permit;

[II.C.1.]

- d. 30 TAC Sections 305.61 - 305.69 (regarding amendments, renewals, transfers, corrections, revocation and suspension of permits);
- e. 30 TAC Chapter 305, Subchapter G: Additional Conditions for Hazardous and Industrial Solid Waste Storage, Processing and Disposal Permits;
- f. 30 TAC Sections 305.121-305.125 (regarding permit characteristics and conditions);
- g. 30 TAC Sections 305.127-305.129 (regarding permit conditions, signatories and variance procedures);
- h. 30 TAC Section 305, Subchapter G: Additional Conditions for Hazardous and Industrial Solid Waste Storage, Processing, and Disposal Permits;
- i. 30 TAC Section 335, Subchapter A: Industrial Solid Waste and Municipal Hazardous Waste In General;
- j. 30 TAC Section 335, Subchapter B: Hazardous Waste Management General Provisions;
- k. 30 TAC Section 335.152 Standards;
- l. 30 TAC Sections 335.153 - 335.155 (regarding reporting of emergency situations and additional reports required);
- m. 30 TAC Sections 335.156 - 335.167 (regarding applicability of groundwater monitoring programs and corrective action requirements);
- n. 30 TAC Section 335.168 - 335.169 (regarding design and operating requirements and closure and post-closure care of surface impoundments);
- o. 30 TAC Section 335.177 - 335.179 (regarding general performance standard, cost estimate for closure, and financial assurance); and
- p. 30 TAC Chapter 350 Texas Risk Reduction Program (TRRP).

2. Federal Regulations

To the extent applicable to the activities authorized by this permit, the following provisions of 40 CFR Part 264, adopted by reference by 30 TAC Section 335.152, are hereby made provisions and conditions of this permit, to the extent consistent with the Texas Solid Waste Disposal Act, Texas Health and Safety Code Ann., Chapter 361 (Vernon), and the rules of the TCEQ:

- a. Subpart B -- General Facility Standards;

[II.C.2.]

- b. Subpart C -- Preparedness and Prevention;
- c. Subpart D -- Contingency Plan and Emergency Procedures;
- d. Subpart E -- Manifest System, Record keeping, and Reporting;
- e. Subpart G -- Closure and Post-closure;
- f. Subpart H -- Financial Requirements;
- g. Subpart K -- Surface Impoundments; and
- h. 40 CFR Part 268 -- Land Disposal Restrictions

PERMIT SECTION III. - FACILITY MANAGEMENT

A. OPERATION OF FACILITY

The permittee shall conduct post closure care at the facility to minimize the possibility of a fire, explosion, or any unplanned, sudden or non-sudden release of hazardous waste constituents to air, soil, or surface water which could threaten human health or the environment, as required by 40 CFR 264.31. All equipment and structures used to conduct post closure care of hazardous waste at the facility shall be maintained in proper operating condition.

B. PERSONNEL TRAINING

The permittee shall ensure that all facility personnel involved with hazardous waste management successfully complete a training program as required by 40 CFR 264.16. The permittee shall maintain training documents and records, as required by 40 CFR 264.16(d) and (e).

C. SECURITY

- 1. The permittee shall provide and maintain an artificial or natural barrier which completely surrounds the post closure care portion(s) of the facility and shall have a means to control entry, at all times, through gates or other entrances to these same facility areas.
- 2. The permittee shall post warning signs at all points of access to the post closure care portion(s) of the facility and along the natural and/or artificial barriers in sufficient numbers to be seen from any approach to that (those) portion(s) of the facility. The signs shall be printed so that they may be clearly read from a distance of at least 25 feet, and shall state "Danger - Unauthorized Personnel Keep Out" in English and in Spanish.

[III.]

D. GENERAL INSPECTION REQUIREMENTS

The permittee shall follow the inspection schedule contained in the permit application submittals identified in Provision I.B. (Permit Application) and as set out in Table III.D.-Inspection Schedule. The permittee shall remedy any deterioration or malfunction discovered by an inspection, as required by 40 CFR 264.15(c). Records of inspection shall be kept, as required by 40 CFR 264.15(d). Any remedial actions taken in response to facility inspections and the date of the remediation shall be included in the inspection records.

E. CONTINGENCY PLAN - (Not Applicable)

F. SPECIAL PERMIT CONDITIONS - (Not Applicable)

PERMIT SECTION IV. - WASTES AND WASTE ANALYSIS

A. WASTE ANALYSIS PLAN - (Not Applicable)

B. AUTHORIZED WASTES

1. Wastes which have been historically managed in the post closure care unit(s) authorized in Provision V are identified in "Table IV.B."

C. SAMPLING AND ANALYTICAL METHODS - (Not Applicable)

PERMIT SECTION V. - AUTHORIZED UNITS AND OPERATIONS

A. AUTHORIZED UNITS

1. The permittee is authorized to maintain the facility unit listed in "Attachment D" for post closure care subject to the limitations herein. References hereinafter in this permit to "TCEQ Permit Unit No. \_\_\_\_" shall be to the facility unit listed in "Attachment D". The authorized unit must be clearly identified as numbered in "Attachment D". The unit must have signs indicating "TCEQ PERMIT UNIT NO. \_\_\_\_".

B. CONTAINER STORAGE AREAS - (Not Applicable)

C. TANKS AND TANK SYSTEMS - (Not Applicable)

D. SURFACE IMPOUNDMENTS

The Closed Surface Impoundment and approved wastes are shown in Table IV.B. - Wastes Managed in Permitted Units. Wastes were removed from the surface impoundment, and the unit backfilled. The permittee shall perform post closure care of the Unit identified in "Attachment D".

E. WASTE PILES - (Not Applicable)

[V.]

- F. LAND TREATMENT UNITS - (Not Applicable)
- G. LANDFILLS - (Not Applicable)
- H. INCINERATORS - (Not Applicable)
- I. BOILERS - (Not Applicable)

PERMIT SECTION VI. - GROUNDWATER DETECTION MONITORING

A. GROUNDWATER MONITORING PROGRAM

The permittee shall design, construct and maintain a ground-water monitoring program to monitor area ground water throughout any post-closure care period. Groundwater monitoring at the facility shall be performed in accordance with Compliance Plan No. 50343.

PERMIT SECTION VII. - CLOSURE AND POST-CLOSURE REQUIREMENTS

- A. FACILITY CLOSURE - (Not Applicable)
- B. FACILITY POST-CLOSURE CARE REQUIREMENTS

For the hazardous waste management unit which was closed as a surface impoundment, the permittee shall conduct post-closure care of the unit for a period of at least 30 years after certification of closure of the unit. The post-closure period for each closed unit is specified in Table VII.G - Post-Closure Period. Post-closure care shall be performed in accordance with the Post-Closure Plans referenced in Provision I.B., 40 CFR 264.117, and the following requirements:

1. Maintain and monitor the ground water monitoring system and comply with all other applicable requirements of §§335.156-335.166 of this title (relating to Applicability of Groundwater Monitoring and Response; Required Programs; Groundwater Protection Standard; Hazardous Constituents; Concentration Limits; Point of Compliance; Compliance Period; General Groundwater Monitoring Requirements; Detection Monitoring Program; Compliance Monitoring Program, and Corrective Action Program);
2. Maintain the existing perimeter fences, manned or locked gates, and warning signs in good functional condition.
3. Ensure that the TCEQ has access to the facility.
4. Prepare and submit the biennial report required by Provision II.B.7.

[VII.B.]

5. General Post-Closure Requirements

Request for Permit Modification or Amendment

The permittee shall submit a written request for a permit modification or amendment to authorize a change in the approved Post-Closure Plan(s) in accordance with 40 CFR 264.118 (d)(2). The written request shall include a copy of the amended Post-Closure Plan(s) for approval by the Executive Director.

Time Frames for Modification/Amendment Request

The permittee shall submit a written request for a permit modification or amendment in accordance with the time frames in 40 CFR 264.118 (d)(3).

6. Post -Closure Notice and Certification Requirements

No later than 60 days after completion of the established post-closure period for each unit, the owner or operator shall submit to the Executive Director, by registered mail with a copy to the TCEQ Regional Office, a certification that the post-closure period for the unit was performed in accordance with the specifications of the approved Post-Closure Plan and this permit. The certification shall be signed by the permittee and a registered professional engineer. Documentation supporting the independent licensed professional engineer's certification must be furnished to the Executive Director upon request until the Executive Director releases the owner or operator from the financial assurance requirements for post-closure under 40 CFR 264.145 (i).

C. POST-CLOSURE FINANCIAL ASSURANCE REQUIREMENTS

1. The permittee shall provide financial assurance for post-closure care of all existing units required by this permit to have post closure care in accordance with the form outlined in 40 CFR Part 264, Subpart H in an amount not less than \$322,000 (2003 dollars) as shown on Table VII.E.1- Permitted Unit Post Closure Cost Summary. Financial assurance shall be secured and maintained in compliance with 30 TAC Chapter 37 Subchapter P and 335.152.
2. The permittee shall submit to the Executive Director, upon request, such information as may be required to determine the adequacy of the financial assurance.

PERMIT SECTION VIII. - LIABILITY REQUIREMENTS

A. SUDDEN AND NONSUDDEN ACCIDENTAL OCCURRENCES - (Not Applicable)

B. INCAPACITY OF OWNERS OR OPERATORS, GUARANTORS, OR FINANCIAL INSTITUTIONS

The permittee shall comply with 30 TAC 37.71, regarding bankruptcy, whenever necessary.



PERMIT SECTION IX. - CORRECTIVE ACTION FOR SOLID WASTE MANAGEMENT UNITS

A. NOTIFICATION OF RELEASE FROM SOLID WASTE MANAGEMENT UNIT

If a solid waste management unit (SWMU) or area of contamination not previously addressed in the RCRA Facility Assessment (RFA) dated, or any release of hazardous waste or hazardous constituents that may have occurred from any SWMU, is discovered subsequent to issuance of this permit, the permittee shall notify the Executive Director in writing within fifteen (15) days of the discovery. Within sixty (60) days of such discovery, the permittee shall submit an RFA for that unit or release which shall be based on U.S. EPA RCRA Facility Assessment Guidance, October 1986, NTIS PB 87-107769. If the RFA indicates a release or suspected release warrants further investigation, the permittee shall comply with the requirements of Section IX.B of this permit.

B. CORRECTIVE ACTION OBLIGATIONS

The permittee shall follow Compliance Plan No. 50343, developed in accordance with 30 TAC 335.156-335.167. The Compliance Plan is hereby incorporated into this permit by reference as if set out fully herein. Any revisions to the compliance plan shall become provisions of this permit upon the date of approval by the Commission.

PERMIT SECTION X. - AIR EMISSION STANDARDS

A. PROCESS VENTS AND EQUIPMENT LEAKS

1. Emissions from this facility must not cause or contribute to a condition of "air pollution" as defined in Section 382.003 of the Texas Health and Code Ann. or violate Section 382.085 of the Texas Health and Safety Code Ann. If the Executive Director of the TCEQ determines that such a condition or violation occurs, the permittee shall implement additional abatement measures as necessary to control or prevent the condition or violation.



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TABLE III.D. INSPECTION SCHEDULE

| <i>Facility Unit(s) and Basic Elements</i> | <i>Possible Error, Malfunction, or Deterioration</i>   | <i>Frequency of Inspection</i> |
|--|--|--------------------------------|
| Closed Surface Impoundment                 | Settling of ground surface that could possibly result in ponding of storm water in low-lying areas | Quarterly                      |

**TABLE IV.B. WASTES MANAGED IN PERMITTED UNITS**

| <i>No.</i> | <i>Waste</i>                                | <i>EPA Waste Codes</i> | <i>TCEQ Waste Codes</i> |
|------------|---|------------------------|-------------------------|
| 1          | Wood treatment (creosote)<br>related wastes | K001, F034, U051, U188 | 219, 301, 488, 609      |



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**TABLE VI.B.3.c GROUNDWATER DETECTION MONITORING PARAMETERS**  
(Not Applicable - Unit in Compliance Monitoring)

Unit/Waste Management Area \_\_\_\_\_

Well No(s). \_\_\_\_\_

| <i>Parameter</i> | <i>Sampling<br/>Frequency</i> | <i>Method<br/>Detection Limits</i> | <i>Concentration<br/>Limits<sup>1</sup></i> |
|------------------|-------------------------------|------------------------------------|---|
|                  |                               |                                    |   |
|                  |                               |                                    |   |
|                  |                               |                                    |   |
|                  |                               |                                    |   |
|                  |                               |                                    |   |
|                  |                               |                                    |   |
|                  |                               |                                    |   |
|                  |                               |                                    |   |
|                  |                               |                                    |   |

<sup>1</sup> The concentration limit is the basis for determining whether a release has occurred from the waste management unit/area.

**TABLE VII.E.2. PERMITTED UNIT POST-CLOSURE COST SUMMARY**

| Existing Unit Post-Closure Cost Estimate              |                                     |
|---|-------------------------------------|
| Unit  | Cost                                |
| Surface Impoundment (NOR #1)                          | \$322,000                           |
| <b>TOTAL EXISTING UNIT POST-CLOSURE COST ESTIMATE</b> | <b>\$322,000 (2003)<sup>1</sup></b> |

| Proposed Unit Post-Closure Cost Estimate |      |
|--|------|
| Unit                                     | Cost |
| Not Applicable                           |      |

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<sup>1</sup>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.

TABLE VII.G - POST-CLOSURE PERIOD

| Unit Name           | Date Certified Closed | Permitted Post Closure<br>Period (Yrs) | Date Post Closure<br>Ends |
|---------------------|-----------------------|--|---------------------------|
| Surface Impoundment | 6/20/1994             | 20                                     | 6/20/2024                 |



## Legal Description

**Union Pacific Railroad Houston Tie Plant (Houston Wood Preserving Works)  
and  
Closed Surface Impoundment  
Harris and Wilson Survey, A-32**

Entire Site:

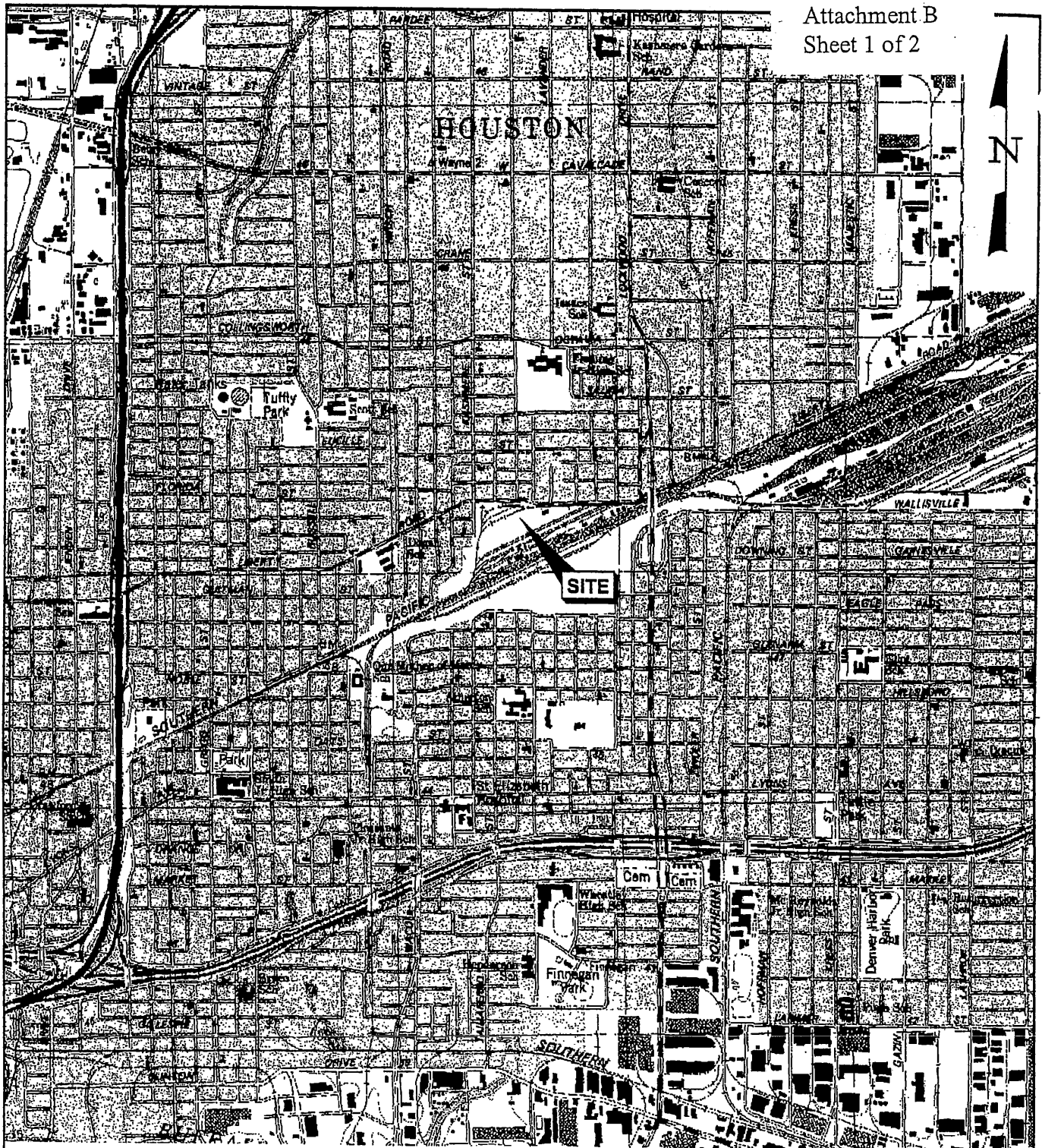
The following legal description was obtained from Harris County Appraisal District:

773,626 square feet located within Tracts 11, 12, 13 & 14 (001\* TND Shares 4, 5, 6, 7 & 8 TRI Tract Bound on West By Solo Street) Abstract 32 Harris & Wilson Survey.

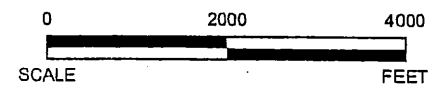
Closed Surface Impoundment

Being a parcel of land out of the Harris and Wilson Survey, Abstract 32, Harris County, Texas, same being all of fractional Block 65 lying east of and adjoining the east line of the E.A. Finn Addition recorded in Volume 73, Page 317 of the Harris County Deed Records (H.C.D.R.) and the east line of the Busch and Kyle Subdivision recorded in Volume 183, Page 69 H.C.D.R. and the adjoining closed and abandoned street between and adjoining Block 65 and Block 66 out of the Augusta Addition to the City of Houston per the map recorded in Volume 56, Page 139 of the Harris County Deed Records.





SOURCE: U.S.G.S. 7.5 Minute Quadrangle, Settegast, Texas, 1982.



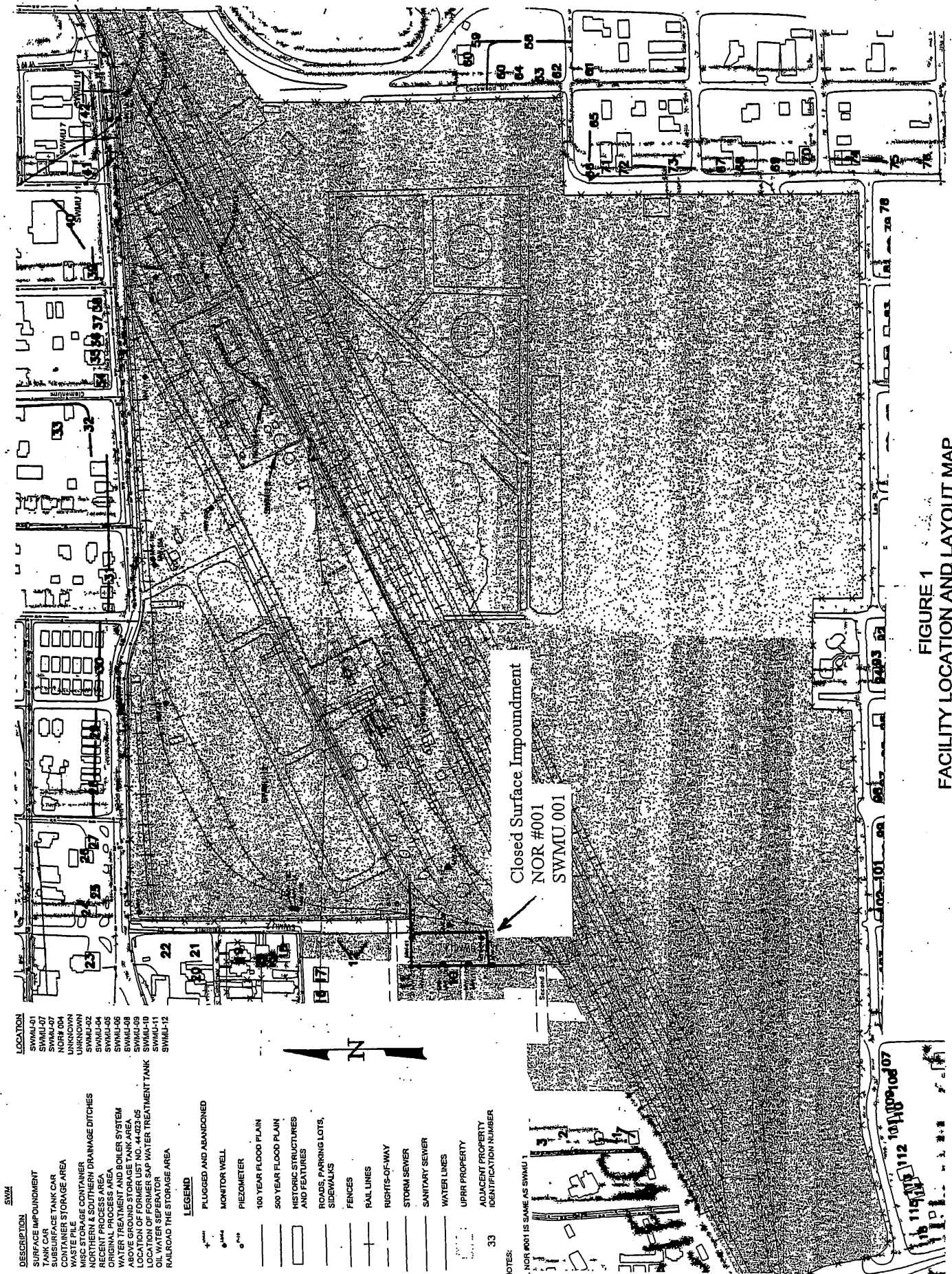
**ERM-Southwest, Inc.**

HOUSTON · NEW ORLEANS · AUSTIN · DALLAS · BEAUMONT · BATON ROUGE

**FIGURE 2**  
**TOPOGRAPHIC MAP**  
Houston Wood Preserving Works  
Houston, Texas



|            |                 |                             |         |
|------------|-----------------|-----------------------------|---------|
| DESIGN: SG | CHKD.: TDP      | DATE: 12/09/03              | REV.: J |
| DRAWN: JEM | SCALE: AS SHOWN | W.O.NO.: 422102A02L03R0.DWG |         |



### **Attachment C - List of Incorporated Application Materials**

The following is a list of Part A and Part B Industrial and Hazardous Waste Application elements which are incorporated into all Industrial and Hazardous Waste permits by reference as per Provision I.B.

#### TCEQ PART A Application Form

##### I. General Information

I.B. - Authorized Agents

I.C. - Identify entity who will conduct facility operation.

I.D. - Facility Ownership

##### III. Wastes and Waste Management

III.C.1. - Location of Waste Management Units - Topographic Map extending one mile beyond facility.

#### TCEQ PART B Application Form

##### I. General Information

I.A. - Applicant

I.C. - Facility Location - Address

I.F. - Wastewater and Stormwater Disposition

##### II. Facility Siting Criteria

II.A.2. Facility Siting Criteria - Critical habitat - Design information showing prevention of adverse impacts on critical habitat.

II.A.3 - Sole-source aquifer - Design information showing secondary containment to preclude migration of contaminants to groundwater.

II.A.4. - Regional Aquifer - Design information showing compliance with sitting standards.

II.A.6. - Gravel or sandy soils within 5 feet of containment structure - Design information to show compliance with sitting standards.

II.A.6. - Within one mile of lake - Design information to show compliance with sitting standards.

II.A.7. - Active geologic process - Design information to show prevention of adverse impacts.

II.A.8. - Faulting - Design information for prevention of adverse effects.

II.F.3.a & b. - Flooding - Design information showing flood controls.

II.F.4.- Flooding - Actions in lieu of flood protection.

### III. Facility Management

III.B. - Personnel Training Plan

III.D. - Inspection Schedule

III.E. - Contingency Plan

III.E.1. - Arrangements with Local Authorities

III.E.2. - Emergency Coordinators List

III.E.3. - Emergency Equipment list

III.F. - Emergency Response Plan

III.F.1. - Practice Drills

III.F.2. - Documentation of Emergency Response Agreement

III.F.5. - Training for Emergency Response Personnel

III.F.6. - Identification and Description of First Responders

III.F.7. - Updated list of medical facilities & maps

III.F.8. - Pre-disaster plan

III.F.9. - Notice of Emergency

III.F.11. - Medical response capabilities

### IV. Wastes and Waste Analysis

IV.B. - Table IV.B. - Waste managed in permitted units

IV.C. - Table IV.C. - Sampling and Analytical Methods

IV.D. - Waste Analysis Plan

### V. - Engineering Reports

V.A.1. - General Information

V.A.2. - Construction schedules

V.A.3. - Detailed Plans & Specifications to show facility will be constructed and operated in compliance with all pertinent permitting requirements.

V.D.2. - Describe Surface Impoundment

### VI. Geology Report

VI.B.3. - Description of Current & Proposed Detection Monitoring System

VI.B.3.a. - Complete Table VI.B.3.a. - Unit Ground-Water Monitoring System

VI.B.3.b. - Complete Table VI.B.3.b. - Ground-Water Sample Analysis

VI.B.3.d. - Drawings Depicting current and proposed monitoring well design.

VI.B.3.e. - Maps Showing:

- 1) Monitor well locations
- 2) Soil-pore sampling points
- 3) Waste Management Area
- 4) Property Boundary
- 5) Point of Compliance
- 6) Direction of Ground-Water Flow

VII. - Closure and Post-Closure Care Plans

VII.C.1. - Post-Closure Care Plan

VII.C.2. - Facility contact during Post-Closure Period

VII.E. - Table VII.E. Closure/Post Closure Cost Estimate

VIII. Financial Assurance

VIII.A.3. - Liability Requirements

VIII.B.1. - Applicant Financial Disclosure Statements

VIII.C.3. - New Commercial Hazardous Waste Management Facilities - emergency response assurance

IX. - Releases from Solid Waste Units & Corrective Action

IX.B.App. I - Facility and SWMU Location Maps





**Attachment D - Authorized Facility Units**

| TCEQ<br>Permit Unit<br>No. | Unit Name                  | Unit Description            | Capacity          |
|----------------------------|----------------------------|-----------------------------|-------------------|
| 1                          | Closed Surface Impoundment | Surface Impoundment, Closed | 5,065 cubic yards |

