

9011 Mountain Ridge Drive, Suite 100
Austin, TX 78759
Tel: 512-328-8975
Fax: 512-328-8985
www.browncaldwell.com

July 7, 2011



Texas Commission on Environmental Quality
Mr. Jeff Holderread, Team Leader MC-124
Municipal Solid Waste Permit Section
Waste Permits Division
P.O. Box 12087
Austin, TX 78711-3087

RE: Liquid Environmental Solutions (LES), Austin, Texas Facility
MSW Permit No. 2250
Revision Permit Modification – Name Change
RN101477446/CN603229436

Dear Mr. Holderread:

On behalf of our client, Liquid Environmental Solutions LLC., (LES) and as per my conversation with Ruben Meza, enclosed are three copies of the revised referenced permit modification for the LES Austin, Texas Facility. This name change modification was previously submitted in 2010 and subsequently withdrawn by TCEQ due to the amount of time that expired to respond to deficiencies. This submittal then is a new submittal with no revisions.

This name change is being submitted as required under Title 30 Texas Administrative Code (TAC) Chapter 305, Section §305.70(k)(13). This is a name change and therefore, this package only contains the required information for a name change. This name change is not proposed due to the sale of the facility; therefore no information in this package is included that would relate to a sale.

Included in this revised package is:

- Revised Core Data Form (TCEQ-10400)
- Page 10 of the Part I Application Signature Page
- Signed Property Owner Affidavit.
- One original sealed copy of the of the Narrative pages of the Site Development Plan (SDP) and Site Operating Plan (SOP) and three copies of the original and redline version as required under 30 TAC §305.70(e)(3)

As required under 30 TAC §330.63(j), financial assurance will be maintained under the existing permit and instrument. LES will coordinate with the TCEQ Financial Assurance Section.

As required under 30 TAC §305.70, a complete copy of this revised permit modification application including all supplements to the application has been posted on the facility's website. The website address where the application can be found is:
www.liquidenviro.com/notices/index.html.

Mr. Holderread
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In accordance with 30 TAC §305.70(k) (13), once the modification is approved and issued, LES will mail a post-issuance public notice.

Brown and Caldwell and LES appreciate your attention to this submittal. Should you have any questions, please contact me directly at (512) 652 1152.

Very truly yours,

BROWN and CALDWELL



Kelly Beck, P.G.,
Managing Geologist/Client Service Manager

KAB;jv

cc: Patrick Reilly, LES
Mike Newman, LES

Attachments: Revised Permit Modification Packet (1)



TCEQ Use Only

TCEQ Core Data Form

For detailed instructions regarding completion of this form, please read the Core Data Form Instructions or call 512-239-5175.

SECTION I: General Information

| | | | |
|---|--|--|--|
| 1. Reason for Submission <i>(If other is checked please describe in space provided)</i> | | | |
| <input type="checkbox"/> New Permit, Registration or Authorization <i>(Core Data Form should be submitted with the program application)</i> | | <input checked="" type="checkbox"/> Other Permit Modification | |
| <input type="checkbox"/> Renewal <i>(Core Data Form should be submitted with the renewal form)</i> | | <input checked="" type="checkbox"/> Other Permit Modification | |
| 2. Attachments Describe Any Attachments: <i>(ex. Title V Application, Waste Transporter Application, etc.)</i> | | | |
| <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | | Permit Modification for MSW 2250 | |
| 3. Customer Reference Number <i>(if issued)</i> | | 4. Regulated Entity Reference Number <i>(if issued)</i> | |
| CN 603229436 | | RN 101477446 | |

SECTION II: Customer Information

| | | | |
|--|--|--|--|
| 5. Effective Date for Customer Information Updates (mm/dd/yyyy) | | 6/11/2007 | |
| 6. Customer Role (Proposed or Actual) – as it relates to the <u>Regulated Entity</u> listed on this form. Please check only <u>one</u> of the following: | | | |
| <input type="checkbox"/> Owner | | <input type="checkbox"/> Operator | |
| <input type="checkbox"/> Occupational Licensee | | <input type="checkbox"/> Responsible Party | |
| <input checked="" type="checkbox"/> Owner & Operator | | <input type="checkbox"/> Voluntary Cleanup Applicant | |
| <input type="checkbox"/> Other: _____ | | | |
| 7. General Customer Information | | | |
| <input type="checkbox"/> New Customer | | <input type="checkbox"/> Update to Customer Information | |
| <input checked="" type="checkbox"/> Change in Legal Name (Verifiable with the Texas Secretary of State) | | <input type="checkbox"/> Change in Regulated Entity Ownership | |
| | | <input type="checkbox"/> No Change** | |
| **If "No Change" and Section I is complete, skip to Section III – Regulated Entity Information. | | | |
| 8. Type of Customer: | | | |
| <input type="checkbox"/> Corporation | | <input type="checkbox"/> Individual | |
| <input type="checkbox"/> City Government | | <input type="checkbox"/> County Government | |
| <input type="checkbox"/> Other Government | | <input type="checkbox"/> General Partnership | |
| | | <input type="checkbox"/> Limited Partnership | |
| | | <input checked="" type="checkbox"/> Other: Limited Liability Company | |
| 9. Customer Legal Name <i>(If an individual, print last name first: ex: Doe, John)</i> | | <i>If new Customer, enter previous Customer below</i> | |
| Liquid Environmental Solution of Texas, LLC | | NA | |
| 7651 Esters Blvd, Suite 200 | | | |
| 10. Mailing Address: | | | |
| City | | Irving | |
| State | | TX | |
| ZIP | | 75063 | |
| ZIP + 4 | | NA | |
| 11. Country Mailing Information <i>(if outside USA)</i> | | 12. E-Mail Address <i>(if applicable)</i> | |
| NA | | | |
| 13. Telephone Number | | 14. Extension or Code | |
| (972) 373-3000 | | 0 | |
| | | 15. Fax Number <i>(if applicable)</i> | |
| | | () -NA | |
| 16. Federal Tax ID <i>(9 digits)</i> | | 17. TX State Franchise Tax ID <i>(11 digits)</i> | |
| 161634035 | | NA | |
| | | 18. DUNS Number <i>(if applicable)</i> | |
| | | NA | |
| | | 19. TX SOS Filing Number <i>(if applicable)</i> | |
| | | NA | |
| 20. Number of Employees | | 21. Independently Owned and Operated? | |
| <input type="checkbox"/> 0-20 <input type="checkbox"/> 21-100 <input checked="" type="checkbox"/> 101-250 <input type="checkbox"/> 251-500 <input type="checkbox"/> 501 and higher | | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | |

SECTION III: Regulated Entity Information

| | | | |
|---|--|---|--|
| 22. General Regulated Entity Information <i>(If "New Regulated Entity" is selected below this form should be accompanied by a permit application)</i> | | | |
| <input type="checkbox"/> New Regulated Entity | | <input checked="" type="checkbox"/> Update to Regulated Entity Name | |
| <input type="checkbox"/> Update to Regulated Entity Information | | <input type="checkbox"/> No Change** <i>(See below)</i> | |
| **If "NO CHANGE" is checked and Section I is complete, skip to Section IV, Preparer Information. | | | |
| 23. Regulated Entity Name <i>(name of the site where the regulated action is taking place)</i> | | | |
| Liquid Environmental Solutions of Texas, LLC Austin, Texas Facility | | | |

| | | | | | | | | |
|---|-----------------------------------|--------|--|----|--|-------|---------|---|
| 24. Street Address of the Regulated Entity: (No P.O. Boxes) | 5119 E. 7 th Street | | | | | | | |
| | City | Austin | State | TX | ZIP | 78702 | ZIP + 4 | 0 |
| 25. Mailing Address: | 7651 Esters Blvd., Suite 200 | | | | | | | |
| | City | Irving | State | TX | ZIP | 75063 | ZIP + 4 | 0 |
| 26. E-Mail Address: | www.liquidenviro.com | | | | | | | |
| 27. Telephone Number | 28. Extension or Code | | 29. Fax Number (if applicable) | | | | | |
| (214) 972-3000 | NA | | () NA- | | | | | |
| 30. Primary SIC Code (4 digits) | 31. Secondary SIC Code (4 digits) | | 32. Primary NAICS Code (5 or 6 digits) | | 33. Secondary NAICS Code (5 or 6 digits) | | | |
| 4953 | NA | | 562219 | | NA | | | |
| 34. What is the Primary Business of this entity? (Please do not repeat the SIC or NAICS description.) | | | | | | | | |
| Nonhazardous Waste Collection and Disposal | | | | | | | | |

Questions 34 – 37 address geographic location. Please refer to the instructions for applicability.

| | | | | | | | | |
|---------------------------------------|--------------------------------|---------|---------|-------------------------------|---------|------------------|--|--|
| 35. Description to Physical Location: | 5119 E. 7 th Street | | | | | | | |
| 36. Nearest City | County | | | State | | Nearest ZIP Code | | |
| Austin | Travis | | | TX | | 78702 | | |
| 37. Latitude (N) In Decimal: | 30.253292 | | | 38. Longitude (W) In Decimal: | | -97.697515 | | |
| Degrees | Minutes | Seconds | Degrees | Minutes | Seconds | | | |
| | | | | | | | | |

39. TCEQ Programs and ID Numbers Check all Programs and write in the permits/registration numbers that will be affected by the updates submitted on this form or the updates may not be made. If your Program is not listed, check other and write it in. See the Core Data Form instructions for additional guidance.

| | | | | |
|--|--|---|---|---|
| <input type="checkbox"/> Dam Safety | <input type="checkbox"/> Districts | <input type="checkbox"/> Edwards Aquifer | <input type="checkbox"/> Industrial Hazardous Waste | <input checked="" type="checkbox"/> Municipal Solid Waste |
| <input type="checkbox"/> New Source Review – Air | <input type="checkbox"/> OSSF | <input type="checkbox"/> Petroleum Storage Tank | <input type="checkbox"/> PWS | <input type="checkbox"/> Sludge |
| <input checked="" type="checkbox"/> Stormwater | <input type="checkbox"/> Title V – Air | <input type="checkbox"/> Tires | <input checked="" type="checkbox"/> Used Oil | <input type="checkbox"/> Utilities |
| <input type="checkbox"/> Voluntary Cleanup | <input type="checkbox"/> Waste Water | <input type="checkbox"/> Wastewater Agriculture | <input type="checkbox"/> Water Rights | <input type="checkbox"/> Other: |

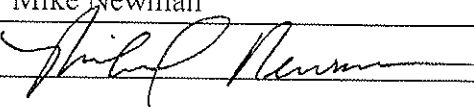
SECTION IV: Preparer Information

| | | | | | |
|----------------------|---------------|------------------|--------------------|------------------------|--|
| 40. Name: | Kelly Beck | | 41. Title: | Client Service Manager | |
| 42. Telephone Number | 43. Ext./Code | 44. Fax Number | 45. E-Mail Address | | |
| (512) 652-1152 | NA | (512) 328-8985 | kbeck@brwncald.com | | |

SECTION V: Authorized Signature

46. By my signature below, I certify, to the best of my knowledge, that the information provided in this form is true and complete, and that I have signature authority to submit this form on behalf of the entity specified in Section II, Field 9 and/or as required for the updates to the ID numbers identified in field 39.

(See the Core Data Form instructions for more information on who should sign this form.)

| | | | | | |
|------------------|---|--|------------|----------------------|------------------|
| Company: | Liquid Environmental Solutions, LLC. | | Job Title: | Director of Projects | |
| Name (In Print): | Mike Newman | | | Phone: | (214) 524-6079 |
| Signature: |  | | | Date: | 7/6/2011 |

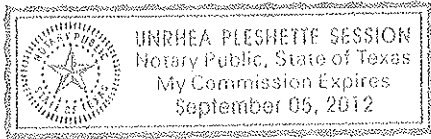
PROPERTY OWNER AFFIDAVIT

"I, _____
(property owner)

acknowledge that the State of Texas may hold me either jointly or severally responsible for the operation, maintenance, and closure and post-closure care of the facility. For a facility where waste will remain after closure, I acknowledge that I have a responsibility to file with the county deed records an affidavit to the public advising that the land will be used for a solid waste facility prior to the time that the facility actually begins operating as a municipal solid waste landfill facility, and to file a final recording upon completion of disposal operations and closure of the landfill units in accordance with Title 30 Texas Administrative Code §330.19, Deed Recordation. I further acknowledge that I or the operator and the State of Texas shall have access to the property during the active life and post-closure care period, if required, after closure for the purpose of inspection and maintenance."

[Handwritten Signature]
(Owner signature)

7/6/2011
(Date)



Unrhea Pleshette Session

Signature Page

I, Michael Newman
(Operator)

DIRECTOR OF PROJECTS
(Title)

certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Signature: Michael Newman

Date: 6/13/2011

TO BE COMPLETED BY THE OPERATOR IF THE APPLICATION IS SIGNED BY AN AUTHORIZED REPRESENTATIVE FOR THE OPERATOR

I, _____, hereby designate _____
(Print or Type Operator Name) (Print or Type Representative Name)

as my representative and hereby authorize said representative to sign any application, submit additional information as may be requested by the Commission; and/or appear for me at any hearing or before the Texas Commission on Environmental Quality in conjunction with this request for a Texas Water Code or Texas Solid Waste Disposal Act permit. I further understand that I am responsible for the contents of this application, for oral statements given by my authorized representative in support of the application, and for compliance with the terms and conditions of any permit which might be issued based upon this application.

Printed or Typed Name of Operator or Principal Executive Officer

Signature

SUBSCRIBED AND SWORN to before me by the said _____

On this 13 day of JUNE, 2012

My commission expires on the 5 day of September, 2012



Unrhea Pleschette
Notary Public in and for
Dallas County, Texas

(Note: Application Must Bear Signature & Seal of Notary Public)

Site Development Plan
Municipal Solid Waste Facility
Type V Permit Modification
Number 2250

Prepared for
Liquid Environmental Solutions of Texas, LLC

Corporate Office
7651 Esters Boulevard, Suite 200
Irving, Texas 75063

Facility Address
5119-B East 7th Street
Austin, Travis County, Texas 78702
MSW Permit No. 2250
CN No. 603229436
RN No. 101477446

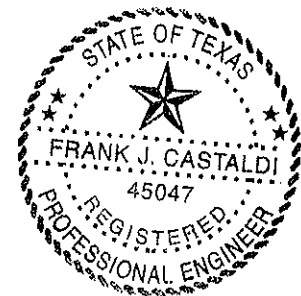
July 6, 2011

Prepared by:

Liquid Environmental Solutions of Texas, LLC
7651 Esters Boulevard, Suite 200
Irving, Texas 75063

and

Brown and Caldwell
9011 Mountain Ridge Drive, Suite 100
Austin, Texas 78759



9011 Mountain Ridge Drive, Suite 100
Austin, TX 78759

Frank J. Castaldi
7/6/2011

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1.1 Size and Location of Facility

This Type V Municipal Solid Waste Treatment Facility (grease trap waste) is located on a 0.4892-acre site at 5119 East 7th Street in the City of Austin, Travis County, Texas.

This Site Development Plan (SDP) submitted in the application for Permit No. M.S.W. 2250 is hereby made a part of this permit as Attachment A. The permittee shall maintain the SDP at the facility and make it available for inspection by regulatory personnel.

The legal description is submitted as Part I, Attachment 7, of the SDP.

Coordinates:

- Latitude: 30° 15.15' N
- Longitude: 97° 41.80' W

1.2 Facilities and Operations Authorized

1.2.1 Wastes Authorized at this Facility

The permittee is authorized to process non-hazardous and non-industrial grease trap wastes as listed in the application and described herein, from municipal and commercial establishments, subject to the limitations provided herein. The waste authorized to be processed under this permit is limited as follows:

Non-hazardous, non-industrial municipal grease trap waste: Waste collected from restaurants, hotels, schools, institutional kitchens, and food processing and preparation facilities that serve the employees at large industrial complexes.

1.2.2 Facilities Authorized

The permittee is authorized to operate the following facilities for processing subject to the limitations contained herein. All waste processing activities subject to permitting are confined to the following facilities:

- A Type V municipal solid waste grease trap waste processing facility, housed and totally enclosed in a metal building, with a maximum total capacity of 20,000 gallons per day, not to exceed 600,000 gallons per month, over the life of the site;
- Temporary storage (mobile tanker not to exceed 8,000 gallons in capacity) and transfer facilities, as needed to store pre- and post- processed waste for a maximum of 72 hours inside the facility building only; and
- Access roads and parking areas which will be either pea gravel covered, concrete, or asphalt paved; and access control which will be a lockable overhead door on the entrance of the facility building, and chain link fencing around the building and parking area.

Facilities shall be in accordance with the SDP and shall protect human health and the environment.

1.2.3 Storage Authorized

The above-authorized pre-processed (liquid) grease trap wastes are permitted to be stored for a maximum of 72 hours inside the facility building only.

1.2.4 Waste Acceptance Rate

The permittee is authorized to receive the above-described wastes during the life of the site at a rate of approximately 20,000 gallons per day (in a 24 hour period) not to exceed 600,000 gallons per month.

1.2.5 Financial Assurance

Authorization to operate these facilities is contingent upon maintenance of financial assurance pursuant to Section V.A.1. of this permit.

1.2.6 Changes, Additions, or Expansions

Any proposed facility changes, addition of land area, or expansion in capacity which has not been addressed by the terms of this permit must be authorized in accordance with the Texas Natural Resource Conservation Commission (TNRCC) Permit amendment/modification rules.

1.3 Facility Design, Construction, and Operation

1.3.1 General

- Facility Design, construction, and operation must comply with this permit, TNRCC Rules, and be in accordance with the SDP for design, construction, and operation approved herein.
- The entire waste management facility shall be designed, constructed, operated, and maintained to prevent the release and/or migration of any waste, and to prevent inundation of and discharge from the areas surrounding the facility. The components are as follows:
 - Provide containment system for receipt, storage, and processing areas of facility for collecting spills and incident precipitation to preclude the release of any contaminated runoff, spills, or precipitation.
 - Prevent washout of any waste or contaminated structure or equipment by a 100-year frequency flood; and
 - Prevent run-off into the facility from off-site areas.

1.3.2 Certification

Within 30 days of permit issuance, the permittee shall submit written certification that facility components have been constructed and are operating in compliance with the SDP, which is a part of this permit. This certification shall be prepared, signed, and sealed by a registered professional engineer.

1.4 Facility Operational Requirements

- Collected spills, leaks, clean-up residues, and contaminated rainfall runoff including storm water from all waste management areas shall be removed within 24 hours after the spillage and/or rainfall event by one of the two methods in Section IV.B.
- All Contaminated water as identified in Section IV.C. and Section V.C., shall be managed by one of the following methods:
 - Processing on-site in an authorized unit; or
 - Removal off-site to an authorized and permitted solid waste management facility or publicly owned treatment works (POTW).

- The permittee shall ensure that any equipment which has come in contact with waste shall be decontaminated prior to exiting the facility. At a minimum, all contaminated equipment shall be washed sufficiently to remove waste residues. All wash water generated shall be collected and disposed of in accordance with Section IV. B.
- The permittee shall develop and use inspection forms which include the facility to be inspected and a list of all items to be inspected. Any remedial actions taken in response to the inspection, and the date of the remediation, shall be included on the inspection forms.
- All tanks, sumps, pumps, fire and spill control equipment, decontamination equipment, and all other equipment and structures authorized or required by this permit, the M.S.W. regulations, and the SDP shall be maintained in good functional condition.
- The permittee shall operate this Type V non-hazardous and non-industrial solid waste management facility in accordance with federal laws, state and local laws, TNRC rules, this permit, and the SDP.
- All facility employees and other persons participating in facility operations shall be qualified by training, education, and experience to perform their duties so as to achieve compliance with this permit. The permittee shall ensure that all personnel are trained and, if necessary, have obtained Letters of Competency in municipal solid waste management commensurate with their levels and positions of responsibility. The permittee shall further ensure that all personnel are familiar with safety procedures, contingency plans, the requirements of the Commission's rules, and this permit.
- The permittee shall maintain records of the facility operation including an operations log book that records all employee training and facility wash down events.

1.5 Closure/Post-Closure

1.5.1 General Closure Requirements

- The permittee shall provide financial assurance for closure in accordance with the provisions of 30 TAC Section 330.505 (Municipal Solid Waste: Closure, Post-Closure, and Corrective Action Cost Estimates: Closure Cost Estimates for Storage and Processing Units), and 37.141 (Financial Assurance: Financial Assurance Requirements for Closure, Post Closure and Corrective Action: Increase in Current Cost Estimate). The financial assurance amount previously approved by TCEQ and currently on record for this facility is adjusted annually as specified in Section V.A.2.a.. In accordance with 30 TAC 37.141, whenever an increase in the current cost estimate occurs, the owner or operator may obtain additional financial assurance to cover the increase. The increase in the amount of financial assurance to include the closure cost estimate for closure of the temporary 8,000 gallon storage tank is provided in Attachment SDP-1
- The permittee shall submit to the Executive Director such information deemed necessary by the Executive Director to determine the adequacy of financial assurance as follows:
 - Within 60 days prior to the anniversary date of the financial assurance documents, or within 30 days after the firm's fiscal year for firms using the corporate guarantee, the facility's closure cost estimate shall be updated for

inflation and submitted to the Executive Director. The adjustment shall be made by recalculating costs in current dollars, or by using an inflation factor derived from the most recent Implicit Price Deflator. The cost estimate for closure shall be based on off-site disposal of the maximum storage capacity, as identified in the SOP, plus the additional 8,000 gallon temporary storage tank.

- If changes in the closure plan will increase the cost of closure, then the cost estimate shall be revised within 30 days after approval of the plan by the Executive Director. The revised cost estimate shall also be adjusted as specified in Section V.A.2.a.

1.5.2 Facility closure

Shall commence:

- Upon direction of the TNRCC Commissioners or the Executive Director for non-compliance with Section IV.F;
- Upon suspension, cancellation, or revocation of the terms and conditions of this permit concerning the authorization to store, process, or dispose of waste materials;
- Upon Abandonment of the site;
- Upon direction of the Executive Director for failure to secure and maintain an adequate bond or other financial assurance as required in Section IV.A.I.;
- When necessary to comply with Section V.C.;
- Upon failure or inability of the permittee to maintain a valid wastewater discharge permit with the City of Austin in accordance with Section VIII.D.; or
- Upon termination of permittee's agreement for lease of the site.

1.5.3 Site Completion Requirements

Sixty (60) days prior to site closure, the permittee shall submit a closure plan to the Executive Director. At a minimum, the closure plan shall require the following:

- Disinfection and decontamination of the facility or portion of the facility which has come into contact with wastes;
- All hard surfaces within the facility shall be disinfected;
- All wash water shall be disposed of in accordance with Section IV.B.

1.5.4 Post-Closure Care

- For a minimum of the first five years after the completion of final closure, the permittee shall retain the right of entry to and maintain all rights-of-way related to the closed facility in order to conduct periodic inspections as the executive director may deem necessary.
- The length of the post-closure care maintenance period may be:
 - decreased by the executive director upon suitable demonstration by the permittee that the reduced period is sufficient to protect human health and the environment; or
 - increased by the Executive Director if it is determined that the lengthened period is necessary to protect human health and the environment.

1.6 Standard Permit Conditions

- The permittee shall comply with all conditions of this permit. Failure to comply with any permit condition constitutes a violation of this permit and the Texas Solid Waste Disposal Act and is grounds for enforcement action and/or permit amendment, revocation, or suspension.
- Emissions from this facility must not cause or contribute to a condition of "air-pollution" as defined in Section 382.003 of the Texas Clean Air Act or violate Section 382.085 of the Texas Clean Air Act. If the Executive Director of the Texas Natural Resource Conservation Commission determines that such condition or violation occurs, the permittee shall implement additional abatement measures as necessary to control or prevent the condition or violation.
- 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 hereby.
- The permittee shall be required to meet all performance standards in this permit, regardless of whether the permit also contains a specific design or other requirement relating to the performance standard.

1.7 Incorporated Regulatory Requirements

In addition to complying with Chapter 26 of the Texas Water Code (Vernon), the permittee shall comply with all applicable laws. To the extent applicable to the activities authorized by this permit, the provisions and conditions of Title 30 TAC Chapter 281, 305, and 330, and future revisions are adopted by referenced and are hereby made provisions and conditions of this permit.

1.8 Special Permit Conditions

- Within 30 days of the issuance of this permit, the permittee shall post a financial instrument acceptable to the Executive Director in the amount of ~~\$~~—*updated to 2005 IPD Index*. The purpose of this instrument will be to assure the Texas Natural Resource Conservation Commission that sufficient assets are available to properly close the facility. The instrument shall name the TNRCC as beneficiary.

This amount shall be renewed, and shall be adjusted for inflation as required in Section V.A.2.a. of this permit; and may be adjusted upward as required by the Executive Director.

The permittee shall comply with any rules promulgated by the Commission in the future which may require an additional demonstration of operational or closure costs or which may require the posting of additional dollar amount to insure proper operation and closure of the facility.

- The above-authorized wastes and other by-products will not be stored outside (off site) of the facility, and there will be no burial or dumping of those wastes or any by-products on the site.
- The permittee shall maintain a valid waste water discharge permit with the City of Austin.

Site Development Plan
Municipal Solid Waste Facility
Type V Permit Modification
Number 2250

Prepared for
Liquid Environmental Solutions of Texas, LLC

Corporate Office
~~11301 Newkirk~~7651 Esters Boulevard, Suite 200
Dallas/Tyng, Texas 7522975063

Facility Address
5119-B East 7th Street
Austin, Travis County, Texas 78702
MSW Permit No. 2250
CN No. 603229436
RN No. 101477446

~~February 8, 2011~~July 6, 2011

Prepared by:

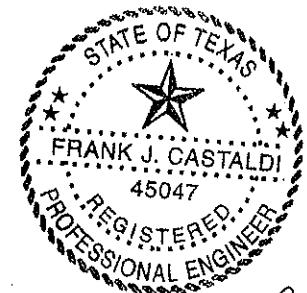
Liquid Environmental Solutions of Texas, LLC
~~121301 Newkirk~~7651 Esters Boulevard, Suite 200
Dallas/Tyng, Texas 7522975063

and

Brown and Caldwell
~~4100 NE Loop 410~~ Suite 3009011 Mountain Ridge Drive, Suite 100
San Antonio/Austin, Texas 78209759



9011 Mountain Ridge Drive, Suite 100
Austin, TX 78759



Frank J. Castaldi
7/6/2011

Revision 0: April 4, 1995

Revision 1: September 13, 1996

Revision 2: October 20, 1996

Revision 3: October 27, 1996

Revision 4: December 7, 1999

Revision 5: January 11, 2000

Revision 6: June 20, 2003

Revision 7: June 27, 2005

Revision 8: November 20, 2008

Revision 9: August 29, 2009

Revision 10: July 6, 2011

Table of Contents

Revision 0: April 4, 1995

Revision 1: September 13, 1995

Revision 2: October 20, 1995

Revision 3: October 27, 1995

Revision 4: December 7, 1999

Revision 5: January 11, 2000

Revision 6: June 20, 2008

Revision 7: June 27, 2008

Revision 8: November 20, 2008

Revision 9: August 29, 2009

Revision 10: July 6, 2011

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1.1 Size and Location of Facility

This Type V Municipal Solid Waste Treatment Facility (grease trap waste) is located on a 0.4892-acre site at 5119 East 7th Street in the City of Austin, Travis County, Texas.

This Site Development Plan (SDP) submitted in the application for Permit No. M.S.W. 2250 is hereby made a part of this permit as Attachment A. The permittee shall maintain the SDP at the facility and make it available for inspection by regulatory personnel.

The legal description is submitted as Part I, Attachment 7, of the SDP.

Coordinates:

- Latitude: 30° 15.15' N
- Longitude: 97° 41.80' W

1.2 Facilities and Operations Authorized

1.2.1 Wastes Authorized at this Facility

The permittee is authorized to process non-hazardous and non-industrial grease trap wastes as listed in the application and described herein, from municipal and commercial establishments, subject to the limitations provided herein. The waste authorized to be processed under this permit is limited as follows:

Non-hazardous, non-industrial municipal grease trap waste: Waste collected from restaurants, hotels, schools, institutional kitchens, and food processing and preparation facilities that serve the employees at large industrial complexes.

1.2.2 Facilities Authorized

The permittee is authorized to operate the following facilities for processing subject to the limitations contained herein. All waste processing activities subject to permitting are confined to the following facilities:

- A Type V municipal solid waste grease trap waste processing facility, housed and totally enclosed in a metal building, with a maximum total capacity of 20,000 gallons per day, not to exceed 600,000 gallons per month, over the life of the site;
- Temporary storage (mobile tanker not to exceed 8,000 gallons in capacity) and transfer facilities, as needed to store pre- and post-processed waste for a maximum of 72 hours inside the facility building only; and

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- Access roads and parking areas which will be either pea gravel covered, concrete, or asphalt paved; and access control which will be a lockable overhead door on the entrance of the facility building, and chain link fencing around the building and parking area.

Facilities shall be in accordance with the SDP and shall protect human health and the environment.

1.2.3 Storage Authorized

The above-authorized pre-processed (liquid) grease trap wastes are permitted to be stored for a maximum of 72 hours inside the facility building only.

1.2.4 Waste Acceptance Rate

The permittee is authorized to receive the above-described wastes during the life of the site at a rate of approximately 20,000 gallons per day (in a 24 hour period) not to exceed 600,000 gallons per month.

1.2.5 Financial Assurance

Authorization to operate these facilities is contingent upon maintenance of financial assurance pursuant to Section V.A.1. of this permit.

1.2.6 Changes, Additions, or Expansions

Any proposed facility changes, addition of land area, or expansion in capacity which has not been addressed by the terms of this permit must be authorized in accordance with the Texas Natural Resource Conservation Commission (TNRCC) Permit amendment/modification rules.

1.3 Facility Design, Construction, and Operation

1.3.1 General

- Facility Design, construction, and operation must comply with this permit, TNRCC Rules, and be in accordance with the SDP for design, construction, and operation approved herein.
- The entire waste management facility shall be designed, constructed, operated, and maintained to prevent the release and/or migration of any waste, and to prevent inundation of and discharge from the areas surrounding the facility. The components are as follows:

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- Provide containment system for receipt, storage, and processing areas of facility for collecting spills and incident precipitation to preclude the release of any contaminated runoff, spills, or precipitation.
- Prevent washout of any waste or contaminated structure or equipment by a 100-year frequency flood; and
- Prevent run-off into the facility from off-site areas.

1.3.2 Certification

Within 30 days of permit issuance, the permittee shall submit written certification that facility components have been constructed and are operating in compliance with the SDP, which is a part of this permit. This certification shall be prepared, signed, and sealed by a registered professional engineer.

1.4 Facility Operational Requirements

- Collected spills, leaks, clean-up residues, and contaminated rainfall runoff including storm water from all waste management areas shall be removed within 24 hours after the spillage and/or rainfall event by one of the two methods in Section IV.B.
- All Contaminated water as identified in Section IV.C. and Section V.C., shall be managed by one of the following methods:
 - Processing on-site in an authorized unit; or
 - Removal off-site to an authorized and permitted solid waste management facility or publicly owned treatment works (POTW).
- The permittee shall ensure that any equipment which has come in contact with waste shall be decontaminated prior to exiting the facility. At a minimum, all contaminated equipment shall be washed sufficiently to remove waste residues. All wash water generated shall be collected and disposed of in accordance with Section IV. B.
- The permittee shall develop and use inspection forms which include the facility to be inspected and a list of all items to be inspected. Any remedial actions taken in response to the inspection, and the date of the remediation, shall be included on the inspection forms.
- All tanks, sumps, pumps, fire and spill control equipment, decontamination equipment, and all other equipment and structures authorized or required by this permit, the M.S.W. regulations, and the SDP shall be maintained in good functional condition.

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- The permittee shall operate this Type V non-hazardous and non-industrial solid waste management facility in accordance with federal laws, state and local laws, TNRCC rules, this permit, and the SDP.
- All facility employees and other persons participating in facility operations shall be qualified by training, education, and experience to perform their duties so as to achieve compliance with this permit. The permittee shall ensure that all personnel are trained and, if necessary, have obtained Letters of Competency in municipal solid waste management commensurate with their levels and positions of responsibility. The permittee shall further ensure that all personnel are familiar with safety procedures, contingency plans, the requirements of the Commission's rules, and this permit.
- The permittee shall maintain records of the facility operation including an operations log book that records all employee training and facility wash down events.

1.5 Closure/Post-Closure

1.5.1 General Closure Requirements

- The permittee shall provide financial assurance for closure in accordance with the provisions of 30 TAC Section 330.505 (Municipal Solid Waste: Closure, Post-Closure, and Corrective Action Cost Estimates: Closure Cost Estimates for Storage and Processing Units), and 37.141 (Financial Assurance: Financial Assurance Requirements for Closure, Post Closure and Corrective Action: Increase in Current Cost Estimate). The financial assurance amount previously approved by TCEQ and currently on record for this facility is adjusted annually as specified in Section V.A.2.a.. In accordance with 30 TAC 37.141, whenever an increase in the current cost estimate occurs, the owner or operator may obtain additional financial assurance to cover the increase. The increase in the amount of financial assurance to include the closure cost estimate for closure of the temporary 8,000 gallon storage tank is provided in Attachment SDP-1
- The permittee shall submit to the Executive Director such information deemed necessary by the Executive Director to determine the adequacy of financial assurance as follows:
 - Within 60 days prior to the anniversary date of the financial assurance documents, or within 30 days after the firm's fiscal year for firms using the corporate guarantee, the facility's closure cost estimate shall be updated for inflation and submitted to the Executive Director. The adjustment shall be

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made by recalculating costs in current dollars, or by using an inflation factor derived from the most recent Implicit Price Deflator. The cost estimate for closure shall be based on off-site disposal of the maximum storage capacity, as identified in the SOP, plus the additional 8,000 gallon temporary storage tank.

- If changes in the closure plan will increase the cost of closure, then the cost estimate shall be revised within 30 days after approval of the plan by the Executive Director. The revised cost estimate shall also be adjusted as specified in Section V.A.2.a.

1.5.2 Facility closure

Shall commence:

- Upon direction of the TNRCC Commissioners or the Executive Director for non-compliance with Section IV.F;
- Upon suspension, cancellation, or revocation of the terms and conditions of this permit concerning the authorization to store, process, or dispose of waste materials;
- Upon Abandonment of the site;
- Upon direction of the Executive Director for failure to secure and maintain an adequate bond or other financial assurance as required in Section IV.A.I.;
- When necessary to comply with Section V.C.;
- Upon failure or inability of the permittee to maintain a valid wastewater discharge permit with the City of Austin in accordance with Section VIII.D.; or
- Upon termination of permittee's agreement for lease of the site.

1.5.3 Site Completion Requirements

Sixty (60) days prior to site closure, the permittee shall submit a closure plan to the Executive Director. At a minimum, the closure plan shall require the following:

- Disinfection and decontamination of the facility or portion of the facility which has come into contact with wastes;
- All hard surfaces within the facility shall be disinfected;
- All wash water shall be disposed of in accordance with Section IV.B.

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1.5.4 Post-Closure Care

- For a minimum of the first five years after the completion of final closure, the permittee shall retain the right of entry to and maintain all rights-of-way related to the closed facility in order to conduct periodic inspections as the executive director may deem necessary.
- The length of the post-closure care maintenance period may be:
 - decreased by the executive director upon suitable demonstration by the permittee that the reduced period is sufficient to protect human health and the environment; or
 - increased by the Executive Director if it is determined that the lengthened period is necessary to protect human health and the environment.

1.6 Standard Permit Conditions

- The permittee shall comply with all conditions of this permit. Failure to comply with any permit condition constitutes a violation of this permit and the Texas Solid Waste Disposal Act and is grounds for enforcement action and/or permit amendment, revocation, or suspension.
- Emissions from this facility must not cause or contribute to a condition of "air-pollution" as defined in Section 382.003 of the Texas Clean Air Act or violate Section 382.085 of the Texas Clean Air Act. If the Executive Director of the Texas Natural Resource Conservation Commission determines that such condition or violation occurs, the permittee shall implement additional abatement measures as necessary to control or prevent the condition or violation.
- 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 hereby.
- The permittee shall be required to meet all performance standards in this permit, regardless of whether the permit also contains a specific design or other requirement relating to the performance standard.

1.7 Incorporated Regulatory Requirements

In addition to complying with Chapter 26 of the Texas Water Code (Vernon), the permittee shall comply with all applicable laws. To the extent applicable to the activities authorized by

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this permit, the provisions and conditions of Title 30 TAC Chapter 281, 305, and 330, and future revisions are adopted by referenced and are hereby made provisions and conditions of this permit.

1.8 Special Permit Conditions

- Within 30 days of the issuance of this permit, the permittee shall post a financial instrument acceptable to the Executive Director in the amount of \$~~-----~~*updated to 2005 IPD Index*. The purpose of this instrument will be to assure the Texas Natural Resource Conservation Commission that sufficient assets are available to properly close the facility. The instrument shall name the TNRCC as beneficiary.

This amount shall be renewed, and shall be adjusted for inflation as required in Section V.A.2.a. of this permit; and may be adjusted upward as required by the Executive Director.

The permittee shall comply with any rules promulgated by the Commission in the future which may require an additional demonstration of operational or closure costs or which may require the posting of additional dollar amount to insure proper operation and closure of the facility.

- The above-authorized wastes and other by-products will not be stored outside (off site) of the facility, and there will be no burial or dumping of those wastes or any by-products on the site.
- The permittee shall maintain a valid waste water discharge permit with the City of Austin.