

**RAILROAD COMMISSION OF TEXAS  
OFFICE OF GENERAL COUNSEL  
HEARINGS SECTION**

**OIL AND GAS DOCKET  
NO. 05-0273296**

**FINAL ORDER  
APPROVING THE APPLICATION OF VISION SOLID SOLUTIONS INC.  
FOR A COMMERCIAL OIL AND GAS WASTE SEPARATION FACILITY  
PURSUANT TO STATEWIDE RULE 8 FOR THE  
JOHNSON COUNTY FACILITY  
JOHNSON COUNTY, TEXAS**

The Commission finds that after statutory notice in the above-numbered docket heard on November 4, 2011, the presiding examiners have made and filed a report and proposal for decision containing findings of fact and conclusions of law, which was served on all parties of record; that the proposed application is in compliance with all statutory requirements; and that this proceeding was duly submitted to the Railroad Commission of Texas at conference held in its offices in Austin, Texas.

The Commission, after review and due consideration of the examiners' report and proposal for decision, the findings of fact and conclusions of law contained therein, and any exceptions and replies filed thereto, hereby adopts as its own findings of fact and conclusions of law and incorporates said findings of fact and conclusions of law as if fully set out and separately stated herein.

Therefore, it is **ORDERED** by the Railroad Commission of Texas that the application of Vision Solid Solutions Inc. to operate a commercial oil and gas waste separation facility pursuant to Statewide Rule 8 for the Johnson County Facility, Johnson County, Texas, is hereby **GRANTED** in accordance with the attached permit.

Each exception to the examiners' proposal for decision not expressly granted herein is overruled. All requested findings of fact and conclusions of law which are not expressly adopted herein are denied. All pending motions and requests for relief not previously granted or granted herein are denied.

This order will not be final and effective until 20 days after a party is notified of the Commission's order. A party is presumed to have been notified of the Commission's order three days after the date on which the notice is actually mailed. If a timely motion for rehearing is filed by any party at interest, this order shall not become final and effective

**Permit No. STF-031**

VISION SOLID SOLUTIONS INC  
P O BOX 2763  
CLEBURNE, TX 76033

Based on information contained in your application dated January 23, 2011 and subsequent information received to date, you are hereby authorized to receive, store, handle, and treat certain oil and gas wastes as specified below at the following facility:

Goltz-Johnson County Treatment Facility, Including Pit Permit No. P011656  
C.L. Jaco Survey, A-460  
Johnson County, Texas  
RRC District 06

**NARRATIVE DESCRIPTION OF PROCESS:**

Incoming waste is offloaded into up to five (5) aboveground mud storage tanks or the collecting pit, depending on the type of waste. The waste is directed through piping or carried by machinery to a centrifuge where solids and liquids are separated. Processed solids are conveyed to a roll-off box and liquids are pumped to up to two aboveground effluent storage tanks. Emptied trucks are directed to the collecting pit and rinsed with fresh water. Liquids in the collecting pit are pumped into aboveground water storage tanks while solids are conveyed by machinery to open-top roll-off boxes. All solids in the roll-off boxes are trucked to a permitted landfill and all separated liquids are trucked to a permitted commercial disposal well.

Authority is granted to receive, store, handle, and treat oil and gas wastes in accordance with Statewide Rule 8 and subject to the following minimum conditions:

**I. GENERAL PERMIT CONDITIONS**

- A. This permit is effective December 13, 2011, and expires December 13, 2016.
- B. This permit may be considered for administrative renewal upon request and subsequent review by the Commission.
- C. This permit is nontransferable without the consent of the Commission.
- D. No waste may be received at the referenced facility until financial security in the amount of \$77,864 for the Johnson County Facility, including the associated Collecting Pit covered under pit permit P011656, is provided to and approved by the Commission.
- E. The permittee shall make all records available for review and/or copying during normal business hours upon request of Commission personnel.
- F. Failure to comply with any provision of this permit will be cause for modification, suspension, or termination of this permit.
- G. The permittee shall submit a Semiannual Report containing the applicable information required in Condition III of this permit. The first Semiannual Report

shall cover the period beginning on the effective date of the permit and ending June 30, 2012. The reporting periods shall thenceforth be July 1 through December 31 and January 1 through June 30 of each year.

The Semiannual Reports shall be submitted to Technical Permitting in Austin and the Kilgore District Office no later than the 31<sup>st</sup> day of the month following each reporting period, or each January 31 and each July 31, respectively.

## II. INCOMING WASTES

### A. AUTHORIZED WASTES

1. Only RCRA exempt wastes subject to the jurisdiction of the Railroad Commission of Texas may be received or processed at this facility. This permit authorizes the receipt of only the following oil and gas wastes:
  - a. Water based drilling fluids and associated cuttings;
  - b. Oil based drilling fluids and associated cuttings;
  - c. Contaminated soils from RCRA exempt crude oil spills, gathering pipeline, and saltwater spills;
  - d. Formation sands and other solids from saltwater storage tanks or vessels and non-commercial saltwater pits;
  - e. Production tank bottoms which do not exceed 7% in oil content as determined by a Standard API Shakeout;
  - f. Liners from non-commercial reserve and washout pits.
2. This permit does not authorize the reclamation of crude oil from oil and gas waste. A request for authorization under Statewide Rule 57 must be submitted to Technical Permitting in Austin prior to any reclamation activities at the referenced facility.
3. No oil and gas NORM (Naturally Occurring Radioactive Material) waste defined in 16 TAC §4.603 or waste from a facility that is licensed by the Texas State Health Services to process or treat oil and gas NORM waste may be received at this facility.
4. No waste may be received at the facility if it is not a waste under the jurisdiction of the Railroad Commission of Texas. No hazardous waste as defined by the U.S. Environmental Protection Agency in 40 CFR Part 261 or industrial waste may be received at the facility.

### B. TESTING REQUIREMENTS FOR INCOMING WASTES

1. For the purposes of this permit, a representative sample of incoming waste is defined as a composite sample composed of one grab sample from each 50 cubic yards of waste material from each job (e.g., from each well, pit, spill location.)

2. Each load of incoming waste, other than water base drilling fluid and the associated cuttings, or oil base drilling fluid and the associated cuttings, must be scanned for the presence of naturally occurring radioactive material (NORM) using a scintillation meter with a sodium iodide detector. Any load with a maximum reading of 50 microroentgens per hour or more may not be unloaded or processed at the facility unless further analysis of the waste demonstrates that the waste does not exceed 30 picocuries per gram Radium-226 combined with Radium-228 or 150 picocuries per gram of any other radionuclide.

### III. RECORDKEEPING REQUIREMENTS

- A. The permittee shall maintain the following records on each load of waste received at the facility for a period of three (3) years from the date of receipt:
  1. Description of the site where the waste was generated, including:
    - a. Generator name;
    - b. Lease name and number or gas ID or API Well Number; and
    - c. County;
  2. Name of transporter;
  3. Amount of waste material (specify units); and
  4. A description of the type of waste material, including:
    - a. Fluid-to-Solid ratio; and
    - b. Detailed description of the type of waste including any analysis required by Condition II.B.2 above.
- B. The permittee shall maintain the following records on each load of outgoing waste sent from the referenced facility to an authorized disposal facility for a period of three (3) years from the date of shipment:
  1. Description of the facility to where the waste is sent to for disposal, including:
    - a. Disposal operator name;
    - b. Disposal permit number; and
    - c. County
  2. Name of transporter;
  3. Amount of waste material (specify units); and
  4. A detailed description of the type of waste material.
- C. A report of all records required by Conditions III.A. and III.B. above, as well as a summary of waste receipts including the volume of each type of material received on a monthly basis shall be submitted to Technical Permitting in Austin and the Kilgore District Office as part of the Semiannual Report required in Condition I.I. of this permit.

#### IV. GENERAL SITE CONSTRUCTION AND MAINTENANCE REQUIREMENTS

- A. The general layout and arrangement of the facility shall be consistent with the site plan received January 26, 2011, which is attached to and incorporated as part of this permit as **Permit Appendix A**.
- B. A sign shall be posted at each entrance to the facility, which shall show the permit number in letters and numerals at least one-inch in height.
- C. Fly ash used in the treatment process shall be stored in vessels designed for the safe storage of the particular chemical. These vessels shall be maintained in a leak-free condition. Requests to use any other chemicals in the treatment process shall be submitted to and approved by Technical Permitting in Austin prior to use.
- D. The Process Area shall consist of the following equipment:
  - One 500-bbl freshwater tank;
  - Two 500-bbl effluent tanks;
  - One 240-bbl centrifuge tank;
  - One 300-bbl mix tank
  - Four 500-bbl mud tanks;
  - Three 30-cubic yard solids storage tanks.
- E. Any pits and/or buried tanks shall be permitted in accordance with Statewide Rule 8.
- F. All untreated waste shall be contained in steel tanks or in permitted pits. All pits and tanks shall be maintained in a leak-free condition.
- G. All above ground tanks, not adjacent to the collecting pit, containing untreated and treated waste shall be contained within a 16-gauge, corrugated metal panel containment wall and set on top of a 60-mil High-Density Polyethylene synthetic liner.
- H. The perimeter of the property shall be enclosed with a fence suitable to keep out unauthorized access to the extent where terrain and/or vegetation prohibit access to the facility. The site is to be attended continuously or secured when unattended.
- I. Any spill of waste, treating chemical, or any other material shall be immediately cleaned up and processed through the treatment process or disposed of in an authorized manner.
- J. Spills contained in the corrugated metal panel containment wall (as described in Condition IV.G. above) shall be immediately removed and processed through the treatment process or disposed of in an authorized manner.
- K. This facility shall conform to all Texas Commission on Environmental Quality (TCEQ) air quality rules and regulations.

#### V. COLLECTING PIT (P011656) CONSTRUCTION AND OPERATION

- A. Use of the Washout Pit (Permit No. P011656) is limited to RCRA exempt wastes subject to the jurisdiction of the Railroad Commission of Texas as described in Condition II of this permit.

- B. The Collecting Pit bottom shall consist of two buried steel roll-off boxes adjacent to a concrete slab with a minimum thickness of 12 inches. The steel roll-off tanks shall be underlain by a high-density polyethylene liner at least 60-mils thick to collect any spills or runoff. All waste captured by the underlying 60-mil liner shall be removed by a sump pump and run through the treatment process or disposed of in an authorized manner.
- C. The capacity of the Washout Pit may not exceed 1,600 barrels.
- D. At least 2 foot of freeboard must be maintained between the fluid level in the pit and the top of the pit.
- E. Unless otherwise required by conditions of this permit, construction, use, and maintenance of the pit shall be in accordance with the information represented on the application (Form H-11) and attachments thereto.
- F. A sign shall be posted at the pit, which shall show the pit permit number in numerals at least one inch in height.
- G. This permit does not authorize the discharge of any oil and gas waste from the pit.
- H. The pit must be dewatered, emptied, backfilled, and compacted within 120 days of final cessation of use of the pit. Final closure of the pit must be accomplished in such a manner that rainfall will not collect at the pit location after pit closure. Upon final closure, Technical Permitting in Austin and the Kilgore District Office shall be notified in writing.

#### IX. STORMWATER CONTROL

- A. This permit does not authorize the discharge of oil and gas waste or stormwater that has come into contact with oil and gas waste.
- B. Stormwater collected in the treatment facility area must be disposed of in an authorized manner.

#### X. CLOSURE OF THE SITE

- A. Closure of the Vision Solid Solutions Johnson County Facility shall proceed as follows:
  - 1. All waste must be processed through the facility or disposed of in an authorized manner. No waste may be permanently disposed of at this facility.
  - 2. The contents of all containment areas, tanks, vessels, or other containers shall be disposed of in an authorized manner.
  - 3. All treatment equipment shall be removed and salvaged, if possible, or disposed of in an authorized manner.
  - 4. After waste removal and site excavation are completed, representative soil samples shall be obtained from throughout the treatment facility location at a frequency of one sample per acre in the top 12 inches of soil. These samples shall be analyzed and the following constituent levels shall not be exceeded:

<b>Constituent (units)</b>	<b>Closure Limit</b>
pH (s.u.)	6.0 to 10.0
Electrical Conductivity (mmhos)	4.0
TPH (mass %)	<1
BTEX (mg/kg)	30.0
<b>Constituent (units)</b>	
<b>Closure Limit</b>	
Metals (mg/kg):	
Arsenic	10.0
Barium	10,000.0
Cadmium	10.0
Chromium	100.0
Lead	200.0
Mercury	10.0
Selenium	10.0
Silver	200.0

5. A map showing the sampling locations and copies of the analysis required by Condition X.A.4 shall be submitted to Technical Permitting in Austin. When acceptable constituent levels have been verified in writing by Technical Permitting, topsoil shall then be contoured and seeded with appropriate vegetation.
  6. Provision shall be taken to prevent erosion both during and following closure activities.
- B. Technical Permitting and the Kilgore District Office shall be notified in writing at least 45 days prior to commencement of closure activity so that the Commission may monitor closure to assure compliance with the closure plan. Closure activities shall be performed in accordance with the information contained in the permit application dated January 23, 2011.

This authorization is granted subject to review and cancellation should investigation show that such authorization is being abused.

until such motion is overruled, or if such motion is granted, this order shall be subject to further action by the Commission. Pursuant to TEX. GOV'T CODE §2001.146(e), the time allotted for Commission action on a motion for rehearing in this case prior to its being overruled by operation of law, is hereby extended until 90 days from the date the parties are notified of the order.

Done this 13<sup>th</sup> day of December, 2011.

RAILROAD COMMISSION OF TEXAS

  
CHAIRMAN ELIZABETH AMES JONES

  
COMMISSIONER DAVID PORTER

  
COMMISSIONER BARRY T. SMITHERMAN

ATTEST:

  
  
SECRETARY