



# RAILROAD COMMISSION OF TEXAS

## OIL AND GAS DIVISION

**Permit No. STF-042**

POLK OPERATING LLC  
PO BOX 1271  
BOWIE TX 76230

Based on information contained in your application received February 17, 2012, and subsequent information received to date, you are hereby authorized to receive, store, handle, and treat certain non-hazardous oil and gas wastes as specified below at the following facility:

Polk Karnes R<sup>3</sup> Facility, Including Pit Permit Nos. STF-042, P011769, P011770, P011771, P011772, and P011773  
A. Hernandez Grant Survey, A-4  
28.9742, -97.9608 (WGS84)  
Karnes County, Texas  
RRC District 02

### NARRATIVE DESCRIPTION OF PROCESS:

Incoming wastes will be received into Collecting Pit-A and Collecting Pit-B. The waste is then mixed with bioremediation agents in the unloading area of Collecting Pit-A and Collecting Pit-B. After the waste has been through the bioremediation process, the waste is mixed and stabilized on the mixing pad. Liquids will be pumped out of the pits and mixing pad and stored in aboveground tanks prior to being sent to a permitted injection well or disposal facility. Once solids have been mixed, they will be moved to Treated Material Storage Pit-A and Treated Material Storage Pit-B. The waste will then be tested as outlined by this permit. Processed material meeting or less than process control parameters listed in this permit may be used as roadbase offsite.

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

### I. GENERAL PERMIT CONDITIONS

- A. Technical Permitting in Austin and the San Antonio District Office must be notified in writing when construction of the facility is initiated.
- B. The permittee may not begin receiving, storing, handling, or treating oil and gas waste at the facility until any necessary air permits or exemptions are obtained.
- C. Technical Permitting in Austin and the San Antonio District Office must be notified in writing upon final completion of construction of the facility. The permittee may

not begin receiving, storing, handling, or treating oil and gas waste at the facility until the District Office has performed its inspection of the completed facility and has verified that the facility is constructed in accordance with the application and this permit.

- D. The effective date of this permit is **February 12, 2013**.
- E. The authority granted by this permit expires on **February 12, 2018**.
- F. This permit may be considered for administrative renewal upon review by the Commission. Any request for renewal should be received at least 60 days prior to the permit expiration date.
- G. The permittee shall submit a Semiannual Report containing the applicable information required in Conditions IV.G., VI.B.3), VI.B.5), VII.C., VII.D., and VIII.B. of this permit.

The first Semiannual Report shall cover the period beginning on the effective date of the permit and ending June 30, 2013. 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 San Antonio District Office no later than the 31st day of the month following each reporting period, or each January 31 and each July 31, respectively.

- H. This permit is not transferable without the consent of the Commission. Any request for transfer of this permit must be filed with Technical Permitting in Austin at least 60 days before the permittee wishes the transfer to take place.
- I. This permit does not authorize the discharge from the facility of any oil and gas waste, including contaminated storm water.
- J. Material Safety Data Sheets must be submitted to Technical Permitting in Austin for any chemical proposed to be used in the treatment of waste at the facility. Use of the chemical is contingent upon Commission approval.
- K. Any soil, media, or other debris contaminated by a spill of waste or any other materials at the facility shall be promptly cleaned up and processed through the treatment cycle or disposed of in an authorized manner.
- L. The permittee shall make all records required by this permit available for review and/or copying during normal business hours upon request of Commission personnel.
- M. The permittee shall post a sign at the facility entrance, which shall show the permit number in numerals at least one inch in height.
- N. Failure to comply with any provision of this permit shall be cause for modification, suspension or termination of this permit.
- O. An independent laboratory neither owned nor operated by the permittee must conduct any analysis of sampling required by this permit.
- P. No waste may enter the referenced facility until financial security in the amount of \$739,592.78 for the Polk Karnes R<sup>3</sup> Facility, including Pit Permit Nos. STF-042, P011769, P011770, P011771, P011772, and P011773, is provided to and approved by the Commission.

- Q. No waste may enter the referenced facility until the Restrictive Covenant, approved by Special Counsel on November 13, 2012, has been filed in the real property records of the county where the property is located. Once filed in the real property records, the operator shall provide the Commission with a certified copy of the restrictive covenant.
- R. No waste may enter the referenced facility until the monitor wells required by Condition VIII have been completed and the documentation required by Condition VIII.A. have been provided to and approved by Technical Permitting.
- S. All laboratory analyses required to be performed by Conditions IV.G., VI.B.3), VI.B.5), VII.C., VII.D., and VIII.B. shall be performed by an independent laboratory neither owned nor operated by the permittee.

## **II. Trial Run**

The permittee must demonstrate the ability to successfully process at this facility the first one thousand cubic yard batch of waste before any additional waste may be received or processed.

- A. Technical Permitting in Austin and the San Antonio District Office must be notified in writing at least 48 hours before waste processing begins.
- B. Samples of the processed waste must be collected and analyzed as required by Condition VI.C.2.
- C. Samples shall be collected from every 200 cubic yards of the first 1,000 cubic yard batch and analyzed for wetting and drying durability by ASTM D 559-96, modified to provide that samples are compacted and molded from finished processed material. Total weight loss after 12 cycles may not exceed 15%.
- D. A written report of the Trial Run must be submitted to Technical Permitting in Austin within 30 days of receipt of the analyses required in Condition II.D.4. The following information must be included:
  - 1) the actual volume of waste material processed;
  - 2) type of waste (as described in Condition III.) and description of the waste material, including analyses required by Conditions IV.B., IV.C., IV.D. and IV.E.;
  - 3) the volume and type of stabilization material used;
  - 4) copies of all lab analyses required by Conditions II.C., IV.B., IV.C., IV.D., IV.E. and VI.C.2.
- E. The process must begin with oil and gas waste of the type authorized in Condition III. The final processed material must meet the limitations of Conditions II.C. and VI.C.2.
- F. The treated waste may not be applied to roads and no additional waste may be received or processed until Technical Permitting has verified the results and determined that the waste was successfully processed.

## **III. AUTHORIZED WASTES**

Only nonhazardous wastes subject to the jurisdiction of the Railroad Commission of Texas and exempt from RCRA, Subtitle C may be received. You may receive, store,

handle, treat and process only the following non-hazardous, non-injectable, non-reclaimable oil and gas wastes:

water based drilling fluids and associated cuttings, oil based drilling fluids and associated cuttings, tank bottoms from crude oil reclamation plants, crude oil separation/production facilities, waste material from produced water collection pits, produced sand, produced water/crude contaminated soil, and frac sand and cement displacement from drilling activities

No waste may be received, stored, handled, or treated at the facility if it is not a waste under the jurisdiction of the Railroad Commission of Texas or it is a listed hazardous waste as defined by the U.S. Environmental Protection Agency in 40 CFR Part 261 or it exhibits one or more hazardous waste characteristics and does not fall within the oil and gas exemption of §3001(b)(2)(A) of RCRA. Special authorization for processing RCRA non-exempt oilfield waste may be considered. Authority must be obtained from Technical Permitting in Austin prior to acceptance of the waste.

Inert materials including rock, caliche, limestone, recycled asphalt pavement, and gravel may be stored at the facility as necessary aggregate in the manufacturing of stabilized roadbase at the facility.

No asbestos-containing material regulated under the Clean Air Act or PCB (polychlorinated biphenyls) material regulated under the Toxic Substances Control Act may be accepted for processing at the facility.

No oil and gas NORM (naturally occurring radioactive material) waste as defined in 16 TAC §4.603 (Oil and Gas NORM) or waste from a facility that is licensed by the Texas Department of State Health Services to process or treat oil and gas NORM waste may be received at this facility.

#### IV. WASTE TESTING AND RECORD KEEPING REQUIREMENTS

- A. For the purposes of this permit, other than TOX analyses, a representative sample of incoming waste is defined as a four-part composite sample comprising one grab sample from each 50 cubic yard of waste material from each 200 cubic yard lot (e.g., from each pit, spill location, tank bottom, or facility). For TOX analyses, a representative sample is defined as one grab sample from each 50 cubic yards of waste material from each job.
- B. Prior to receipt at the site, representative samples of waste from commercial oil and gas facilities must be analyzed and may not exceed the limit for the following parameter:

<u>PARAMETER</u>	<u>LIMITATION</u>
TOX (Total Organic Halides)	100 mg/kg

Special authorization for processing of waste with a TOX > 100 mg/kg may be considered. Authority must be obtained from Technical Permitting in Austin prior to acceptance of the waste.

- C. Prior to or upon receipt at the site, representative samples of all incoming waste must be analyzed for the following parameters:

<u>PARAMETER</u>
TPH

PARAMETER (cont.)

Chlorides

pH

- D. Prior to receipt of any waste from Mexico at the site, a representative sample of each waste shipment from each site must be analyzed for the following parameters and may not exceed the following limitations:

<u>PARAMETER</u>	<u>LIMITATION</u>
TOX	100 mg/kg
Corrositivity	pH 6 – 10 (s. u.)
Reactivity	No materials exhibiting the characteristic of reactivity as defined by RCRA
Ignitability	No materials exhibiting the characteristic of ignitability as defined by RCRA
Metals (mg/l)	
Chromium	< 5.0
Lead	< 5.0
Arsenic	< 5.0
Barium	< 100.0
Cadmium	< 1.0
Mercury	< 0.2
Selenium	< 1.0

- E. Each load of incoming waste, other than water based drilling fluids 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 iodine detector. Any load with a maximum reading of 50 microrentgens 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.
- F. 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:
    - i. generator name;
    - ii. lease name, lease number and well number or gas ID number or API well number;
    - iii. county; and

- iv. carrier name;
  - 2) amount of waste material received (specify units);
  - 3) type of waste and description of the waste material, including any analyses required by subsection IV. For crude oil and/or condensate contaminated soil, clarify how determination was made that waste is exempt from RCRA, Subtitle C; and
  - 4) copies of all lab analyses for each sample required to be analyzed by Conditions IV.B., IV.C., IV.D., and IV.E.
- G. A report of the records required by Condition IV.F.1), 2), 3), and 4) shall be submitted to Technical Permitting in Austin as part of the Semiannual Report required in Condition I.G. of this permit. If no waste was received within a reporting period, a written statement indicating that no waste was received must be submitted to Technical Permitting in Austin as part of the Semiannual Report required in Condition No. I.G. of this permit.

## V. GENERAL FACILITY DESIGN

- A. The general layout and arrangement of the facility shall be consistent with the facility site diagram received October 16, 2012, which is attached to and incorporated as part of this permit as **Permit Appendix A**.
- B. Any chemical used in the treatment process shall be stored in vessels designed for the safe storage of the particular chemical and these vessels shall be maintained in a leak free condition.
- C. Prior to beginning operations the facility shall have security to prevent unauthorized access. The entire property shall be surrounded by a wire fence. Access shall be secured by a locked gate when the facility is unattended and by a security guard when attended. Only employees of the permittee may have a key to the lock.

## VI. CONSTRUCTION, OPERATION AND PROCESS CONTROL

### A. CONSTRUCTION

- 1) Collecting Pit-A (P011772) shall consist of untreated drill cuttings and partially treated waste and shall be constructed and arranged as shown on the facility diagram, **Permit Appendix A**. Collecting Pit-A shall have dimensions of 300 feet by 125 feet and shall have a high density polyethylene (HDPE) liner at least 30 mils thick. On top of the HDPE liner Collecting Pit-A shall have a compacted clay liner at least 18 inches thick. No more than 5,000 cubic yards of waste may be stored in Collecting Pit-A at any one time.
- 2) Collecting Pit-B (P011773) shall consist of untreated solid waste and partially treated waste and shall be constructed and arranged as shown on the facility diagram, **Permit Appendix A**. Collecting Pit-B shall have dimensions of 150 feet by 125 feet and shall have a HDPE liner at least 30 mils thick. On top of the HDPE liner Collecting Pit-A shall have a compacted clay liner at least 18 inches thick. No more than 2,407 cubic yards of waste may be stored in Collecting Pit-B pad at any one time.

- 3) The combined waste inside Collecting Pit-A and Collecting Pit-B shall not exceed 5,000 cubic yards at any one time.
- 4) Collecting Pit-A and Collecting Pit-B shall be surrounded on four (4) sides by earthen berms to a height of two (2) feet and width at base of 33 feet.
- 5) Treated Material Storage Pit-A (P011770) shall consist of partially treated waste and recycled product shall be constructed and arranged as shown on the facility diagram, **Permit Appendix A**. The pad shall have dimensions of 100 feet by 100 feet and shall have a high density polyethylene liner at least 30 mils thick. On top of the liner Collecting Pit-A shall have a compacted clay liner at least 18 inches thick. No more than 1,715 cubic yards of partially treated waste and recycled product may be stored in Treated Material Storage Pit-A at any one time.
- 6) Treated Material Storage Pit-B (P011771) shall consist of partially treated waste and recycled product shall be constructed and arranged as shown on the facility diagram, **Permit Appendix A**. The pad shall have dimensions of 100 feet by 100 feet and shall have a high density polyethylene liner at least 30 mils thick. On top of the liner Collecting Pit-A shall have a compacted clay liner at least 18 inches thick. No more than 1,715 cubic yards of partially treated waste and recycled product may be stored in Treated Material Storage Pit-B at any one time.
- 7) Treated Material Storage Pit-A and Treated Material Storage Pit-B shall be surrounded on four (4) sides by earthen berms to a height of two (2) feet and width at base of 19.5 feet.
- 8) The compacted clay liner in Collecting Pit-A, Collecting Pit-B, Treated Material Storage Pit-A, and Treated Material Storage Pit-B shall consist of soils classified as CL, CH, or SC in the United Soil Classification which are spread and compacted into lifts to a hydraulic conductivity of  $1 \times 10^{-7}$  centimeters per second or less. The clay liner shall be compacted to 95 percent standard proctor at a soil moisture content of two (2) to three (3) percent wet optimum.
- 9) Portland cement, cement kiln dust, fly ash, quicklime, cationic asphalt emulsion, magnesia, lime kiln dust, foamed asphalt emulsions, and lime shall be stored on the mixing pad, as shown on the facility site diagram, **Permit Appendix A**.
- 10) The storm water collection pit shall collect non-contact storm water only. The pit shall have dimensions of 100 feet by 100 feet as shown on the facility site diagram, **Permit Appendix A**.
- 11) The washout pit (P011769) shall consist of washout water from equipment that transports material to the facility and shall be constructed and arranged as shown on the facility diagram, **Permit Appendix A**. The washout pit shall have dimensions of 98 feet by 86 feet and shall have a concrete liner at least 12 inches thick at the base and walls of the pit. No more than 3,472 barrels of waste may be stored in the washout pit at any one time. The pit will be constructed so that storm water from outside the pit shall not flow into the pit.

- 12) The liquids storage area shall consist of incoming liquids and any liquids found in the collecting and treated material storage pits and shall be constructed and arranged as shown on the facility diagram, **Permit Appendix A**. The liquids storage area shall consist of four (4) above ground 430 barrel weir tanks.
- 13) The mixing pad shall consist of waste transferred from Collecting Pit-A or Collecting Pit-B and inert mixing material listed in Condition VI.A.9). Waste may only be allowed on the mixing pad during active mixing. The mixing pad is not to be used as an area for permanent or temporary storage. The mixing pad shall have dimensions of 100 feet by 100 feet and shall be constructed and arranged as shown on the facility diagram, **Permit Appendix A**. The mixing pad shall have a cement liner at least 12 inches thick on the base of the pit and walls. On top of the base cement liner the mixing pad shall have an asphalt paving at least six (6) inches thick. The three (3) down gradient walls of the pit shall have a concrete wall at least 5.5 feet in height. The mixing pad will be sloped so that the up gradient side of the pit is at least two (2) feet above the down gradient side of the pit.

#### B. OPERATION

- 1) Incoming waste must be unloaded directly from the transport truck or trailer into Collecting Pit-A or Collecting Pit-B. Waste may not be unloaded onto the ground.
- 2) The tanks must be maintained in a leak-free condition. The tanks must be emptied and inspected annually for deterioration and/or leaks. If inspection of a tank reveals deterioration and/or leaks, the tank must be repaired before resuming use of the tank.
- 3) The permittee must maintain a record of when the tanks are inspected and the results of each inspection. A copy of the records shall be submitted to Technical Permitting in Austin as part of the Semiannual Report required in Condition I.G.
- 4) Collecting Pit-A, Collecting Pit-B, Treated Material Storage Pit-A, Treated Material Storage Pit-B, the washout pit, and the mixing pad shall be cleared and inspected annually for liner deterioration. If inspection reveals deterioration, the pit liners must be repaired before resuming use of the pit.
- 5) The permittee must maintain a record of when the pits are inspected and the results of each inspection. A copy of the records shall be submitted to Technical Permitting in Austin as part of the Semiannual Report required in Condition I.G.
- 6) Excess non-contact storm water shall be collected in the storm water pond as shown on the facility diagram, **Permit Appendix A**.
- 7) Excess contact storm water shall be removed from the pit or pad and transferred to the weir tanks at the facility.
- 8) Waste received at the facility shall be mixed with bioremediation agents while the waste is on the unloading area inside Collecting Pit-A or Collecting Pit-B.

- 9) After the waste has been through the bioremediation process it shall be mixed and stabilized with appropriate amounts of Portland cement, cement kiln dust, fly ash, quicklime, cationic asphalt emulsion, magnesia, lime kiln dust, foamed asphalt emulsions, and lime. The product shall be thoroughly mixed. All mixing of stabilizing processes shall be conducted on the mixing pad.
- 10) To maintain adequate segregation of the final treated material until laboratory results are received and demonstrate that the material meets permit specifications for use as road base, the treated material shall be placed in lots (piles) of 800 cubic yards in the direction of east to west. There will be at least five (5) foot spacing between each lot. Each 800 cubic yard lot will be labeled with a sign identifying its unique lot identification number and corresponding laboratory analysis number. As compliant test data is received, the words "OK FOR USE" will be placed on the appropriate lot number sign for the compliant lot.
- 11) Appropriate measures shall be taken to control dust at all times.
- 12) A sign shall be posted at Collecting Pit-A, Collecting Pit-B, Treated Material Storage Pit-A, Treated Material Storage Pit-B, and the washout pit, which shall show their respective pit permit numbers in numerals at least one inch in height.
- 13) At least 2 feet of freeboard must be maintained in Collecting Pit-A, Collecting Pit-B, Treated Material Storage Pit-A, Treated Material Storage Pit-B, and the washout pit between the level of waste in the pit and the top of the pit.
- 14) Unless otherwise required by conditions of this permit, construction, use, and maintenance of Collecting Pit-A, Collecting Pit-B, Treated Material Storage Pit-A, Treated Material Storage Pit-B, and the washout pit shall be in accordance with the information represented in their respective applications (Form H-11) and attachments thereto.

#### C. PROCESS CONTROL

- 1) Bench scale tests shall be performed as needed to determine optimum mixing design.
- 2) A sample of the final treated material shall be tested for the parameters listed below for every 800 cubic yard of material produced. The 800 cubic yard lot sample shall be composed of a composite of four (4) sub-samples obtained at 200 cubic yard intervals. Each 800 cubic yard lot sample shall be analyzed for the following parameters:

<u>PARAMETER</u>	<u>LIMITATION</u>
Compressive Strength by Method Tex 126-E	35-psi minimum
SPLP by EPA Method 1312:	
Arsenic	< 5.00 mg/l
Barium	< 100.00 mg/l
Cadmium	< 1.00 mg/l

<u>PARAMETER (cont.)</u>	<u>LIMITATION (cont.)</u>
Chromium (total)	< 5.00 mg/l
Lead	< 5.00 mg/l
Mercury	< 0.20 mg/l
Selenium	< 1.00 mg/l
Silver	< 5.00 mg/l
Zinc	< 5.00 mg/l
Benzene	< 0.50 mg/l
SPLP Leachate Test Method 1:4 Solid Solution:	
Chlorides	< 700.0 mg/l
TPH (at least to C40)	< 100.0 mg/l
pH	6 to 12.49 (s. u.)

- 3) Any material not meeting the limitations in Condition VI.C.2) shall be returned to the mixing cycle and reprocessed.

## **VII. ROADBASE MATERIAL FINAL DISPOSITION**

- A. Processed material meeting or less than process control parameters listed in Condition VI.C.2. is suitable for use as roadbase material and may be used as roadbase off-site.
- B. The following records shall be kept at the facility for a period of three (3) years from the date of removal for each load of processed material:
- 1) the date the processed material is removed from the facility;
  - 2) the volume of processed material removed from the facility;
  - 3) the identification of the recipient;
  - 4) documentation that the landowner of the receiving location has approved the use of the processed material on the landowner's property if used on private roads;
  - 5) documentation that the processed material has met the specifications required by the final user; and
  - 6) documentation indicating the approximate location where processed material is used.
- C. Copies of analyses demonstrating that processed material has met the limitations in Condition No. VI.C.2. shall be submitted to Technical Permitting in Austin as part of the Semiannual Report required in Condition No. I.G.
- D. The oil and gas waste may not be accumulated speculatively. Beginning with the effective date of the permit, and annually thereafter, the amount of waste that is recycled must equal at least 75% by volume of the amount of waste accumulated on the anniversary of the effective date of the permit. Polk Operating LLC must keep records showing the volume of waste on hand as of the effective date of the permit, the amount of waste received during each year from the effective date of the permit, and the amount of waste remaining on each anniversary of the effective date of the

permit. A copy of the records shall be submitted to Technical Permitting in Austin as part of the Semiannual Report required in Condition I.G. and submitted on the anniversary date of the permit.

## VIII. MONITOR WELLS

- A. Five (5) monitor wells must be installed in the locations shown on the facility site diagram, which is attached to and incorporated as part of this permit as **Permit Appendix A**.
- 1) The wells must be completed in accordance with 16 TAC Part 4, Chapter 76 (Water Well Drillers and water Well Pump Installers).
  - 2) The wells must be completed in the shallowest groundwater zone and the completion must isolate that zone from any deeper groundwater zone.
  - 3) The screened interval of the wells must be designed to intercept the top of the groundwater.
  - 4) Provision must be made to protect the well heads from damage by vehicles and heavy equipment.
  - 5) The following information must be submitted after the wells are completed:
    - i. A soil boring log for each well, with the soils described using the Unified Soil Classification System (equivalent to ASTM D 2487 and 2488). The log must also include the method of drilling, total depth, and the top of the first encountered water or saturated soils.
    - ii. A well installation diagram for each well.
    - iii. A survey elevation for each well head reference point.
    - iv. A potentiometric map showing static water levels and the calculated direction of groundwater flow.
- B. The monitor wells shall be monitored for the following parameters after installation and quarterly thereafter:
- |                        |               |
|------------------------|---------------|
| 1. Static water level. | 8. Nitrates   |
| 2. Benzene             | 9. Carbonates |
| 3. TPH                 | 10. Calcium   |
| 4. TDS                 | 11. Magnesium |
| 5. Chlorides           | 12. Sodium    |
| 6. Bromides            | 13. Potassium |
| 7. Sulfates            |               |

Copies of the results must be filed with Technical Permitting as part of the Semiannual Report required in Condition I.G. of this permit.

## IX. FACILITY CLOSURE

- A. All waste must be processed through the facility or disposed of in an authorized manner.

- B. The contents of all vessels, tanks, silos, sumps or other containers shall be disposed of in an authorized manner.
- C. The pug mill, other mixing equipment, tanks, and inert mixing material shall be removed from the facility.
- D. A map showing the sampling locations and copies of the analyses required by Condition VIII.G. shall be submitted to the Technical Permitting in Austin. When acceptable soil constituent levels have been verified by the Technical Permitting Austin, the earthen berms shall be leveled to grade. The topsoil shall then be contoured and seeded with appropriate vegetation.
- E. Provisions shall be taken to prevent erosion both during and following closure.
- F. Technical Permitting in Austin and the San Antonio District Office must be notified in writing 45 days prior to commencement of closure activities.
- G. Representative soil samples shall be taken from around the location of the Collecting Pit-A, Collecting Pit-B, Treated Material Storage Pit-A, Treated Material Storage Pit-B, the washout pit, and the mixing pad. These composite samples shall be analyzed and the following constituent levels shall not be exceeded:

<u>PARAMETER</u>	<u>CLOSURE LIMIT (units)</u>
pH	6.0 to 10.0 (s. u.)
Electrical Conductivity (EC)	4.0 mmhos/cm
TPH (at least to C40)	< 1 (mass %)
BTEX	30.0 mg/kg
Metals	
Arsenic	< 10.0 mg/kg
Barium	< 20,000 mg/kg
Cadmium	< 1.00 mg/kg
Chromium (total)	< 5.00 mg/kg
Lead	< 200 mg/kg
Mercury	< 10.0 mg/kg
Selenium	< 5.0 mg/kg
Silver	< 200 mg/kg

- H. Closure of the Storm Water Pond shall be as follows:
  - 1) All waste shall be removed from the Storm Water Pond and disposed of in an authorized manner.
  - 2) The berms around the pond shall be leveled and restored to natural grade.
  - 3) Five representative soil samples shall be obtained from the Storm Water Pond and be analyzed for the constituents listed in Condition VIII.G. of this permit and the constituent levels shall not be exceeded.
- I. Closure of Collecting Pit-A, Collecting Pit-B, Treated Material Storage Pit-A, Treated Material Storage Pit-B, and the washout pit shall be as follows:

- 1) Each pit must be dewatered, emptied, backfilled, and compacted within 120 days of final cessation of use of the pits. Final closure of each 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 San Antonio District Office shall be notified in writing.

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

A handwritten signature in cursive script, reading "Michael Sims", written over a horizontal line.

Michael Sims, P.E., Manager  
Environmental Permits & Support  
Technical Permitting