



# RAILROAD COMMISSION OF TEXAS

## OIL AND GAS DIVISION

### PERMIT TO MAINTAIN AND USE A PIT

Permit No. P011419

**AMENDED**

Supersedes permit issued November 10, 2009.

WESTEX NOTREES LP  
15425 N FREEWAY STE 200  
HOUSTON TX 77090

Based on information contained in your application (Form H-11) dated January 30, 2008, your amended application dated November 11, 2013, and subsequent information received to date, you are hereby authorized to maintain and use the pit designated herein:

Oil and Gas Waste Disposal Pit  
Notrees Disposal Facility, Cell #16  
1269 feet FSL and 945 feet FWL of Section 14,  
Block 46, T. & P. R.R. Co., T-1-S Survey  
Ector County, RRC District 08

Authority is granted to maintain and use the pit in accordance with Statewide Rule 8 and is subject to the following conditions:

#### I. GENERAL PERMIT CONDITIONS:

- A. Technical Permitting in Austin and the Midland District Office must be notified in writing upon final completion of construction of the pit. The permittee may not begin using the pit until the District Office has completed an inspection of the pit and verified that the pit is constructed in accordance with the application and permit.
- B. The effective date of this permit is **December 30, 2013**.
- C. The permit expires on **November 9, 2014**.
- D. The capacity of the pit may not exceed 163,000 barrels.

- E. This permit is not transferable without the consent of the Commission. Any request for permit transfer should be filed with Technical Permitting in Austin.
- F. This permit does not authorize the discharge of any oil and gas waste from the pit.
- G. Unless otherwise required by the conditions of this permit, construction, use, maintenance, and closure of the pit shall be in accordance with the information represented on the application (Form H-11) and the attachments thereto.
- H. Failure to comply with any provision of this permit shall be cause for modification, suspension or termination of this permit.
- I. All laboratory analyses required to be performed by this permit shall be performed by an independent laboratory neither owned nor operated by the permittee.
- J. The permittee must submit a Quarterly Report containing the applicable information required in Conditions IV.G. and V.F. of this permit.

The first Quarterly Report must cover the period beginning on the effective date of the permit and ending March 31, 2014. The reporting periods must thenceforth be January 1 through March 31, April 1 through June 30, July 1 through September 30, and October 1 through December 31 of each year.

The Quarterly Reports must be submitted to Technical Permitting in Austin no later than the 30th day of the month following each reporting period, or each April 30, July 30, October 30, and January 30, respectively.

## II. AUTHORIZED WASTES:

- A. Only non-hazardous wastes subject to the jurisdiction of the Railroad Commission of Texas may be received or disposed of in this pit. This permit authorizes the disposal of only the following oil and gas wastes:
  - 1. Soil contaminated with oil and gas waste resulting from the cleanup of the spill that occurred in January 2008 at the Notress Facility;
  - 2. Water-based drilling fluids and associated cuttings;
  - 3. Oil-based drilling fluids and associated cuttings;
  - 4. Iron sulfide, which has been fully oxidized;
  - 5. Liners from reserve pits;
  - 6. Contaminated soils from crude oil, pipeline and saltwater spills;
  - 7. Formation sands and other solids from saltwater storage tanks or vessels and saltwater pits;
  - 8. Solid waste from gas dehydration and sweetening, such as spent filters and solid filter media, molecular sieves, and precipitated amine sludge, iron sponge and hydrogen sulfide scrubber sludge;

9. Production tank bottoms which do not exceed 7% in oil content as determined by a standard shakeout test;
10. Waste solids resulting from crude oil reclamation;
11. Absorbent pads from crude oil spills.

No hazardous waste or industrial waste may be received or disposed of at the facility. No produced water or free oil may be disposed of at the facility.

No iron sulfide waste may be received or disposed of at the facility unless the waste has been fully oxidized.

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 Department of Health to process or treat oil and gas NORM waste may be received at this facility.

### III. GENERAL SITE CONSTRUCTION:

- A. 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.
- B. Dikes shall be placed around all vessels or tanks that will contain chemicals. Dikes shall be constructed and maintained to adequately contain the tanks' maximum capacity plus twelve (12) inches of freeboard.
- C. The facility shall have security to prevent unauthorized access. Access shall be secured by a 24-hour attendant or a fence and locked gate when unattended. Fencing shall be required unless terrain or vegetation prevents truck access except through entrances with lockable gates.
- D. The pit must be constructed with a high-density polyethylene secondary (bottom) liner with a minimum thickness of 40 mils and a high-density polyethylene primary (top) liner with a minimum thickness of 40 mils.
- E. The pit must be equipped with a leak detection system to collect any leakage from the primary liner.
- F. The liners and the leak detection system must be installed in accordance with the liner manufacturer's specifications and sound engineering practices.
- G. The pit must be equipped with a level alarm or visual device to alert the attendant and the waste haulers using the pit that the waste level in the pit has reached the maximum level allowed by this permit.

- H. A sign shall be posted at the pit that shows the pit permit number in numerals at least one inch in height.

#### IV. GENERAL OPERATING REQUIREMENTS:

- A. At least four (4) feet of freeboard must be maintained at all times between the level of waste in the pit and the top of the pit dikes (2 feet between the level of the waste in the pit and ground level).
- B. The leak detection system shall be monitored weekly for the presence of liquids.
- C. Technical Permitting in Austin and the Midland District Office must be notified within 24 hours if the presence of liquids in the leak detection system indicates liner failure.
- D. If the leak detection system indicates liner failure, disposal into the pit must cease immediately and the liner must be inspected for deterioration and leaks within five (5) days. The liner must be repaired before use of the pit may resume.
- E. Any leachate collected in the leak detection system shall be removed, sampled and analyzed for pH, TPH, and chlorides. Leachate shall be stored until the analysis is complete and then managed in an appropriate manner.
- F. The permittee must maintain and keep a record of when the leak detection system is monitored and the results of each monitoring event and any leachate analyses. These records must be maintained by the permittee for the life of the pit.
- G. Results of leak detection system monitoring shall be submitted to Technical Permitting in Austin and to the Midland District Office as part of the Quarterly Report required in Condition I.J. of this permit.
- H. No free oil may be allowed to accumulate on top of the waste stored in the pit. Any free oil on top of the waste must be skimmed off.
- I. Any spill of waste, treating chemicals, or any other material shall be promptly cleaned up and the resulting waste disposed of in an authorized manner.

#### V. RECORD KEEPING AND TESTING REQUIREMENTS:

- A. 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 pit, spill location).

- B. Prior to receipt at the site, representative samples of waste from commercial oil and gas facilities and reclamation plants must be analyzed and may not exceed the limit for the following parameter:

TOX (Total Organic Halides) 100 mg/kg

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

- C. Prior to receipt, representative samples of incoming RCRA non-exempt waste must be analyzed for the following parameters and may not exceed the following levels:

<u>PARAMETER</u>	<u>LIMITATION</u>
Metals	TCLP
Arsenic	< 5.0mg/l
Barium	< 100.0 mg/l
Cadmium	< 1.0 mg/l
Chromium	< 5.0 mg/l
Lead	< 5.0 mg/l
Mercury	< 0.2 mg/l
Selenium	< 1.0 mg/l
Silver	< 5.0 mg/l

<u>PARAMETER</u>	<u>LIMITATION</u>
Benzene	< 0.5 mg/l

- D. Each load of incoming waste, other than water based drilling fluids and associated cuttings, or oil based drilling fluids and 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 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 Radioum-228 or 150 picocuries per gram of any other radionuclide.

- E. 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;
  - c. County;

2. Transporter Name;
  3. Amount of waste material received (specify units);
  4. Description of the waste material, including:
    - a. Fluid-to-solid ratio; and
    - b. Detailed description of the type of waste including any analyses required by V.B., V.C., or V.D. above.
  5. Amount of contaminated soil resulting from the cleanup of the January 2008 spill placed in the pit (Cell #16) on a monthly basis (specify units);
- F. A report of all records required by Condition V.E. above as well as a summary of waste receipts including the volume of each type of waste received on a monthly basis shall be submitted to Technical Permitting as part of the Quarterly Report required in Condition I.J. of this permit.

VI. CLOSURE:

- A. All vessels, tanks, or other containers and their contents shall be disposed of in an authorized manner.
- B. Upon final cessation of use of the pit, the pit must be closed in accordance with the Commission approved closure plan that is on file with the Commission at the time of closure. Any request to modify the closure plan must be filed with Technical Permitting. Upon final closure, Technical Permitting in Austin and the District Office shall be notified in writing.
- C. Technical Permitting and the Midland District Office must be notified in writing at least 45 days prior to commencement of closure activities.

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

Note:

1. Changed Permit Condition I.J. from semiannual to quarterly reporting.
2. Added additional authorized wastes to Permit Condition II.A.
3. Added additional record keeping and testing requirements for incoming waste to Permit Condition V.

  
\_\_\_\_\_  
Doug Johnson, P.E.  
Assistant Director  
Technical Permitting

cc: RRC-Midland/08