

APPENDIX D

TNRCC REGULATION OF WASTE

NOTES

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TNRCC WASTE CLASSIFICATIONS

Oil and gas wastes may occasionally be recycled or disposed of at facilities permitted by the Texas Natural Resource Conservation Commission (TNRCC). Guidance for the disposal of oil and gas wastes at municipal landfills permitted by the TNRCC is provided on page D-5 of this appendix. While oil and gas wastes are under Railroad Commission jurisdiction, it is helpful to also understand the TNRCC's waste classifications, which are outlined below.

TEXAS NATURAL RESOURCE CONSERVATION COMMISSION WASTE CLASSIFICATIONS

(TNRCC "Guidelines for the Classification and Coding of Industrial and Hazardous Wastes," Nov. 1993)

The TNRCC Guideline and the 30 TAC Chapter 335 Subchapter R rules pertain to, among other things, the classification and coding of industrial wastes and hazardous wastes generated within the state of Texas. They do not apply to nonhazardous wastes generated by nonindustrial facilities (e.g., oil and gas facilities regulated by the Railroad Commission).

Industrial wastes are wastes resulting from or incidental to any process of industry, process of industry, process of manufacturing, mining operations (excluding brine mining operations), or agricultural operations.

Hazardous Waste:

Any single industrial waste or combination of industrial wastes listed by EPA as hazardous or determined by EPA to be characteristically hazardous (RCRA Hazardous Waste).

Class 1 Waste:

Any industrial solid waste or mixture of industrial solid wastes, other than a hazardous waste, which, because of its concentration or physical or chemical characteristics, is toxic, corrosive, flammable, a strong sensitizer or irritant, a generator of sudden pressure by decomposition, heat, or other means, and may pose a substantial present or potential danger to human health or the environment when improperly processed, stored, transported, disposed of, or otherwise managed. Class 1 waste is also referred to in 30 TAC Chapter 335 as Class 1 waste.

Class 1 Waste includes, but may not be limited to:

- containers (5 gallons or larger) which
 - ◊ have held a hazardous substance (40 CFR Part 302), a hazardous waste, a TNRCC Class 1 waste, or a material that would be classified as a hazardous or Class 1 waste if disposed; and
 - ◊ still contain any residue of the material or have been rendered unusable.
- waste containing Regulated Asbestos Containing Material.
- waste contaminated by a material which originally contained 50 ppm or greater PCBs.
- waste containing 50 ppm or greater PCBs.
- waste from the production of a "new chemical substance" as defined by the federal Toxic Substances Control Act (TSCA).
- liquid waste with a flash point of less than 150 degrees F.
- solid or semi-solid waste which, under conditions normally incident to storage, transportation, and disposal, is liable to cause fires through friction, retained heat from manufacturing or processing, or which can be ignited readily, and when ignited burns so vigorously and persistently as to create a serious hazard.
- solid or semi-solid waste which, when mixed with an equivalent weight of distilled water, produces a solution having a pH less than or equal to 2 or greater than or equal to 12.5.
- waste for which a TCLP test indicates characteristically hazardous constituent levels.

Class 2 Waste:

Any individual solid waste or combination of industrial solid waste which cannot be described as Hazardous, Class 1 or Class 3. Class 2 waste is also referred to in 30 TAC Chapter 335 as Class II waste. (Note: Containers (smaller than 5 gallons) which have held a hazardous waste were formerly classified as Class 1 Waste; however, if thoroughly emptied, these containers are Class 2 Waste, regardless of contents per 10 TexReg 1042, 11 February 1994.)

Class 3 Waste:

Inert and essentially insoluble waste, usually including, but not limited to, materials such as rock, brick, glass, dirt, and certain plastics and rubber, that are not readily decomposable. Class 2 waste is also referred to in 30 TAC Chapter 335 as Class III waste.

Waste Generator:

For the purposes of TNRCC waste classification regulations in Texas, a waste generator is defined as any person, by site, who produces industrial waste; any person who possesses industrial waste to be shipped to any other person; or any person whose act first causes the waste to become subject to regulation under this chapter.

For the purpose of this regulation, a person who generates or possesses Class 3 Industrial Waste only shall not be considered a generator.

NOTES

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Railroad Commission of Texas

Oil and Gas Division

DISPOSAL OF OIL AND GAS WASTES AT MUNICIPAL LANDFILLS PERMITTED BY THE TEXAS NATURAL RESOURCE CONSERVATION COMMISSION

July 1999

The Railroad Commission of Texas has adopted several measures that will provide some relief to an oil and gas industry hit by low oil and gas prices. One of these measures is to no longer require an oil and gas operator to obtain a minor permit issued by the Commission under Statewide Rule 8(d)(6)(G) to dispose of oil and gas waste at a landfill permitted by the Texas Natural Resource Conservation Commission or TNRCC. The disposal of oil and gas waste at a landfill permitted by the Texas Natural Resource Conservation Commission will be authorized if the waste generator submits to the Railroad Commission district office in the district in which the waste was generated documentation regarding the shipment of waste to such facility within 30 days after shipment. The oil and gas operator must obtain permission for the disposal from the landfill operator and the Texas Natural Resource Conservation Commission.

Attached is a guide to disposal of oil and gas waste at a landfill permitted by the TNRCC. This guide is the result of coordination between the Railroad Commission and the Special Waste Branch of the Texas Natural Resource Conservation Commission to make landfill operators and oil and gas operators aware of the requirements for and restrictions on disposal of oil and gas waste in a landfill. The guide lists oil and gas wastes commonly taken to a landfill for disposal, and, for each waste, indicates whether or not the waste is exempt from federal hazardous waste regulations under RCRA, what treatment or testing is required for the waste, and whether or not written approval is required from the Texas Natural Resource Conservation Commission.

Recycling should be considered before disposing of an oil and gas waste at a landfill. Please contact Bart Sims at (512) 463-5405 with the Railroad Commission's Source Reduction and Recycling Program for information on recycling. Or you may call the Texas Natural Resource Conservation Commission's toll-free number to call for information on recycling of all types of wastes (1-800-64TEXAS).

The attached guide is subject to revision. We would welcome your comments on the guide concerning any suggested additions or revisions. We hope this is helpful. **If you have any questions about this guide, call (512) 463-6818.**

DESCRIPTION OF WASTE ITEMS	RCRA EXEMPT STATUS	TREATMENT OR TESTING REQUIRED	WRITTEN APPROVAL OF TNRCC FOR LANDFILL DISPOSAL (at TNRCC sites)
glycol filters	YES	Drain, air dry 48 hrs, TPH**, TCLP benzene*	YES
dehydration filter media	YES	Drain, air dry 48 hrs, TPH**, TCLP benzene*	YES
gas condensate filters	YES	Drain, air dry 48 hrs, TPH**, TCLP benzene*	YES
molecular sieves	YES	Cool in nonhydrocarbon, inert atmosphere, hydrate in ambient air 24 hrs, TPH**, TCLP benzene*	YES
amine filters	YES	Drain, air dry 48 hrs, TPH**, TCLP benzene*	YES
iron sponge	YES	Allow to oxidize completely to prevent threat of combustion.	YES
saltwater filters	YES	Drain, air dry 48 hrs, pH, total chlorides**, TPH**	YES
cooling tower filters	YES	Drain, air dry 48 hrs, TCLP chromium*	YES
ferrous sulfur, elemental sulfur & soil contaminated with sulfur	YES	If uncontaminated, recover & sell as raw material. If contaminated, requires case-by-case approval.	YES
water treatment backwash solids, and filters	YES	TCLP metals*, NORM	YES
tower packing	YES	Recycle, TCLP chromium	YES
produced sand	YES	TPH**, TCLP benzene*, NORM	YES
pipe scale & other deposits removed from piping & equipment	YES	TPH**, TOX**, TCLP metals*, NORM	YES
hydrocarbon bearing soils (crude oil)	YES	TPH**, TCLP benzene*, see TNRCC policy on contaminated soils	YES
hydrocarbon bearing soils (lube oil)	NO	TCLP cadmium, chromium, lead; TPH**, TCLP benzene*, PCB**	YES
pigging waste from gathering lines	YES	TPH**, TCLP benzene*, NORM, MSDS sheets for corrosion inhibitors, TCLP arsenic	YES
pigging waste from transmission lines	NO	TPH**, TCLP benzene*, TCLP arsenic, NORM, MSDS sheets for corrosion inhibitors	YES

DESCRIPTION OF WASTE ITEMS	RCRA EXEMPT STATUS	TREATMENT OR TESTING REQUIRED	WRITTEN APPROVAL OF TNRCC FOR LANDFILL DISPOSAL (at TNRCC sites)
Waste oil filters (1) entire unit is inside metal container (2) replaceable inside units (paper/fiber)	NO NO	(1) Separate & recycle oil & metal parts. (2) Recycle, waste-to-energy drain for at least 24 hours, TCLP lead & benzene*	(1) subject to 31 TAC 330.136(e) (2) YES
plastic pit liners	YES	Determine type of contamination, clean well.	NO
unused pipe dope	NO	MSDS sheets – may contain lead, reuse if possible.	YES
drilling muds	YES	TCLP barium*, TPH, BTEX*, treatment to reduce hydrocarbons may be required	YES
drill cuttings	YES	Only cuttings, no fluids. MSDS sheets for additives, chlorides**	YES
unused mud additives	NO	(Barium), MSDS, approval only for small quantities.	YES
sacks of unused drilling mud	NO	Return to vendor or use at other site if usable. If unusable, MSDS sheets	YES
sorbent pads (crude oil & other exempt wastes)	YES	TPH**, TCLP benzene* (TPH usually too high, treat for recovery/reuse)	YES TPH usually too high for LFs, treatment needed
sorbent pads (lube oil & other non exempt wastes)	NO	TPH**, TCLP benzene*	YES TPH usually too high for LFs, treatment needed
uncontaminated concrete from production facilities	--	None required unless contaminated.	NO if uncontaminated
contaminated concrete from gas plants, compressor stations & other oil & gas facilities	NO	Testing determined on case-by-case basis.	YES
asbestos asbestos - contaminated waste material	YES (see TSCA)	Comply with federal and state regulations for asbestos materials, remove asbestos from metal, recycle metal	YES for sites approved to take asbestos (only)

DESCRIPTION OF WASTE ITEMS	RCRA EXEMPT STATUS	TREATMENT OR TESTING REQUIRED	WRITTEN APPROVAL OF TNRCC FOR LANDFILL DISPOSAL (at TNRCC sites)
paper, paper bags	NO	Bags must be empty.	NO
soiled rags/gloves	NO	None.	NO
wooden pallets	NO	None unless contaminated	NO
detergent buckets	NO	Must be empty--recycle if possible	NO
grease buckets	NO	Must be empty--recycle if possible (scrap metal)	NO
empty containers	NO	Must be empty--recycle if possible (scrap metal)	NO
barrels/drums 5-gallon buckets	NO	Recycle if possible	NO
metal plate, metal pipe, metal cable	NO	Recycle as scrap metal	NO
junked pumps, valves, etc.	NO	NORM, recycle	NO
uncontaminated brush & vegetation from clearing land	--	None, compost	NO
rubber tank seals	NO	Drain, recycle, (tire recycling facility)	YES
fiberglass tanks and pipe	NO	Must be empty, cut up or shredded.	NO

EXPLANATION OF ABBREVIATIONS:

MSDS Material Safety Data Sheet(s)
 NORM Naturally Occurring Radioactive Materials
 PCB Polychlorinated biphenyls [or polybrominated biphenyls]

TSCA Toxic Substances Control Act
 TCLP Toxicity characteristic leaching procedure
 TOX Total organic halides (X = fluorine, chlorine, bromine, or iodine)
 TPH Total petroleum hydrocarbons (EPA Method 418.1 with known standard)

* If a total analysis (i.e. Total Lead, Total Benzene, etc.) exceeds the limits listed below, then TCLP must be performed and the TCLP results must not exceed the stated limits:

** Results of the following analyses must be within the limits stated for disposal in a municipal solid waste landfill:

<u>Analyte</u>	<u>Total Limit</u>	<u>TCLP Limit</u>
Benzene	10 mg/Kg	0.5 mg/L
Arsenic	36 mg/Kg	1.8 mg/L
Barium	2000 mg/Kg	100 mg/L
Cadmium	10 mg/Kg	0.5 mg/L
Chromium	100 mg/Kg	5.0 mg/L
Lead	30 mg/Kg	1.5 mg/L
Mercury	4 mg/Kg	0.2 mg/L
Selenium	20 mg/Kg	1.0 mg/L
Silver	100 mg/Kg	5.0 mg/L

<u>ANALYTE</u>	<u>LIMIT</u>
TPH	1500 mg/Kg (for most facilities)
TOX	50 mg/Kg
PCB's	< 50 mg/Kg
Chlorides	case-by-case review
NORM	below regulatory limit

NOTE:

State law mandates waste recycling rate of 40% by 1994 for municipal wastes (Senate bill 1340 72nd Legislature). State policy considers landfill disposal as the least desirable method of disposal. All metal items must be recycled whenever possible. Other wastes not listed above will be handled on a case-by-case basis. Wastes requiring testing should be segregated from those wastes not requiring testing. TNRCC Watts Line for Information on Recycling: 1-800-64TEXAS

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