



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 6  
1445 ROSS AVENUE, SUITE 1200  
DALLAS TX 75202-2733

**CERTIFIED MAIL- RETURN RECEIPT REQUESTED**

JUN 21 2012

Ms. Linda J. Beach  
Vice President/General Manager  
Waste Control Specialists LLC  
P.O. Box 1129  
Andrews, TX 79714

**RE: United States Environmental Protection Agency (EPA) Region 6 Modification to the Waste Control Specialist (WCS) Polychlorinated Biphenyl (PCB) Approval for the East + West Land Disposal (EPA ID TX988088464) to Include PCB Disposal Approval in the Federal Facility Waste Disposal Facility (FWF – EPA ID TXR060075788) located at Andrews, Texas.**

Dear Ms. Beach:

Your application dated November 4, 2011, requesting modification of your existing PCB approval of the East + West Landfill to include PCB approval of the FWF landfill for wastes generated by federal facilities is hereby approved subject to the enclosed Conditions of Approval. The FWF is a separate landfill from the existing East+West Landfill and is currently permitted by the Texas Commission on Environmental Quality (TCEQ) for disposal of mixed low level radioactive waste (LLRW) and hazardous waste as defined by Resource Conservation and Recovery Act (RCRA).

Please note that that under approval condition II. A. 3, WCS must receive an additional written approval from EPA Region 6 before PCB regulated wastes may be disposed in any FWF landfill disposal cell.

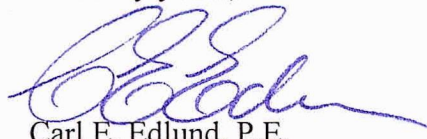
A Public Notice was published in the Andrews County News on March 31, 2012, announcing our proposal to approve this modification to your existing PCB disposal approval which opened a 45 day comment period. No comments were received during the comment period which closed on May 15, 2012.

After reviewing all the relevant information, we have determined that PCB facilities authorized in this approval meet all of the applicable requirements under 40 CFR Part 761, Subpart C (Marking of PCBs and PCB Items), Subpart D (Storage and Disposal), Subpart J (General Records and Reports), and Subpart K (PCB Waste Disposal Records and Reports). Based upon our evaluation of the design and hydrogeology, we conclude that operation of the authorized TSCA PCB facilities in compliance with the enclosed Conditions of Approval will not result in an unreasonable risk to human health and environment from PCBs.

A violation of 40 CFR Part 761, or any condition included as part of the approval, may subject WCS to an enforcement action under TSCA and/or other applicable laws and regulations. Such action could result in termination, revocation, or modification of this approval. Furthermore, receipt of evidence that: (1) a misrepresentation of any material fact has been made in any WCS submittal; (2) all relevant facts have not been disclosed; or (3) the nature of PCB disposal has substantially changed from the submitted application after the effective date of this approval may constitute sufficient cause for termination, revocation or modification of this approval.

This approval becomes effective on the date of this letter, and expires at midnight on December 30, 2015. Please re-apply for renewal at least six months before the expiration date. If you have questions or concerns, please contact Mr. James Sales, of my staff at (214) 665-6796.

Sincerely yours,

A handwritten signature in blue ink, appearing to read 'C. Edlund', written over a horizontal line.

Carl E. Edlund, P.E.

Director

Multimedia Planning and  
Permitting Division

Enclosure (PCB Approval Conditions)

cc: Earl Lott, TCEQ

# **WASTE CONTROL SPECIALISTS LLC**

## **PCB LANDFILL APPROVAL**

### **CONDITIONS OF APPROVAL**

The terms and abbreviations in these conditions are in accordance with those defined in 40 CFR 761.3 unless otherwise noted. The term "WCS" hereinafter refers to the Waste Control Specialists, LLC located at Andrews, Texas.

#### **I. LOCATION OF WCS**

WCS is located approximately 30 miles west of Andrews, Texas on a 1338-acre tract of land one mile north of Texas Highway 176. It is about 400 feet east of the New Mexico State line (North Latitude 32° ,26',27.4"; West Longitude 103° ,03',22.7").

#### **II. PCB DISPOSAL FACILITIES AUTHORIZED**

##### **A. Authorized PCB Facilities**

1. The East and West Landfill with a maximum combined capacity of  $5.423 \times 10^6$  cubic yards to include disposal cells A through S; and,
2. The East and West Landfill Stabilization Building containing tanks MT-1, MT-2, MT-3, and MT-4.
3. Conditional approval of the Federal Facility Waste Disposal Facility (FWF) landfill including the Non-Canister Disposal Unit (NCDU) consisting of the TCEQ RCRA permit application designated disposal cells B1-B4, and the Canister Disposal Unit (CDU) consisting of TCEQ RCRA permit designated disposal cells C1-C16 with a combined air space capacity of 3.71 million cubic yards. Upon completion of construction of a cell or cells, WCS shall submit as-built design drawings and quality assurance/quality control data (QA/QC) for the completed cell(s) for EPA Region 6 review. WCS must receive written approval from EPA Region 6 before PCB wastes may be disposed in the completed cell(s);
4. The FWF Decontamination Building; and
5. The FWF Waste Staging Building.

##### **B. Authorization to Operate Additional PCB Facilities**

For a facility not authorized in II.A. of this approval, WCS shall not commence use of the facility until it has notified in writing the EPA Region 6 Facility Assessment Section and received a written approval authorizing the new PCB facility. The notification must include a description and a map of the facility as well as engineering and design drawings and how it will be operated.

**C. Facility Expansion**

Any modification or expansion in capacity of a PCB facility authorized in this approval shall require notification and response from EPA according to the procedures outlined in II.B. of these conditions.

**III. PCB DISPOSAL FACILITY DESIGN, CONSTRUCTION, AND OPERATION**

**A. General Design, Construction, and Operating Requirements**

1. The design, construction, and operation of the PCB storage and disposal areas shall comply with 40 CFR Part 761, Subpart D.
2. The design, construction, and operation of the PCB authorized units shall also comply with the effective Texas Commission on Environmental Quality (TCEQ) permits for the authorized units in this approval.
3. No PCB liquids or items containing PCB liquids shall be placed in the PCB authorized landfill units.
4. WCS shall comply with its effective Consolidated Emergency Response Plan.
5. WCS shall comply with its effective TSCA Operations Plans for the PCB facilities authorized in this approval.

**B. Industrial Storm Water, Industrial Waste, and Ground Water Monitoring Requirements**

1. All industrial storm water and industrial waste water samples shall be collected and analyzed in accordance with the effective TCEQ permits for the authorized units in this approval.
2. Groundwater monitoring wells shall be sampled and analyzed in accordance with the effective TCEQ permits for the authorized disposal units in this approval.
3. Industrial storm water, industrial waste water, and groundwater samples collected for compliance with this approval shall also be analyzed for the parameters listed in 40 CFR 761.75 (b)(6)(iii).
4. All samples analyzed for the parameters in III.B.3. above shall comply with EPA approved procedures and methods. The procedures and methods used shall be recorded along with the data.

**IV. PCB STORAGE FACILITY AUTHORIZATIONS AND OPERATING REQUIREMENTS**

**A. PCB Storage Facilities Authorized**

PCB storage greater than 30 days shall be limited to the following approved facilities:

1. Container Storage Area 1 through 10 (CSA-1 through CSA-10); and,

2. Bin Storage Area 1 (BSA-1).

**B. Authorization to Operate Additional PCB Storage Facilities**

For a new PCB storage facility, WCS shall not commence storage of PCBs in the new facility until notifying the EPA Region 6 Facility Assessment Section in writing and receiving written approval. The notification shall include an engineering description and storage capacity of the new facility.

**C. Expansion in Capacity or Size of Authorized PCB Storage Facilities**

Any modification to an existing PCB storage facility or expansion in capacity over what is authorized in this approval shall require notification and written approval from EPA according to the procedures outlined in IV.B. of these conditions.

**D. PCB Storage Facility Operating Requirements**

1. The PCB storage facilities shall comply with PCB storage requirements in 40 CFR 761.65.
2. PCBs shall be properly marked in accordance with 40 CFR 761.45.
3. All PCB items shall be logged showing date removed from service for disposal and the date the PCB item was sent from storage for disposal. This information shall be provided to EPA upon request.
4. The design, construction, and operation of the PCB storage facilities shall comply with any effective TCEQ permits for the authorized PCB storage facility in this approval.

**V. CLOSURE PLAN AND FINANCIAL ASSURANCE**

**A.** WCS shall comply with the applicable Closure Plan requirements pursuant to 40 CFR 761.65(d)(3)(viii), (ix), and (x), and with the effective TCEQ permits for the PCB facilities authorized in this approval.

**B.** WCS shall comply with the financial assurance provisions in the effective TCEQ permits for the PCB facilities authorized in this approval.

**VI. CLOSURE AND POST-CLOSURE CARE**

**A.** Records required under 40 CFR 761.180 (d) and (f) shall be maintained for the times specified after a PCB landfill authorized in this approval has been closed and is no longer used for PCB disposal.

**B.** WCS shall notify the EPA Region 6 Facility Assessment Section in writing within 30-days of closure of a PCB facility authorized in this approval. These notifications shall include closure of a disposal unit or cell within an authorized PCB landfill.

**C.** WCS shall comply with the closure and post-closure provisions of the effective TCEQ permits for the units authorized in this approval.

## **VII. STANDARD APPROVAL CONDITIONS**

### **A. Severability**

The conditions of this authorization are severable, and if any provision of this authorization, or any application of any provision, is held invalid, the remainder of this authorization shall not be affected thereby.

### **B. Duty to Comply**

WCS shall comply with all applicable Federal, State, and local regulations, approvals, and permits.

### **C. Personnel Safety**

WCS personnel safety requirements and procedures for PCB handling, storage, transport, and disposal shall comply with applicable Occupational Safety and Health Administration (OSHA) requirements.

### **D. Duty to Mitigate**

WCS shall correct any adverse impact on the environment resulting from non-compliance with this approval.

### **E. Proper Operation and Maintenance**

1. WCS shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed and used to achieve compliance with the conditions of this approval. Proper operation and maintenance include effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory and process controls including appropriate quality assurance procedures.
2. All transport vehicles owned by WCS used for the transport of PCBs shall be properly maintained, inspected, and certified in writing by a responsible official of the company as meeting applicable safety standards under the Department of Transportation (DOT) regulations before PCBs are transported on public highways. Copies of all certifications shall be kept at WCS and shall be available for inspection on request.
3. Transport vehicles and equipment used for on or offsite transport and disposal of PCBs that come into direct contact with PCB waste shall be decontaminated in accordance with 40 CFR 761.79

### **F. Duty to Provide Information**

WCS shall furnish any relevant information which EPA may request to determine whether cause exists for modifying, revoking, reissuing, or terminating this approval, or to determine compliance with this approval. WCS shall also provide, upon request, copies of records required to be kept under the TSCA PCB regulations.

**G. Inspection and Entry**

WCS shall allow an authorized EPA representative, upon presentation of credentials and other documents as may be required by law, to:

1. enter facilities where PCBs are being handled, stored, treated, or disposed,
2. have access to and copy, at reasonable times, any records that must be kept under the TSCA PCB regulations,
3. inspect any facilities, equipment (including monitoring and control equipment), practices, or operations required under this approval or the TSCA PCB regulations, or
4. sample or monitor for the purpose of assuring that WCS is operating in compliance with the conditions of the approval or the TSCA PCB regulations.

**H. Monitoring and Records**

WCS shall comply with all monitoring and record keeping requirements for PCB landfills and storage facilities included in 40 CFR 761.180. All PCB records, documents, and reports shall be maintained at centralized locations at WCS, and shall be made available for inspection by authorized EPA representatives. All records required by this approval shall be written in ink or typed, or in electronic format. Any modification or correction of the records shall be initialed and dated by the supervisor in charge.

**I. Notice of Transfer of Ownership**

WCS shall notify EPA at least thirty (30) days before transfer of ownership. WCS shall also submit to EPA at least thirty (30) days before such transfer a notarized affidavit signed by the transferee stating that the transferee shall abide by the terms of this approval.

**J. Twenty-four Hour Reporting of Noncompliance**

If at any time WCS becomes aware of any departure from the TSCA PCB regulations, the approval, or the conditions of approval, it shall notify the EPA Region 6 Facility Assessment Section by telephone within 24 hours, and shall submit a written report within five (5) working days.

**K. Other Information**

If WCS officials become aware that it failed to submit any relevant facts in its application, or submitted incorrect information in any report to EPA, WCS shall promptly submit such facts or information to the EPA Region 6 Facility Assessment Section.

**L. Operation of the Authorized PCB Facilities**

WCS shall maintain an adequately trained onsite inspector to direct emergency procedures which could result from fires, explosions or releases of PCB containing

wastes. WCS shall submit the name of this inspector within sixty (60) days of the effective date of this approval. WCS must maintain in good working order any equipment required to deal with these emergencies.

**M. Spills**

PCB spills occurring at WCS, or from any WCS owned PCB transport vehicle, shall be cleaned up in accordance with the EPA PCB Spill Cleanup Policy, 40 CFR Part 761, Subpart G. PCB spills occurring outside PCB storage areas, or PCB staging areas, shall be reported within twenty-four (24) hours of the event to the EPA Region 6 Facility Assessment Section.

If spills cannot be cleaned up within twenty-four (24) hours, a WCS official shall notify the EPA Region 6 Facility Assessment Section of the circumstance of the spill, the estimated time of cleanup, and a justification for the delay of the cleanup. The EPA may order cessation of PCB disposal at WCS if spills are not cleaned up to acceptable levels as defined by EPA.

**N. Duty to Notify**

WCS shall notify the EPA Region 6 Facility Assessment Section in writing at least thirty (30) days prior to any planned physical or operational change that may require modification of this approval.

**O. Effective Date**

This approval becomes effective on the date of the approval letter, and expire at midnight, December 30, 2015. Please re-apply for a new approval at least six months before the expiration date.

**END OF APPROVAL CONDITIONS**