



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**  
REGION 6  
1201 ELM STREET, SUITE 500  
DALLAS, TEXAS 75270

January 6, 2021

Mr. Jay Britten  
General Manager  
Waste Control Specialists LLC  
P.O. Box 1129  
Andrews, Texas 79714

**RE: The United States Environmental Protection Agency (EPA) Region 6 Re-authorization of Waste Control Specialists LLC (WCS) For Land Disposal and Commercial Storage of Polychlorinated Biphenyls (PCBs) at the Andrews, Texas Facility (EPA ID No. TXR060075788).**

Dear Mr. Britten:

We are in receipt of your letter of September 11, 2020, requesting re-authorization of your PCB land disposal facility for the East+West Landfill and the Federal Facility Waste Disposal Facility (FWF), the FWF Decontamination and Waste Staging Building, and the Container Storage and Bin Storage areas. On October 20, 2020, the EPA proposed to approve your request pursuant to 40 CFR § 761.65 and § 761.75. On November 12, 2020, a Public Notice was published on the EPA's national website ([www.epa.gov/pcbs](http://www.epa.gov/pcbs)) which opened a 49-day comment period during which requests could be made for a Public Hearing. No comments were received during the public comment period which closed on December 31, 2020. Your request is hereby approved, subject to the enclosed Conditions of Approval.

A violation of 40 CFR Part 761, or any condition included as part of the approval, may subject WCS to an enforcement action under the Toxic Substances Control Act (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 re-authorized approval becomes effective on the date of this letter and expires at midnight on the same day and month five years later. Please re-apply for renewal at least six months before the expiration date. If a request for renewal is received before the expiration date, this approval shall remain in effect until a final decision is made on your renewal request. If you have questions, please contact Ms. Anupa Ahuja of my staff at (214) 665-2701.

Sincerely,

X

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Ronald D. Crossland

Director  
Land, Chemical and Redevelopment Division

Enclosure

cc: Charly Fritz, 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 "Facility" hereinafter refers to the Waste Control Specialists LLC located at Andrews, Texas.

#### **I. LOCATION OF FACILITY**

The Facility 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. UNITS AUTHORIZED**

##### **A. Units Authorized**

1. The East+West Landfill with a maximum capacity of  $2.31 \times 10^6$  cubic yards to include disposal units A through K; and,
2. The East+West Landfill Stabilization Building containing tanks MT-1, MT-2, MT-3, and MT-4.
3. The Federal Facility Waste Disposal Facility (FWF) (Cells C1-C3) with a total capacity of 4.0 million cubic yards.
4. The FWF Decontamination Building.
5. The FWF Waste Staging Building.

##### **B. Authorization to Operate Additional Units**

For a new landfill unit, the Facility shall not commence disposal until the Facility has notified in writing the EPA Region 6 PCB Coordinator and received a written approval authorizing the new unit for PCB disposal. The notification shall include a description and a map of the new unit. The description shall include anticipated depth, length, and width of the new unit and how it will be operated.

##### **C. Facility Expansion**

Any existing Facility modification or expansion in capacity from what was proposed in the PCB application shall require notification and response from the EPA according to the procedures outlined in II.B. of these conditions.

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

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

1. The design, construction, and operation of the PCB disposal areas shall comply with 40 CFR Part 761, Subpart D.

2. The design, construction, and operation of the PCB disposal areas shall also comply with applicable provisions of the Texas Commission on Environmental Quality (TCEQ) hazardous waste permit for this Facility.
3. No PCB liquids or items containing PCB liquids shall be placed in the PCB landfill unit.

**B. Surface and Ground Water Monitoring Requirements**

1. Samples collected for compliance with this approval shall be analyzed for the parameters listed in 40 CFR § 761.75 (b)(6)(iii).
2. Samples analyzed for PCBs shall follow EPA approved procedures and methods. The procedures and methods used shall be recorded along with the data.

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

**A. Units Authorized**

PCB storage shall be limited to the following areas:

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 Storage Areas**

For a new PCB storage area, the Facility shall not commence storage of PCBs until the Facility has notified in writing the EPA Region 6 PCB Coordinator and received a written approval authorizing the new storage area. The notification shall include a description and storage capacity of the new area.

**C. Expansion in Capacity or Size of Authorized Storage Areas**

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

**D. Storage Area Operating Requirements**

1. The PCB storage areas 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 the EPA upon request.
4. The design, construction, and operation of the PCB storage areas shall comply with the applicable provisions of TCEQ RCRA Permit.

**V. CLOSURE PLAN AND FINANCIAL ASSURANCE**

- A. The Facility shall comply with the Closure Plan requirements pursuant to 40 CFR § 761.65(d)(3)(viii), (ix), and (x).
- B. The Facility shall comply with the financial assurance provisions in the currently effective TCEQ permits for each land disposal unit.

**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 the landfill is no longer used for PCB disposal.
- B. The Facility shall notify the EPA Region 6 PCB Coordinator in writing that a landfill unit is no longer being used for PCB disposal within 30-days of Facility closure.
- C. The Facility shall comply with the closure and post-closure provisions of the currently effective TCEQ permit for each authorized PCB land disposal unit.

**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**

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

**C. Personnel Safety**

The Facility 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**

The Facility shall correct any adverse impact on the environment resulting from noncompliance with this approval.

**E. Proper Operation and Maintenance**

The Facility 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.

All transport vehicles owned by the Facility 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 the Facility and shall be available for inspection on request.

**F. Duty to Provide Information**

The Facility 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. The Facility shall also provide, upon request, copies of records required to be kept under the TSCA PCB regulations.

**G. Inspection and Entry**

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

1. enter the Facility where PCBs are being handled, stored, treated, or disposed,
2. have access to and copy, at reasonable times, any records that shall 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 sample or monitor for the purpose of assuring that the Facility is operating in compliance with the conditions of the approval or the TSCA PCB regulations.

**H. Monitoring and Records**

The Facility shall comply with all monitoring and record keeping requirements for PCB landfills and storage facilities. All PCB records, documents, and reports shall be maintained at centralized locations at the Facility 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**

The Facility shall notify the EPA at least thirty (30) days before transferring ownership of the Facility. The Facility shall also submit to the 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 the Facility becomes aware of any non-compliance from the TSCA PCB regulations, the approval, or the conditions of approval, it shall notify the EPA Region 6 PCB Coordinator by telephone within 24 hours, and shall submit a written report within five (5) working days.

**K. Other Information**

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

**L. Operation of the Facility**

The Facility shall maintain an adequately trained onsite inspector to direct emergency procedures which could result from fires, explosions or releases of PCB containing wastes at the Facility. The Facility shall submit the name of this inspector within sixty (60) days of the effective date of this approval. The Facility shall maintain in good working order any equipment required to deal with these emergencies.

**M. Spills**

PCB spills occurring at the Facility, or from any Facility-owned PCB transport vehicle, shall be cleaned up according to the 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 PCB Coordinator.

If spills cannot be cleaned up within twenty-four (24) hours, a Facility official shall notify the EPA Region 6 PCB Coordinator 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 the Facility if spills are not cleaned up to acceptable levels as defined by EPA.

**N. Duty to Notify**

The Facility shall notify the EPA Region 6 PCB Coordinator 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 shall become effective on the date of the approval letter, and expires at midnight, the same day and month, five years later. Please re-apply for a new approval at least six months before the expiration date.

**END OF APPROVAL CONDITIONS**