DRAFT

CES Environmental Services, Inc., Houston, Texas

April 10, 2015

The Request for a 12 month exemption and ceiling increase over $2,000,000, emergency exemption:

Region 6 is requesting a waiver from the statuary requirements to complete the action at the time critical removal action at the CES Environmental Services Site, Inc. The original, August 26, 2014 action memorandum (AM), addressed threats from the chemical recycling facility. The basis for this AM amendment includes:

- The original conditions for this action, albeit much improved, continue to exist and will continue to exist until all hazardous substances within containers (tanks, drums, totes, vats, and EPA re-containerized wastes in frac tanks, vacuum boxes, roll-off boxes, drums, and totes) have been properly disposed;

- The actual cost for disposal of the wastes and the extent of operations was not known prior to writing the original action memorandum as the removal action was taken prior to conducting a complete assessment and inventory of the dilapidated containers located on the site due to the urgency of the situation. The action could not be delayed due to the potential exposure and nauseating odors emanating from the site into the adjacent residential neighborhood and schools. Significant operations and disposal have taken place, but additional disposal and some continued operations are necessary to complete the scope of the original action memorandum;

- The site is located in an Environmental Justice area. The residents have been dealing with potential exposures and nauseating odors since the facility originally began operations and more significantly since the facility filed for bankruptcy in 2010 and abandoned the site. Significant vandalism occurred prior to EPAs involvement which has resulted in additional complications (ie. Spills to the Ground, Acid and Acid Sludge in Aboveground Storage Tanks, Dumping of Waste in Secondary Containment, etc.).