2nd 80s Fire
Deer Park, Texas
Vac Truck Decon Plan
Version 1.0
Date: 04/22/2019

Approval:

Position	Name	Signature	Date
Incident Commander	BRENT WEBER		4/22/19
FOSC	GARY MOORE		4/22/19
SOSC	Anallely Salinas		4/22/19

9980238

1. Introduction

During the response to the 2nd 80s Fire, several vac trucks (current count is 22 as of 4/18/2019) are being used to recover released material from impacted sites, transfer recovered liquids to intermediate storage, and may be used to transfer waste liquids in accordance with the UC-approved Waste Management Plan. Once individual vac trucks are no longer needed, and before they are demobilized from the response in accordance with the UC-approved Demobilization Plan, each vac truck will be sent by the owner/operator to a properly authorized vac truck cleanout facility. The vac truck cleanout facility(ies) will be used as a third-party contractor to perform cleaning of vac trucks used during the response.

2. Vac Truck Cleanout Facilities

Quala Services has been identified as a service provider that will be used for vac truck decon. Details, including their Affluent Permit, are provided in Attachment B.

Additional service providers may be identified by ITC and/or vac truck operators. If so, ITC or the owner/operator shall verify that the vac truck cleanout facility is a registered and approved TSDF facility, has a TPDES Permit for treatment of wastewater generated during cleaning, and/or has another appropriate disposal permit. The vac truck owner/operator shall provide the following information to the ITC Waste Specialist or Designee for review and approval by TCEQ/SOSC:

- Facility name
- Facility address
- Full copies of TPDES or TSDF permits

TCEQ Facility approval must be obtained prior to cleaning of any vac trucks used during the 2nd 80s Fire response.

3. Cleaning Process

Tanks are considered RCRA empty if they hold <1" of material at the lowest point, or less than 0.3% of the volume of the container. Operations will ensure removal of any recovered released material/water mix prior to transfer to the vac truck cleanout facility. On receipt, the vac truck cleanout facility will gauge the tank to confirm RCRA empty status, and provide documentation of empty status.

In the unlikely event that a vac truck cannot be pumped out to RCRA-empty status, wastes will be managed in accordance with the UC-approved Waste Management Plan.

The vac truck cleanout facility is responsible for the removal of any residual released material from the vac trucks brought to their facility. The vac truck cleanout facility is responsible for the disposal of all general trash, hazardous solid waste and liquid waste generated during the decon process in accordance with all State and Federal Regulations (RCRA and 30 TAC Chapter 335). The vac truck facility is responsible for cleaning the truck to DOT standards (See Attachment A).

4. Documentation

On demobilization of each vac truck, the following documentation will be provided by the vac truck operators to the ITC Waste Specialist or Designee:

- Documentation from the cleanout facility of RCRA empty status prior to cleaning
- Certificate of cleaning ("Clean Cert") issued by the cleanout facility

Attachment A: ATS Cleaning Statement

ATS

ATS CLEANING STATEMENT

"The above referenced container has been cleaned and/or triple-rinsed to a level suitable for change of service and meets the empty standards of both RCRA and the Department of Transportation."

This statement means the ATS cleaning process, which produces a thoroughly washed and purged container, meets not only the EPA empty waste container standard defined in the Resource Conservation and Recovery Act (RCRA) regulations at 40 CFR 261.7(b)(1)-(3), but also the much more stringent DOT empty container standard used for change of service for waste or other commodity as defined in 49 CFR 173.29(b)(1)-(2).

For EPA waste tracking purposes a waste container is empty if there is less than 1 inch of residue left, or in the case of a container that held an acutely hazardous waste, 1 inch of residue left plus perform a "triple-rinse" with a solvent capable of removing the residue. This EPA/RCRA standard is a low-end standard, and DOT does not allow the removal of placards or other hazard markings from containers cleaned to this standard.

The DOT standard for an empty container to be used for change of service is that the vessel must be cleaned and purged such that no hazard remains in the vessel. Containers cleaned to this DOT standard may have placards and other hazard markings removed or covered. This certifies the container may be used for any hazardous material (commodity or waste) appropriate for the vessel.

The inclusion of both standards in the ATS Cleaning Certification allows waste haulers the option of requesting a simple "triple-rinse" if appropriate for their cleaning needs in place of a full cleaning and having the triple-rinse standard stated on the certification.

Alpha Technical Services Corporation 5100 Underwood Road Pasadena, TX 77507
Phone (281)291-7453 Fax (281) 291-7610

Attachment B: Identified Facility

Vac Truck Cleanout Facility: Quala Rail and Specialty, previously known as Alpha Technical Services

Location: 5100 Underwood Road, Pasadena TX 77507

Contact: Kristen Rickets (989) 737-8013

EPA ID: TXR00047035

Authorization/Permit: See attached email and Affluent Permit for Gulf Coast Waste Disposal Authority

From: **Jim Robbins** <jrobbins@quala.us.com>
Date: Thu, Apr 18, 2019 at 3:40 PM
Subject: RE: Vac trucks cleaning
To: Kristin Ricketts <kricketts@quala.us.com>

Kristin,

Here is the information you requested:

We are a container cleaning facility registered with the TCEQ (ISWR 86911) as a transporter, transfer facility, and large quantity generator. We do container cleaning and transloading (both wastes and products) services for a variety of Texas and Houston Ship Channel companies.

Our EPA ID is **TXR000047035**

Heel material from containers last holding products are drummed for customer pick-up or managed as Alpha Technical Services 90-day wastes unless recyclable. Heel material from waste containers, where the heel exceeds RCRA-empty amount is drummed for pick-up arranged with customer for final disposal at the customer's chosen facility. Waste heels from less than RCRA empty containers is drummed as ATS 90-Day waste.

Our rinsewater, if determined to be hazardous, based on our Health, Safety, and Environmental HSE Review, is captured and sent to a 90-day hazardous waste tank and shipped off-site to a permitted Hazardous Waste Treatment, Storage, Disposal Facility (TSDF). Rinsewaters which are non-hazardous are captured and shipped by pipeline to Gulf Coast Authority (GCA), a TCEQ-permitted POTW. As such we do not have a TPDES discharge permit; I'm attaching a copy of our Affluent Permit for our discharge to GCA.

Containers typically come to us for cleaning with a copy of last-contained shipping paper (BOL or manifest). If the material is not in our database, we will request an SDS or waste profile for our review. If the container is a waste material containing above RCRA empty amount, it comes with an original manifest listing Alpha Technical Services as the next-available transporter since we are taking custody of the shipment for transport-related services (heel removal and cleaning).

If you have questions or need more information, let me know.

Sincerely

Jim Robbins

HSE Manager

Alpha Technical Services

281-543-6204

jrobbins@quala.us.com

CERTIFIED MAIL 7015 0640 0001 2138 8929
AND E-MAIL: jrobbins@alphatechserv.com

Gulf Coast Waste Disposal Authority
Bayport Facility
10800 Bay Area Boulevard • Pasadena, Texas 77507
Phone: 281.474.4111 • Fax: 281.474.2534 • www.gcwda.com

July 20, 2016

Mr. Jim Robbins
HSE Manager
Alpha Technical Services Corporation
5100 Underwood Road
Pasadena, Texas 77507

RE: Alpha Technical Services Corporation – ATS Express Services Facility
New Affluent Permit Number BPP0065-1

Dear Mr. Robbins:

Please find enclosed Alpha Technical Services Corporation's (ATS's) Affluent Permit which permits the ATS Express Services facility, located at 5100 Underwood Road, to discharge wastewater to Gulf Coast Waste Disposal Authority's (GCA's) Bayport Facility. This permit is issued based on information provided in ATS's Application to Discharge submitted to GCA and which has been incorporated into the permit. This permit is effective August 19, 2016 and expires on August 19, 2021.

Please review the permit and note any discrepancies. ATS has thirty (30) days from the date of this letter to notify GCA of any corrections to be made to the permit. Corrections can be made within this time period without having to resubmit an application.

The permit can only be amended through the application process. A request for renewal must be submitted 180 days prior to the expiration date.

It is the responsibility of ATS to become familiar with the permit requirements and to train their personnel to comply with the terms and conditions of this permit.

If you have any questions, please contact Michael Cunningham at 281-474-4111.

Sincerely,

Scott Harris
Manager of Operations

SH:MC/om

Enclosures: Affluent Permit Number BPP0065-1

cc: Ricky Clifton, GCA
Lori Traweek. GCA
Denise Ehrlich, GCA
Michael Cunningham, GCA
Lorene Grimes, GCA
Carl T. Hennagir, GCA
BP>Water QP>Pretreatment>Permit

GULF COAST WASTE DISPOSAL AUTHORITY
WASTEWATER AFFLUENT PERMIT

In compliance with 40 CFR 403, TPDES Permit No. 01054 and the provisions of the Gulf Coast Waste Disposal Authority Pretreatment Program Industrial Rule, as amended (Rule),

Permittee
Alpha Technical Services
Corporation (2)
5100 Underwood Rd.
Pasadena, TX 77057

Permittee and/or Co-Permittees are herein referred to as "Permittee" and are authorized to discharge wastewater for the above identified facility into the Gulf Coast Waste Disposal Authority (Authority) collection system for the Bayport Facility (POTW) in accordance with the conditions set forth in this Affluent Permit.

Alpha Technical Services Corporation [ATS (2)] owns and ATS Express Services (ATS Express) performs cleaning of railcars, iso-containers, tank trailers, boxes and other miscellaneous containers.

ATS (2) is a Significant Industrial User of the Bayport Facility.

This Affluent Permit is granted based on information supplied and representations made by the Permittee and in reliance on the accuracy and completeness of that information and those representations.

This Affluent Permit shall become effective as identified below and shall expire at midnight, August 19, 2021.

The Permittee shall not discharge after the date of expiration. If the Permittee wishes to continue to discharge after this expiration date, an application shall be filed for reissuance of this Affluent Permit in accordance with the requirement of Section 4.2 of the Rule, at least 180 days prior to the expiration date.

This permit shall become effective on the 19th day of August 2016.

Lori Traweek
Gulf Coast Waste Disposal Authority
Assistant General Manager

Scott Harris
Gulf Coast Waste Disposal Authority
Manager of Operations

GULF COAST WASTE DISPOSAL AUTHORITY
WASTEWATER AFFLUENT PERMIT
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PART I - APPLICABLE EFFLUENT LIMITS

During the period beginning the effective date and lasting through the expiration date, the Permittee is authorized to discharge to the Bayport Facility the following:

Alpha Technical Services Corporation [ATS (2)] owns ATS Express Services (ATS Express) which performs cleaning of railcars, iso-containers, tank trailers, boxes and other miscellaneous containers.

BP 5015 BS - ATS Express

ATS (2) is assigned responsibility for the wastewater conveyed through the BP 5015 line via a line owned by ATS (BP 2160 BS – BGS) which conveys the BP 5015 – ATS Express wastewater to the Bio-San Stream:

ATS (2) discharges wastewater regulated under

- 40 CFR 442 Transportation Equipment Cleaning [TEC] Subpart A - Tank Trucks and Intermodal Tank Containers Transporting Chemicals and Petroleum Cargos for new sources
- 40 CFR 442 TEC Subpart B - Rail Tank Cars Transporting Chemical and Petroleum Cargos for new sources
- 40 CFR 403.6(e) Combined Wastestream Formula
- 40 CFR 442.16(b) and 442.26(b) Pollutant Management Plan

ATS (2) operates under SIC Code(s):

- 4789

ATS (2) wastewater described as:

- Wastewater from transportation equipment cleaning activities
- Contaminated storm water
- Boiler blow-down
- Sanitary wastes

Any incompatible waste is shipped off site for disposal

BP-3019 (Internal Sampling Point) – ATS Express

40 CFR 442 Transportation Equipment Cleaning [TEC] Subparts A and B wastewater and contaminated storm water are monitored for compliance with Combined Wastestream Formula alternative limits at Internal Sampling Point BP-3019.

ATS (2) is herein referred to as "Permittee" with sole compliance responsibilities as detailed in this Affluent Permit.

Such discharges shall be limited by the Permittee as specified below.

Section A: General Prohibitions

The Permittee shall not contribute or cause to be contributed, directly or indirectly, any Pollutant or Wastewater which will cause Pass Through or Interference with the operation or performance of the POTW.

Section B: Specific Prohibitions

The Permittee may not discharge the following pollutants:

a. Pollutants which create a fire or explosion Hazard in the POTW, including but not limited to, wastestreams with a closed cup flashpoint of less than 140 degrees Fahrenheit or 60 degrees Centigrade using the test methods specified in 40 CFR 261.21.

b. Pollutants, which will cause corrosive structural damage to the POTW, but in no case discharges with pH, lower than 5.0, unless the POTW is specifically designed to accommodate such discharges.

c. Solid or viscous pollutants in amounts which will cause obstruction to the flow in the POTW resulting in interference.

d. Any pollutant, including oxygen-demanding pollutants (BOD, etc.) in a discharge at a flow rate and/or pollutant concentration which will cause interference with the POTW.

e. Heat in amounts, which will inhibit biological activity in the POTW resulting in interference, but in no case heat in such quantities, that the temperature at the POTW treatment plant exceeds 55°C (130°F).

f. Petroleum oil, non-biodegradable cutting oil, or products of mineral oil origin in amounts that will cause interference or pass through.

g. Pollutants, which result in the presence of toxic gases, vapors, or fumes within the POTW in a quantity that may cause acute worker health and safety problems.

h. Any trucked or hauled pollutants, except at discharge points designated by the POTW.

i. Any pollutant discharged in excess of the amount or in violation of the requirements set by the Authority as a condition for the acceptance of the discharge. The Authority has set the following as conditions of acceptance of the discharge:

    1. The wastewater discharged to the POTW shall contain no noxious or malodorous gases or substances capable of creating a public nuisance.
    2. Samples collected to confirm compliance with this Section shall be collected and analyzed in accordance with 40 CFR 136 as applicable. Permittee will pay the Authority's expenses for sample collection and analysis.
    3. The wastewater discharged to the POTW shall contain no measureable quantity of Polychlorinated Biphenyls (PCB's), Pesticides or Dioxins/Furans.
    4. The Permittee may discharge wastewater to the POTW in accordance with Part I, Section C, and that all wastewater discharge shall be acceptable for biological treatment.
    5. Permittee may not deliver, and POTW may refuse to accept for treatment, any waste that exceeds or violates any condition of this Affluent Permit.

6. All wastes delivered to Permittee from which wastewater will be discharged to the POTW:
   a. Shall be treated as described herein, and
   b. Be discharged only at sample points as identified and described in Part I Section C.

j. Any pollutant discharged in an amount that in the judgment of the Authority would jeopardize the POTW's compliance with applicable air quality authorizations and/or rules.

Section C: National Categorical Pretreatment Standard

The applicability of National Categorical Pretreatment Standards (whether existing, revised or newly promulgated) to Industrial Users of the Bayport Facility is described in the conditions set out in Section 3.4.a. of the Rule.

Sampling Point : BP-5015 ATS Express BS

40 CFR 442 Transportation Equipment Cleaning Point Source Subpart A Tank Trucks and Intermodal Tank Containers Transporting Chemicals and Petroleum Cargos & Subpart B Rail Tank Cars Transporting Chemical and Petroleum Cargos

The Authority has determined that the Bayport Facility meets the conditions set out in Section 3.4.a and that the elimination of National Categorical Pretreatment Standards will not cause Pass Through or Interference. Therefore, while the Permittee remains subject to the general pretreatment requirements promulgated pursuant to 33 U.S.C. 1317(b) and incorporated herein, unless the Permittee receives written notification from the Authority as described below, the following National Categorical Pretreatment Standards do not apply to the Permittee's discharge to the Bayport Facility.

Section 3.4.b of the Rule describes conditions under which National Categorical Pretreatment Standards would become applicable to Industrial Users of the Bayport Facility. Should the discharge from the Bayport Facility violate the compliance criteria set out in Section 3.4.b.1, and the Authority be unable to correct compliance as set out in Section 3.4.b.3, then upon written notification from the Authority that the National Categorical Pretreatment Standards apply, the following categorical limits would be applicable to the Permittee's discharge:

Categorical Limit Table - 40 CFR 442 A and B
BP-5015 ATS Express BS

(a) Except as provided in 40 CFR 403.7 and 403.13 or in paragraph (b) of this section, any existing or new source subject to this subpart which introduces pollutants into a publicly owned treatment works must achieve PSES or PSNS as follows:

Regulated parameter (Developed via the Combined Wastesteam Formula)	Maximum daily milligrams per Liter [mg/L]
Non-polar material (SGT-HEM)	26
Copper	0.84
Mercury	0.0031
Fluoranthene	0.076
Phenanthrene	0.34

(b) As an alternative to achieving PSES as defined in paragraph (a) of this section, any existing source subject to paragraph (a) of this section may have a pollution prevention allowable discharge of wastewater pollutants, as defined in §442.2, if the source agrees to a control mechanism with the control authority as follows:

(1) The discharger shall prepare a Pollutant Management Plan that satisfies the requirements as specified in paragraph (b)(5) of this section, and the discharger shall conduct its operations in accordance with that plan.

(2) The discharger shall notify its local control authority prior to renewing or modifying its individual control mechanism or pretreatment agreement of its intent to achieve the pollution prevention allowable discharge pretreatment standard by submitting to the local control authority a certification statement of its intent to utilize a Pollutant Management Plan as specified in paragraph (b)(1) of this section. The certification statement must be signed by the responsible corporate officer as defined in 40 CFR 403.12(l);

(3) The discharger shall submit a copy of its Pollutant Management Plan as described in paragraph (b)(1) of this section to the appropriate control authority at the time he/she applies to renew, or modify its individual control mechanism or pretreatment agreement; and

(4) The discharger shall maintain at the offices of the facility and make available for inspection the Pollutant Management Plan as described in paragraph (b)(1) of this section.

(5) The Pollutant Management Plan shall include:

(i) Procedures for identifying cargos, the cleaning of which is likely to result in discharges of pollutants that would be incompatible with treatment at the POTW;

(ii) For cargos identified as being incompatible with treatment at the POTW, the Plan shall provide that heels be fully drained, segregated from other wastewaters, and handled in an appropriate manner;

(iii) For cargos identified as being incompatible with treatment at the POTW, the Plan shall provide that the tank be prerinsed or presteamed as appropriate and the wastewater segregated from wastewaters to be discharged to the POTW and handled in an appropriate manner, where necessary to ensure that they do not cause or contribute to a discharge that would be incompatible with treatment at the POTW;

(iv) All spent cleaning solutions, including interior caustic washes, interior presolve washes, interior detergent washes, interior acid washes, and exterior acid brightener washes shall be segregated from other wastewaters and handled in an appropriate manner, where necessary to ensure that they do not cause or contribute to a discharge that would be incompatible with treatment at the POTW;

(v) Provisions for appropriate recycling or reuse of cleaning agents;

(vi) Provisions for minimizing the use of toxic cleaning agents (solvents, detergents, or other cleaning or brightening solutions);

(vii) Provisions for appropriate recycling or reuse of segregated wastewaters (including heels and prerinse/pre-steam wastes);

(viii) Provisions for off-site treatment or disposal, or effective pre-treatment of segregated wastewaters (including heels, prerinse/pre-steam wastes, spent cleaning solutions);

(ix) Information on the volumes, content, and chemical characteristics of cleaning agents used in cleaning or brightening operations; and

(x) Provisions for maintaining appropriate records of heel management procedures, prerinse/pre-steam management procedures, cleaning agent management procedures, operator training, and proper operation and maintenance of any pre-treatment system.

Wastewaters entering this stream which is categorical under 40 CFR 442 A and B are monitored at Internal Sampling Point 3019 via the application of the Combined Wastestream Formula alternative permit limits.

Permittee has submitted and had approved a Pollutant Management Plan [PMP] as an alternative to achieving Pretreatment Standards for New Sources (PSNS) which is incorporated by reference.

Section D: Local Limits

1. Numeric Local Limits

All wastewaters discharged into the Authority's collection line are subject to the following Local Limits:

Biosan

BP-5015 ATS Express BS					
	Concentration Limits:			Mass Limits [pounds per day]:	
pollutant	daily maximum	daily minimum		daily maximum	daily average
pH, standard units	10.0	6.5	units	-	-

2. Narrative Local Limits

The discharge of a Pollutant or pollutants for which a Chemical Management Plan, Slug Control Plan or other Narrative Local Limit has been incorporated into this Affluent Permit as set out below that constitutes a violation of this Narrative Local Limit if it:

(1) results in or significantly contributes to a violation of the General Prohibitions set out in Part I, Section A;
(2) results in or significantly contributes to a violation of the Specific Prohibitions set out in Part I, Section B inclusive, or;
(3) prevents sludge use or disposal by the POTW in the manner described in the Authority's Pretreatment Program.

Slug Discharge Control Plan

Not Applicable

Chemical Management Plan

Not Applicable

Pollution Management Plan

Permittee has submitted and had approved a Pollution Management Plan (PMP) which is incorporated by reference. This PMP requires the following:

(1) The discharger shall prepare a Pollutant Management Plan that satisfies the requirements as specified in paragraph (5) of this section, and the discharger shall conduct its operations in accordance with that plan.
(2) The discharger shall notify its local control authority prior to renewing or modifying its individual control mechanism or pretreatment agreement of its intent to achieve the pollution prevention allowable discharge pretreatment standard by submitting to the local control authority a certification statement of its intent to utilize a Pollutant Management Plan as specified in paragraph (1) of this section. The certification statement must be signed by the responsible corporate officer as defined in 40 CFR 403.12(l);
(3) The discharger shall submit a copy of its Pollutant Management Plan as described in paragraph (1) of this section to the appropriate control authority at the time he/she applies to renew, or modify its individual control mechanism or pretreatment agreement; and
(4) The discharger shall maintain at the offices of the facility and make available for inspection the Pollutant Management Plan as described in paragraph (1) of this section.
(5) The Pollutant Management Plan shall include:

(i) Procedures for identifying cargos, the cleaning of which is likely to result in discharges of pollutants that would be incompatible with treatment at the POTW;
(ii) For cargos identified as being incompatible with treatment at the POTW, the Plan shall provide that heels be fully drained, segregated from other wastewaters, and handled in an appropriate manner;
(iii) For cargos identified as being incompatible with treatment at the POTW, the Plan shall provide that the tank be prerinsed or presteamed as appropriate and the wastewater segregated from wastewaters to be discharged to the POTW and handled in an appropriate manner, where necessary to ensure that they do not cause or contribute to a discharge that would be incompatible with treatment at the POTW;
(iv) All spent cleaning solutions, including interior caustic washes, interior presolve washes, interior detergent washes, interior acid washes, and exterior acid brightener washes shall be segregated from other wastewaters and handled in an appropriate manner, where necessary to ensure that they do not cause or contribute to a discharge that would be incompatible with treatment at the POTW;
(v) Provisions for appropriate recycling or reuse of cleaning agents;
(vi) Provisions for minimizing the use of toxic cleaning agents (solvents, detergents, or other cleaning or brightening solutions);
(vii) Provisions for appropriate recycling or reuse of segregated wastewaters (including heels and prerinse/pre-steam wastes);
(viii) Provisions for off-site treatment or disposal, or effective pre-treatment of segregated wastewaters (including heels, prerinse/pre-steam wastes, spent cleaning solutions);
(ix) Information on the volumes, content, and chemical characteristics of cleaning agents used in cleaning or brightening operations; and
(x) Provisions for maintaining appropriate records of heel management procedures, prerinse/pre-steam management procedures, cleaning agent management procedures, operator training, and proper operation and maintenance of any pre-treatment system.

Section E: Compliance Schedule

Not Applicable

Section F: Special Conditions

The Permittee shall provide information to facility personnel through new employee and routine training necessary to protect the POTW from slug discharges as defined at Part III, Section A.2.a of the Affluent Permit. Training shall address equipment and controls to prevent slug discharges and notification and reporting requirements that apply if a slug discharge occurs. See Part III, Section A.2.c and d of the Affluent Permit.

Section G: Other Conditions

Upon request, the Permittee shall provide to the Authority documentation of actions taken, including training, to ensure compliance with Slug Discharge requirements at Part III, Section A.2.a, c and e of this permit.

PART II - MONITORING AND REPORTING REQUIREMENTS

Section A: Monitoring Requirements

The Authority in accordance with the following schedule shall perform compliance monitoring:

BP-5015 ATS Express BS

Pollutant or parameter	Units	Frequency
Flow	MGD	Daily
Total Organic Carbon [TOC]	mg/L	Daily
Total Suspended Solids [TSS]	mg/L	Daily
pH, standard units	std. units	Daily
Temperature, degrees Fahrenheit	degree F	As needed
Total Nitrogen, as N [TN]	mg/L	As needed
Nitrite/Nitrate, as N [NO_2/NO_3 - N]	mg/L	As needed
Priority Pollutants		Annually
Part I Section C. Categorical Limits - analyze pollutants and/or parameters if and as required		Semi-annually
Part I Section D. Local Limits 1. Numeric Local Limits		Semi-annually
Any EPA or TCEQ pollutants or parameters in the Facility Permit		As needed

BP-3019 ATS (TEC)

pollutant or parameter	units	Frequency
Part I Section C. Categorical Limits - analyze pollutants and/or parameters if and as required		Semi-annually

Any Permittee may request permission to perform self-monitoring in accordance with Part II Monitoring and Reporting Requirements, Section C Analytical Requirements. Authorization to request self-monitoring is limited to monitoring for compliance with Categorical Pretreatment standard pollutants set out at Part I Applicable Effluent Limits, Section C National Categorical Pretreatment

Standard. If a Permittee seeks to perform self-monitoring for compliance with Categorical Pretreatment Standards, a written request must be submitted to the Authority a minimum of 60 days in advance. At that time, the Authority will issue a monitoring schedule and requirements. Any self-monitoring will be governed by the self-monitoring requirements in 40 CFR 403.12(g) and in the approved Pretreatment Program. Samples taken in accordance with the monitoring requirements specified in the Permit shall be taken at the points of discharge into the POTW's sample station as designated and identified in this section.

Section B: Reporting Requirements

The following reports are required to be submitted by the Permittee to the Authority according to the following schedule and must contain certifications and signature as set out in Part IV, Section F of this Affluent Permit:

Categorical Industrial Users

Report	Dates (Submit by)
Baseline Monitoring Report [40 CFR 403.12(b)]	180 days after effective date of Cat. Std. or 90 days prior to discharge of new sources.
Categorical Standard Compliance Rpt.	90 days after compliance date
Periodic Compliance Report* [40 CFR 403.12(e)]	On or before January 31 and July 31 of each year

* **If the Authority is performing all required monitoring, including flow, no report is required. Categorical compliance with Pretreatment Standards may not be applicable if POTW is complying with the conditions of Section 3.4 of the rule.**

All Industrial Users

Report	Dates (Submit by)
Annual Industrial User Report (Provided by Authority)	On or before May 15
Application for Renewal	180 days before expiration
Notification of Changed Discharge	90 days before any substantial change in volume or character of pollutants in its discharge, the Permittee must file for an application with the POTW subject to Authority approval.
Notification of Discharge of RCRA Wastes	Notification as set out in 40 CFR 403.12(p). Discharges subject to prior Authority approval.
Slugload Report [40 CFR 403.12(f)]	Notify the Authority immediately of all discharges described in Part III. Section A.2. or discharges that could cause problems to the POTW.
Notification of Anticipated Bypass	Notify the Authority at least Twenty (20) days prior to anticipated bypass as set out in Part V. Section I.
Notification of Unanticipated Bypass	Notify the Authority immediately but at least within 24 hours of bypass as set out in Part V. Section I.

Section C: Analytical Requirements

The pollutant analyses, including sampling techniques, to be submitted as part of Section 4.5 of the rule shall be performed in accordance with the techniques prescribed in 40 CFR Part 136. If 40 CFR Part 136 does not contain sampling or analytical techniques for the pollutant in question, sampling and analyses must be performed in accordance with procedures approved by EPA.

Section D: Repeat Sampling and Reporting

In accordance with 40 CFR 403.12(g), the Authority shall establish the frequency of monitoring necessary to access and assure compliance by the Permittee with applicable Pretreatment Standards and requirements.

If sampling performed by a Permittee indicates a violation of a Categorical Pretreatment Standard, the Permittee shall notify the Authority within 24 hours of becoming aware of the violation. The Permittee shall also repeat the sampling and analysis and submit the results of the repeat analysis to the Authority within 30 days after becoming aware of the violation.

The Authority in lieu of the Permittee may perform sampling and analysis of the permitted discharge. Where the Authority performs the required sampling and analysis, and the result indicates a violation of a Categorical or Local Limit, the Authority shall repeat the sampling and analysis within 30 days after becoming aware of the violation. In addition, to assess continued compliance with Categorical and Local limits, the Authority will continue to sample and analyze the discharge at least every 30 days for the remainder of that calendar quarter.

If the Permittee subject to reporting requirements of 403.12, monitors any pollutant more frequently than required, using approved procedures, the results of this monitoring shall be included in its report to the Authority.

PART III - PRETREATMENT AND MONITORING FACILITIES

Section A: Pretreatment

1. General

The Permittee shall provide necessary wastewater treatment as required to comply with this Affluent Permit and shall achieve compliance with all applicable National Pretreatment Standards, including Local Limits, within the time limitations established by National Categorical Pretreatment Standards, or by order of the Authority. Any facilities required to pretreat wastewater to a level acceptable to the Authority shall be provided, operated, and maintained at the Permittee's expense. Detailed plans showing the pretreatment facilities and operating procedures shall be available to the Authority for review. The review of such plans and operating procedures will in no way relieve the Permittee from the responsibility of modifying the facility as necessary to produce an effluent acceptable to the Authority under the provisions of this Affluent Permit. Any significant subsequent changes in the pretreatment facilities or method of operation shall be reported to and be acceptable to the Authority before the Permittee's initiation of the changes.

All records relating to compliance with Pretreatment Standards and requirements shall be made available to officials of the EPA or the Approval Authority upon request.

2. Slug Discharges

a. Requirements Applicable to All Industrial Users. Each Permittee shall provide protection from slug discharge of pollutants regulated by this Affluent Permit, including but not limited to pollutants the discharge of which could jeopardize the POTW's compliance with applicable air quality authorizations or rules. Slug discharges are non-routine discharges which are episodic in nature, including but not limited to, an accidental spill or a non-customary batch discharge. In addition, for purposes of this Affluent Permit, a discharge that exceeds the loadings represented by the Permittee in the application, as amended, for this Affluent Permit constitutes a slug discharge. Facilities to prevent accidental discharge of pollutants shall be provided and maintained at the Permittee's own cost and expense.

b. Requirements Applicable to Significant Industrial Users. The Authority shall evaluate at least once every two years whether each Significant Industrial User (SIU) as defined in the Rule needs a plan to control slug discharges. If the Authority decides that a Slug Control Plan is needed, the Authority shall direct the SIU to develop such a plan in accordance with the requirements of 40 CFR 403.8(f)(2)(vi).

c. Notification Requirement. In the case of a slug discharge, it is the responsibility of the Permittee to immediately telephone and notify the POTW at the following telephone number, 281-474-7808. The notification shall include location of discharge, type of waste, concentration and volume, and corrective actions. This notification requirement is the responsibility of the Permittee even if sampling and analysis required by this Affluent Permit is conducted by the Authority.

d. Written Notice. Within five (5) days following a slug discharge, the Permittee shall submit to the Manager of Operations a detailed written report describing the cause of the discharge and the measures to be taken by the Permittee to prevent similar future occurrences. Such notification shall not relieve the Permittee of any expense (including analytical costs), loss, damage, or other liability which may be incurred as a result of damage to the POTW, fish kills, or any other damage to person or property; nor shall such notification relieve the Permittee of any fines, civil penalties, or other liability which may be imposed by this provision or other applicable law.

e. Permittee's Notice to Employees. A notice shall be permanently posted on the Permittee's bulletin board or other prominent place advising employees whom to call in the event of an accidental discharge. Employers shall insure that all employees who may cause or suffer such an accidental discharge to occur are advised of the emergency notification procedure.

3. Dilution Prohibition

No Permittee shall ever increase the use of process water or, in any way attempt to dilute a discharge as a partial or complete substitute for adequate treatment to achieve compliance with the limitations contained in an applicable National Categorical Pretreatment Standard, or in any other pollutant-specific limitation developed by the Authority except where expressly authorized to do so.

Section B: Monitoring Facilities

The Authority shall provide or require to be provided and operated at the Permittee's own expense, monitoring facilities to allow inspection, sampling, and flow measurement of the Permittee's wastewater discharges. The monitoring facility should be situated at a location designated by the Authority. The sampling and monitoring facilities shall be provided in accordance with the Authority's requirements. Construction shall be completed before discharge of wastewater to a POTW.

Section C: Inspection and Sampling

The Authority shall have the right to inspect the facilities of any Permittee to ascertain whether the purpose of this Affluent Permit is being met and all requirements are being complied with. Persons or occupants of premises where wastewater is generated or discharged shall allow the Authority or its representative access at reasonable times to, upon, or through any portion of the premises in which the wastewater source is located or in which any records required to be maintained by the Act, the Rule or this Affluent Permit are located for the purposes of inspection, sampling, examination of records required to be maintained by the Act, the Rule or this Affluent Permit and copying of same. The Authority and the Approval Authority as defined in the Rule shall have the right to set up on the Permittee's property such devises as are necessary to conduct sampling inspection, compliance monitoring and/or metering operations. Where a Permittee has security measures in force, which would require proper identification and clearance before entry into their premises, the Permittee shall make necessary arrangements with their security guards so that upon presentation of suitable identification, personnel from the Authority, Approval Authority and EPA will be permitted to enter for the purposes of performing their specific responsibilities.

PART IV - GENERAL CONDITIONS

In addition to compliance with Part I, II, and III this Affluent Permit is issued conditioned upon compliance with the following general conditions. Violation of any of the Affluent Permit conditions below shall be adequate basis for the revocation of this Affluent Permit.

Section A: Right of Entry

The Permittee, after reasonable notification by the Authority, shall allow the Authority or its representatives, exhibiting proper credentials and identification, to enter upon the premises of the Permittee at all reasonable hours, for the purposes of inspection or sampling. Records shall be available for inspection during normal business hours. Reasonable hours in the context of inspection and sampling include any time the Permittee is operating any process, which results in a process wastewater discharge to the Authority collection system.

Section B: Records Retention

The Permittee shall retain and preserve for no less than three (3) years, any records, books, documents, memoranda, reports, correspondence, and any and all summaries thereof, relating to monitoring, sampling, chemical and biological analyses made by or in behalf of the Permittee in connection with its discharge.

All records that pertain to matters that are the subject of special orders or any other enforcement or litigation activities brought by the Authority shall be retained and preserved by the Permittee until all enforcement activities have concluded and all periods of limitation with respect to any and all appeals have expired.

Section C: Authority's Right of Revision

The Authority reserves the right to reopen and revise this Affluent Permit at any time to establish limitations and/or requirements on discharges that are more stringent if deemed necessary to comply with the Rule or any applicable federal or state permits or requirements.

Section D: Permit Duration and Renewal

An Affluent Permit shall be issued for a specified period, not to exceed five (5) years. The Permittee shall apply for Affluent Permit reissuance a minimum of 180 days before the expiration of an existing Affluent Permit which shall administratively extend the Affluent Permit until the Authority takes final action on the application.

Section E: Permit Transfer

An Affluent Permit is issued to a specific Permittee for a specific operation. This Affluent permit shall not be reassigned, transferred, or sold to a new owner, new Industrial User, different premises, or a new or changed operation without the approval of the Authority. Any succeeding owner or Industrial User shall also comply with the terms and conditions of the existing Affluent Permit.

Section F: Certification and Signatory Requirements

All reports required by this Affluent Permit must contain the certification set out at 40 CFR 403.6(a)(2)(ii), be signed in accordance with the signatory requirements at 40 CFR 403.12(l) and be submitted to the Authority at the following address:

Bayport Facility
Scott Harris
10800 Bay Area Blvd.
Pasadena, TX 77507
281-474-4111

Section G: Permit Modification

This Permit is granted based on information supplied and representations made by the Permittee during the application process, relying upon the accuracy and completeness of that information and those representations. Any Permittee planning to alter or change any activity at the Permittee's facility that would significantly increase or decrease the volume or alter the content of any existing source of industrial wastewater discharge into the Authority's collection system from information supplied or representations made by the Permittee during the application process, must provide an application for Affluent Permit modification to the Authority at least ninety (90) days prior to the intended modification.

Section H: Fraud and False Statements

Reports and other documents required to be submitted or maintained by the Permittee under this Affluent Permit are subject to:

1. The provisions of 18 U.S.C. Section 1001 relating to fraud and false statements;
2. The provisions of Section 309(c)(4) of the Act, as amended, governing false statements, representation or certification; and
3. The provisions of Section 309(c)(6) of the Act, as amended, regarding responsible corporate officers.

Section I: Confidential Information

As set out in 40 CFR 403.14, information and data furnished to the Authority with respect to the nature and frequency of an indirect discharge shall be available to the public upon written request accompanied by appropriate fees filed with the Authority or to governmental agencies, unless the Permittee claims at the time of submission that the release of such information would divulge information, processes or methods of production entitled to protection as trade secrets or other confidential business information of the Permittee as provided in 40 CFR 403.14 and 40 CFR Part 2.

When requested by a Permittee furnishing a report, portions of which report disclose trade secrets or other confidential business information, such portions shall not be made available for public inspection, unless the Authority is ordered to do so in a judicial proceeding, but shall be made available upon written request to governmental agencies for uses related to this Affluent Permit, the TPDES permit, and/or 40 CFR Part 403, and the Permittee shall be notified of the submission of the report to the governmental agency; provided, however, that such portions of a report shall be available for use by any governmental agency or department in a judicial review or enforcement proceeding involving the Permittee furnishing the report. As described at 40 CFR 403.14(b), information and data provided to the Authority will not be recognized as confidential information.

Employees of the Authority who divulge confidential information entitled to protection under this section, except as set out above, shall be subject to prosecution under Texas Revised Civil Statutes Annotated, Article 6252-17a and appropriate disciplinary action, including, where warranted, suspension or dismissal. At the request of a Permittee, the Authority shall enter into a mutually acceptable agreement to protect the Permittee's trade secrets and other confidential business information.

Section J: Severability

If any provision of this Affluent Permit is invalidated by any court of competent jurisdiction, the remaining provisions shall not be affected and shall continue in full force and effect.

PART V - ENFORCEMENT

Section A: Harmful Contributions

The authority may, after notice, suspend the wastewater treatment service and/or this Affluent Permit when such suspension is necessary, in the opinion of the Authority, in order to stop an actual or threatened discharge which presents or may present an imminent or substantial endangerment to the health or welfare of persons, to the environment, or cause Interference to the POTW or cause the Authority to violate any condition of its TPDES Permit.

Any Permittee notified of a suspension of wastewater treatment service and/or the Affluent permit shall immediately stop or eliminate the contribution. In the event of a failure of the Permittee to comply voluntarily with the suspension order, the Authority shall take such steps as deemed necessary including immediate severance of the sewer connection, to prevent or minimize damage to the POTW system or endangerment to any individuals. The Authority shall reinstate the Affluent Permit and/or the wastewater treatment service upon proof of the elimination of the harmful discharge. A detailed written statement by the Permittee describing the causes of the harmful discharge and the measures taken to prevent any future occurrence shall be submitted to the Authority within five days of the date of occurrence.

Section B: Pretreatment Standard Violations

For purposes of Part V of this Affluent Permit, a violation of Categorical Pretreatment Standards, Local Limits or Specific Prohibitions or General Prohibitions as set out in Part I of this Affluent Permit are defined as follows:

a. General Prohibitions. A discharge that violates the General Prohibitions set out in Part I, Section A, of this Affluent Permit constitute a violation of this Affluent permit and the Rule.

b. Specific Prohibitions. A discharge that exceeds or violates conditions of the Specific Prohibition set out in Part I, Section B inclusive, of this Affluent Permit constitute a violation of this Affluent Permit and the Rule.

c. National Categorical Pretreatment Standards. A discharge of a pollutant that exceeds applicable National Categorical Pretreatment Standards for that pollutant constitutes a violation of this Affluent Permit and the Rule.

d. Numeric Local Limits. A discharge by a Permittee that contains a pollutant or pollutants in excess of Numeric Local Limits established in Part I.D.1. of this Affluent permit does not constitute a violation of the Local Limit, the Permittee's Affluent Permit or the Rule, unless the discharge also:

   1. Results in, or in the opinion of the Authority has the potential to result in or significantly contribute to, interference or pass through of the POTW;

   2. Results in or significantly contributes to an exceedance of the allowable headworks loading of the POTW;

3. Results in or significantly contributes to the POTW exceeding its TPDES permit;

4. Results in or significantly contributes to noncompliance by the POTW with applicable portions of 40 CFR 257, 40 CFR 258, 40 CFR 503, or other federal, state or local sludge use or disposal regulation;

5. Prevents sludge use of disposal by the POTW in the manner described in the Pretreatment Program; or

6. Results in or significantly contributes to noncompliance by the POTW with applicable air quality authorization and/or rules.

e. Narrative Local Limits. A discharge that violates a Narrative Local Limit set out in Part I.D.2. of this Affluent Permit constitutes a violation of this Affluent Permit and the Rule.

Section C: Revocation of Permit

The Authority may, after notification and opportunity for review as set out in the rule, revoke this Affluent Permit whose discharge violates the rule, the Pretreatment Standards, this Affluent Permit or order of the Authority.

Section D: Notification of Violation

Whenever the Authority finds that the Permittee has violated or is violating this Affluent Permit, the Rule, Pretreatment Standards, or other pretreatment requirements contained or referenced herein, the Authority shall communicate to such Permittee notification that the violation has occurred.

a. Notification of Authority Action Under Part V, Section A. When the Authority determines that the Permittee is subject to suspension of wastewater treatment service or its Affluent Permit pursuant to Part V. Section A. prior to initiating such suspension, the Authority shall provide the Permittee with at least informal telephone notice and an opportunity to verbally respond. The Authority may follow up any verbal notification with a written notice of violation.

b. Written Notice of Violation. When the Authority serves a Permittee with written notification of a violation, the notice shall indicate the nature of the violation and provide that within 30 days of the date of the notice, a plan for the satisfactory correction thereof shall be submitted to the Authority by the Permittee.

Section E: Penalties and Injunctive Relief

A Permittee who violates this Affluent permit, the Rule or order of the Authority is subject to a civil penalty of not less than $50 nor more than $1000 per day for each violation. The Authority may sue to recover the penalty in a district court in the county where the violation occurred. Any penalties collected pursuant to this Section shall be paid to the General Revenue Fund of the State of Texas.

The Authority may sue for injunctive relief in a district court in the county where a violation of this Affluent Permit, the Rule or order occurred or is threatened. In any such suit, the court shall have

jurisdiction to grant to the Authority, without bond or other undertaking, such prohibitory and mandatory injunctions as the facts may warrant, including temporary restraining orders, after notice and hearing, temporary injunctions, or permanent injunctions.

The Authority may sue for injunctive relief and penalties in the same proceeding.

Section F: Damages

Any Permittee violating any of the provisions of this Affluent Permit or who contributes pollutants that cause demonstrable damage, other than normally expected deterioration and operating costs, to the POTW including, but not limited to, significant reduction of the biomass, or additional costs associated with operations, sludge management and/or disposal, shall be liable to the Authority for any expense, loss or damage caused by such violation or contribution. When the Authority determines that a Permittee is liable to the Authority for expense, loss or damage under this provision, the Authority shall provide written notification of same to the Permittee. The Permittee may seek review of such determination per Part V, Section G of this Affluent Permit. The Authority shall bill the Permittee for costs incurred by the Authority for cleaning, repair, replacement work, sludge management and/or disposal, and consultant and legal fees caused by the violation or contribution. All moneys collected by the Authority from a Permittee for expense, loss or damage shall be used for paying for said expense, loss or damage.

Section G: Review

In the event, a Permittee is entitled by the rule to seek review of an Authority action pursuant to this provision the Permittee may request a contested case hearing. If the hearing request is filed with the Manager of Operations by the Permittee within 30 days after the Permittee's receipt of written notice of the Authority's action, the Permittee shall be entitled to the contested case hearing. In a hearing conducted pursuant to this provision related to Authority action under Section 4 of the Rule, the burden of proof with regard to contested provisions of any Affluent Permit shall be on the Permittee. In a hearing conducted pursuant to this provision related to Authority action under Section 5 of the Rule, the burden of proof shall be on the Authority.

The hearing examiner's proposed decision shall include findings of fact and conclusions of law separately stated. The hearing examiner's proposed decision shall be rendered within 60 days after the date of the hearing is finally closed unless the parties to the hearing consent to a later date.

If the hearing examiner's proposed decision is adverse to the Permittee, the Permittee shall have the opportunity to appear before the Board of Directors of the Authority and respond to the hearing examiner's proposed decision. The Board is the final administrative authority over decisions of the Authority and is empowered to accept, modify, and overrule proposed decisions of the hearing examiner. In the event the penalty, expense, loss or damage is finally assessed against the Permittee following the conclusion of the hearing and all appeals therefrom, the Permittee shall additionally be liable for interest on such expense, loss or damage at the rate of interest specified by statute for judgments in the Courts of Texas from and after the date of the written notice of the assessment by the Authority and shall also be required to pay the cost of the hearing transcript, if any, and the hearings examiner.

Section H: Public Participation

1. Per 40 CFR 403.8(f)(2)(viii), the Authority will publish, the name of the Permittee which, at any time during the previous twelve months, was in Significant Noncompliance with applicable Pretreatment requirements. For purposes of this provision, a Permittee is in significant noncompliance if it meets one or more of the following criteria:

   a. Violates a Local Limit as defined in Part V, Section B(d) and (e) hereof;

   b. Chronic violations of a National Categorical Pretreatment Standard, defined here as those in which 66 percent or more of all of the measurements taken during a six-month period exceed (by any magnitude) the daily maximum limit or the average limit for the same pollutant parameter;

   c. Technical Review Criteria (TRC) violations, defined here as those in which 33 percent or more of all of the measurements for each pollutant regulated by an applicable National Categorical Pretreatment Standard taken during a six-month period equal or exceed the product of the daily maximum limit or the average limit multiplied by the applicable TRC (TRC=1.4 for BOD, TSS, fats, oil and grease, and 1.2 for all other pollutants except pH);

   d. Any other violation of a Pretreatment Effluent Limit (daily maximum or longer-term average) or other pretreatment prohibition or requirement that the Authority determines has caused alone or in combination with other discharges, interference or pass through (including endangering the health of POTW personnel or the general public);

   e. Any discharge of a pollutant that has caused imminent endangerment to human health, welfare or to the environment or has resulted in the POTW's exercise of its emergency authority under Part V, Section A hereof;

   f. Failure to meet, within 90 days after the schedule date, a compliance schedule milestone contained in an Affluent Permit or order of the Authority for starting construction, completing construction, or attaining final compliance;

   g. Failure to provide, within 30 days after the due date, required reports such as baseline monitoring reports, 90-day compliance reports, periodic self-monitoring reports, and reports on compliance with compliance schedules;

   h. Failure to accurately report noncompliance; and/or

   i. Any other violation or group of violations, which the Authority determines, will adversely affect the operation or implementation of this Affluent Permit, the Rule or the Pretreatment Program.

2. Public access to non-confidential files concerning documents and records developed for the Pretreatment Program will be available from the file room of the POTW during normal working hours.

Section I: Bypass

a. Bypass means the intentional diversion of wastestreams from any portion of a user's treatment facility.

b. Severe property damage means (1) substantial physical damage to property, (2) damage to the treatment facilities which causes them to become inoperable, or (3) substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.

c. A User may allow any bypass to occur which does not cause the Rule, this Affluent Permit, Pretreatment Standards or pretreatment requirements to be violated, but only if it also is for essential maintenance to assure efficient operation.

d. If a User knows in advance of the need for a bypass, it shall submit prior notice to the Authority at least twenty (20) days before the date of the bypass, if possible.

e. A User shall submit oral notice to the Authority of any unanticipated bypass that exceeds applicable pretreatment requirements as soon as possible, but at least within twenty-four hours from the time it becomes aware of the bypass. A written submission shall also be provided within five days from the time the user becomes aware of the bypass. The written submission shall contain a description of the bypass, including identification of the constituents bypassed and the amount; the cause of the bypass; the duration of the bypass, including exact dates and times, and, if the bypass has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent recurrent of the bypass. The Authority may waive the written report on a case-by-case basis if proper oral notice has been given.

Section J: Act of God

If a permittee can establish that an event that would otherwise be a violation of the Rule or this Affluent Permit issued pursuant to the Rule was caused solely by an Act of God, war, strike, riot, or other catastrophe, the event is not a violation of the Rule or this Affluent Permit. If Act of God is claimed as an affirmative defense to an action brought under this Part, the permittee must submit notice of the event as provided by Part II.B of this Affluent Permit.

PART VI - DEFINITIONS

Section A: Definitions

Unless the context specifically indicates otherwise, the following terms and phrases, as used in this Rule, shall have the meanings hereinafter designated:

(1) Act or "the Act". The Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 U.S.C. 1251, et. seq.

(2) Affluent Permit. A Wastewater Discharge permit issued to Industrial Users of the POTWs covered by this Rule. Such Affluent Permits shall include applicable National Categorical Pretreatment Standards and applicable Local Limits.

(3) Approval Authority. The Executive Director of the Texas Commission on Environmental Quality.

(4) Authority. The Gulf Coast Waste Disposal Authority or the Board of Directors for the Authority.

(5) Authority Act. The Authority was created by the Texas Legislature in Chapter 409, Acts of the 61st Legislature of the State of Texas, Regular Session, 1969. The Authority Act has been amended in 1971, 1973, 1975, 1979, 1985,1987, 1990 and 1995.

(6) Authorized Representative of Industrial User. An Authorized Representative of an Industrial User may be: (1) a principal executive officer of at least the level of vice-president, if the Industrial User is a corporation; (2) a general partner or proprietor if the Industrial User is a partnership or proprietorship, respectively; or (3) a duly Authorized Representative of the individual designated above if such representative is responsible for the overall operation of the facilities from which the Indirect Discharge originates and the authorization is made in writing by the individual designated above. For a municipality, state, federal or other public agency, an Authorized Representative is either a principal executive officer or ranking elected official.

(7) Biochemical Oxygen Demand (BOD). The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure, five (5) days at 20° centigrade expressed in terms of weight (ppd) and concentration (mg/L).

(8) Board. The Board of Directors for the Authority.

(9) Composite Sample. A sample collected at regular intervals over a normal 24-hour operating day taken in accordance with applicable requirements of the TPDES permit of each named POTW and/or applicable federal and State regulations.

(10) Contract Industrial User. Any Industrial User which is a party to the Facilities Agreement relating to a Contract POTW.

(11) Contract POTWs. Any of the following POTWs:

(a) Washburn Tunnel Facility in Pasadena, Texas;

(b) 40 Acre Facility in Texas City, Texas;

(12) Cooling Water. The water discharged from any use, such as air conditioning, cooling or refrigeration, or to which the only pollutant added is heat, chemical corrosion inhibitors, and chemicals for pH control.

(13) Direct Discharge. The Discharge of treated or untreated Wastewater directly to the waters of the State of Texas.

(14) Environmental Protection Agency, or EPA. The U.S. Environmental Protection Agency, or, where appropriate, the term may also be used as a designation for the Administrator or other duly authorized official of said agency.

(15) Facilities Agreement. Each of the Agreements, as the same may be amended, made and entered into by and between the Authority and the Contract Industrial Users relating to each of the Contract POTWs, as set forth below:

(a) Washburn Tunnel Facility - Facilities Agreement dated as of August 24, 1972, including any amendments or supplements.

(b) 40-Acre Facility - Facilities Agreement dated as of September 30, 1971 as supplemented and amended on November 1, 1973 and July 31, 1979, and December 12, 1979, including any amendments or supplements.

(16) General Manager. The General Manager of the Authority.

(17) Grab Sample. An individual sample collected in less than 15 minutes.

(18) Hearing Examiner. The Authority's Board of Directors or a person selected by the Authority's Board of Directors.

(19) Indirect Discharge or Discharge. The Discharge or the introduction of Pollutants from any non-domestic source regulated under Section 307(b) or (c) of the Act (33 U.S.C. 1317) into the POTW.

(20) Industrial User or User. A source of Indirect Discharge.

(21) Interference. A Discharge which, alone or in conjunction with a Discharge or Discharges from other sources, both: (a) inhibits or disrupts the POTW, its treatment processes or operations, or its sludge processes, use or disposal; and (b) therefore, is a cause of a violation of any requirement of the POTW's TPDES permit (including an increase in the magnitude or duration of a violation) or of the prevention of sludge use or disposal in compliance with the following statutory provisions and regulations or permits issued thereunder (or more stringent State or local regulations): Section 405 of the Clean Water Act, the Solid Waste Disposal Act (SWDA) (including Title II, more commonly referred to as the Resource Conservation and Recovery Act (RCRA), and including State regulations contained in any State sludge management plan prepared pursuant to Subtitle D of the SWDA), the Clean Air Act, the Toxic Substances Control Act, and the Marine Protection, Research and Sanctuaries Act.

(22) Local Limits. Any affluent limits established by the Authority to enforce specific limits, which implement the prohibitions developed in this Rule.

(23) Manager of Operations. The Manager of Operations for the Authority who is responsible for administering the Authority's Pretreatment Program.

(24) National Categorical Pretreatment Standard, Categorical Pretreatment Standard, or Categorical Standards. Any regulation containing Pollutant Discharge limits promulgated by the EPA in accordance with section 307(b) and (c) of the Act (33 U.S.C. 1317) which applies to a specific category of Industrial Users and that applies to Industrial Users of the named POTWs as subject to Federal Law.

(25) National Pollution Discharge Elimination System or NPDES Permit. A permit issued pursuant to section 402 of the Act (33 U.S.C. 1342). In accordance with Section 402(b) of the Act the EPA can delegate permitting authority to the State of Texas. If such delegation occurs, this term shall also encompass any permit issued by the State of Texas pursuant to Section 402 of the Act.

(26) National Pretreatment Standard, Pretreatment Standard, or Standard. Any regulation containing Pollutant Discharge limits promulgated by the EPA in accordance with Section 307 (b) and (c) of the Act, which applies to Industrial Users. This term includes prohibitive Discharge limits established pursuant to 40 CFR 403.5.

(27) National Prohibitive Discharge Standard or Prohibitive Discharge Standard. Any regulation developed under 40 CFR Section 403.5.

(28) New Source.

(a) Any building, structure, facility or installation from which there is or may be a Discharge of Pollutants, the construction of which commenced after the publication of proposed Pretreatment Standards under Section 307(c) of the Act which will be applicable to such source if such Standards are thereafter promulgated in accordance with that section, provided that:

(i) The building, structure, facility or installation is constructed at a site at which no other source is located; or

(ii) The building, structure, facility or installation totally replaces the process or production equipment that causes the Discharge of Pollutants at an existing source; or

(iii) The production or Wastewater generating processes of the building, structure, facility or installation are substantially independent of an existing source at the same site. In determining whether these are substantially independent, factors such as the extent to which the new facility is integrated with the existing plant and the extent to which the new facility is engaged in the same general type of activity as the existing source should be considered.

(b) Construction on a site at which an existing source is located results in a modification rather than a new source if the construction does not create a new building, structure, facility or installation meeting the criteria of (a)(ii) or (a)(iii), but otherwise alters, replaces, or adds to existing process or production equipment.

(c) Construction of a new source as defined under this paragraph has commenced if the owner or operator has:

(i) Begun, or caused to begin as a part of a continuous on-site construction program:

a) Any placement, assembly, or installation of facilities or equipment; or,

b) Significant site preparation work, including clearing, excavation or removal of existing buildings, structures or facilities which is necessary for the placement, assembly or installation of new source facilities or equipment; or

(ii) Entered into a binding contractual obligation for the purchase of facilities or equipment which are intended to be used in its operation within a reasonable time. Options to purchase or contracts, which can be terminated or modified without

substantial loss, and contracts for feasibility, engineering and design studies, do not constitute a contractual obligation under this paragraph.

(29) Non-Contract POTW. The Bayport Facility in Pasadena, Texas.

(30) Pass Through. A Discharge which exits the POTW into waters of the United States in quantities or concentrations which, alone or in conjunction with a Discharge or Discharges from other sources, is a cause of a violation of any requirement of the POTW's TPDES permit (including an increase in the magnitude or duration of a violation).

(31) Person. Any individual, partnership, co-partnership, firm, company, corporation, association, joint stock company, trust, estate, governmental entity or any other legal entity, or their legal representatives, agents or assigns. The masculine gender shall include the feminine, the singular shall include the plural where indicated by the context.

(32) pH. The logarithm (base 10) of the reciprocal of the hydrogen ion concentration expressed in standard units.

(33) Pollution. The man-made or man-induced alteration of the chemical, physical, biological and radiological integrity of water.

(34) Pollutant. Any dredged spoil, solid waste, incinerator residue, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discharged equipment, rock, sand and cellar dirt, and industrial, municipal and agricultural waste discharged into water.

(35) Pretreatment. The reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in Wastewater to a less harmful state prior to or in lieu of discharging or otherwise introducing such pollutants into a POTW. The reduction or alteration can be obtained by physical, chemical or biological processes, or process changes or other means, by the Industrial User or by specific processes of the POTW, except as prohibited by 40 CFR Section 403.6(d).

(36) Pretreatment Requirements. Any substantive or procedural requirement related to Pretreatment, other than a National Pretreatment Standard imposed on an Industrial User.

(37) Publicly Owned Treatment Works (POTW). A treatment works, as defined by Section 212 of the Act (33 U.S.C. 1292), which is owned in this instance by the Authority, with the exception of facilities that are owned by the Authority under pollution control financing agreements and operated by private corporations. This definition includes any sewers that convey Wastewater to the POTW treatment plant, but does not include pipes, sewers or other conveyances not connected to a facility providing treatment.

(38) POTW Treatment Plant. That portion of the POTW designed to provide treatment to Wastewater.

(39) Shall is mandatory; May is permissive.

(40) Significant Industrial User.

(a) Except as provided in paragraph (b), the term Significant Industrial User means:

1. All Industrial Users subject to Categorical Pretreatment Standards under 40 CFR 403.6 and 40 CFR Chapter I, Subchapter N; and

2. Any other Industrial User that: Discharges an average of 25,000 gallons per day or more of process Wastewater to the POTW (excluding sanitary, non-contact cooling and boiler blowdown Wastewater); contributes a process wastestream which makes up five percent (5%) or more of the average dry weather hydraulic or organic capacity of the POTW treatment plant; or is designated as such by the Authority on the basis that the Industrial User has a reasonable potential for adversely affecting the POTW's operation or for violating any Pretreatment Standard or Requirement (in accordance with 40 CFR 403.8(f)(6)).

(b) Upon a finding that an Industrial User meeting the criteria above has no reasonable potential for adversely affecting the POTW's operation or for violating any Pretreatment Standard or Requirement, the Authority may at any time, on its own initiative or in response to a petition received from an Industrial User or POTW, and in accordance with 40 CFR 403.8(f)(6), determine that such Industrial User is not a Significant Industrial User.

(41) Slugload or Slug Discharge. Any Discharge of a non-routine, episodic nature, including but not limited to an accidental spill or a non-customary batch Discharge.

(42) State. State of Texas.

(43) State Permit to Dispose of Waste. A permit for a Wastewater treatment facility issued pursuant to Chapter 26 of the Texas Water Code.

(44) Standard Industrial Classification (SIC). A classification pursuant to the Standard Industrial Classification Manual issued by the Executive Office of the President, Office of Management and Budget, 1972, including any amendments or supplements.

(45) Storm Water. Means storm water runoff, snow melt runoff, and surface runoff and drainage.

(46) Suspended Solids. The total suspended matter that floats on the surface of, or is suspended in, water, Wastewater or other liquids, and which is removable by laboratory filtering.

(47) Texas Pollution Discharge Elimination System or TPDES Permit. A permit issued by the Texas Commission on Environmental Quality (TCEQ) pursuant to Section 402 of the Act (33 U.S.C. 1342) and Chapter 26 of the Texas Water Code.

(48) Toxic Pollutant. Any Pollutant or combination of Pollutants listed as toxic in regulations promulgated by the Administrator of the Environmental Protection Agency under the provision of CWA 307(a).

(49) Wastewater. The liquid and water-carried industrial or domestic wastes from dwellings, commercial buildings, industrial facilities and institutions, including storm water and ground water, whether treated or untreated, which is contributed into or permitted to enter the POTW.

(50) Water Management Division Director. The EPA Region VI Water Management Division Director or this person's delegated representative.

(51) Waters of the State. All streams, lakes, ponds, marshes, watercourses, waterways, wells, springs, reservoirs, aquifers, irrigation systems, drainage systems and all other bodies or accumulations of water, surface or underground, natural or artificial, public or private, which are contained within, flow through, or border upon the State or any portion thereof.

PART VII - FACT SHEET

Prepared by: Mike Cunningham

		EPA Category/Subpart
Permittee:	ATS (2)	40 CFR 442 A & B

Permit Actions Summary:
Issue Date: August 19, 2016
Renewal Date:
Amendment Date:
Permit Expiration Date: August 19, 2021

1. SYNOPSIS OF APPLICANT INFORMATION

a. **Description of Permittee's Operation:**
Alpha Technical Services Corporation [ATS (2)] owns and ATS Express Services (ATS Express) performs cleaning of railcars, iso-containers, tank trailers, boxes and other miscellaneous containers.

b. **Description of Discharges (as reported by Permittee):**
A detailed description of the Permittee's operation and discharge is in Part I of the Affluent Permit.
Production data: Affluent Permit information for this Permittee is located in file number: 2000-22.89.
Description of existing Pollution Abatement Facilities:
Adjustment of pH, oil/water separator, settling, and sampling. Offsite disposal available if needed.

c. **Description of Amendment (if applicable):**

2. PASS THROUGH AND INTERFERENCE EVALUATION

In addition to the annual evaluation, an evaluation is triggered when GCA either: accepts a new wastewater stream or an existing industrial user modifies the composition of an existing wastewater stream. The evaluation characterizes the new/modified stream to assure it will not pass through or interfere with the treatment process or the sludge disposal process.

New or Amended Discharge	Description of Change	Pass Through and Interference Evaluation		Numerical and/or Local Limits determined from evaluation
		Required	Approved	

All supporting pass through and interference evaluation documentation is located in the Pass Through and Interference Evaluation File Folder No: 2000-22.89.02.

3. PROPOSED AFFLUENT LIMITATIONS

Effective no later than August 19, 2016 and lasting until August 19, 2021, the Permittee(s) is/are authorized to discharge wastewater from BP-5015 ATS Express BS. These discharges shall be limited as specified below:

Part 1: Affluent Permit Pretreatment Limits are detailed in Part I, Section C. of the Permit.

Sample Calculation : [40 CFR 403.6]

- Mass Limits — Pounds/day = pollutant in mg/L times 8.34 times flow (in million gallons per day)

Part 2: Affluent Limits based on Local Limits

Numeric and/or Narrative Local Limits and Rationale:

The Local Limits are developed on best professional judgment as needed if a reasonable potential to cause TPDES permit violations is identified, based on the previously submitted Pretreatment Program or Annual Headwork's Evaluation which is submitted with the Annual Pretreatment Status Report.

Slug Control Plan, Chemical Management Plan, and/or Pollution Management Plan Requirements and Rationale:

Applicable Plans are specified in Part I Section D of the Permit. Slug Discharge Control Plans and/or Chemical Management Plans are required if Permittee has indicated or demonstrated a potential to discharge a pollutant or parameter which may cause an upset to the POTW.

4. MONITORING AND REPORTING REQUIREMENTS AND RATIONALE

Monitoring and Reporting Requirements for the Permittee are specified in Part II Section A. and Part II Section B. Monitoring and Reporting Requirements are used to insure compliance with Pretreatment Standards and POTW regulatory compliance.

5. SPECIAL CONDITIONS AND RATIONALE:

As specified in Part I Section F: The Permittee is required to properly train employees to protect the POTW from harmful or unauthorized discharges.