

March 1, 2021

Mr. Mario Perez, Project Manager Industrial & Hazardous Waste Permits Section Waste Permits Division, MC 126 Texas Commission on Environmental Quality 12100 Park 35 Circle, Building F Austin, Texas 78753

Re: Responses to Technical Notice of Deficiency for Permit Renewal Application (Tracking No. 25766261)

Elam Landfill 11928 Kleberg Road Wilmer, Texas 75253

Hazardous Waste Permit Number 50377

Dear Mr. Perez:

Please find enclosed one original and three copies of the following related to the permit renewal application recently submitted for the above-referenced Site:

- Notice of Deficiency Table from your email dated January 12, 2021;
- Dal-Tile's responses to each Notice of Deficiency; and
- Application replacement pages with technical deficiencies corrected.

EnSafe appreciates the Texas Commission on Environmental Quality's assistance on this project. If the Texas Commission on Environmental Quality has any questions or comments, please call the undersigned at 972-791-3222.

Respectfully,

EnSafe Inc.

ellold

By. Molly Holden, PG, ASP, CHMM Senior Compliance Specialist

Enclosures

Mar.

Richard Record, PG Senior Geologist, Senior Program Manager

Texas Commission on Environmental Quality Notice of Deficiencies dated January 12, 2021 and Response to Notice of Deficiencies From: Mario Perez <mario.perez@tceq.texas.gov>
Sent: Tuesday, January 12, 2021 7:32 AM
To: Molly Holden <mholden@ensafe.com>
Cc: Robert Hurt <Bob.Hurt@Daltile.com>; Richard Record <rrecord@ensafe.com>; Eun Ju Lee
<EunJu.Lee@Tceq.Texas.Gov>; Brandon Greulich <brandon.greulich@tceq.texas.gov>
Subject: Email Technical NOD 1: Permit Renewal - Dal-Tile Elam LF Permit No. 50377

Dal-Tile Corporation – Dallas, Dallas County Hazardous Waste Permit No. 50377 Industrial Solid Waste Registration No. 52013 EPA Identification No. TXD988032751 Tracking No. 25766261; RN103858163/CN600128797

Greetings Molly;

The Industrial & Hazardous Waste Permits Section staff of the Texas Commission on Environmental Quality (TCEQ) reviewed your permit renewal application dated December 2, 2020. Our review of the application indicates that additional information must be presented to demonstrate compliance with Title 30 Texas Administrative Code (TAC) Sections (§§)305.45 and 305.50.

The deficiencies noted in the below table follow the format of the TCEQ Part A and Part B hazardous waste permit application forms. Each deficiency is uniquely identified in the below table (ID[#]) and requires your response. Please note, when providing your response, you must:

- 1. Refer to the unique deficiency identifier;
- 2. Include the location in the permit application where your response requires revisions or where you provide additional information;
- 3. Include any other narrative necessary to explain your response;
- 4. If possible, provide a redline/strikeout version clearly identifying all proposed changes from the existing permit application;
- 5. Include replacement pages for insertion into the application. Each replacement page should contain a revision date and revision number; and
- 6. If a revision to the application causes text to shift and/or pagination to change, please provide all pages affected by the revision(s).

ID ^[1]	App. Part	App. Section	Location ^{(i)[2]}	Citation	Error Type ⁽³⁾	Deficiency Description/Resolution
C1	В	I.B.	Table 1, p. 1	305.43(b)	Comment Only	Ensure that the Core Data form is submitted to reflect a change or different property owner as applicable.
C2	В	I.C.4.	Table 1, p. 2	39.405(g)	Comment Only	Ensure the application is posted at a public place and on a website.
A1	В	I.D.1.	Table 1, p. 3	Application Types	Incorrect	Uncheck the Class 1 modification type.
T1	В	II.E.	App. II.A, Table II.E	335.204(e)	Incomplete	"Not Applicable" responses needed for Table II.B. page 3 of 8 and Table II.C. page 4 of 8.
T2	В	V.A.1.b.	App. V.A	305.45(a)(6)	Incomplete	Provide a PG or PE signature & seal for all maps/drawings in Section V.
Т3	В	V.A.2.	App., V.A	335.204(a)(b)(c)(d) and (e)	Inconsistent	Check one response (Yes or No); not both.
T4	В	VI	App. VI.A Topo Map	270.14(b)(19) & 305.50(a)(7)	Incorrect	Correct scale to 1 inch = not more than 200 feet.
T5	В	VI	App. VI.B Tbl VI.B.3.b	TCEQ 00376 Section VI.B.3.	Omitted	
Т6	В	VIII	FA Letter	37 Subchapter C	Incorrect	Strikeout "the following: Standby Regulatory Trust"

Please submit your response (an unmarked copy and marked copy, for example in redline/strikeout format) via email for our review within 14 days from the date of this email (January 26, 2022). Please do not hesitate to email me if you have any questions; email is preferred since agency staff is teleworking during this pandemic period. We understand that the applicant is also addressing administrative comments at this time.

At the completion of the technical review, a complete NOD response package **must be sent as a paper copy to IHW including an original signature page(s).**

For the Financial Assurance comment (T6) provided please contact Mr. Mark Stoebner, Financial Analyst at <u>mark.stoebner@tceq.texas.gov</u>. or telephone 512.239.6150.

Sincerely,

Mario A. Perez, Project Manager Industrial & Hazardous Waste Permits Section Waste Permits Division Texas Commission on Environmental Quality 512.239.6681 (office)

^[1] Deficiency ID – Key: A#=Administrative deficiency (ex. A12); T#=Technical deficiency relating to Sections I-X and Sections XII-XIII of the Part B application (ex. T10); C#=Comment only (ex. C1); CP#=Technical deficiency relating to Section XI-Compliance Plan of the Part B application (ex. CP14); Number in parenthesis (n) = nth instance of same deficiency (ex. T1(2) is the second instance of deficiency T1 originally identified in previous NOD).

^[2] Location of deficiency in submittal/application. Items in square brackets [] refer to applicant's supplemental information submitted as attachments to the application form.

^[3] Possible Error Types: Ambiguous, Incomplete, Inconsistent, Incorrect, Omitted, Typo, or Format.

ID ^[1]	App. Part	App. Section	Location ^{(i)[2]}	Citation	Error Type ⁽³⁾	Deficiency Description/Resolution	Response
C1	В	I.B.	Table 1, p. 1	305.43(b)	Comment Only	Ensure that the Core Data form is submitted to reflect a change or different property owner as applicable.	The Core Data form (Form 10400) has been changed to reflect the new property owner. The property operator, Dal-Tile, remains the same.
C2	В	I.C.4.	Table 1, p. 2	39.405(g)	Comment Only	Ensure the application is posted at a public place and on a website.	The completed application will be posted at the Kleberg-Rylie Branch Library in Dallas, Texas, and on a shared drive made available by Dal- Tile's environmental consultant (EnSafe). Table I was updated in response to TCEQ's administrative review.
A1	В	I.D.1.	Table 1, p. 3	Application Types	Incorrect	Uncheck the Class 1 modification type.	The Class I modification type was unchecked in Table I in response to TCEQ's administrative review.
T1	В	II.E.	App. II.A, Table II.E	335.204(e)	Incomplete	"Not Applicable" responses needed for Table II.B. page 3 of 8 and Table II.C. page 4 of 8.	"Not Applicable" is not an option in the pull- down menu in the referenced tables; therefore, "Not Applicable" was manually entered into Sections B and C of Table II and is provided to replace pages 3 and 4 of Table II.E in Appendix II.A.

T2	В	V.A.1.b.	App. V.A	305.45(a)(6)	Incomplete	Provide a PG or PE signature & seal for all maps/drawings in Section V.	Topographic maps were retrieved from the U.S. Geological Survey, a registered surveying agency, and do not require a P.G. seal from EnSafe. Engineering drawings in Appendix V.G were prepared in 1997 and were used in the original post-closure permit application as well as the 2009 renewal. A Certification of Closure document with a P.E. stamp accompanied engineering drawings in the 1997 post-closure application and is provided to be included with applicable engineering drawings in Appendix V.G.
Т3	В	V.A.2.	App., V.A	335.204(a)(b)(c)(d) and (e)	Inconsistent	Check one response (Yes or No); not both.	"No" has been checked in response to the first question listed on page 63 of the Part B Application, and the revised page is provided to be included in Appendix II.A.

T4	В	VI	Арр. VI.А Торо Мар	270.14(b)(19) & 305.50(a)(7)	Incorrect	Correct scale to 1 inch = not more than 200 feet.	A topographic map at a scale of 1 inch = 200 feet has been provided to be included in Appendix VI.A; however, it is requested that Elam landfill be considered a large HWM facility due to a map on this scale inadequately capturing the legal boundaries of the site. We request that the original topographic map provided in the initial application still be included in Appendix VI.A to help satisfy additional requirements listed under 270.14(b)(19). Figure 5 Final Surface Contours, which depicts topography of the closure cover area of the site at a 1 inch = 200 feet scale, is also provided and will be included in Appendix VI.A to help further satisfy the requirements.
Т5	В	VI	App. VI.B Tbl VI.B.3.b	TCEQ 00376 Section VI.B.3.	Omitted		Table VI.B.3.b was not required according to the results from the Part B screening for this application. Nevertheless, this table will be added in response to TCEQ's review.
Т6	В	VIII	FA Letter	37 Subchapter C	Incorrect	Strikeout "the following: Standby Regulatory Trust"	A revised financial assurance letter has been included as part of this response.

^[1] Deficiency ID – Key: A#=Administrative deficiency (ex. A12); T#=Technical deficiency relating to Sections I-X and Sections XII-XIII of the Part B application (ex. T10); C#=Comment only (ex. C1); CP#=Technical deficiency relating to Section XI-Compliance Plan of the Part B application (ex. CP14); Number in parenthesis (*n*) = *n*th instance of same deficiency (ex. T1(2) is the second instance of deficiency T1 originally identified in previous NOD).

^[2] Location of deficiency in submittal/application. Items in square brackets [] refer to applicant's supplemental information submitted as attachments to the application form.

^[3] Possible Error Types: Ambiguous, Incomplete, Inconsistent, Incorrect, Omitted, Typo, or Format.

Revised Application Pages



TCEQ Core Data Form

For detailed instructions regarding completion of this form, please read the Core Data Form Instructions or call 512-239-5175.

SECTION I: General Information

	1. Reason for Submission (If other is checked please describe in space provided.)											
New Per	New Permit, Registration or Authorization (Core Data Form should be submitted with the program application.)											
Renewal (Core Data Form should be submitted with the renewal form)] Oth	ner					
2. Customer	Reference Number (if i	issued)		this link to			Regul	lated	Entity Re	eference	Number (i	f issued)
CN 6056	33551			<u>or RN num</u> htral Regist		ⁿ F	RN 1	1072	23020			
SECTION II: Customer Information												
4. General C	ustomer Information	5. Effective	Date fo	or Custon	ner In	format	ion U	pdate	s (mm/do	d/yyyy)	10/29/	2020
New Cust			•	to Custom						•	Regulated E	ntity Ownership
	Legal Name (Verifiable						•			,		
	mer Name submitte	•	-				-			t is cur	rent and	active with the
	retary of State (SOS		•			IIC AC		•	,			
6. Customer	Legal Name (If an individ	ual, print last nam	e first: eg	: Doe, Joh	n)		<u>lf ne</u>	w Cus	tomer, en	ter previo	ous Custome	<u>er below:</u>
Dallas Ag	gregate Dirt Sand	Recycling In	corpo	rated			Dal-Tile Corporation					
7. TX SOS/CI	PA Filing Number		te Tax ID (11 digits)			9. Federal Tax ID (9 digits) 1			9 digits)	10. DUNS	S Number (if applicable)	
		3206848	36524									
11. Type of C	customer: Corpor	ration	Individual			Partnership: 🔲 General 🛄 Limited						
Government:	City County Federa	al 🗌 State 🗌 Other	her Sole Proprietorship			rship 🗌 Other:						
	of Employees		13. Independently Owned and Operated?			ted?						
0-20] 21-100 🗌 101-250			501 and h	<u> </u>			Yes		∐ No		
	r Role (Proposed or Actua	l) – as it relates to	the Regu	ulated Enti	ty listed	d on this	s form.	Pleas	e check or	ne of the f	following	
⊠Owner □Occupation		rator ponsible Party		Owne Volun		perator Cleanup	Appli	cant	□Ot	her:		
	11900 Kleberg R	oad										
15. Mailing Address:												
Address:	City Dallas		St	ate T	X	ZI	P (7525	3		ZIP + 4	
16. Country I	16. Country Mailing Information (if outside USA)					7. E-Ma	. E-Mail Address (if applicable)					
									le.com			
18. Telephon	e Number		19. Ex	tension o	or Coc	de			20. Fax	Number	· (if applicab	ıle)
(214) 309-4891									() -		
L												

SECTION III: Regulated Entity Information

 21. General Regulated Entity Information (If 'New Regulated Entity" is selected below this form should be accompanied by a permit application)

 New Regulated Entity
 Update to Regulated Entity Name

 Update to Regulated Entity
 Update to Regulated Entity Information

The Regulated Entity Name submitted may be updated in order to meet TCEQ Agency Data Standards (removal of organizational endings such as Inc, LP, or LLC).

22. Regulated Entity Name (Enter name of the site where the regulated action is taking place.)

Dal-Tile Corporation - Elam Landfill

23. Street Address of	11928 H	Kleberg Roa	ıd							
the Regulated Entity:										
<u>(No PO Boxes)</u>	City	Wilmer	State	TX		ZIP	75253		ZIP + 4	2739
24. County	Dallas	winner	Otato	17			15255			2137
24. 00unty		'nter Dhuaiael I	Leastion Decar	ntion if a			. i	- A		
	Enter Physical Location Description if no street address is provided.									
25. Description to Physical Location:										
26. Nearest City							State		Nea	rest ZIP Code
27. Latitude (N) In Decin	nal:				28. Lo	ongitude (V	V) In Decim	al:		
Degrees	Minutes		Seconds		Degree	s	Minu	ites		Seconds
32		40	54.48			-96		3	7	24.96
29. Primary SIC Code (4	digits) 30.	Secondary SI	C Code (4 digits)		rimar 6 digits)	y NAICS C	ode	32. Se (5 or 6 c	condary NAI	CS Code
3253				327	110					
33. What is the Primary	Business o	of this entity?	(Do not repeat the	SIC or NAIC	S desc	ription.)				
Former manufactur							commerc	ial sp	aces acros	ss North
America.	C	-	•					1		
				7834	C.F.	Hawn Free	way			
34. Mailing										
Address:	City	City Dallas		State TX		ZIP 75217		17	ZIP + 4	
35. E-Mail Address		Dallas	Oldic		^	211	152		211 • 7	
	one Numbe	r	37. Exten	sion or C	ode		38 E	ax Nun	nber <i>(if appli</i>	cable)
	309-4981	•			UUU		00.11	() -	
39. TCEQ Programs and IE form. See the Core Data Form) Numbers	Check all Program	ns and write in the	permits/re	gistrati	on numbers	that will be a	ffected I	by the updates	submitted on this
Dam Safety		•	Edwards A	Aquifer		Emissio	ons Inventory	Air	Industrial	Hazardous Waste
						—	,			
Municipal Solid Waste		ource Review Air				Petroleum Storage Tank		Tank		
i										
Sludge Storm Water		Title V Air			Tires			Used Oil		
□ Voluntary Cleanup □ Waste Water □		U Wastewat	Wastewater Agriculture		Water F	Rights		Other:		
SECTION IV: Pre	eparer II	nformatio	<u>1</u>							
40. Name: Richard Rec	Richard Record Ply									
42. Telephone Number 43. Ext./Code 44. Fax Number 45. E-Mail Address										

SECTION V: Authorized Signature

46. By my signature below, I certify, to the best of my knowledge, that the information provided in this form is true and complete, and that I have signature authority to submit this form on behalf of the entity specified in Section II, Field 6 and/or as required for the updates to the ID numbers identified in field 39.

)

-

rrecord@ensafe.com

Company:	EnSafe Inc. Job Tit		Sr. Proje	Sr. Project Director		
Name (In Print):	Mr. Richard Record			Phone:	(972) 791- 3222	

(972) 865-4862

Signature:	Deter	
olghature.	Date:	

A. Applicant: Facility Operator (or Facility Owner & Operator, if same)

Name ¹	Dal-Tile Corporation Elam Landfill
Address	11928 Kleberg Road
City, State	Dallas, Texas
Zip Code	75253
Telephone Number	(214) 309-4891 (not at site)
Alternate Telephone Number	
Fax:	
TCEQ Solid Waste Registration No.	52013
EPA I.D. No.	TXD988032751
Permit No.	50377
County	Dallas
Regulated Entity Name	Dal-Tile Elam LF
Regulated Entity Reference Number (RN)	RN103858163
Customer Name	Dal-Tile Corporation
Customer Reference Number:	CN600128797
Charter Number ²	10360206
Previous or Former Names of the Facility (if applicable)	Dal-Tile Elam Landfill

B. Facility Owner: Identify the Facility Owner if different than the

Facility Operator³

Same as Facility Operator?

Name	
Address	
City, State	
Zip Code	
Telephone Number	
Alternate Telephone Number	
Fax:	

Dallas Aggregate Dirt Sand Recycling
Inc.
8815 CF Hawn Freeway
Dallas, Texas
75217
(214) 379-8842

Permittee: Dal-Tile Corporation

C. Facility Contact

City, State:

Telephone Number

Alternate Telephone Number

Zip Code

E-mail Fax:

1. Persons or firms who will act as primary contact:

Name, Title:	Mr. David Baran, Senior VP, Manufacturing
Address	7834 C.F. Hawn Freeway
City, State:	Dallas, Texas
Zip Code	75217
Telephone Number	(214) 309-4448
Alternate Telephone Number	
E-mail	david.baran@daltile.com
Fax:	
Persons or firms who will act as primary contact	(if more than one):
Name, Title:	Mr. Bob Hurt, Director Environmental, Health, and Sustainability
Address	7834 C.F. Hawn Freeway

75217

(214) 309-4891

bob.hurt@daltile.com

2. Agent in Service or Agent of Service (if you are an out-of-state company)⁴:

Name, Title:	Not applicable
Address	
City, State:	
Zip Code	

3. Individual responsible for causing notice to be published:

Name:	Mr. Bob Hurt
Address	7834 C.F. Hawn Freeway
City, State:	Dallas, Texas
Zip Code	75217
Telephone Number	(214) 309-4891
Alternate Telephone Number	
E-mail	
Fax:	

4. Public place in county where application will be made available⁵:

Name TCEQ Part B Application TCEQ-00376 Kleberg-Rylie Branch Library Revision No. 0

Revision Date 11/30/2020

	Page	3	of	6
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Permittee: Dal-Tile Corporation		Р	age 3 of 6
Address City, State		1301 Edd Road Dallas, Texas	
Zip Code		75253	
D. Application Type and	d Facility Status		
1. Application Type			
 Permit New Interim status Renewal RD&D Compliance Plan Part of a Consolidated Permission 	☐ Amendment ☐ Major ⊠ Minor	☐ Modifica ☐ Class 3 ☐ Class 2 ☐ Class 1 ¹ ☐ Class 1 ☐ Class 1 st? [30 TAC Chapter 33]	tion
		6	
3. Does the application cont		ial?°	No
4. Facility Status. Check all that apply			
 □ Proposed ⊠Existing □ On-Site □ Off-Site □ Commercial □ Recycle ⊠ Land Disposal □ Areal or capacity expansion □ Compliance plan 5. Is the facility within the Coastal Management Program boundary?			
5. Is the facility within the	Coastal Management Pr	ogram boundary?	No
6. Description of Application	on Changes		±10
Complete Table I.1 - Desc	cription of Proposed Ap	plication Changes.	
Note: List all changes re- unaddressed or possibly attention at a later time.			
7. Total acreage of the facil	ity being permitted:	9	
8. Identify the name of the	drainage basin and seg	-	v is located
River Segment Upper Tr River Basin Trinity Ri	inity River, Segment 080 iver	05	
TCEO Part B Application		Powision No. 0	

TCEQ Part B Application TCEQ-00376

Permittee: Dal-Tile Corporation

E. Facility Siting Summary:

Is the facility located or proposed to be located:

- 1. Within a 100-year floodplain?
- 2. in wetlands?
- 3. In the critical habitat of an endangered species of plant or animal?
- 4. On the recharge zone of a sole-source aquifer?
- 5. In an area overlying a regional aquifer?
- Within 0.5 mile (2,640 feet) of an established residence, church, school, day care center, surface water body used for a public drinking water supply, or dedicated public park?⁷ [30 TAC 335.202]

If Yes: the TCEQ shall not issue a permit for this facility.

7. In an area in which the governing body of the county or municipality has prohibited the processing or disposal of municipal hazardous waste or industrial solid waste?
If Vest provide a copy of the ordinance or order.

If Yes: provide a copy of the ordinance or order.

F. Wastewater and Stormwater Disposition

1. Is the disposal of any waste to be accomplished by a waste disposal well at this facility?

If Yes: List WDW Permit No(s):

Not applicable

- 2. Will any point source discharge of effluent or rainfall runoff occur as a result of the proposed activities?
- 3. If Yes, is this discharge regulated by a TPDES or TCEQ permit? TCEO F

TCEQ Permit No.

TPDES Permit No.

🗌 No

Date TCEQ discharge permit application filed

Date TPDES discharge permit application filed:

G. Information Required to Provide Notice

State Officials List [30 TAC 39]

Senate District 23 Senator Bob Hall Capitol Office: CAP E1.706

TCEQ Part B Application TCEQ-00376 No
No
No
No
No
No
No
No

vell No

occur as a No

e permit	

48	No	
11	No	

Permit No. 50377			
Permittee: Dal-Tile Corporation	Page 5 of 6		
State Constan	Capitol Phone: (512) 463-0102		
State Senator	District Address: Alliance Building #2 6537 Horizon Road, Suite B-1 Rockwall, Texas 75032		
State Representative	House District 110 Representative Toni Rose Capitol Office: EXT E2.420 Capitol Phone: (512) 463-0664		
	District Address: 3155 S. Lancaster Rd. Suite 220 Dallas TX 75216 Phone: (214) 371-3300		
Local Officials List [30 TAC 39]			
Mayor	Mayor Eric Johnson Dallas City Hall 1500 Marilla Street, Room 5EN Dallas, TX 75201 Main Phone: (214) 670-3301 Fax: (214) 670-0646		
Local Health Authority	City of Dallas Department of Environmental Health Services 300 N. Ewing Dallas, TX 75203 Phone: (214) 670-7482 Fax: (214) 670-6897 Dallas County Judge		
County Judge	Dallas County Judge The Honorable Clay Jenkins 411 Elm Street, Suite 200 Dallas, Texas 77999-0000		
County Health Authority	Dr. Philip Huang, Director Dallas County Health & Human Services 2377 North Stemmons Freeway Dallas, Texas 75207 Phone: (214) 819-2000		
Based on the questions in the Bilingual Notice Instructions for this form, are you required to make alternate (Bilingual) notice for this application?			
Bilingual Language(s):	English, Spanish		
TCEQ Core Data Form Submitted?(see Section I Instruction	ns, Item b.) Yes		

TCEQ Part B Application TCEQ-00376

Permit No. 50377

Permittee: Dal-Tile Corporation

	Page	6	of	6
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No

Yes

Has any information changed on the TCEQ Core Data Form since the last submittal?

Signature on Application Submitted? (see Section I Instructions, Item c)

- 1. Individual, Corporation, or Other Legal Entity Name must match the Secretary of State's database records for the Facility)
- 2. If the application is submitted on behalf of a corporation, please identify the Charter Number as recorded with the Office of the Secretary of State for Texas.
- 3. The operator has the duty to submit an application if the facility is owned by one person and operated by another [30 TAC 305.43(b)]. The permit will specify the operator and the owner who is listed on Part A of this application [Section 361.087, Texas Health and Safety Code].
- 4. If the application is submitted by a corporation or by a person residing out of state, the applicant must register an Agent in Service or Agent of Service with the Texas Secretary of State's office and provide a complete mailing address for the agent. The agent must be a Texas resident.
- 5. For applications for new permits, renewals, major amendments and Class 3 modifications a copy of the administratively complete application must be made available at a public place in the county where the facility is, or will be, located for review and copying by the public. Identify the public place in the county (e.g., public library, county court house, city hall), including the address, where the application will be made available for review and copying by the public.
- 6. For confidential information cross-reference the confidential material throughout the application to Section XIII: Confidential Material, and submit as a separate Section XIII document or binder conspicuously marked "CONFIDENTIAL".
- 7. Use only for a new commercial hazardous waste management facility or areal expansion of an existing commercial hazardous waste management facility or unit of that facility as defined in 30 TAC 335.202

Permit No. 50377

Permittee: Dal-Tile Corporation

Is the land treatment facility located or proposed to be located:

Within 1000 feet of an established residence, church, school, day care center, surface water body used for a public drinking water supply, or dedicated public park which is in use at the time the notice of intent to file a permit application is filed with the commission, or which is in use at the time the permit application is filed with the commission?

If Yes: the TCEQ shall not issue a permit for a new hazardous waste land treatment unit or an areal expansion of an existing land treatment unit, pursuant to 30 TAC 335.204(b)(6) and 335.205(a).

Within 1000 feet of an area subject to active coastal shoreline erosion even though the area is protected by a barrier island or peninsula?

If Yes: submit in Section V.F design, construction, and operational features which will prevent adverse effects resulting from storm surge and erosion or scouring by water.

Within 5000 feet of a coastal shoreline subject to active shoreline erosion and which is unprotected by a barrier island or peninsula.

Not Applicable

Not Applicable

Not Applicable

If Yes: submit Section V.F design, construction and operational features, which will prevent adverse effects resulting from storm surge and erosion or scouring by water.

On a barrier island or peninsula?

Not Applicable

If Yes: the TCEQ shall not issue a permit for a new hazardous waste land treatment unit or an areal expansion of an existing land treatment unit, pursuant to 30 TAC 335.204(b)(11) and 335.205(a)(1).

Permit No. 50377

Permittee: Dal-Tile Corporation

Table II.C. - Additional Requirements for Waste Piles [30 TAC 335.204(c)]

Is the waste pile located or proposed to be located:

Within 1000 feet of an area subject to active coastal shoreline erosion even though the area is protected by a barrier island or peninsula?	Not Applicable		
If Yes: submit in Section V.E design, construction, and operational features on the facility which will prevent adverse effects resulting from storm surge and erosion or scouring by water.			
Within 5000 feet of a coastal shoreline subject to active shoreline erosion and which is unprotected by a barrier island or peninsula.	Not Applicable		
If Yes: submit Section V.E design, construction, and operational features which will prevent adverse effects resulting from storm surge and erosion or scouring by water.			
On a barrier island or peninsula? ⁶	Not Applicable		
If Yes: the TCEQ shall not issue a permit for a new hazardous waste pile or an areal expansion of an existing waste pile, pursuant to 30 TAC 335.204(c)(10) and 335.205(a)(1).			

TCEQ Part B Application TCEQ-00376 

Section 6 Certification of Closure

I hereby certify that the hazardous waste management unit identified as the "Elam Site" located at 11928 Kleburg Road, Dallas, Texas has been closed in accordance with the Closure Plan submitted on February 22, 1995, revised November 11, 1995, and approved by the TNRCC on January 18, 1996. I have reviewed the accompanying Closure Completion Report which, to the best of my knowledge, accurately represents and documents the closure activities that were conducted.

Len Lenard its: Director of Environmental, Safety & Health Dal-Tile International

April 21, 1997

Mang omm

Tommy R. Slaughter, P.E. Registration No. 37916 RMT, Inc.

77-97

THE PROFESSIONAL T.R. SLAUGHTER 37916

Date

Date

Is the facility located or proposed to be located in areas of active geologic processes, including but not limited to erosion, submergence, subsidence, faulting, karst formation, flooding in alluvial flood wash zones, meandering riverbank cuttings, or earthquakes? [as applicable: 30 TAC 335.204(a)(7), (b)(8),(c)(7), (d)(7), and/or (e)(9)]

 \Box Yes \boxtimes No \Box Not Applicable

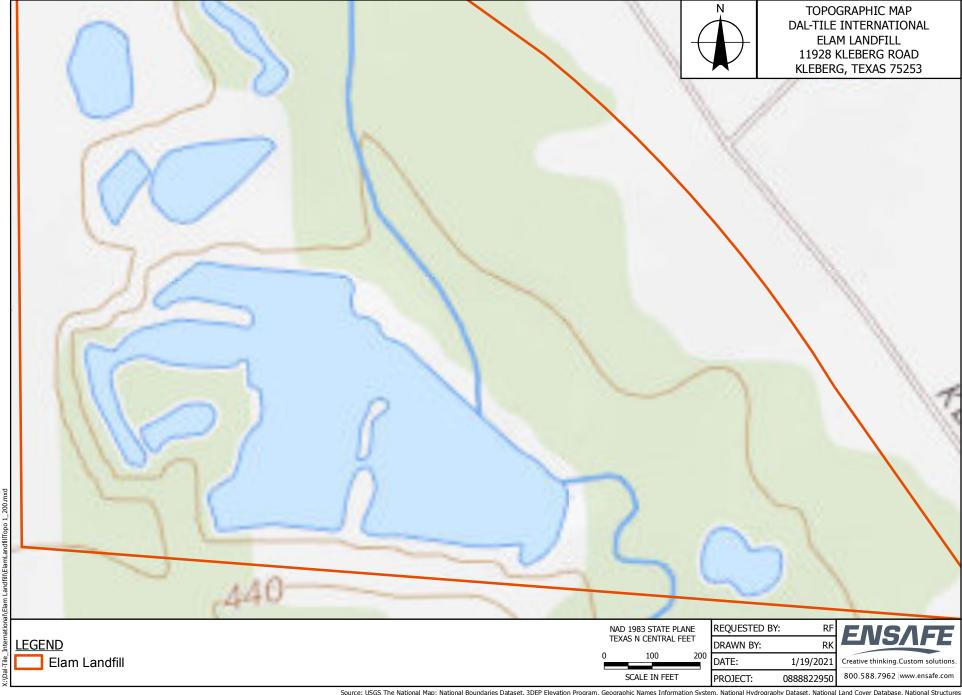
Is the facility located or proposed to be located within 30 feet of the upthrown side or 50 feet of the downthrown side of the actual or inferred surface expression of a fault that has reasonably been shown to have caused displacement of shallow Quaternary sediments or of man-made structures? [as applicable: 30 TAC 335.204(a)(9), (b)(12),(c)(11), (d)(11), and/or (e)(13)]

 \Box Yes \boxtimes No \Box Not Applicable

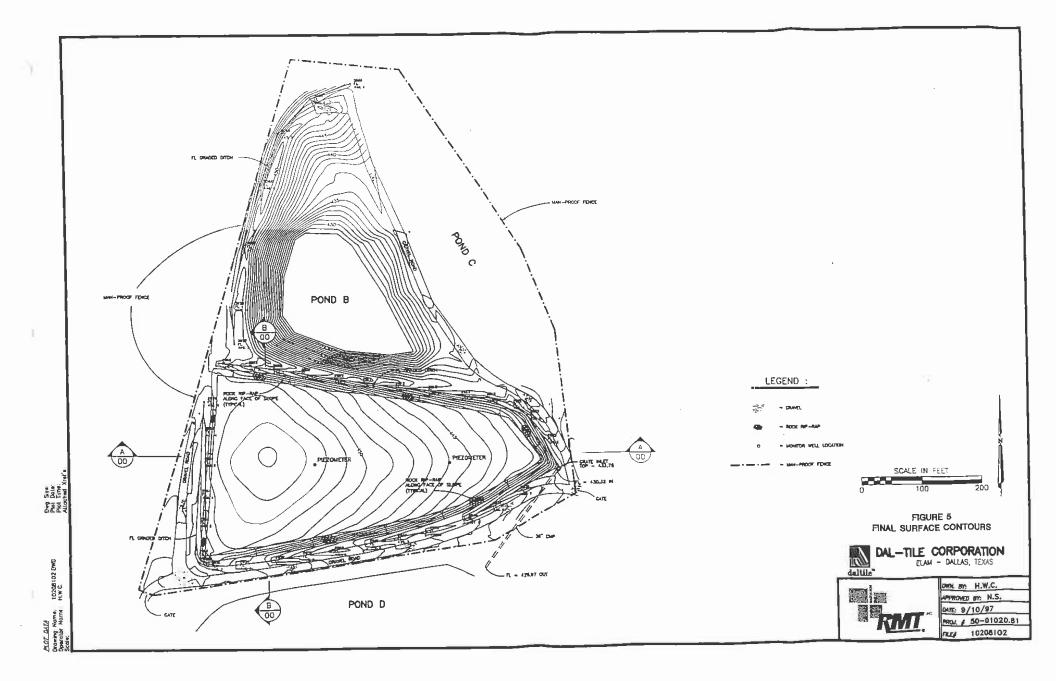
The Balcones Fault Zone does cross western Dallas County but is not present in the area of the Elam landfill, as illustrated on the Structural Geology Map of Dallas County, in this appendix and on figures in the Geology Report provided in Part B, Appendix VI.A.

Sources of information:

- Geologic Atlas of Texas, Dallas Sheet, revised 1987
- Structural Features of Dallas County, Texas Region
- Texas Water Development Board, Report 318



Source: USGS The National Map: National Boundaries Dataset, 3DEP Elevation Program, Geographic Names Information System, National Hydrography Dataset, National Land Cover Database, National Structures Dataset, and National Transportation Dataset; USGS Global Ecosystems; U.S. Census Bureau TIGER/Line data; USFS Road Data; Natural Earth Data; U.S. Department of State Humanitarian Information Unit; and NOAA



February 9, 2021

Ms. Cynthia Scoggins Industrial and Hazardous Waste Permits Section Texas Commission on Environmental Quality Building F, MC 130 12100 Park 35 Circle Austin, Texas 78753

Re: Financial Disclosure Letter for Dal Tile Corporation Permit Renewal Elam Landfill Hazardous Waste Permit No. 50377 Industrial Solid Waste Registration No. 52013 EPA ID No. TXD988032751 RN 103858163 CN 600128797

Dear Ms. Scoggins:

This letter is furnished to you in response to financial disclosure requirements as applicable under Texas Health and Safety Code Section 361.085 and Title 30, Texas Administrative Code (30 TAC), Section 305.50 to provide assurance that Dal Tile Corporation has sufficient financial resources.

In keeping with the above law and rule requirements, I hereby certify that Dal Tile Corporation is adequately capitalized and has sufficient financial resources to operate, close, provide postclosure care for and perform corrective action for the above-referenced facility in a safe manner, and in compliance with the permit and all applicable rules.

Dal Tile Corporation currently provides, as financial assurance mechanism as set out in 30 TAC, Chapter 37, Subchapter C to meet Dal Tile Corporation's financial assurance obligations the following:

Standby Regulatory Trust

I am authorized to make these statements on behalf of Dal Tile Corporation. I understand that the TCEQ may request additional information as part of their review.

Sincerely,

Elizabeth Hanlon Deputy General Counsel, Hard Surfaces Mohawk Industries, Inc. 160 S. Industrial Boulevard (30701) Calhoun, Georgia beth_hanlon@mohawkind.com

Ms. Cynthia Scoggins Page **2** of **2**

From TAC Chapter 305.44

All applications shall be signed as follows.

(1) For a corporation, the application shall be signed by a responsible corporate officer. For purposes of this paragraph, a responsible corporate officer means a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation; or the manager of one or more manufacturing, production, or operating facilities employing more than 250 persons or having gross annual sales or expenditures exceeding \$25 million (in second-quarter 1980 dollars), if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures. Corporate procedures governing authority to sign permit or post-closure order applications may provide for assignment or delegation to applicable corporate positions rather than to specific individuals.

cc: Robert Hurt