

# Texas Commission on Environmental Quality Instructions and Procedural Information for Filing a Permit Application for a Hazardous Waste Storage, Processing, or Disposal Facility

## Part A

[Form Availability: This form, as well as other Industrial and Hazardous Waste documents, is available on the Internet World Wide Web, Industrial and Hazardous Waste home page at address https://www.tceq.texas.gov/permitting/waste\_permits/ihw\_permits]

#### **General Instructions**

- 1. A person (individual, corporation or other legal entity) who stores, processes or disposes of hazardous waste (except where such storage and/or processing is excluded from permit requirements in accordance with 30 Texas Administrative Code (TAC) Section 335.2) must obtain a permit pursuant to the Texas Health and Safety Code. In applying to the Texas Commission on Environmental Quality, hereafter referred to as the Commission, the applicant shall follow the procedures outlined below, on the application and in the Rules of the Commission.
- 2. The application (one original plus three (3) complete copies<sup>1</sup>) should be mailed to:

Texas Commission on Environmental Quality Attention: Waste Permits Division, MC126 P. O. Box 13087 Austin, Texas 78711-3087

3. Signature on Application [30 TAC 305.44]. The application shall be signed by the owner and operator or by a duly authorized agent, employee, officer, or representative of the owner or operator and shall be verified before a notary public. When another person signs on behalf of the owner and operator, this person's title or relationship to the owner or operator should be shown. In all cases, the person signing the form should be authorized to do so by the owner or operator to provide proof of authorization). An application submitted for a corporate officer such as a president, secretary, treasurer, vice-president, or designated manager; or for a partnership or sole proprietorship, by a general partner or the proprietor, respectively. In the case of a municipal, state, federal, or other public facility, the application shall be signed by either a principal executive

<sup>&</sup>lt;sup>1</sup> The third copy may optionally consist of paper copies of all plans and maps and a computer diskette of the remaining document. The document should be formatted in Word processing software up to and including version 6.1 or a 100% compatible format. Files may be compressed using PKZIP Ver. 2 or a 100% compatible program.

officer or ranking elected official.

4. An application will not be processed until all information required to properly evaluate the application has been obtained. When an application is severely lacking in detail and/or the applicant fails to submit additionally requested information in a timely manner, the application will not be considered to be "filed in accordance with the rules and regulations of the Commission."

Please submit any application revisions with a revised date and page numbers at the bottom of the page(s).

- 5. Fees and Costs
  - a. The fee for filing an application is discussed in Section XII of Part B, form number TCEQ-0376.
  - b. The applicant for a permit is required to bear the cost of publication of notice of the application in a newspaper as prescribed by 30 TAC Section 39.5(g).
- 6. A person may not commence operation of a hazardous waste management facility until the Commission has issued a permit to authorize the storage, processing, or disposal of hazardous waste, except with the approval of the Commission.
- 7. Designation of Material as Confidential

The designation of material as confidential is frequently carried to excess. The Commission has a responsibility to provide a copy of each application to other review agencies and to interested persons upon request and to safeguard confidential material from becoming public knowledge. Thus, the Commission requests that the applicant (1) be prudent in the designation of material as confidential and (2) submit such material only when it might be essential to the staff in their development of a recommendation.

The Commission suggests that the applicant NOT submit confidential information as part of the permit application. However, if this cannot be avoided, the confidential information should be described in non-confidential terms throughout the application, and submitted as a document or binder, and conspicuously marked "CONFIDENTIAL."

Reasons of confidentiality include the concept of trade secrecy and other related legal concepts which give a business the right to preserve confidentiality of business information to obtain or retain advantages from its right in the information. This includes authorizations under 18 U.S.C. 1905 and special rules cited in 40 CFR Chapter I, Part 2, Subpart B.

Section 361.037 of the Texas Health and Safety Code does not allow an applicant for an industrial and hazardous waste permit to claim as confidential any record pertaining to the characteristics of the industrial solid waste.

The applicant may elect to withdraw any confidential material submitted with the application. However, the permit cannot be issued, amended, or modified if the application is incomplete.

#### Part II

#### **Procedural Information**

After the submittal of Parts A and B of the application, the TCEQ will provide public notice of receipt of the application. The Executive Director's staff will review the application for completeness of information submitted. During the review, the applicant may be contacted for clarification or additional information. When all pertinent information is present, the application or a summary of its contents will be forwarded for review by other state agencies and local governmental entities interested in water quality control and solid waste management. After technical evaluation, opportunity for public hearing will be afforded.

Note that for facilities which had "commenced on-site storage, processing, or disposal of hazardous waste" [see 30 TAC Section 335.43(b)] on or before the date such waste is identified or listed as hazardous by EPA, the Texas Health and Safety Code provides in Section 361.082(f) that these facilities may continue to manage hazardous waste until such time as the Commission approves or denies the application, provided that the applicant has filed the permit application in accordance with the rules and regulations of the Commission.

The Commission may act upon an application for a permit, permit amendment, permit modification, or renewal of a permit without the necessity of holding a public hearing:

1. (a) When notice of the application has been mailed to persons possibly affected by the proposed permit; and

(b) When notice has been published at least once in a newspaper regularly published or circulated within each county where the proposed facility is located; and

(c) Within forty-five (45) days following publication of the Commission's notice, a Commissioner, the Executive Director or an affected person has not requested a public hearing; or

2. For a Class 1 or a Class 2 permit modification or a minor amendment to a permit. The Commission may, in certain cases, hold a public hearing for a Class 2 permit modification or a minor amendment.

A public hearing may be scheduled on an application for a RCRA hazardous waste permit when requested by a Commissioner, the Executive Director, or an affected person within forty-five (45) days following the newspaper publication.

Requirements of Giving Notice of the Application:

1. By the Applicant: Every applicant for a permit, permit amendment, permit modification, or permit renewal shall publish notice (see note below) of the application at least once in a newspaper regularly published or circulated within each county where the proposed facility is located. Where a public hearing has been requested, notice will be mailed to the applicant in ample time for publication, which shall be not less than thirty (30) days prior to the date set for the hearing. Except in the case of a notice of a permit modification request, the Commission will mail the appropriate notice and instructions for publication to the applicant.

NOTE: Additional publication and direct mail notice to affected persons will result if a public hearing is requested following newspaper publication of the notice of application. The cost of providing this additionally required publication and service of notice to affected persons will be assumed by the applicant.

2. By the Texas Commission on Environmental Quality: The Commission will mail notice

of the application (except for permit modifications) to affected persons and certain governmental entities. The notice will be mailed at the same time instructions for newspaper publications are mailed to the applicant.

3. Bilingual Notice Instructions:

For certain permit applications, public notice in an alternate language is required. If an elementary school or middle school nearest to the facility offers a bilingual program, notice may be required to be published in an alternative language. The Texas Education Code, upon which the TCEQ alternative language notice requirements are based, requires a bilingual education program for an entire school district should the requisite alternative language speaking student population exist. However, there may not be any bilingual-speaking students at a particular school within a district which is required to offer the bilingual education program. For this reason, the requirement to publish notice in an alternative language is triggered if the nearest elementary or middle school, as part of a larger school district, is required to make a bilingual education program available to qualifying students and either the school has students enrolled at such a program on-site, or has students who attend such a program.

If it is determined that a bilingual notice is required, the applicant is responsible for ensuring that the publication in the alternate language is complete and accurate in that language. Electronic versions of the Spanish template examples are available from the TCEQ to help the applicant complete the publication in the alternative language.

#### **Bilingual Notice Application Form:**

#### Bilingual notice confirmation for this application:

1. Is the school district of the elementary or middle school nearest to the facility required by the Texas Education Code to have a bilingual program?

X YES  $\square$  NO

(If NO, alternative language notice publication not required)

2. **If YES** to question 1, are students enrolled in a bilingual education program at either the elementary school or the middle school nearest to the facility?

X YES  $\Box$  NO

(**If YES** to questions 1 and 2, alternative language publication is required; **If NO** to question 2, then consider the next question)

3. **If YES** to question 1, are there students enrolled at either the elementary school or the middle school nearest to the facility who attend a bilingual education program at another location?

☐ YES ☐ NO

(**If Yes** to questions 1 and 3, alternative language publication is required; **If NO** to question 3, then consider the next question)

4. **If YES** to question 1, would either the elementary school or the middle school nearest to the facility be required to provide a bilingual education program but for the fact that it secured a waiver from this requirement, as available under 19 TAC '89.1205(g)?

YES NO

(**If Yes** to questions 1 and 4, alternative language publication is required; **If NO** to question 4, alternative language notice publication not required)

If a bilingual education program(s) is provided by either the elementary school or the middle school nearest to the facility, which language(s) is required by the bilingual program? *Spanish* 

Consideration of the Permit Application by the Commission:

The applicant will be notified by the Commission when the application is set for final consideration. If the Commission issues the permit, the applicant will be mailed a copy of the permit by the TCEQ Office of the Chief Clerk within one (1) month following Commission approval. (NOTE: Only one copy is mailed to the applicant and that copy will be sent to the official mailing address of the applicant as shown on the permit application form.)

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#### Texas Commission on Environmental Quality Permit Application for a Hazardous Waste Storage/Processing/Disposal Facility Part A - Facility Background Information

- I. General Information
  - A. Facility Name: Dal-Tile Corporation Elam Landfill

(Individual, Corporation, or Other Legal Entity Name)

TCEQ Solid Waste Registration No: 52013 EPA I.D. No.: TXD988032751

Street Address (If Available): 7834 C.F. Hawn Freeway

City: *Dallas* State: *Texas* Zip Code: 75217

County: Dallas

Telephone Number: *214-309-4891* 

Charter Number: **10360206** 

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.

- B. Facility Contact
  - 1. List those persons or firms who will act as primary contact for the applicant during the processing of the permit application. Also indicate the capacity in which each person may represent the applicant (engineering, legal, etc.). The person listed first will be the primary recipient of correspondence regarding this application. Include the complete mailing addresses and phone numbers.
  - 2. 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.
- C. Operator<sup>2</sup>: Identify the entity who will conduct facility operations.

Facility Contacts:

Mr. David Baran Senior Vice President — Manufacturing Dal-Tile Corporation 7834 C. F. Hawn Freeway Dallas, Texas 75217 O - 214-309-4448

Mr. Robert Hurt Director — Environmental, Health & Sustainability Dal-Tile Corporation 7834 C. F. Hawn Freeway Dallas, Texas 75217 O — 214-309-4891 C — 972-921-6062

Charter Number: *2116273* 

<sup>&</sup>lt;sup>2</sup> 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 this application [Section 361.087 Texas Health and Safety Code].

#### D. Owner

- 1. Indicate the ownership status of the facility:
  - a. Private <u>X</u>\_\_\_\_\_

(1)	X	Corporation
(2)		Partnership
(3)		Proprietorship
(4)		Non-profit organization

b. Public \_\_\_\_\_

(1)	Federal
(2)	Military
(3)	State
(4)	Regional
(5)	County
(6)	Municipal
(7)	Other (specify)

2. Does the operator own the facility units and facility property?

XYes 🗌 No

If you checked "no",

- a. Submit as "Attachment A" a copy of the lease for use of or the option to buy said facility units and/or facility property, as appropriate; and
- b. Identify the facility units' owner(s) and/or facility property owner(s). Please note that the owner(s) is/are required to sign the application on page 5.

Owner Name: Dallas Aggregate Dirt Sand Recycling Inc.

Address: 8815 CF Hawn Freeway

City: *Dallas*, State: *Texas* Zip Code: 75217

Telephone Number: (214) 379-8842

E. Type of Application Submittal:

Initial \_\_\_\_\_\_ or Revision \_\_X\_\_\_ (renewal of Post Closure Permit No. 50377)

F. Registration and Permit Information

Indicate (by listing the permit number(s) in the right-hand column below) all existing or pending State and/or Federal permits or construction approvals which pertain to pollution control or industrial solid waste management activities conducted by your plant or at your location. Complete each blank by entering the *permit number*, or the *date of application*, or "*none*".

	Relevant Program and/or Law	Permit No.	Agency*
1.	Texas Solid Waste Disposal Act	none	
2.	Wastewater disposal under the Texas Water Code	none	
3.	Underground injection under the Texas Water Code	none	
4.	Texas Clean Air Act	none	
5.	Texas Uranium Surface Mining & Reclamation Act	none	
6.	Texas Surface Coal Mining & Reclamation Act	none	
7.	Hazardous Waste Management program under the Resource Conservation and Recovery Act	none	
8.	UIC program under the Safe Drinking Water Act	none	
9.	TPDES program under the Clean Water Act	none	
10	0. PSD program under the Clean Air Act	none	
1	1. Nonattainment program under the Clean Air Act	none	
12	2. National Emission Standards for Hazardous Pollutants (NESHAP) Pre-construction approval under the Clean Air Act	none	
1:	3. Ocean dumping permits under the Marine Protection Research and Sanctuaries Act	none	
14	4. Dredge or fill permits under section 404 of the Clean Water Act	none	<u></u>
1:	5. Other relevant environmental permits	50377	TCEQ
*Use the followin	ng acronyms for each agency as sho	wn below:	

TCEQ	= Texas Commission on Environmental Quality
TRC	= Texas Railroad Commission
TDH	= Texas Department of Health
TDA	= Texas Department of Agriculture
EPA	= U.S. Environmental Protection Agency

CORPS = U.S. Army Corps of Engineers

G. Give a brief description of the nature of your business.

Dal-Tile operates a ceramic tile manufacturing facility located at 7834 C. F. Hawn Freeway in Dallas, Texas. The corporation operated a landfill from 1980 to March 1987 at 11928 Kleberg Road, Dallas, Texas. The landfill is referred to as the "Elam Landfill."

H. TCEQ Core Data Form

The TCEQ requires that a Core Data Form (Form 10400) be submitted on all incoming applications. For more information regarding the Core Data Form, call (512) 239-1575 or go to the TCEQ website at http://www.tceq.texas.gov/permitting/central\_registry/guidance.html.

RN: 103858163 CN: 600128797



# **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**

		<b>sion</b> (If other is a						,				
New Per	rmit, Regis	stration or Authori	ization (Core I	Data Fo	rm shoul	d be	subm	itted w	vith the p	program application	n.)	
🖾 Renewa	l (Core Da	ta Form should b	e submitted v	vith the	renewal t	form)			Other			
2. Customer	Referenc	e Number <i>(if i</i> ss	sued)		/ this link t			3. Re	gulated	Entity Reference	e Number <i>(i</i>	f issued)
CN 6001	CN 600128797					imbers stry**		RN 103858163				
ECTION II: Customer Information												
4. General Co	4. General Customer Information 5. Effect					mer	Infor	matio	n Updat	es (mm/dd/yyyy)	10/29/	/2020
	New Customer						Inform Texas		troller o	- •	Regulated E	Entity Ownership
	-	•									rrent and	active with the
Texas Sec	retary o	f State (SOS)	or Texas C	compti	roller o	f Pu	blic	Acco	ounts (	CPA).		
6. Customer	Legal Nai	me (If an individua	l, print last nam	e first: e	g: Doe, Jo	ohn)		<u>l1</u>	new Cu	stomer, enter previ	ous Custome	er below:
Dal-Tile C	Corporat	tion										
7. TX SOS/CI	PA Filing	Number	8. TX State	e Tax ID (11 digits)			9	9. Federal Tax ID (9 digits) 10. DUNS Number (				
10360206			1160577	71804			1	6057	7180	612757	7070	
11. Type of C	Sustomer:	Corporat	ion	🔲 Individual 🛛 🛛 Partnership: 🗔 Genera			al 🗌 Limited					
Government:	City 🗌 🤇	County 🗌 Federal [	State 🗌 Othe									
12. Number of										pendently Owned	and Opera	ted?
0-20	21-100	101-250	251-500	$\square$	501 and	highe	er		⊠ Yes	No No		
14. Custome	r Role (Pro	oposed or Actual) -	- as it relates to	the Reg	ulated En	tity lis	sted on	n this fo	rm. Plea	se check one of the	following	
Owner		Opera			🖂 Own		•					
	nal Licens	ee 🗌 Respo	onsible Party			intary	Clea	nup Aj	oplicant	Other:		
	7834 (	C. F. Hawn F	reeway									
15. Mailing Address:												
City Dallas				S	tate	ΤХ		ZIP	752	17	ZIP + 4	
16. Country I	Mailing In	formation (if outsi	ide USA)				17. E	-Mail	Addres	S (if applicable)		
							bob	.hurt	adalt	ile.com		
18. Telephon	e Numbe	r		19. Ex	xtension	or C	ode			20. Fax Numbe	<b>r</b> (if applicat	ole)
(214)30	9-4891									( )	-	

# **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 Road	d								
the Regulated Entity:											
(No PO Boxes)	City	Dallas	State	TX	ZIP	75253	ZIP + 4				
		Dallas	State	IA	ZIP	13233	ZIP + 4				
24. County	Dallas										
	E	inter Physical L	ocation Description	on if no sti	eet addres	ss is provided.					
25. Description to Physical Location:						an approximate on of Interstate	•				
26. Nearest City						State	Nea	rest ZIP Code			
27. Latitude (N) In Decin	nal:			28. L	.ongitude (	(W) In Decimal:					
Degrees	Degrees Minutes			Degre	es	Minutes		Seconds			
		0		31. Prima	ry NAICS (	Code 32. Se	econdary NA	ICS Code			
29. Primary SIC Code (4	digits) <b>30.</b>	Secondary SIC	Code (4 digits)	<b>(</b> 5 or 6 digit	-	(5 or 6					
33. What is the Primary	Business o	of this entity?	(Do not repeat the SIC	or NAICS des	cription.)	I					
				7834 C.F.	. Hawn Fre	eway					
34. Mailing											
Address:	0:4	Dallas	Otata	ту	710	75047					
	City	Dallas	State	TX	ZIP	75217	ZIP + 4				
35. E-Mail Address											
36. Telepho		r	37. Extensio	n or Code		38. Fax Nu	mber <i>(if appl</i>	icable)			
(214)3	309-4981					(	) -				
<b>39. TCEQ Programs and ID</b> form. See the Core Data Form i				mits/registra	tion number	s that will be affected	by the updates	submitted on this			
Dam Safety	Distric		Edwards Aqui	fer	Emiss	sions Inventory Air	Industrial Hazardous Waste				
·						· · · · · · · · · · · · · · · · · · ·					
Municipal Solid Waste	New S	ource Review Air				eum Storage Tank	PWS				
· ·											
Sludge	Storm	Water	Title V Air		Tires		Used Oil				
Voluntary Cleanup Waste Water			Wastewater A	Wastewater Agriculture			Water Rights Other:				
, , r				<b>U</b>		5					
SECTION IV: Pre	narar I	nformation	1		1		I				
			•								
40. Name: Richard Reco	ord, P.G.			41. Title:	Sr. I	Project Directo	r				
42. Telephone Number	43. Ext./Co	de 44. Fax	x Number	45. E-M	ail Addres	s					

# **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:	David Baran	President, Manufacturing		
Name (In Print):	Mr. David Baran		Phone:	( 214 ) 309- <b>4448</b>
Signature:			Date:	

( 972 ) 865-4862

#### Signature Page

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Operator Signature:	Date:
Name and Official Title (type or print): <u>L</u>	David Baran, Sr. Vice President, Manufacturing
Operator Signature:	Date:
Name and Official Title (type or print):	
Operator Signature:	Date:
Name and Official Title (type or print): _	
Owner Signature:	Date:
Name and Official Title (type or print): _	
To be completed by the operator if the a the operator	application is signed by an authorized representative for
as my representative and hereby author additional information as may be reques hearing or before the Texas Commission request for a Texas Water Code or Texas that I am responsible for the contents of	(authorized representative) ize said representative to sign any application, submit sted by the Commission; and/or appear for me at any n on Environmental Quality in conjunction with this is Solid Waste Disposal Act permit. I further understand if this application, for oral statements given by my e application, and for compliance with the terms and e issued based upon this application.
Printed or Typed I	Name of Operator or Principal Executive Officer
Signature	
(Note: Application Mus	t Bear Signature & Seal of Notary Public)
Subscribed and sworn to before me by	the saidon this
day of	

My commission expires of the \_\_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_,

Notary Public in and for \_\_\_\_\_ County, Texas

5

### II. Facility Background Information

- A. Location of Facility for which the application is submitted
  - 1. Give a description of the location of the facility site with respect to known or easily identifiable landmarks.

The Elam Landfill site is comprised of approximately 9.153 acres located within an approximately 50-acre tract, located southwest of the intersection of Kleberg Road and Silverado Drive and adjacent to a landfill which was formerly the City of Mesquite Sanitary Landfill.

2. Detail the access routes from the nearest U.S. or State Highway to the facility.

At the intersection of East U.S. Highway 175 and Silverado Drive, turn southwest on Silverado Drive, take a left at Kleberg Road, and take an immediate right at the gate to the site. The gate is located on the south side of Kleberg Road across from the intersection of Kleberg Road and Silverado Drive.

3. Enter the geographical coordinates of the facility:

Latitude: *32* deg *40* min *45* sec

Longitude: *96* deg *37* min *30* sec

4. Is the facility located on Indian lands?

 $\Box$  Yes X No

B. Legal Description of Facility

Submit as "Attachment B" a legal description(s) of the tract or tracts of land upon which the waste management operations referred to in this permit application occur or will occur. Although a legal description is required, a metes and bounds description is not necessary for urban sites with appropriate "lot" description(s). A survey plat or facility plan drawing which shows the specific points referenced in the survey should also be included in Attachment B.

A legal description of the tract of land upon which the waste management operations referred to in the application is provided in Attachment B. A survey plat showing the location for the Elam Landfill is provided in Attachment B following the legal property description.

C. SIC Codes

List, in descending order of significance, the four-digit standard industrial classification (SIC) codes which best describe your facility in terms of the principal products or services you produce or provide. Also, specify each classification in words. These classifications may differ from the SIC codes describing the operation generating the hazardous wastes.

4-digit SIC Code	Description
4955	Hazardous Waste Management
9995	Non-Operating Establishment

SIC code numbers are descriptions which may be found in the Standard Industrial Classification Manual prepared by the Executive Officer of the President, Office of Management and Budget, which is available from the Government Printing Office, Washington, D.C. Use the current edition of the manual.

# Part A- Attachment B Legal Property Description

Being 9.153 acres of land, more or less, situated in the McKinney & Williams Survey, Abstract #1006, Dallas County, Texas, and being out of the G.S. Hunt 164.25-acre tract as recorded in Volume 925, Page 111, Deed Records of Dallas County, Texas, and being more particularly described as follows:

Beginning at a point for the northwest corner of said 9.153 acres, said point bears S 2°25'00"E, 481.47 feet and N 77°35'41" E, 30.00 feet from an iron rod found, said iron rod being the northwest corner of said Hunt tract and also being the intersection of the west line of McKinney & Williams Survey, Abstract #1006, and the southwest line of the T&NO Railroad;

Thence N 77°35'41" E along a fence, 176.77 feet to a point for the northeast corner of this;

Thence S 50°59'47" E along a fence, 119.93 feet to a point;

Thence S 51°49'27" E along a fence, 232.94 feet to a point;

Thence S 39°35'29" E along a fence, 145.45 feet to a point;

Thence S 24°01'13" E along a fence, 247.41 feet to a point;

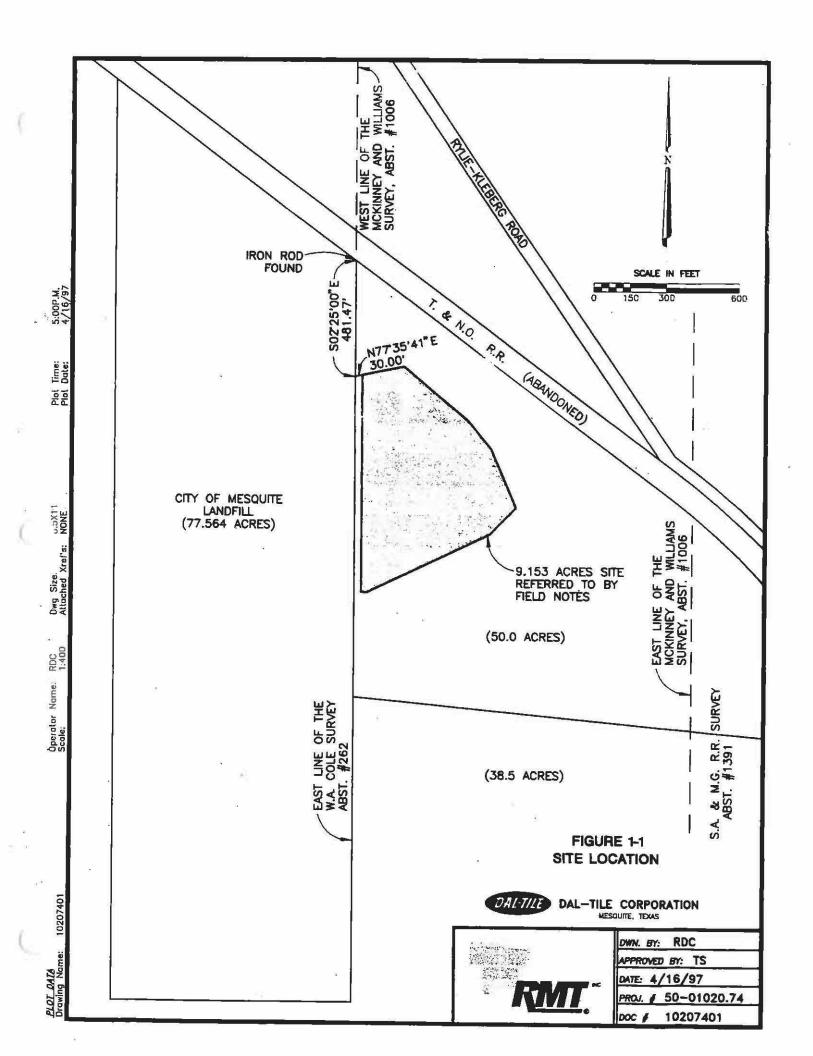
Thence S 24°02'19" E along a fence, 20.28 feet to a point for the southeast corner of this;

Thence S 43°50'24" W along a fence, 155.23 feet to a point;

Thence S 63°25'05" W along a fence, 560.22 feet to a point;

Thence N 88°09'46" W along a fence, 25.58 feet to a point for the southwest corner of this;

Thence N 01°03'10" W along a fence, 900.05 feet to the point of beginning and containing 9.153 acres of land, more or less.



#### III. Wastes and Waste Management

A. Waste Generation and Management Activities

Is any hazardous waste [see Title 40, Code of Federal Regulations (CFR), Part 261] presently or proposed to be generated or received at your facility?

 $\Box$  Yes X No

# The Elam Landfill was closed in 1987 and is no longer generating or receiving waste. The Site has been in Post-Closure Care Detection Monitoring since 2000 when the post-closure permit was issued by the TCEQ.

If no, skip to question Number 2 below.

If yes, answer the following question.

1. Are you presently registered with TCEQ as a solid waste generator?

 $\Box$  Yes X No  $\Box$  Pending

SWR No. 52013 (inactive)

**If no**, contact the Industrial and Hazardous Waste Division of TCEQ in Austin, Texas to obtain registration information. Also, continue with the application form (go to Number 2 below).

**If yes**, go to Section I of your TCEQ Notice of Registration, determine which of your wastes are hazardous, and list these wastes (and mixtures) in Table III-1 (see Number 2 below).

2. Complete Table III-1, Hazardous Wastes and Management Activities, below, listing all hazardous wastes, all mixtures containing any hazardous wastes, and hazardous debris which were, are presently, or are proposed to be handled at your facility in interim status or permitted units. See 40 CFR 261 and 268.2, attaching additional copies as necessary.

*Guidelines for the Classification & Coding of Industrial Wastes and Hazardous Wastes*, TCEQ publication RG-22, contains guidance on how to properly classify and code industrial waste and hazardous waste in accordance with 30 TAC 335.501-335.515 (Subchapter R).

If you are not registered with TCEQ, enter "NA" for TCEQ Waste Code Number.

For the EPA Hazardous Waste Numbers, see 40 CFR 261.20-33. For annual quantity, provide the amount in units of pounds (as generated and/or received) for each waste and/or waste mixture.

- B. Waste Management Units Summary
  - 1. For each waste and waste mixture listed in Table III-1 that is stored, processed, and/or disposed on-site (except where such storage and/or processing is excluded from permit requirements in accordance with Texas Administrative Code (TAC) Section 335), complete Table III-2, Hazardous Waste Management Unit Checklist, and enter the name of each hazardous waste management unit (Note: Please make copies of Table III-2 if necessary).

Give the design capacity of each hazardous waste management unit in any of the units of measure shown. In the case of inactive or closed units for which design details are unavailable, an estimate of the design capacity is sufficient.

Please provide a description for each waste management unit described in your own words on the line provided for "Waste Management Unit."

2. Has the applicant at any time conducted the on-site disposal of industrial solid waste now identified or listed as hazardous waste?

XYes 🗌 No

**If yes**, complete Table III-2 indicating the hazardous waste management units which were once utilized at your plant site but are no longer in service (i.e., inactive or closed facility units).

**If no**, and if no hazardous waste is presently or proposed to be stored [for longer than 90 days (see 30 TAC Section 335.69)], processed, or disposed of at your facility, then you need not file this permit application. Otherwise proceed with the application form.

3. Provide an estimate of the total weight (lbs) of hazardous waste material that has been disposed of and/or stored within your site boundaries and not removed to another site.

# The estimated total weight of material previously disposed of within the landfill is approximately 54,500 cubic yards, or approximately 81,750 tons.

- C. Location of Waste Management Units
  - 1. Submit as "Attachment C" a drawn-to-scale topographic map (or other map if a topographic map is unavailable) extending one mile beyond the facility boundaries, depicting the following:
    - a. The approximate boundaries of the facility (described in Section II.B) and within these boundaries, the location and boundaries of the areas occupied by each active, inactive, and proposed hazardous waste management unit (see Table III-2). Each depicted area should be labeled to identify the unit(s), unit status (i.e., active, inactive, or proposed), and areal size in acres.
    - b. The overall facility and all surface intake and discharge structures;
    - c. All on-site injection wells where liquids are injected underground;
    - d. All known monitor wells and boreholes within the property boundaries of the facility; and
    - e. All wells, springs, other surface water bodies, and drinking water wells listed in public records or otherwise known to the applicant within the map area and the purpose for which each water well is used (e.g., domestic, livestock, agricultural, industrial, etc.).

- 2. Submit as "Attachment D" photographs which clearly delineate all hazardous waste management storage, processing, and disposal units, as well as sites of future storage, processing and disposal units.
- D. Flow Diagram/Description

Show as "Attachment E" process flow diagrams and step-by-step word descriptions of the process flow, depicting the handling, collection, storage, processing, and/or disposal of each of the hazardous wastes previously listed in this application.

The flow diagrams or descriptions should include the following information:

- 1. Originating point of each waste and waste classification code;
- 2. Means of conveyance utilized in every step of the process flow;
- 3. Name and function of each facility component through which the waste passes;
- 4. The ultimate disposition of all wastes (if off-site, specify "off-site") and waste residues.

Verbal Description of Waste	TCEQ Waste for Code and Classification Code	EPA Hazardous Waste Number	Storage <sup>1</sup> of Wastes Received from Off- Site	Processing <sup>2</sup> of Wastes Received from Off- Site	Disposal of Wastes Received from Off- Site	Storage <sup>1</sup> of Wastes Generated On-Site	Processing2 <sup>2</sup> of Wastes Generated On-Site	Disposal of Wastes Generated On-Site	Annual Quantity Generated and/or Received
Lead Tile Glazing Materials	NA	D008	NA	NA	NA	NA	NA	X	NA

<sup>&</sup>lt;sup>1</sup> "Storage" means the holding of solid waste for a temporary period, at the end of which the waste is processed, disposed of, or stored elsewhere.

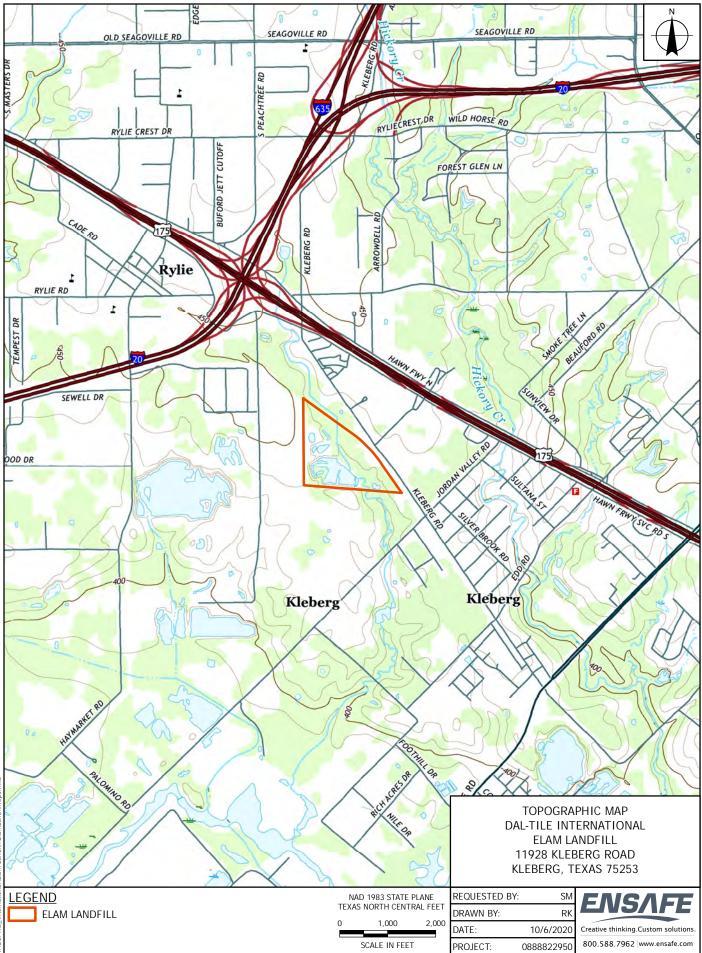
<sup>&</sup>lt;sup>2</sup> "Processing" means the extraction of materials, transfer, volume reduction, conversion to energy, or other separation and preparation of solid waste for reuse or disposal, including the treatment or neutralization of hazardous waste, designed to change the physical, chemical, or biological character or composition of any hazardous waste so as to neutralize such waste, or so as to recover energy or material from the waste or so as to render such waste non-hazardous or less hazardous; safer for transport, store or dispose of; or amenable for recovery, amenable for storage, or reduced in volume. The "transfer" of solid waste for reuse or disposal as used above, does not include the actions of a transporter in conveying or transporting solid waste by truck, ship, pipeline, or other means. Unless the Executive Director determines that regulation of such activity is necessary to protect human health or the environment, the definition of "processing" does not include activities relating to those materials exempted by the Resource Conservation and Recovery Act, 42 U.S.C. 6901 et seq., as amended.

TCEQ N.O.R. Unit #	<b>Status</b> <sup>1</sup>	Design Capacity <sup>2</sup>	Number of Years Utilized	Date in Service
NA	Closed	Approx. 54,500 cubic yards (81,750 tons)	7	1980
	TCEQ N.O.R. Unit # NA NA		TCEQ N.O.R. Unit #       Status1       Design Capacity2         NA       Closed       Approx. 54,500 cubic yards (81,750 tons)         NA       Image: Closed       Image: Closed         Image: Closed       Image: Closed       Image: Closed         I	TCEQ N.O.R. Unit #Status1Design Capacity2Utilized

# Table III-2 – Hazardous Waste Management Unit Checklist

<sup>&</sup>lt;sup>1</sup> Indicate only one of the following: Active, Inactive, Closed, or Proposed <sup>2</sup> Cubic yards, gallons, pounds, gallons/minute, pounds/hour, BTUs/hour, etc.

Attachment C Topographic Map, Water Well Report, Site Map



:\Dal-Tile\_International\Elam Landfill\ElamLan

Source: U.S. Geological Survey. Hutchins, Seagoville Quadrangles, Texas [Map]. Photorevised 2019. 1:24,000. 7.5 Minute Series.



# Texas Water Well Report (Extended Radius)

Target Property: Dal-Tile International - Elam Landfill 11928 Kleburg Road Dallas, dallas County, Texas 75253

Prepared For:

EnSafe Inc.

Order #: 157127 Job #: 383323 Project #: 0888822950 Date: 11/11/2020

phone: 888-396-0042 · fax: 512-472-9967 · www.geo-search.com

# TARGET PROPERTY SUMMARY

Dal-Tile International - Elam Landfill 11928 Kleburg Road Dallas, dallas County, Texas 75253

USGS Quadrangle: Hutchins, TX Target Property Geometry: Point

*Target Property Longitude(s)/Latitude(s):* (-96.625637, 32.680531)

County/Parish Covered: Dallas (TX)

Zipcode(s) Covered: Balch Springs TX: 75180 Dallas TX: 75217, 75253

State(s) Covered: **TX** 

Disclaimer - The information provided in this report was obtained from a variety of public sources. GeoSearch cannot ensure and makes no warranty or representation as to the accuracy, reliability, quality, errors occurring from data conversion or the customer's interpretation of this report. This report was made by GeoSearch for exclusive use by its clients only. Therefore, this report may not contain sufficient information for other purposes or parties. GeoSearch and its partners, employees, officers and independent contractors cannot be held liable for actual, incidental, consequential, special or exemplary damages suffered by a customer resulting directly or indirectly from any information provided by GeoSearch.



# DATABASE FINDINGS SUMMARY

DATABASE	ACRONYM		UNLOCA- TABLE	SEARCH RADIUS (miles)
FEDERAL				
UNITED STATES GEOLOGICAL SURVEY NATIONAL WATER INFORMATION SYSTEM	NWIS	0	0	1.0000
SUB-TOTAL		0	0	
<u>STATE (TX)</u>				
SELECT SUBMITTED DRILLERS REPORT DATABASE WELLS	SSDRD	0	0	1.0000
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY WATER WELLS	TCEQ	2	0	1.0000
TEXAS WATER DEVELOPMENT BOARD GROUNDWATER DATABASE	TWDB	0	0	1.0000
WATER UTILITY DATABASE	WUD	0	0	1.0000
SUB-TOTAL		2	0	

TOTAL

GeoSearch

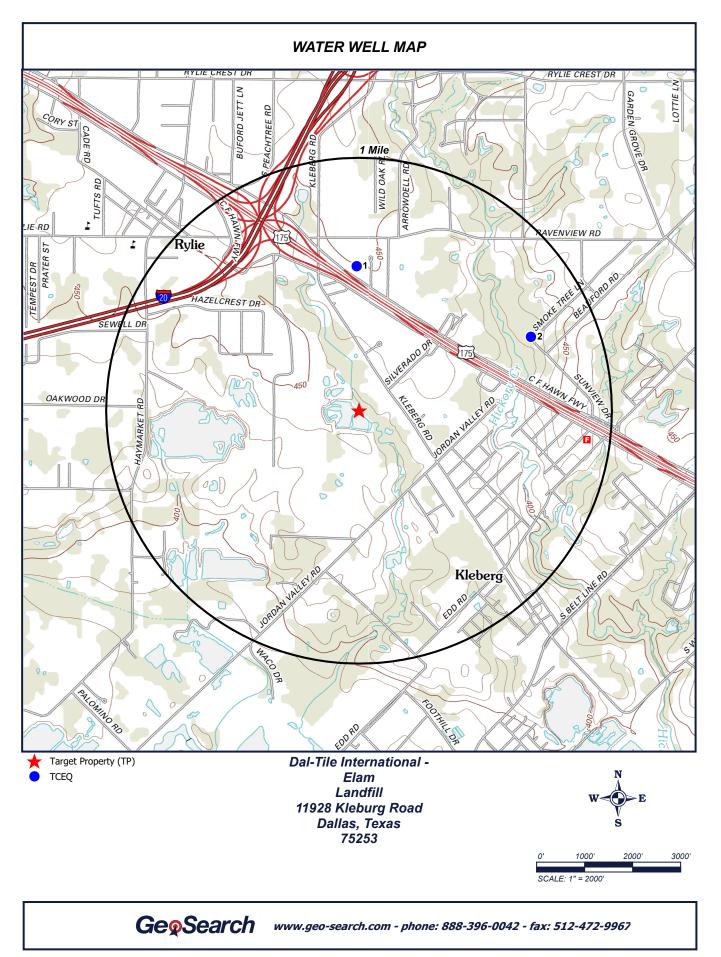
0

DATABASE FINDINGS SUMMARY 1

# LOCATABLE DATABASE FINDINGS

ACRONYM	SEARCH RADIUS (miles)	TP/AP (0 - 0.02)	1/8 Mile (> TP/AP)	1/4 Mile (> 1/8)	1/2 Mile (> 1/4)	1 Mile (> 1/2)	> 1 Mile	Total	
FEDERAL									
NWIS	1.000	0	0	0	0	0	NS	0	
SUB-TOTAL		0	0	0	0	0	0	0	
STATE (TX)									
SSDRD	1.000	0	0	0	0	0	NS	0	
TCEQ	1.000	0	0	0	0	2	NS	2	
TWDB	1.000	0	0	0	0	0	NS	0	
WUD	1.000	0	0	0	0	0	NS	0	
SUB-TOTAL		0	0	0	0	2	0	2	





# **REPORT SUMMARY OF LOCATABLE SITES**

MAP ID#	DATABASE NAME	SITE ID#	DISTANCE FROM SITE	SITE NAME	ADDRESS	CITY, ZIP CODE	PAGE #
1	TCEQ	TX196678	0.575 N	R.D. HONEYCUTT	11461 C F HAWN FWY	DALLAS, TX, 75253	1
2	TCEQ	TX196675	0.741 ENE	MR. M.C. KENNEDY	10629 RYLIE RD	NOT REPORTED, N/A	3



MAP ID# 1	Distance from Property: 0.57 mi. N					
ID NUMBER:	TX196678					
STATE ID :	33-19-6					
OWNER NAME:	R.D. HONEYCUTT					
DATE DRILLED:	08/29/1999					
DEPTH DRILLED:	44'					
STATIC LEVEL:	NOT REPORTED					
WATER USAGE:	IRRIGATION					
LONGITUDE:	-96.625800000					
LATITUDE:	32.688851000					
1 PAGE(S) OF DRILLERS' LOGS						



#### Page # 1 out of 1 Water Well ID: 196678

ATTENTION OWNER: Confidentiality Privilege Notice on on reverse side of Well Owner's copy (pink)	State of Texas WELL REPORT	Texas Water Well Drillers Advisory Council MC 177 P.O. Box 13087 Austin, TX 78711-3087 \$12-239-0530
1) OWNER R. D. HONEYCUTT 2) ADDRESS OF WELL: County DIALLAS 11444 CF HAV (Street, RFD)	IN FRWY DALLAS TX or other) (City) (State)	75253 GRID # <u>33-19-6</u>
New Well Deepening Industrial	) To (It.) Air Rotary Mud F	-watering [] Testwell [] No ~ wck): [] Driven Rotary [] Bored
From (ft.) To (ft.) Description and color of formati 1 TOP SOIL 1 G TAN CLAY 6 36 TAN CLAY/LIGHT GK 36 43 SAND + GRAVEL 43 44 SHALE	Underreamed If Gravel Packed give inter	aravel Packed     Other       val from     3       tt. to     4       WELL SCREEN DATA:       etc.       stc.       stc.       commercial       From       To
(Use reverse side of Well Owner's copy, if necessary) 13) TYPE PUMP:  Turbine Jet Submersible Cylinder Other Depth to pump bowls, cylinder, jet, etc.,ft.	Method used PRESS Cemented by RDBC Distance to septic system f Method of verification of ab 10) SURFACE COMPLETION Precified Surface Stab	It. to <u>3</u> <u>4</u> ft. No. of sacks used <u>1</u> It. to <u>ft</u> . No. of sacks used <u>4</u> <i>URE TREMMISE</i> <i>BT LWASSTIFF</i> field lines or other concentrated contamination <i>W/P</i> ft. ove distance <u>1</u> Installed [Rule 338.44(2)(A)]
14) WELL TESTS:         Type test:       Pump         Bailer       Jetted         Yield:       gpm with         tt. drawdown after	Pitless Adapter Used     Pritless Adapter Used     Approved Alternative Print     hrs.     11) WATER LEVEL:     Static levelff     Artesian flow	ocedure Used [Rul e 338.71]
Constituents?		Type Depth
I hereby certify that this well was drilled by me (or under my supervision understand that failure to complete items 1 thru 15 will result in the log COMPANY NAME KILL WHAT STAFF CO Type or print) ADDRESS (Street or RFF) (Signed) (Licensed Well Driller)	on) and that each and all of the statements herein and (s) being returned for completion and resubmittal. WELL DRILLER'S LICENS SEPTODVSLLE (City) (Signed)	ENO Z 41.3 W TX 0 9 199975 159 July Martine (Zip) (Registered Briller Trainee)

MAP ID# 2	Distance from Property: 0.74 mi. ENE					
ID NUMBER:	TX196675					
STATE ID :	33-19-6A					
OWNER NAME:	MR. M.C. KENNEDY					
DATE DRILLED:	07/10/1967					
DEPTH DRILLED:	32.5'					
STATIC LEVEL:	26'					
WATER USAGE:	НОМЕ					
LONGITUDE:	-96.613949000					
LATITUDE:	32.684808000					
1 PAGE(S) OF DRILLERS' LOGS						



Page # 1 out of 1 Water Well ID: 196675

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			- Q			
e original copy with as Water Commission		State of Texas			For use by TWC o Well No. 35 -/	9- 6A
O. Box 2311, Capitol Station DRIL tin 11, Texas	LLERS LO	G AND WELL	DATA REPORT		By dir Da Map no.	YRS
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Land Owner:	/		Dall	og Ja	Las!	
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	803	alerra	ada a l	Dd.		1
		par				
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hod of drilling: CROC Jox /	SUTERED LS DA	Diameter of hole_			7-10-	761
From To Description and	d color of	From	ft. above ground le	Descri	ption and color	of
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	LOW					
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9'32' 3 WATE	R BA	RING	GRAVI	5L	1	
12°40°28 HARD	BL	UE SH	ALE			
		COMPLETION D		nuation shee	ts if necessary)	
- COMPLETION		CASING			SCREEN	
traight wall	Type: 0	1d New 🗆		Type		
	Cemented	from	ft.		×	1
		ft.		Perforate	5 🛃 — 5	lotted
nder reamed	E0					_
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der reamed - ravel packed - en hole	Diameter	from (ft)	to (ft)	Diameter (inches)		tting to (ft)
der reamed - ravel packed - en hole	Diameter	from (ft)	to (ft)	Diameter (inches) 7	from (ft)	tting to (ft)
ader reamed - ravel packed - pen hole	Diameter	from (ft)	to (ft)	Diameter (inches)	from (ft)	tting to (ft)
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Afer reamed avel packed ten hole ARDBLUE SHALE I hereby certify t each and all of t	Z Chat this well chat this well	from (fc)	to (ft) 32.'4.'' me (or under my su to the best of my	(inches) 7 pervision) a knowledge an	from (ft) <b>24'-4'</b> and that d belief.	tting to (ft)
der reamed ravel packed ther hole SHALE I hereby certify t each and all of th Driller JIS 36	Diameter (inches) Z that this well that this well that this well the statements	I was drilled by herein are try cor	to (ft) 32'C'' mee (or under my su to the best of my D Jey	(inches) 7 pervision) a knowledge an Reg. No. 2	from (ft) <b>24'-4'</b> and that d belief.	tting to (ft)
der reamed avel packed ben hole <i>LARDBLUE</i> <i>I hereby certify t</i> each and all of th Driller <i>I S H</i>	Diameter (inches) 2 that this well that the set that the set the set that the set that the set that the set that the set	from (ft)	to (ft) 32'4" mee (or under my su to the best of my ation if avsilable.	(inches) 7 pervision) a knowledge an Reg. No. 2	from (fs) 26-6' nd that d belief.	tting to (ft)
Afer reamed ravel packed ther hole 27'-6" ther HARDBLUE SHALE I hereby certify t each and all of th Driller JIS 35 lease attach electric log, chemical analysis	Diameter (inches) Z that this well e statements s, and other installed th	from (ft)	to (ft) <b>32'4''</b> me (or under my su to the best of my <b>32'4''</b> ation if avsilable, please complete th	(inches) 7 pervision) a knowledge an Reg. No. 2	from (fs) 26-6' nd that d belief.	tting to (ft)
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# ENVIRONMENTAL RECORDS DEFINITIONS - FEDERAL

NWIS

United States Geological Survey National Water Information System

### VERSION DATE: 1/2020

The U.S. Geological Survey (USGS) National Water Information System (NWIS) includes water inventory data originating from all 50 states, plus border and territorial sites, including data from as early as 1899. This database includes selected site types limited to Groundwater Sites and Spring Sites from the 1.5 million plus sites within NWIS. Surface-Water, Atmospheric, and Other Site types are excluded. Disclaimer: Water Data for the Nation is the USGS public web interface to much of the data stored and managed within NWIS. It is not, however, configured to present all NWIS data and users may need to contact local Water Science Centers to obtain some information. NWIS data is updated on a regularly scheduled basis, and current condition data is generally updated upon receipt at local Water Science Centers.



# ENVIRONMENTAL RECORDS DEFINITIONS - STATE (TX)

#### SSDRD

Select Submitted Drillers Report Database Wells

#### VERSION DATE: 8/2020

This Texas Water Development Board database was created from the online Texas Well Report Submission and Retrieval System (a cooperative TDLR, TWDB system) that registered water-well drillers use to submit their required reports. The system was started in February 2001 and is optional for the drillers to use. This data excludes the following well types: Monitor Wells, Environmental Soil Borings, Injections Wells, De-watering and Test Wells.

## TCEQ Texas Commission on Environmental Quality Water Wells

#### VERSION DATE: NR

The Texas Commission on Environmental Quality (TCEQ) maintains a filing system of plotted and unnumbered water wells. Plotted water wells are filed according to the County indicated by the driller and the state well number assigned by State of Texas personnel. Given the available location information provided by the driller, personnel identify where the approximate well location should be. After well placement a state well number is assigned indicating that the well lies within a specific 2.5' section of a 7.5' quadrangle. This method allows for quicker, more refined, reference when researching a specific area. Unnumbered water wells have not been assigned a state well number. This can occur for a variety of reasons; however it does not mean the well cannot be accurately spotted. Unnumbered water well records are filed according to County and are often broken up by year or by a span of years.

#### Texas Water Development Board Groundwater Database

#### VERSION DATE: 5/2020

TWDB

The Texas Water Development Board Groundwater Database contains information for more than 123,500 sites in Texas including data on water wells, springs, oil/gas tests, water levels, and water quality. The purpose of the Board's data collection effort over the years has been to gain representative information about aquifers in the state in order to do water planning. It is very important, however, to realize that the wells in the database represent only a small percentage of the wells that actually exist in Texas. A registered water well driller is required by law to send in a report to the State for every well that is drilled. This requirement began in 1965, and we estimate that approximately 500,000 wells have been drilled in Texas since then. Of the 1,000,000 plus water wells drilled in Texas over the past 100 years, more than 130,000 have been inventoried and placed into the TWDB groundwater database. State well numbers have been assigned to these based on their location within numbered 7 1/2 minute quadrangles formed by lines of latitude and longitude. This database contains well information including location, depth, well type, owner, driller, construction and completion data.

#### WUD Water Utility Database

#### VERSION DATE: NR

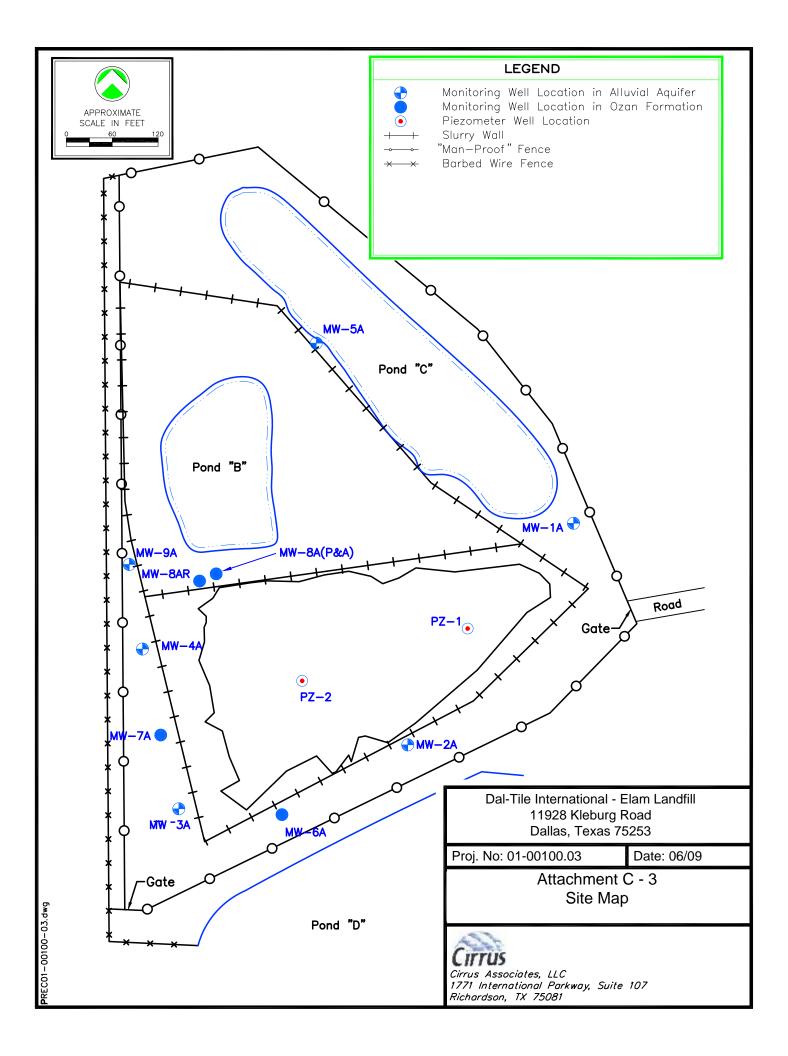
The Water Utility Database is defined as a collection of data from Texas Water Districts, Public



# ENVIRONMENTAL RECORDS DEFINITIONS - STATE (TX)

Drinking Water Systems and Water and Sewer Utilities who submit information to the TCEQ. This database is an integrated database designed and developed to replace over 160 stand alone legacy systems representing over 5 million records of the former Texas Water Commission and the Texas Department of Health.





Attachment D Photographs









# IV. Index of Attachments

List and index below all attachments to this application and indicate if included or not included:

Item	Attachments	Attachment	Included	Not Included
I.D.2.a	Lease/Option to buy	А		X
II.B	Site legal description	В	X	
III.C.1	Facility boundaries and adjacent waters map	С	X	
III.C.2	Photographs	D	X	
III.D	Process flow diagram/description	Е		X