

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
 REGION 6
 1201 Elm St. Suite: 500
 Dallas, TX 75270**

In The Matter Of:)
)
 Sunbelt Solomon Services)
 1922 Martin Luther King Dr.) Approval to Commercially
 Temple, TX 76504) Store Polychlorinated Biphenyl Waste
 EPA ID # TXD053936431)

AUTHORITY

This Approval to commercially store Polychlorinated Biphenyls (“PCB”) waste is issued pursuant to Section 6(e)(1) of the Toxic Substances Control Act (“TSCA”), 15 U.S.C. § 2605(e)(1), and 40 Code of Federal Regulations (“CFR”) Part 761, “Polychlorinated Biphenyls (PCBs) Manufacturing, Processing, Distribution in Commerce, and Use Prohibitions”.

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BACKGROUND

Sunbelt Transformer and Solomon Corporation merged in 2019 to form Sunbelt Solomon Services. Sunbelt Solomon Services owns the building and associated property located at 1922 Martin Luther King Drive in Temple, Texas, at which it functions as a Commercial Storer of PCB waste (as defined in 40 CFR § 761.3) engaged in storage activities requiring EPA Approval.

On April 12, 2021, Sunbelt Solomon Services submitted an initial Application to commercially store PCB waste. The initial Application is the subject document reviewed for the issuance of this Approval.

APPLICABLE REGULATIONS

This Approval incorporates, and is issued in accordance with, applicable requirements of 40 CFR Part 761 (the “PCB Regulations”). The rules applicable to the storage for disposal of PCBs at concentrations of 50 parts per million (“ppm”) or greater and PCB Items with PCB concentrations of 50 ppm or greater are codified at 40 CFR § 761.65, “Storage for disposal.” The PCB Regulations require, among other things, that Commercial Storers of PCB waste, storing

certain TSCA-regulated PCB-containing material, obtain a written Approval issued by the Regional Administrator of the EPA for the region in which the storage Facility is located. On October 23, 2002, the authority to approve a permit to store TSCA-regulated PCB containing material was delegated to the Director of the Multimedia Planning and Permitting Division (now the Land, Chemical and Redevelopment Division).

A reference to a regulatory requirement in this Approval shall refer to the regulatory requirement in effect on the effective date of this Approval. Modification of this Approval is needed to incorporate or reference any requirements or Regulations revised or amended after the effective date of this Approval.

FINDINGS

Upon review of the Sunbelt Solomon Services' Application, EPA has determined that the criteria for Approval to engage in the commercial storage of PCB waste set forth in 40 CFR § 761.65(d) have been met. Specifically, the Application demonstrates that the Sunbelt Solomon Services' storage Facility located at 1922 Martin Luther King Drive in Temple, Texas, storage capacity, employee qualifications, closure plan, and financial assurance for closure satisfy applicable requirements and that operation of the storage Facility, when conducted in accordance with the Conditions of this Approval and all applicable provisions of the PCB Regulations, will not pose an unreasonable risk of injury to health or the environment.

EFFECTIVE DATE

This Approval shall become effective upon signature and shall expire five (5) years from such date, unless suspended, revoked or terminated, or administratively continued, in accordance with the Conditions of this Approval, or unless otherwise authorized under applicable law.

DEFINITIONS

All capitalized terms and abbreviations used in this Approval shall have the meanings as defined in 40 CFR § 761.3, as in effect at the time of this Approval, unless the context clearly indicates otherwise or unless the term is defined below for the purposes of this Approval.

“Approval” means the content of this document, the Conditions within, and any subsequent EPA-approved written modifications thereto.

“Application” and “Sunbelt Solomon Services Application” mean all data and materials upon which EPA based its decision to approve Sunbelt Solomon Services' request for Approval to commercially store PCBs and PCB Items, e.g., information submitted to EPA by Sunbelt Solomon Services to define, represent, or describe Sunbelt Solomon Services' commercial storage operations. This includes Sunbelt Solomon Services' April 12, 2021 initial application and any subsequent Sunbelt Solomon Services' Application that EPA approves in writing as a modification to this Approval.

“CFR” means the Code of Federal Regulations.

“Day” means a calendar day, unless otherwise specified.

“Delegate” means the Director of the Land, Chemical and Redevelopment Division of EPA, Region 6.

“Director of PCB Unit” means Mr. Harry Shah, the Section Chief of the PCB Unit within Region 6, U.S. EPA Dallas, TX. Phone Number: 214-665-6457. Mailing Address: US EPA Region 6, 1201 Elm Street, Suite 500, Dallas, TX 75270. Email Address: Shah.Harry@epa.gov.

“Electrical equipment” means site-specific equipment identified in Sunbelt Solomon Services’ closure plan for the Facility.

"EPA" means the United States Environmental Protection Agency, Region 6.

“Sunbelt Solomon Services Facility” and “Facility” mean all contiguous land and improvements on the land and all structures and other appurtenances located at 1922 Martin Luther King Drive, Temple, TX. This real property is the location of the PCB waste commercial storage Facility which is approved to commercially store PCB waste and conduct other related PCB management activities under this Approval.

“Footprint” means the area of the Storage Area floor space taken up by electrical equipment or PCB capacitors.

“Major modification” means any change which will affect overall Facility performance or environmental impact, including but not limited to changes to increase the Storage Areas, the maximum PCB storage inventory, the closure plan, closure cost estimates (except as required for inflation adjustment), and the financial assurance for closure.

“Minor modification” means any change which will not affect overall Facility performance or environmental impact including but not limited to an administrative or informational change, and correction to typographical errors.

“Non-PCB Items” are those which are known to contain or have been determined to contain <50 ppm PCB.

“PCB” means polychlorinated biphenyl(s).

“PCB Regulations” are the Regulations at 40 CFR part 761.

“Regional Administrator” means the Regional Administrator of Region 6 of the EPA.

“Spill” has the same meaning as defined in EPA's PCB Spill Cleanup Policy in 40 CFR § 761.123.

“SPCC Plan” is the Spill Prevention Control and Countermeasure Plan prepared in accordance with 40 CFR part 112.

“Storage Area” or “PCB Storage Area” means any storage area listed in Condition B.1(a).

CONDITIONS OF APPROVAL

A. General Conditions

1. Approval Compliance

- (a) Sunbelt Solomon Services must operate its Facility in compliance with the Conditions of this Approval. Noncompliance with any provision of the Sunbelt Solomon Services' Application and/or any Condition of this Approval shall be deemed a violation of this Approval and may subject Sunbelt Solomon Services to civil or criminal enforcement action and associated penalties.
- (b) Sunbelt Solomon Services must comply and operate the Facility in accordance with Section 6(e) of TSCA, 15 U.S.C § 2605(e), and the PCB Regulations, including the requirements of the "PCB Spill Cleanup Policy" codified at 40 CFR Part 761, Subpart G.
- (c) Sunbelt Solomon Services is liable for the actions of its employees, agents, contractors, and subcontractors in the operation of the Facility.
- (d) Failure to comply with any of the Approval Conditions shall constitute a violation of the requirement in 40 CFR § 761.50(a) to store or dispose of PCB waste in accordance with 40 CFR Part 761, Subpart D. A violation of the PCB Regulations is a prohibited act under Section 15 of TSCA.
- (e) Compliance with this Approval does not relieve Sunbelt Solomon Services of the responsibility to comply with all applicable federal, state, and local laws and Regulations.

2. Requirement to Report Noncompliance

- (a) If at any time Sunbelt Solomon Services becomes aware that it is operating the Facility in a manner that is not in compliance with this Approval or other applicable provisions of the PCB Regulations, Sunbelt Solomon Services shall notify the Director of PCB Unit within 24 hours and shall submit a written report to the Director of PCB Unit describing the noncompliance within fifteen (15) calendar days. Notice shall be provided to the address as provided in Condition H.10 of this Approval.

3. EPA Modification, Suspension, Revocation and Termination of Approval

- (a) EPA reserves the right to modify, suspend, revoke, or terminate this Approval:
 - (i) If Sunbelt Solomon Services fails to operate the Facility in compliance with this Approval;
 - (ii) If there is reason to believe that continued operation of the Facility presents an unreasonable risk of injury to health or the environment, or if new Regulations or

standards promulgated by EPA become applicable rendering such modification, suspension, revocation, or termination appropriate. Upon request, Sunbelt Solomon Services shall provide information EPA deems necessary to determine whether cause exists for modification, suspension, revocation or termination of this Approval. Sunbelt Solomon Services shall provide such information within the time frame specified in EPA's request, or if no time frame is specified, within fifteen (15) calendar Days of EPA's request unless impracticable;

(iii) Upon discovering misrepresentation(s) or omission(s) of material fact(s) in the Sunbelt Solomon Services Application; or

(iv) For environmental civil violations committed by or criminal convictions of Sunbelt Solomon Services, its principles or key employees.

(b) EPA's right to modify, suspend, revoke, or terminate this Approval does not in any way preclude its right to commence appropriate enforcement action under any or all applicable statutes and Regulations. EPA reserves any rights and remedies available to it under TSCA, the PCB Regulations, and any other Federal laws or Regulations for which EPA has jurisdiction, to enforce the provisions of this Approval.

4. Application and Approval Modifications

(a) Sunbelt Solomon Services must submit an application and receive written EPA Approval for any modification to the Facility. Sunbelt Solomon Services must not implement any such modifications until it receives written EPA consent and must continue to comply with the Conditions of this Approval until EPA issues an Approval, denial, or Conditional Approval.

(b) Minor modifications to the Sunbelt Solomon Services Application or to this Approval shall be submitted to Director of PCB Unit and shall be implemented only after receipt of written consent.

(c) Major modifications to the Sunbelt Solomon Services Application or to this Approval shall be submitted to the Director of the Land, Chemical and Redevelopment Division and shall be implemented only after receipt of written consent.

5. Approval Expiration/Renewal

(a) This Approval shall expire 5 years from the date of issuance of this Approval. This Approval and its Conditions herein will remain in effect beyond the Approval expiration date if a complete renewal application is received within the time period specified in Condition A.5(b) and EPA has determined in writing that the application is complete.

(b) To continue the commercial storage of PCBs and PCB Items granted by this Approval after the expiration date of this Approval, Sunbelt Solomon Services shall submit a complete renewal application at least 365 calendar days prior to the expiration date of this Approval. A complete renewal application must contain, at a minimum,

information listed in 40 CFR § 761.65(d)(3). A complete renewal application is considered to be information submitted in the most recently approved application, with appropriate modifications or updates based on proposed revisions to the original Approval, which may include design and operation changes, updated safety protocols, and revised operating and testing procedures. The EPA may require Sunbelt Solomon Services to submit additional information to support the renewal of this Approval. If Sunbelt Solomon Services submits this information to EPA at least 365 days prior to the expiration date of this Approval, and EPA has determined in writing that the application is complete, this Approval continues in force (i.e., does not expire) until EPA issues an Approval renewal, a Conditional Approval renewal, or an Approval request denial.

(c) If Sunbelt Solomon Services does not submit a complete renewal application at least 365 days prior to the expiration date of this Approval, this Approval will expire as specified in Condition A.5(a). Failure to submit a renewal application as described in Condition A.5(b) will be treated as evidence of Sunbelt Solomon Services' intent to close.

6. Entry and Inspection

(a) Sunbelt Solomon Services shall allow, at reasonable times, EPA authorized representative(s) to conduct inspections for the purpose of determining compliance with this Approval. Such inspection activities may include, but are not limited to, permitting EPA authorized representative(s) to:

- (i) conduct interviews;
- (ii) inspect and/or collect copies of records and monitoring data;
- (iii) take sample(s); and
- (iv) inspect, observe and document Sunbelt Solomon Services' activities, equipment, work practices, operations and processes.

7. Change in Ownership or Operational Control

(a) Sunbelt Solomon Services shall notify the Director of the Land, Chemical and Redevelopment Division in writing at least ninety (90) days before it intends to transfer ownership or operational control of the Facility. This notification shall include the name, address, and telephone number of the intended transferee. A copy of this notification shall be sent to the Director of PCB Unit. Along with such notification, Sunbelt Solomon Services shall submit an application to modify the Sunbelt Solomon Services Application providing the information required in all applicable provisions of 40 CFR § 761.65(d)(3), along with a notarized affidavit signed by the intended transferee stating that it will abide by all Conditions of the Application, including the proposed modifications submitted in connection with the intended transfer of ownership or operation.

(b) After receiving Sunbelt Solomon Services' notification and application to modify the Application, the intended transferee's affidavit, evidence that the intended transferee

has established financial assurance for closure pursuant to 40 CFR § 761.65(g) (if applicable), and other documents EPA may require under 40 CFR § 761.65(j)(2), EPA may either:

- (i) Modify the Approval to substitute the transferee's name for Sunbelt Solomon Services and make other conforming minor modifications, or
 - (ii) Require the intended transferee to submit a new application and/or apply for a new Approval.
- (c) The intended transferee shall not operate the Facility until the Director of the Land, Chemical and Redevelopment Division issues an Approval in the transferee's name.
- (d) Sunbelt Solomon Services must maintain its financial assurance for closure for the Facility until the intended transferee has established financial assurance for closure of the Facility pursuant to 40 CFR § 761.65(g) and EPA issues an Approval in the transferee's name.
- (e) EPA may revoke, suspend, and/or modify this Approval or the transferee's new Approval if, following a change in ownership or operational control at the Facility, there is a change in the Facility's operations and EPA finds that this Approval or the transferee's new Approval will not prevent unreasonable risk of injury to health or the environment.

8. Transformers and Other Electrical Equipment

If the PCB concentration of any transformer, or dielectric fluid within any transformer, received by Sunbelt Solomon Services is not known at the time of receipt, Sunbelt Solomon Services must treat the transformer as a PCB Transformer, (i.e., as if the dielectric fluid contains 500 ppm or greater PCBs) until testing proves otherwise.

9. Bankruptcy. Sunbelt Solomon Services must notify EPA within thirty (30) days of filing for bankruptcy so that EPA may ensure compliance with the requirements of this Approval, including the maintenance of adequate financial assurance, and ensure that ongoing Facility operations will not pose unreasonable risk of injury to health or the environment.

10. Change in Flood Plain Designation. Sunbelt Solomon Services must submit a written notification to the Director of the PCB Unit immediately upon its receipt of notice of the redesignation of the Facility within a 100-year flood plain. EPA may modify, suspend, revoke, or terminate this Approval if EPA determines that the change in flood plain designation, or any change in Facility operations resulting from or associated with such change in flood plain designation, may pose unreasonable risk of injury to health or the environment.

11. Severability. If any part or Condition of this Approval is found to be invalid by any court of competent jurisdiction, all of the other provisions of this Approval shall remain in full force and effect.

B. PCB Storage Management

1. PCB Storage Areas

(a) Sunbelt Solomon Services' approved PCB Storage Areas are described below and are depicted in "Attachment A". These PCB Storage Areas shall be maintained in compliance with 40 CFR § 761.65 and the Sunbelt Solomon Services Application.

(i) "Storage Area 1": 29 feet long by 22 feet wide; 638 square feet; concrete floor and with 6-inch-high curbing.

(ii) "Storage Area 2": 23 feet long by 30 feet wide with 6-inch-high curbing; 690 square feet; concrete floor and curbing; plastic containment pallets.

(b) Storage of PCBs or PCB Items in an area other than the approved Storage Areas described above shall be deemed a violation of this Approval.

C. Maximum Storage Capacities

1. Maximum Storage Capacities for PCBs and PCB Items

(a) The maximum storage capacity ("MSC") and the categories of PCBs and PCB Items permitted to be stored at any time in each approved storage area are specified below. Sunbelt Solomon Services' ability to store PCBs and PCB Items at the Facility is limited to the categories and quantities specified below for each PCB storage area. Sunbelt Solomon Services shall not accept or store any PCBs or PCB Items which have not been described below or quantities in excess of those listed below, unless otherwise approved by EPA, in writing, on a case-by-case basis.

(i) "Storage Area 1":

13,000 pounds of drained or filled PCB-Contaminated Electrical Equipment holding up to 100 gallons of liquid (≥ 50 but < 500 ppm PCB), not to exceed a total Footprint of 638 square feet.

8,000 pounds of drained or filled drums holding up to 700 gallons of liquid (≥ 50 but < 500 ppm PCB), not to exceed 15 (55) gallon drums, not to exceed a total Footprint of 638 square feet.

4,000 pounds of drained or filled PCB Transformers (≥ 500 ppm PCB) holding up to 300 gallons of liquid, not to exceed a total Footprint of 638 square feet

6,600 pounds of drained or filled drums holding up to 550 gallons of liquid (≥ 500 ppm PCB), not to exceed 10 (55) gallon drums, not to exceed a total Footprint of 638 square feet.

300 pounds of drained or filled PCB Capacitors (≥ 500 ppm PCB) holding up to 10 gallons of liquid, not to exceed a total Footprint of 638 square feet.

(ii) "Storage Area 2":

23,000 pounds of drained or filled PCB-Contaminated Electrical Equipment holding up to 100 gallons of liquid (≥ 50 but < 500 ppm PCB), not to exceed a total Footprint of 690 square feet.

9,000 pounds of drained or filled drums holding up to 800 gallons of liquid (≥ 50 but < 500 ppm PCB), not to exceed 13 (55) gallon drums, not to exceed a total Footprint of 690 square feet.

20,000 pounds of drained or filled totes holding up to 1600 gallons of liquid (≥ 50 but < 500 ppm PCB), not to exceed 5 (330) gallon totes, not to exceed a total Footprint of 690 square feet.

8,000 pounds of drained or filled PCB Bushings (≥ 50 but < 500 ppm PCB) holding up to 250 gallons of liquid, not to exceed a total Footprint of 690 square feet.

5,590 pounds of drained or filled PCB Transformers (≥ 500 ppm PCB) holding up to 236 gallons of liquid, not to exceed a total Footprint of 690 square feet.

2,200 pounds of drained or filled drums holding up to 200 gallons of liquid (≥ 500 ppm PCB), not to exceed 4 (55) gallon drums, not to exceed a total Footprint of 690 square feet.

5,000 pounds of drained or filled totes holding up to 396 gallons of liquid (≥ 500 ppm PCB), not to exceed 2 (330) gallon totes, not to exceed a total Footprint of 690 square feet.

2,000 pounds of drained or filled PCB Bushings (≥ 500 ppm PCB) holding up to 100 gallons of liquid, not to exceed a total Footprint of 690 square feet.

(b) Sunbelt Solomon Services shall not substitute capacity of one of the PCB or PCB Item categories described above to prevent exceedance of the MSC in another PCB or PCB Item category.

(c) The maximum storage capacity imposed under Condition 1.a does not exceed the estimated maximum inventory of PCB waste included in the Application for final Approval, as required by 40 CFR § 761.65(d)(4)(iii).

2. Maximum Storage Capacities for Non PCBs and Non PCB Items

(a) In order to assure adequate capacity for the storage of PCBs, storage of non PCBs and non PCB Items, as identified in the Sunbelt Solomon Services Application, shall be limited to:

(i) “Storage Area 1”:

Non-PCB Items not stored other than limited volumes of PCB testing and cleaning materials, and drums containing associated waste and other materials.

(ii) “Storage Area 2”:

Limited volumes of PCB testing and cleaning materials, and drums containing associated waste and other materials.

Untested units. Untested units, when deemed <50 ppm, will be moved to alternate destinations, based on type of unit. Units containing or deemed <50 ppm will be removed from Storage Area 2 within a reasonable amount of time after placement, taking into account existing storage needs for PCB Items. PCB Items \geq 50 ppm may remain in this area for longer periods, as necessary.

(b) Storage of non-PCBs or non-PCB Items in excess of the storage capacities described above in a given storage area shall be deemed a violation of this Approval.

3. Storage Requirements for PCBs and PCB Items

(a) Intact and non-leaking PCB Equipment and other PCB Articles, whether drained or filled, shall be stored free-standing or in PCB Article Containers.

(b) Partially or fully disassembled drained PCB-containing electrical equipment and other PCB Articles shall be stored free-standing, or in PCB Containers.

(c) Leaking PCB Articles and PCB Equipment shall be stored in PCB Containers.

(d) Liquid PCBs shall be stored in PCB Containers, dedicated stationary storage containers (tanks), or intact and non-leaking PCB Articles.

(e) Non-liquid PCBs shall be stored in PCB Containers.

4. PCB Waste Storage Container Requirements

(a) Stationary storage containers (tanks) used to store organic solvents containing \geq 2 ppm PCBs and PCB liquids containing \geq 50 ppm PCBs shall comply with the requirements of 40 CFR § 761.65(c)(7).

(b) Containers used to store liquid or non-liquid PCB waste shall comply with the requirements of 40 CFR § 761.65(c)(6).

(c) Sunbelt Solomon Services' use of a PCB waste storage container that does not comply with any of the requirements described above shall be deemed a violation of this Approval.

5. PCB Storage, Marking and Labeling

(a) Sunbelt Solomon Services shall label all PCB Containers, PCB storage areas, and any PCB Item subject to marking requirements under 40 CFR § 761.40 with the ML label defined in 40 CFR § 761.45.

(b) Sunbelt Solomon Services shall place a label on all PCB Items with the date of removal from service for disposal. Storage shall be managed so that PCB Items can be located by this date. Stationary storage containers for liquid PCBs shall have a record that includes, for each batch of PCBs, the quantity of the batch and date the batch was added to the container. The record shall also include the date, quantity, and disposition of any batch of PCBs removed from the container.

(c) Sunbelt Solomon Services shall dispose of all PCBs and PCB Items within one (1) year after they are taken out of service. If additional time is required for disposal, Sunbelt Solomon Services shall comply with the requirements of 40 CFR § 761.65(a)(2) and (3).

6. Storage Requirements for PCBs and PCB Items

(a) Drums containing PCBs and PCB Items shall not be stacked in a manner that could result in a spill outside the storage areas. Drums shall not be stacked more than two (2) drums high.

(b) A minimum aisle width of two (2) feet must be maintained to allow for unobstructed access to all PCBs and PCB Items stored on-site by personnel, fire protection equipment, and decontamination equipment.

(c) Sunbelt Solomon Services may store PCBs and PCB Items in a manner that allows maximum use of space. However, PCBs and PCB Items must be stored in a manner that presents no unreasonable risk of injury to health and the environment and that does not impede routine inspections carried out by Sunbelt Solomon Services, as required by this Approval. During inspections conducted by EPA-authorized representative(s), Sunbelt Solomon Services shall move items, as requested by the inspector(s) to allow the inspector(s) full access to the Facility and stored PCBs and PCB Items.

(d) Access to the PCB storage areas shall be restricted to workers that have completed training in accordance with Condition E.4. and that are listed on the signature sheet described in Condition H.4(e), except that workers that are working for or on behalf of Sunbelt Solomon Services as of the effective date of this Approval that have been

trained under previous versions of the Sunbelt Solomon Services training manual shall be allowed access to the PCB storage areas for up to sixty (60) days after the effective date of this Approval, in order to complete the training described in Condition E.4.

(e) Sunbelt Solomon Services must document the PCB content of all incoming inventory to establish compliance with the Conditions of this Approval at all times. Sampling and analytical methods must comply with applicable provisions of the PCB Regulations.

(f) If any PCB Container, PCB Article, PCB Article Container, or PCB Equipment is leaking, Sunbelt Solomon Services shall immediately transfer the PCB Container, PCB Article, PCB Article Container, or PCB Equipment and the PCB waste, therein, to a properly marked, non-leaking container. Any spilled or leaked materials shall immediately be cleaned up and the materials containing PCBs shall be disposed of in accordance with applicable provisions of the PCB Regulation and Condition F.4.

(g) No item of movable equipment that is used for handling PCBs and PCB Items in the storage areas and that comes in direct contact with PCBs shall be removed from the storage area unless it has been decontaminated, as specified in 40 CFR § 761.79.

(h) PCB Containers must always be closed during storage, except when adding and removing their contents, and must not be opened, handled, or stored in a manner which may cause damage or leaks.

7. Storage Area Inspection Requirements

(a) PCBs and PCB Items in storage shall be checked for leaks and spills on a weekly basis. Sunbelt Solomon Services need not document the weekly inspections; however, any spills discovered during these routine inspections shall be cleaned up expeditiously, as specified in Condition B.7(c) and reported, if required, by Condition F.3. Records of cleanup and disposal must be maintained in accordance with Condition H.4(c).

(b) At least once every thirty (30) days, as required by §761.65(c)(5), Sunbelt Solomon Services shall conduct a thorough inspection of each PCB storage area at the Facility. The following elements shall be included in the 30-day inspections:

- (i) PCBs and PCB Items in storage shall be checked for leaks and spills;
- (ii) The PCB Containers, PCB Article Containers, PCB Equipment, and stationary storage containers (tanks), and ancillary equipment (valves, pipelines, etc.,) shall be checked for leaks;
- (iii) The Condition of PCB liquid and spent solvent storage tank shells, tank supports, and tank area curbing shall be checked for cracks, leaks or deterioration;
- (iv) Tank vents, high liquid level alarm systems and liquid level indicators shall be checked to make sure they are operating properly;

- (v) The Condition of the floor, joints and curbing in the PCB storage area shall be checked; and
- (vi) Spill response and emergency equipment as described in the Facility SPCC Plan shall be checked and replaced, repaired, or replenished as necessary.
- (c) PCBs or PCB Items found leaking shall be transferred to a properly marked non-leaking container. Any spilled or leaked materials shall immediately be cleaned up and the materials containing PCBs shall be disposed of in accordance with applicable provisions of the PCB Regulations and Condition F.4.
- (d) Any needed repairs or replacements, including those for leaks, cracks, deterioration, or malfunctioning vents, alarms or indicator levels detected during such inspections, shall be made as expeditiously as possible.

D. Facility Operation, Limitation of Exposure and Control of Releases

1. Sunbelt Solomon Services shall maintain and operate the Facility in a manner to prevent fire, explosion, releases of PCBs to the environment, and exposure of workers of PCBs. .
2. The Sunbelt Solomon Services Facility must be secured to restrict public access.
3. Disassembly of PCBs and PCB Items shall be conducted within the Facility.
4. Any cutting tool or other device used in processing PCBs and PCB Items must be operated in a manner to prevent heating of the material which may result in the vaporization of PCBs and the subsequent release of PCBs to the environment.

(a) Sunbelt Solomon Services shall not use a cutting torch or other thermal method to cut metal contaminated or coated with PCBs, unless the unit being cut is first decontaminated to meet the standard in 40 CFR § 761.79(b)(3)(i); or

(b) Sunbelt Solomon Services shall conduct a demonstration test to prove to EPA's satisfaction that Sunbelt Solomon Services can effectively trap and remove particulate and volatilized PCBs emissions generated from the use of any cutting tool or other device (e.g., torch) used in processing metal surfaces contaminated or coated with PCBs. Any such testing or subsequent operational use of a cutting tool or other device on surfaces contaminated or coated with PCBs requires EPA's prior written Approval. Notwithstanding the foregoing, replacement of previously approved tools of the exact make and model shall not require EPA's prior written Approval.

DI. Worker Protection

1. Sunbelt Solomon Services workers with access to PCB storage area shall wear or use protective clothing or equipment at the Facility to protect against dermal contact with or inhalation of PCBs or material containing PCBs.

2. Sunbelt Solomon Services shall comply with all applicable health and safety standards, as required by federal, state and local Regulations and ordinances.
3. Sunbelt Solomon Services shall comply with the safety provisions of the Sunbelt Solomon Services Application.
4. All employees hired subsequent to the date of this Approval must be trained, as specified in Sunbelt Solomon Services' personnel training program and training schedule included in the Application. In addition, Sunbelt Solomon Services must ensure that personnel who are directly involved with handling PCBs and PCB Items are familiar with the requirements of this Approval, and the regulatory requirements under 40 CFR Part 761.
5. All new workers must complete training in accordance with the Sunbelt Solomon Services training manual prior to entering PCB storage areas. In addition to initial training, all workers with access to PCB storage areas must complete annual refresher training in accordance with the current Sunbelt Solomon Services training manual.
6. Except as provided in Condition E.7, the PCB concentration of non-porous surface areas located outside of PCB storage areas shall not exceed 10 $\mu\text{g}/100 \text{ cm}^2$ and all porous surface located outside of PCB storage areas shall not exceed 1 ppm.
7. The PCB concentration of food handling areas, including any locations where food or drink is prepared, stored or consumed shall not exceed concentration of 1 $\mu\text{g}/100 \text{ cm}^2$ for non-porous surfaces and 1 ppm for porous surfaces.
8. Any person entering and leaving the PCB storage area must do so through a clean-in/clean-out station.
9. The PCB concentration of non-porous surface areas located in the clean-in/clean-out station shall not exceed 10 $\mu\text{g} /100 \text{ cm}^2$ and all porous surface located in the clean-in/clean-out station shall not exceed 1 ppm.
10. In the event the concentration of PCBs exceeds the levels set forth in Conditions E.6, E.7, E.8, or E.9, Sunbelt Solomon Services shall immediately begin decontamination of the affected area in accordance with applicable requirements of the PCB Regulations and this Approval. Sunbelt Solomon Services shall not encapsulate any PCB-containing areas, regardless of PCB concentration levels without specific prior written Approval from EPA.
11. Sunbelt Solomon Services must report incidences of injury or illness from exposure to PCB to the Director of PCB Unit within twenty-four (24) hours of becoming aware of such injury or illness.

F. PCB Spills and Releases

1. Sunbelt Solomon Services has prepared and submitted a SPCC Plan included in Sunbelt Solomon Services Application. Sunbelt Solomon Services shall follow the spill prevention measures outlined in the SPCC Plan and implement applicable control measures specified in the SPCC Plan for qualifying spill events.

2. Spills of PCBs shall be cleaned up in accordance with the requirements of the PCB Spill Cleanup Policy at 40 CFR Part 761, Subpart G or the PCB Regulations, as applicable.
3. Sunbelt Solomon Services shall comply with applicable PCB spill reporting requirements under 40 CFR § 761.125; the Clean Water Act; and the Comprehensive Environmental Response Compensation and Liability Act. Notification to the EPA Regional Office of any PCB spill or release as required under 40 CFR § 761.125 shall be made to Director of PCB Unit. A written report of the reportable spill incident under 40 CFR § 761.125 must be submitted to Director of PCB Unit within five (5) business days following the incident.
4. Any wastes generated as a result of cleanup of a PCB spill or release or decontamination of any material contaminated by a PCB spill or release shall be disposed of in accordance with 40 CFR § 761.61.
5. Sunbelt Solomon Services shall immediately report to Director of PCB Unit if, as a result of any unauthorized entry or operation at the Facility, PCBs were released. To the extent known, such report shall include a description of the unauthorized entry or operation, the resulting release of PCBs, and any corrective action taken by Sunbelt Solomon Services. Examples of unauthorized entry or operation at the Facility to be reported to EPA include, but are not limited to, tampering, destruction, or loss at the Facility which caused the release of PCBs.

G. Emergency Provisions

1. Sunbelt Solomon Services shall follow the SPCC Plan included in Sunbelt Solomon Services Application whenever there is a fire, explosion, or release of PCBs or hazardous constituents.
2. Copies of the updated Sunbelt Solomon Services training manual, SPCC Plan, and this Approval shall be maintained and be made available to all workers at the Sunbelt Solomon Services Facility. Lists of emergency contacts, telephone numbers, and emergency exit routes shall be posted in prominent locations throughout the Facility.
3. The Facility shall, at a minimum, be equipped with the following:
 - (a) an internal communications or alarm system capable of providing immediate emergency notification (voice or signal) to Facility personnel;
 - (b) devices, such as a telephone or a hand-held two-way radio, which are immediately available at the scene of operations, capable of summoning emergency assistance from local police departments, fire departments, and State or local emergency response teams;
 - (c) portable fire extinguishers, fire control equipment, spill control equipment, and decontamination equipment; and
 - (d) water at adequate volume and pressure to supply fire hose streams or foam equipment.

4. Sunbelt Solomon Services shall test and maintain the equipment specified above in accordance with the manufacturer's recommendations to ensure proper operation in time of emergency. In the event any of the emergency response equipment specified above was manufactured by Sunbelt Solomon Services, Sunbelt Solomon Services shall establish and follow a testing and maintenance plan for those manufactured items.

5. Whenever PCBs are being poured, mixed, or otherwise handled, Sunbelt Solomon Services shall ensure that all workers involved in the operation will have immediate access to an internal alarm or emergency communication device, either directly or through visual or voice contact with another worker.

6. At all times, there shall be at least one (1) worker present at the Sunbelt Solomon Services Facility or on call with the responsibility for coordinating all emergency response measures. This worker shall have immediate access to the entire Facility and to a device, such as a telephone or a hand-held two-way radio, immediately available at the scene of operation capable of summoning external emergency assistance. This worker must have the authority to commit the resources needed to carry out contingency measures of this Approval, the Sunbelt Solomon Services Application, or the PCB Regulations, or that are otherwise appropriate.

7. Within thirty (30) calendar days from the initial issuance of this Approval, Sunbelt Solomon Services shall provide a written description of storage activities, stored materials, and emergency procedures, as described in the Sunbelt Solomon Services Application, to local police departments, hospitals, and state and local emergency response teams that may be called upon to provide emergency services and shall provide updates of the written description, as necessary.

8. Sunbelt Solomon Services shall review and promptly modify, if necessary, the SPCC Plan whenever:

- (a) such plan fails in an emergency;
- (b) Sunbelt Solomon Services changes the Facility's design, construction, operation, maintenance, or emergency response policies;
- (c) a circumstance arises that materially increases the potential for fires, explosions, or releases of PCBs or hazardous constituents;
- (d) the list of emergency coordinators changes;
- (e) the list of emergency equipment changes;
- (f) a revision is warranted to prevent an unreasonable risk of injury to health and the environment; or
- (g) EPA determines that a revision to such plan is necessary;

(h) Sunbelt Solomon Services shall submit proposed modifications, whether minor or major, to its SPCC Plan to EPA in the form of a modified application and shall not implement such modifications until it receives written EPA Approval.

H. Recordkeeping and Reporting

1. Sunbelt Solomon Services shall comply with all applicable recordkeeping and reporting requirements of the PCB Regulations, including but not limited to, annual records, annual document logs and annual reports as required by § 761.180.

2. Sunbelt Solomon Services shall maintain daily records of storage inventories which are sufficient to determine compliance with the Maximum Storage Capacity (MSC) and related requirements for PCBs and PCB Items specified in Condition C.1.

3. Sunbelt Solomon Services shall maintain daily records of storage inventories which are sufficient to determine compliance with the MSC and related requirements for Non PCBs and Non PCB Items specified in Condition C.2.

4. Sunbelt Solomon Services must maintain records demonstrating compliance with the requirements of 40 CFR § 761.180(a) and (b) and this Approval:

(a) the documentation of PCB content, sampling and analytical testing requirements of Condition C.6(e);

(b) the inspection requirements of Condition C.7(b), which shall be in the form of inspection records;

(c) the cleanup and disposal requirements of Conditions C.7(a) and (c), F.2, and F.4;

(d) the repair requirements of Condition C.7(d);

(e) the worker training requirements of Conditions E.4 and E.5, which shall include the name and title of the individual, the date(s) of the training, and a signature sheet certifying that the signatory completed training in accordance with the Sunbelt Solomon Services training manual on the date specified;

(f) the detection of exceedance(s) and decontamination requirements under Conditions E.6, E.7, E.8, or E.9;

(g) the spill requirements of Conditions F.1 and F.2;

(h) the reporting requirement of Condition F.3, which shall include the items, and certification, if applicable, required under 40 CFR § 761.125;

(i) the disposal requirement of Condition F.4;

(j) the equipment maintenance and testing requirements of Condition G.4; and

(k) the emergency responder notification requirements of Condition G.7; and

(l) Manifest requirements. Sunbelt Solomon Services shall comply with the following provisions of 40 CFR Part 761, Subpart K, as applicable:

- i. 761.207 – Manifest – General requirements;
- ii. 761.210 – Use of the manifest – Generator requirements;
- iii. 761.213 – Use of the manifest – Commercial storage and disposal Facility requirements;
- iv. 761.214 – Retention of manifest records;
- v. 761.215 – Manifest discrepancies;
- vi. 765.216 – Unmanifested waste report;
- vii. 761.217 – Exception reports; and
- viii. 761.219 – One-year exception reporting.

5. Sunbelt Solomon Services shall maintain copies of the manifests, either paper copies or electronically available in an online e-Manifest account, and certificates of disposal for all PCBs and PCB Items that have been stored at the Sunbelt Solomon Services Facility. Sunbelt Solomon Services shall provide copies of certificates of disposal to the generator of PCBs and PCB Items that were stored at Sunbelt Solomon Services Facility within thirty (30) calendar days of receipt by Sunbelt Solomon Services of documentation of final disposal of such PCBs and PCB Items.

6. All records relating to sampling, analysis, and quality assurance required by the PCB Regulation or this Approval shall include the following:

- (a) exact date, place, and time of each sample collected;
- (b) volume of each sample collected;
- (c) name of person collecting each sample;
- (d) name of analyst;
- (e) date and time of analysis;
- (f) the analytical techniques or methods used for each sample;
- (g) the analytical results including chromatographs, calculations, and other raw data;
- (h) calibration records and maintenance records of sampling equipment and analytical instrumentation; and,
- (i) records of quality assurance/quality control activities.

7. All records required to be maintained either by the PCB Regulations or this Approval shall be legible and prepared in black ink or typed. Any modification or correction of the records must be initialed and dated by a Sunbelt Solomon Services worker authorized to make such change. If the recordkeeping is maintained electronically, Sunbelt Solomon Services shall produce and maintain hard copy printouts when requested by EPA and shall

back-up the data on a daily basis. During any period in which the electronic recordkeeping system is rendered non-operational, Sunbelt Solomon Services must implement a comparably reliable alternate recordkeeping system in its place.

8. All records required to be maintained either by the PCB Regulations or this Approval shall be maintained at one centralized location at the Sunbelt Solomon Services Facility, and shall be made available for inspection by EPA authorized representatives. When Sunbelt Solomon Services ceases operations, all such records shall be made available to EPA at the Sunbelt Solomon Services Facility for a period of at least five (5) years following cessation of operations. If Sunbelt Solomon Services is unable to comply with this Condition because it is no longer in control of the site, it shall comply by making such records available at an alternative location proposed by Sunbelt Solomon Services and approved by EPA in writing.

9. All reports, notifications and other information requested to be provided to the EPA shall be signed by a Sunbelt Solomon Services officer or by the Sunbelt Solomon Services Environmental and Safety Manager.

10. Unless otherwise specified herein, reports, notification, mail or other submittals required to be submitted to the EPA under this Approval shall be sent to:

Director of the PCB Unit
U.S. Environmental Protection Agency, Region 6
1200 Elm Street
Suite 500 (LCR-RP)
Dallas, Texas 75270
Email: thrush.dale@epa.gov

11. No recordkeeping, report or communication required under this Approval shall qualify as a self-audit or voluntary disclosure under EPA audit, self-disclosure or penalty policies.

I. Closure and Financial Assurance

1. Sunbelt Solomon Services shall maintain financial assurance as specified in 40 CFR § 761.65(g) and 40 CFR Part 264, Subpart H, to provide for:

- (a) funding in accordance with the approved closure plan listed in Condition I.2.; and
- (b) compensating others for bodily injury and property damage caused by accidents arising from operations of the Facility.

§ The Closure Plan and Closure Cost Estimate submitted as part of the Sunbelt Solomon Services Application is deemed acceptable under 40 CFR § 761.65(e) and is incorporated by reference into this Approval. Sunbelt Solomon Services shall comply with the approved Closure Plan and Closure Cost Estimate.

§ Sunbelt Solomon Services has demonstrated financial assurance for closure of the Sunbelt Solomon Services Facility, as required by 40 CFR § 761.65(g). Sunbelt Solomon Services may not modify its mechanism for financial assurance without prior written

Approval from EPA. Sunbelt Solomon Services shall submit proposed changes to its financial assurance mechanism to Director of PCB Unit and shall not implement such modification until it receives written EPA Approval.

4. Sunbelt Solomon Services shall adjust the Closure Cost Estimate annually to reflect inflation, as required by 40 CFR § 761.65(f)(2), within sixty (60) days prior to the anniversary date of the establishment of the financial assurance instrument used (or, if using the financial test or corporate guarantee, within 30 days after the close of Sunbelt Solomon Services' fiscal year). Sunbelt Solomon Services shall submit a copy of the annually adjusted Closure Cost Estimate to EPA no later than the annual anniversary of the effective date of this Approval. If the annual adjustment to the Closure Cost Estimate changes the required amount such that it exceeds the face value of the existing financial assurance mechanism, Sunbelt Solomon Services shall make a corresponding increase to its financial assurance mechanism. In the event modification to the financial assurance mechanism amount is required, Sunbelt Solomon Services shall submit documentation of adequate financial assurance to the Director of the Land, Chemical and Redevelopment Division within 60 days of the modification.

5. Sunbelt Solomon Services shall modify the Closure Plan and Closure Cost Estimate whenever any changes in ownership, operating plans, maximum storage capacity or Facility design affect the Closure Plan; whenever there is a change in the expected year of closure; or whenever unexpected events during closure require modification. If Sunbelt Solomon Services becomes aware of information indicating that the estimated costs associated with performing closure of the Sunbelt Solomon Services Facility may exceed the current Closure Cost Estimate approved by EPA, Sunbelt Solomon Services shall modify the Closure Plan and/or Closure Cost Estimate, as appropriate. Sunbelt Solomon Services shall submit proposed modifications to its Closure Plan and/or Closure Cost Estimate to EPA in the form of a modified application and shall not implement such modifications until it receives written EPA Approval. Sunbelt Solomon Services shall base modifications to Closure Cost Estimates on maximum cost Conditions, as specified in 40 CFR § 761.65(f)(i) - (iv), and shall submit them to EPA with a "certification," as defined in 40 CFR § 761.3.

6. When an EPA-approved modification to the Facility's Closure Plan increases the Closure Cost Estimate, or when EPA approves a modification which increases the Facility's Closure Cost Estimate, Sunbelt Solomon Services shall make corresponding increases to its financial assurance and provide documentation to EPA of such change no later than thirty (30) days after such modification is approved by EPA.

7. When an EPA-approved modification to the Facility increases the maximum storage capacity in Condition C.1.a., Sunbelt Solomon Services shall notify the Director of the PCB Unit in writing no later than thirty (30) days from the completion of the modification and either establish a new financial assurance or amend the existing financial assurance mechanism. The new or amended financial assurance mechanism must be established and activated no later than thirty (30) days after notification of the completion of the modification, but prior to the use of the modified portion of the Facility.

8. Sunbelt Solomon Services shall keep a copy of the most recently approved Closure Plan, Closure Cost Estimate and financial assurance document(s) at the Facility and make such documents available to EPA authorized representatives, upon request.
9. Sunbelt Solomon Services shall notify the Regional Administrator or his or her delegate, in writing, at least sixty (60) days prior to the date it expects to begin closure. The date Sunbelt Solomon Services “expects to begin closure” shall be no later than thirty (30) days after the date on which Sunbelt Solomon Services receives its final quantities of PCB waste for storage.
10. In accordance with Sunbelt Solomon Services’ approved closure plan, Sunbelt Solomon Services shall remove all PCB waste in storage at Sunbelt Solomon Services Facility within ninety (90) days after receiving the final quantity of PCB waste for storage and shall complete closure activities within 180 days after receiving the final quantity of PCB waste for storage.
11. Upon termination of the operation, Sunbelt Solomon Services shall proceed according to the provisions of the Closure Plan submitted to and approved by EPA. As used in this paragraph, “termination of the operation” includes voluntary cessation of operations and cessation of operations required by expiration, termination, or revocation of this Approval.
12. During the closure period, all contaminated system component equipment, structures, and soils shall be disposed of in accordance with the disposal requirements of 40 CFR Part 761, Subpart D, or, if applicable, decontaminated in accordance with the levels specified in the PCB Spill Cleanup Policy, 40 CFR Part 761, Subpart G.
13. If PCB waste is removed from the storage Facility during closure, Sunbelt Solomon Services will become a generator of PCB waste subject to the generator requirements of 40 CFR Part 761, Subpart J.
14. Within sixty (60) days of completion of closure of the Sunbelt Solomon Services Facility, Sunbelt Solomon Services shall submit to the EPA Regional Administrator or his or her delegate a certification that the Facility has been closed in accordance with the approved closure plan. The certification shall be signed by Sunbelt Solomon Services and by an independent registered professional engineer.
15. Sunbelt Solomon Services shall submit to Director of PCB Unit a revised Closure Plan reflecting current Conditions at the Facility at least 180 days prior to the anticipated beginning of closure activities. The revised Closure Plan must be approved in writing by U.S. EPA prior to implementation.
16. Sunbelt Solomon Services may petition Director of the PCB Unit for permission to forgo submittal of a revised Closure Plan at least 180 days prior to the anticipated beginning of closure activities. In that petition, Sunbelt Solomon Services shall demonstrate that there have been no significant changes to the Conditions at the Facility that would warrant revisions to the Closure Plan. The requirement to submit a revised Closure Plan at least 180 days prior to the anticipated beginning of closure activities will only be waived upon a written notification from EPA to Sunbelt Solomon Services granting the petition.

DECISION TO APPROVE SUNBELT SOLOMON SERVICES' APPLICATION TO
COMMERCIAL STORE PCB WASTE

EPA reviewed the commercial storage application dated April 12, 2021, along with all supporting documents and has determined that the criteria for Approval to engage in the commercial storage of PCB waste set forth in 40 CFR § 761.65(d) have been met. Specifically, the Application demonstrates that Sunbelt Solomon Services' storage Facility, storage capacity, and storage areas, employee qualifications, closure plan, and financial assurance for closure satisfy applicable requirements and that operation of the storage Facility, when conducted in accordance with the Conditions of this Approval and all applicable provisions of the PCB Regulations, will not pose an unreasonable risk of injury to health or the environment. EPA approves the Sunbelt Solomon Services Application to commercially store and treat PCBs and PCB Items for disposal at the Sunbelt Solomon Services Facility.

This Approval shall become effective the date the Director of the Land, Chemical and Redevelopment Division, acting on Sunbelt Solomon Services' Application, signs it and shall expire 5 years from such date, unless suspended, revoked or terminated, or administratively continued, in accordance with the Conditions of this Approval, or unless otherwise authorized under applicable law.

This Approval does not relieve Sunbelt Solomon Services from compliance with all applicable federal, state and local regulatory requirements, including the federal PCB Regulations at 40 CFR Part 761.

7/12/2022

X Ronald D. Crossland

Ronald D. Crossland

Director

Signed by: RONALD CROSSLAND

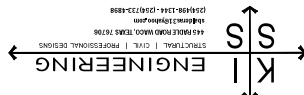
Date: July 12, 2022

Land, Chemical and Redevelopment Division

Attachment A — Diagrams of Approved Storage Areas (Condition B.1(a))

[insert diagrams/figures/drawings of approved storage areas]

DATE	REVISIONS



STRUCTURAL | CIVIL | PROFESSIONAL DESIGN
 4430 W. NORTH AVENUE, SUITE 200
 DALLAS, TEXAS 75244
 PHONE: 214-343-1888

"TUNNEL" STRUCTURAL PLANS
 1922 MARTIN LUTHER KING DRIVE
 TEMPLE, TEXAS

STATE OF TEXAS
 REGISTERED PROFESSIONAL ENGINEER

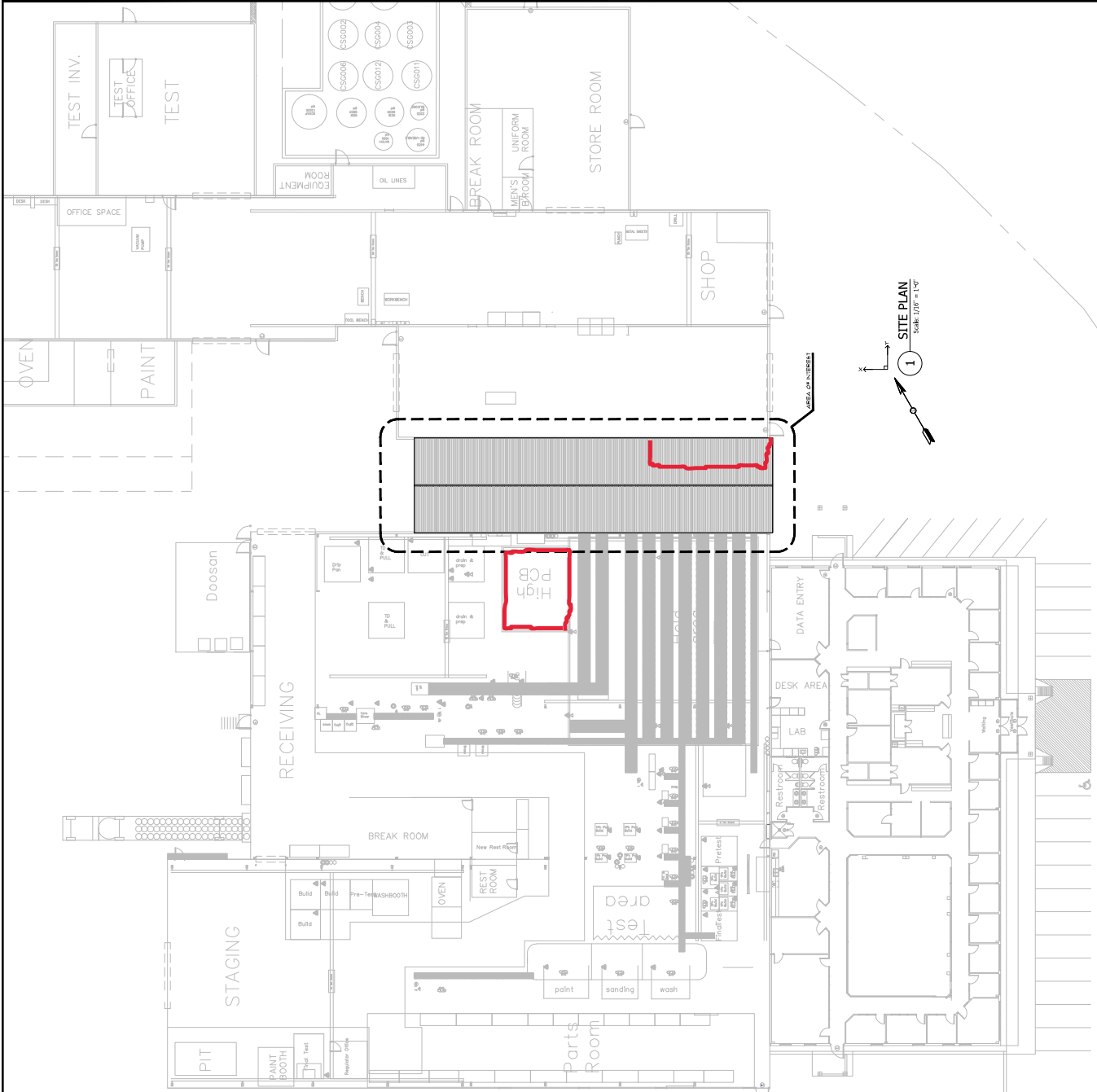


DATE: 9/24/2023
 DRAWN BY: [Signature]
 JOB NO: 23-7029
 SCALE: 1/8" = 1'-0"
 SHEET: C-1.0

PROPERTY INFORMATION:
 BAN-BELT TRANSPORTER
 1922 MARTIN LUTHER KING DR.
 TEMPLE, TEXAS 76708

SCOPE OF WORK:
 THE SCOPE OF WORK INVOLVES BUILDING A STEEL COVERED AWNING WITH
 APPROXIMATELY 3,600 SQUARE FEET TOTAL UNDER ROOF THAT WILL PROVIDE
 PROTECTION FROM THE ELEMENTS AND ALSO SUPPORT A BIFURCATED HOIST
 SYSTEM.

SITE LOCATION:
 PROJECT: TRANSPORTER



CERTIFICATION FORM

I, Jamie Hypes, CFO certify that I
Print Name of an Authorized Representative of Facility Title
have received and reviewed the Approval to Commercially Store Polychlorinated Biphenyls,
2021 initial permit, at the Sunbelt Solomon Services Facility in Temple, TX, on this 25th day of
July, and year of 2022, and hereby agree to abide by all Conditions of the Approval and all
applicable requirements of the PCB Regulations, 40 CFR Part 761.

Jamie Hypes
Signature

25 July 2022
Date