



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**  
REGION 6  
1201 ELM STREET, SUITE 500  
DALLAS, TEXAS 75270

April 16, 2020

Ms. Andrea Kotrla  
Environmental Manager  
Republic Services  
CSC Landfill  
101 Republic Way  
Avalon, Texas 76623

**RE: Re-authorization approval of the CSC Landfill (CSC) for the Land Disposal of Non-Liquid Polychlorinated Biphenyls (PCBs) at its Facility Located in Ellis County, Texas.**

Dear Ms. Kotrla:

We are in receipt of a letter dated December 3, 2019, requesting re-authorization approval of the above-referenced CSC landfill which will expire on May 19, 2020. After review of your request, your application for re-authorization to dispose of PCBs in accordance with the enclosed Conditions of Approval is hereby approved. A Public Notice was published in the Waxahachie Daily Light which opened a 45-day comment period that closed on April 3, 2020. No comments were received during the comment period.

A violation of 40 CFR Part 761, or any condition included as part of the approval, may subject CSC to an enforcement action under the Toxic Substances Control Act (TSCA) and/or other applicable laws and regulations. Such violation could also result in termination, revocation or modification of this approval. Furthermore, receipt of evidence that: (1) a misrepresentation of any material fact has been made in any CSC submittal; (2) all relevant facts have not been disclosed; or (3) the nature of PCB disposal has substantially changed from the submitted application after the effective date of this approval and may constitute sufficient cause for termination, revocation or modification of this approval. The EPA reserves the right to add, modify or delete any approval condition upon proper notice to the applicant.

This approval becomes effective on the date of this letter, and shall expire at midnight, the same day and month, five years later. The facility may request re-authorization of this approval by notifying the EPA in writing before the approval expiration date. Please request re-authorization within six months of the

expiration date. If a request for re-authorization has been made before the expiration date and a final determination has not been made by the EPA before the expiration date, this approval shall be administratively continued until a final determination has been issued. If you have questions, please contact Mr. James Sales of my staff at (214) 665-6796.

Sincerely,

4/16/2020

X Ronald D. Crossland

---

Ronald D. Crossland

Signed by: RONALD CROSSLAND

**Director**

**Land, Chemical and Redevelopment Division**

Enclosure

cc: Earl Lott, TCEQ

# **REPUBLIC WASTE SERVICES OF TEXAS, LTD**

## **CSC DISPOSAL AND LANDFILL PCB APPROVAL CONDITIONS**

The terms and abbreviations in these conditions are in accordance with those defined in 40 CFR § 761.3, unless otherwise noted. The term "Facility" hereinafter refers to Republic Waste Services of Texas, LTD, CSC Disposal and Landfill, Ellis County, Texas.

### **I. LOCATION OF FACILITY**

The Facility is located in Ellis County near Avalon, Texas, approximately 0.6 miles northeast of the intersection of State Highway 34 and FM 55.

### **II. PCB WASTES AND DISPOSAL UNITS AUTHORIZED**

#### **A. PCB Waste Authorizations and Prohibitions**

1. The following PCB wastes may be disposed at the Facility:
  - a. non-liquid PCBs regulated for disposal in accordance with 40 CFR § 761.61;
  - b. non-liquid PCBs regulated for disposal in accordance with 40 CFR § 761.62;
  - c. non-liquid PCBs regulated for disposal in accordance with 40 CFR § 761.79;
  - d. PCB Small Capacitors; and
  - e. PCB liquids at concentrations <500 parts per million (ppm) that come from incidental sources as described in 40 CFR § 761.60(a)(3) and are solidified in accordance with condition III.A.3. before disposal in an authorized disposal cell.
2. The following PCB wastes are prohibited from disposal at the Facility (some of these prohibitions may be removed or modified, provided the Facility applies for and receives EPA approval for a commercial storage facility pursuant to 40 CFR § 761.65(d)):
  - a. PCB liquids other than those allowed in condition II.A.1.e.; and
  - b. PCB Items (except PCB Small Capacitors), including PCB Transformers, PCB Large Capacitors (i.e., ≥50 ppm), PCB hydraulic machines, PCB-Contaminated Electrical Equipment, Natural gas pipeline systems containing PCBs, other PCB Articles that contain PCBs, PCB Containers or PCB Article Containers.
3. Notwithstanding condition II.A.2. above, the Facility may dispose of the following prohibited wastes, provided that the Facility complies with condition II.A.4. below:
  - a. drained and flushed PCB Transformers pursuant to section 761.60(b)(1)(i)(B);
  - b. drained and flushed PCB hydraulic machines pursuant to section 761.60(b)(3)(ii) and section 761.60(b)(1)(i)(B);

- c. drained and flushed PCB-Contaminated Electrical Equipment (except PCB Large Capacitors) pursuant to section 761.60(b)(4) and section 761.60(b)(1)(i)(B);
  - d. drained and flushed natural gas pipeline systems pursuant to section 761.60(b)(5); and
  - e. other PCB articles that contain PCBs, PCB Containers or PCB Article Containers that are drained and flushed of all free-flowing liquids pursuant to section 761.60(b)(6) and section 761.60(b)(1)(i)(B).
4. For disposal of PCB Items listed in condition II.A.3. above, the Facility shall inspect each PCB Item at the site of generation or transport and verify that each PCB Item intended for shipment for disposal at the Facility is free from all free-flowing liquids. This information shall be recorded and kept on file at the Facility. The record shall contain the following information:
    - a. the name, date, and place of inspection;
    - b. the name of the Facility inspector;
    - c. a description of each PCB Item inspected, including any serial numbers or markings that discretely identify the PCB Item; and
    - d. how the Facility inspector verified that no free-flowing liquids were present in each PCB Item to be disposed.

**B. Units Authorized**

The following waste treatment and disposal units are authorized for solidification and disposal of PCB wastes (no liquid PCBs may be disposed in the approved cells):

1. Landfill cells No. 3, No. 4A, No. 11, and No. 12; and,
2. Steel, non-leaking, PCB marked solidification tanks located within disposal units authorized for use in condition II.B.1. and 2.

**C. Authorization to Operate Additional Units**

For a new landfill cell that has not been constructed or put into use before the effective date of this approval, the Facility shall not commence disposal of PCB wastes until the Facility has notified in writing the EPA Region 6 Facility Assessment Section and received a written approval authorizing the new cell for PCB disposal. The notification shall include a narrative and detailed as-built engineering drawings of the new cell showing that the new cell(s) meet the TCEQ and TSCA PCB design requirements. The notification shall also include drawings of the placement of groundwater monitoring wells and the depth these wells have been

screened to detect contaminants in the upper aquifer zones. A certification by a registered Professional Engineer shall also be included that the new cell has been constructed in accordance with the design plans.

**D. Facility Expansion**

Any modification or expansion in capacity of an approved cell requires that the Facility notify the EPA in writing and receive written approval from the EPA before PCB wastes may be disposed in the cell after the cell has been modified or expanded.

**III. DISPOSAL FACILITY DESIGN, CONSTRUCTION AND OPERATION**

**A. General Design, Construction and Operating Requirements**

1. The design, construction, and operation of the PCB storage and disposal areas shall comply with 40 CFR Part 761, Subpart D.
2. The design, construction and operation of the PCB disposal areas shall also comply with the effective TCEQ permit.
3. No PCB liquids or items containing PCB liquids may be disposed in the PCB landfill cells. Incidental sources of PCB liquids received at the Facility shall be immediately solidified upon receipt before being disposed in the landfill cells. Solidification shall take place in tanks authorized in condition II.B.3. The area over and around the tanks shall be sufficiently covered during precipitation events to prevent precipitation from being added to the incidental sources of PCB liquids either in the tanks or transport or handling equipment. Any spillage of PCB liquids shall be immediately returned to the solidification tank(s). A representative sample from each batch of solidified waste for disposal shall be collected and pass the Paint Filter Test (EPA Method 9095, SW-846) before the batch may be disposed. A representative sample shall be defined as three aliquots; each taken from a portion of three equally divided areas of the total batch and then composited into one sample. Test results shall be kept on file at the Facility.
4. The Facility may not dispose of PCB wastes in the landfill or any landfill cell if the TCEQ permit for the landfill or any landfill cell becomes invalid, unless the EPA provides further written approval to do so.
5. All PCB wastes shall be logged showing date removed for disposal and the date the PCB or PCB Item was disposed in a landfill cell. The location of PCB wastes disposed within the landfill cells shall be recorded and kept on file. This information shall be provided to the EPA upon request.
6. The Facility shall at all times during PCB storage and disposal, properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used to achieve compliance with the conditions of this approval. Proper operation and maintenance include effective performance, adequate funding,

adequate operator staffing and training and adequate laboratory and process controls, including appropriate quality assurance procedures.

7. All transport vehicles owned by the Facility and used for the transport of PCB wastes on public highways shall be properly maintained and inspected, as required by the applicable Department of Transportation regulations. Transporters of PCB waste shall notify the EPA of their PCB waste activities by filing EPA Form 7710-53, "Notification of PCB Activity," prior to engaging in PCB waste hauling activities.
8. The landfill shall be operated in accordance with the plan presented in Section 8, "Chemical Waste Landfill Operations" of the application dated June 12, 2003. Any modification to this plan shall be submitted to the EPA for review and approval before a new or modified plan may be implemented by the Facility.
9. No liquids may be disposed in any PCB landfill cell.

**B. Surface and Ground Water Monitoring Requirements**

1. Samples collected for compliance with this approval shall be analyzed for the parameters listed in 40 CFR § 761.75(b)(6)(iii). The term "chlorinated organics" shall be defined as a full scan gas chromatograph analysis for volatile organic compounds (VOCs) and semi-volatile organic compounds (SVOCs) in groundwater samples and SVOCs for surface water sample analysis.
2. All surface and groundwater samples shall be analyzed for PCBs. Analytical methods shall follow the EPA approved procedures and methods. The procedures and methods used shall be recorded along with the data.
3. Monitoring wells MW-10, MW-11, MW-12, MW-13, MW-14, MW-15, MW-8C and MW-16 shall be sampled and analyzed semi-annually for the constituents required in III.B.1 and 2.
4. The onsite drainage stream adjacent to and due east of the landfill site shall be sampled and analyzed at least semi-annually for the constituents required in III.B.1. and B.2. after rainfall events where sufficient sample size may be collected for analysis.

**C. Leachate Collection and Disposal**

1. Leachate collected from the leachate collection system shall be stored in the approved storage tank(s) listed under condition IV. A.
2. Leachate shall be managed in accordance with Section 7, "Leachate Collection," of the application dated June 12, 2003. Any modification to this plan shall be submitted to the EPA for review and approval before a new or modified plan may be implemented by the Facility.

3. Leachate shall be sampled and analyzed for PCBs, in addition to those constituents required by the TCEQ. Analytical methods shall follow the EPA approved methods and procedures. Results of these analyses and the method used shall be kept on file at the Facility and made available to the EPA upon request.
4. Leachate shall be properly disposed at disposal facilities approved for such wastes in accordance with 40 CFR § 761.61(a)(5)(iv). The Facility shall keep records of when and where leachate was disposed. Leachate may be disposed in Facility units authorized in condition II.B, provided that the leachate is solidified, and a representative sample passes the Paint Filter Test before disposal.

#### **IV. PCB STORAGE AREA AUTHORIZATIONS AND OPERATING REQUIREMENTS**

##### **A. Units Authorized**

1. PCB storage shall be limited to leachate collection in the east 100,000-gallon leachate storage tank.
2. The approved storage tank shall have a secondary containment system that meets the Spill Prevention and Countermeasure Control (SPCC) Plan requirements for PCB bulk storage tanks.

##### **B. Authorization to Operate Additional Storage Areas**

For a new PCB storage area, the Facility shall not commence storage of PCBs until the Facility has notified the EPA Region 6 Facility Assessment Section in writing, and received a written approval authorizing the new storage area. The notification shall include a description and the storage capacity of the new area.

##### **C. Expansion in Capacity or Size of Authorized Storage Areas**

Any existing storage area modification or expansion in capacity over and above what is authorized in this approval shall require written notification and response from the EPA, according to the procedures outlined in IV. B. of these conditions.

##### **D. Storage Area Operating Requirements**

1. The PCB storage areas shall comply with PCB storage requirements in 40 CFR § 761.65 (Storage for disposal).
2. All PCB waste, transport vehicles and storage areas shall be properly marked in accordance with 40 CFR § 761.40.
3. All PCB wastes shall be logged showing date removed for disposal and the date the PCB or PCB Item was sent from storage for disposal. This information shall be provided to the EPA upon request.

**E. Storage Area Closure Plan and Financial Assurance**

1. The Facility shall comply with the storage closure plan requirements pursuant to 40 CFR § 761.65(d)(3)(viii)(ix), and (x).
2. The Facility shall comply with the storage financial assurance requirements pursuant to 40 CFR § 761.65(f) and (g).
3. The Closure Cost Estimate for closure of storage areas shall be updated to adjust for inflation annually or within 30 days after the EPA approval of any modification to the Closure Plan that increases the expected costs of closure.
4. The Facility shall amend the Closure Plan and current Closure Cost Estimate whenever changes in operating plans or Facility design affect the Closure Plan or whenever there is a change in the expected year of closure. In the event Facility officials become aware of information that tends to show the estimated costs associated with performing closure of the Facility may exceed the current Closure Cost Estimate approved by EPA, the Closure Plan shall be modified and submitted to the EPA for approval.
5. Financial assurance at least equivalent to that specified in 40 CFR § 761.65(g) and 40 CFR Part 264, Subpart H, shall be maintained by the Facility to provide funding for proper closure. The closure plan shall also provide for the decontamination and/or disposal of PCB-contaminated equipment and materials at an EPA approved PCB disposal facility.
6. Any payment required to establish or continue the financial assurance mechanism used to satisfy the financial requirements shall be made when due. Written verification of the payments shall be furnished to the EPA Region 6 Facility Assessment Section within 30 days of the payment due dates. The Facility shall also submit such documentation as the EPA may require to determine whether the financial assurance requirements for this approval have been met.
7. The Facility shall submit documentation of continued financial assurance annually within 30 days of renewal to the EPA Region 6 Facility Assessment Section.
8. The Facility shall notify the EPA Region 6 Facility Assessment Section at least 60 days prior to the date closure of a storage areas is expected to begin.
9. Upon termination of PCB storage or PCB landfill cell activities, the Facility shall proceed according to the provisions of the approved Closure Plan. The word "termination" means cessation of PCB storage operations required by expiration, termination or revocation of this approval.

**V. LANDFILL CLOSURE AND POST-CLOSURE CARE**

- A. Records required under 40 CFR § 761.180(d) and (f) shall be maintained for the times specified after the landfill is no longer used for PCB disposal.



- B. The closure plan for the landfill cells dated April 1999, Revised November 1999, is approved for PCB containing cells. Any substantial changes to the closure plan shall be approved by the EPA in writing before closure of PCB containing cells may begin.
- C. The April 2011 closure plan for the leachate storage tanks is approved for the leachate storage tanks and the PCB solidification area. Any substantial changes to the closure plan shall be approved by the EPA in writing before closure may begin.
- D. The Facility shall notify the EPA Region 6 Facility Assessment Section in writing that a PCB containing landfill cell is scheduled for closure within 60 days of the anticipated date when closure is to begin, along with the closure plan for the cell(s).
- E. A copy of the closure certification for PCB containing cells shall be provided to the EPA.
- F. Copies of the annually adjusted closure cost estimate and proof of adequate financial assurance for PCB containing cells shall be provided to the EPA Facility Assessment Section for review and approval.

## **VI. STANDARD APPROVAL CONDITIONS**

### **A. Severability**

The conditions of this authorization are severable and if any provision of this authorization or any application of any provision is held invalid, the remainder of this authorization shall not be affected thereby.

### **B. Duty to Comply**

The Facility shall comply with all Federal, State and local regulations, approvals and permits. The Facility may not dispose of PCBs if any existing permits prohibit such disposal until the prohibition has been removed from the permit.

### **C. Personnel Safety**

The Facility personnel safety requirements and procedures for PCB handling, storage, transport and disposal shall comply with Occupational Safety and Health Administration (OSHA) requirements.

### **D. Duty to Mitigate**

The Facility shall correct any adverse impact on the environment resulting from noncompliance with this approval or the release of PCBs into the environment.

**E. Proper Operation and Maintenance**

The Facility shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed and used to achieve compliance with the conditions of this approval. Proper operation and maintenance include effective performance, adequate funding, adequate operator staffing and training and adequate laboratory and process controls, including appropriate quality assurance procedures.

**F. Duty to Provide Information**

The Facility shall provide any relevant information which the EPA may request to determine whether cause exists for modifying, revoking, reissuing or terminating this approval or to determine compliance with this approval. The Facility shall also provide, upon request, copies of records required to be kept under the TSCA PCB regulations.

**G. Inspection and Entry**

The Facility shall allow an authorized representative, upon presentation of credentials and other documents as may be required by law, to:

1. enter the Facility where PCBs are being handled, stored or disposed;
2. have access to and copy, at reasonable times, any records that are required to be kept under the TSCA PCB regulations;
3. inspect any facilities, equipment (including monitoring equipment), practices or operations required under this approval or the TSCA PCB regulations; or
4. sample or monitor for the purpose of assuring that the Facility is operating in compliance with the conditions of this approval or the TSCA PCB regulations.

**H. Monitoring and Records**

1. The Facility shall comply with all monitoring and record-keeping requirements for PCB landfills and storage facilities. All PCB records, documents and reports shall be maintained at centralized locations at the Facility and shall be made available for inspection by authorized EPA representatives. All records required by this approval shall be written in ink, typed or put in electronic format. Any modification or correction of the records shall be initialed and dated by the supervisor in charge.
2. The owner/operator shall maintain records of PCB waste in accordance with 40 CFR § 761.180(b).

**I. Notice of Transfer of Ownership**

The Facility shall notify the EPA at least thirty (30) days before transferring ownership of the Facility. The Facility shall also submit to the EPA, at least thirty (30) days before such transfer, a notarized affidavit signed by the transferee stating that the transferee shall abide by the terms of this approval.

**J. Twenty-four Hour Reporting of Noncompliance**

If, at any time, the Facility becomes aware of any departure from the TSCA PCB regulations, the approval or the conditions of approval, it shall notify the EPA Region 6 Facility Assessment Section by telephone within 24 hours and shall submit a written report within five (5) working days.

**K. Other Information**

When Facility officials become aware that it failed to submit any relevant facts in its application or submitted incorrect information in any report to the EPA, it shall promptly submit such facts or information to the EPA Region 6 Facility Assessment Section.

**L. Operation of the Facility**

The Facility shall maintain an adequately trained onsite inspector to direct emergency procedures which could result from fires, explosions or releases of PCB containing wastes at the Facility. The Facility shall submit the name of this inspector within sixty (60) days of the effective date of this approval. The Facility shall maintain in good working order any equipment required to deal with these emergencies.

**M. Spills**

PCB spills occurring at the Facility or from any Facility-owned PCB transport vehicle, shall be cleaned up according to the PCB Spill Cleanup Policy, 40 CFR Part 761, Subpart G. Following each spill cleanup action, the Facility shall develop and maintain records of the cleanup in accordance with sections 761.120-135, the PCB Spill Cleanup Policy. These records shall include:

- a. identification of the source of the spill;
- b. estimated or actual date and time of the spill occurrence;
- c. date and time cleanup were completed;
- d. description of the spill location;
- e. pre-cleanup sampling data used to establish spill boundaries, if required because of insufficient visible traces, and a description of the sampling methodology used;

- f. amount and type of waste cleanup material generated;
- g. description of the solid surfaces cleaned and of the double wash/rinse method used and if soil is the contaminated media, the depth of soil excavated and amount of soil removed for disposal;
- h. post-cleanup verification sampling information, such as a description of the sampling methodology used, the number of samples analyzed and the analytical data; and
- i. a certification by the appropriate Facility officials stating that the cleanup levels required by the EPA were achieved and that the record is true to the best of his/her knowledge.

**N. Duty to Notify**

The Facility shall notify the EPA Region 6 Facility Assessment Section in writing at least thirty (30) days prior to any planned physical or operational change that may require modification of this approval.

**O. Effective Date**

This approval modification becomes effective on the date of the approval letter and expires at midnight, the same day and month, five years later.

**END OF APPROVAL CONDITIONS**